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GOEWERMENSKENNISGEWINGS

ADMINISTRASIE: VOLKSRAAD

DEPARTEMENT VAN LANDBOU EN WATEROORSIENING

No. R. 2859

31 Desember 1987

WET OP DIE BEWARING VAN DIE LANDBOUHULP-
BRONNE, 1983 (WET 43 VAN 1983)

VLOEDHULPSKEMA—WYSIGING

Kragtens die bevoegdheid my verleen by artikel 8, gelees met artikel 9, van die Wet op die Bewaring van Landbouhulpbronne, 1983 (Wet 43 van 1983), wysig ek Jacob Johannes Greyling Wentzel, Minister van Landbou en Watervoorsiening, hiermee die Tabel van die Vloedhulpskema afgekondig by Goewermenskennisgewing R. 1046 van 25 Mei 1984 soos in die Bylae uiteengesit.

J. J. G. WENTZEL,

Minister van Landbou en Watervoorsiening.

BYLAE

Die volgende inskrywing word hierby aan die einde van die Tabel, in die kolomme soos aangedui, ingevoeg:

Gebied waarin skema van toepassing is	Datum of datums waarop vloedskade aan grondbewaringswerke voorgekom het	Instellingsdatum
1	2	3
"6. Die Landdrosdistrikte Barkley-Oos en Elliot	28 en 29 September 1987	24 Desember 1987

GOVERNMENT NOTICES

ADMINISTRATION: HOUSE OF ASSEMBLY

DEPARTMENT OF AGRICULTURE AND WATER SUPPLY

No. R. 2859

31 December 1987

CONSERVATION OF AGRICULTURAL RESOURCES
ACT, 1983 (ACT 43 OF 1983)

FLOOD RELIEF SCHEME.—AMENDMENT

Under the powers vested in me by section 8, read with section 9, of the Conservation of Agricultural Resources Act, 1983 (Act 43 of 1983), I Jacob Johannes Greyling Wentzel, Minister of Agriculture and Water Supply, hereby amend the Table of the Flood Relief Scheme published by Government Notice R. 1046 of 25 May 1984, as specified in the Schedule.

J. J. G. WENTZEL,

Minister of Agriculture and Water Supply.

SCHEDULE

The following insertion is hereby made at the end of the Table, in the columns as specified:

Area in which scheme is applicable	Date or dates on which flood damage to soil conservation works occurred	Date of inception
1	2	3
"6. The Magisterial Districts of Barclay-East and Elliot	28 and 29 September 1987	24 December 1987

DEPARTEMENT VAN ONDERWYS EN KULTUUR

No. R. 2876

31 Desember 1987

WET OP TECHNIKONS (NASIONALE OPVOEDING),
1967

REGULASIES

Kragtens die bevoegdheid hom verleen by artikel 30 van die Wet op Technikons (Nasionale Opvoeding), 1967, het die Minister van Onderwys en Kultuur die regulasies afgekondig by Goewermentskennisgewing R. 631 van 24 April 1970, soos gewysig by Goewermentskennisgewing R. 40 van 12 Januarie 1979, herroep en die volgende regulasies uitgevaardig:

Woordomskrywing

1. In hierdie regulasies, tensy uit die samehang anders blyk, het enige uitdrukking waaraan daar in die Wet op Technikons (Nasionale Opvoeding), 1967, 'n betekenis geheg is, die betekenis wat aldus daaraan geheg is, en beteken—

“die Wet” die Wet op Technikons (Nasionale Opvoeding), No. 40 van 1967, soos gewysig;

“donateur” enige liggaam of persoon wat 'n totale bedrag van minstens R5 000 in kontant of goedere en minstens R5 000 in gereelde paaielemente oor 'n tydperk van hoogstens vier jaar aan 'n teknikon skenk en wat nie agterstallig met sy paaielemente is nie;

“doserende navorsingspersoneel” persone wat aangestel is in die hoedanighede van hoof, vise-rektor, vise-hoof, direkteur, hoof van departement, senior lektor, lektor of wat 'n ander pos beklee wat die raad as 'n pos met akademiese status in die teknikon erken;

“kalenderkwartaal” 'n tydperk van drie kalendermaande wat begin op onderskeidelik 1 Januarie, 1 April, 1 Julie en 1 Oktober van elke kalenderjaar;

“kalendermaand” 'n tydperk wat strek van die eerste tot die laaste dag, albei dae inbegrepe, van engeen van die 12 maande van die jaar;

“kalenderjaar” 'n tydperk wat strek van 1 Januarie tot 31 Desember, albei datums inbegrepe, van 'n jaar;

“maand” 'n tydperk wat strek van 'n datum in een kalendermaand tot die datum wat die ooreenstemmende datum in die volgende kalendermaand voorafgaan, albei datums inbegrepe;

“oud-studente” die oud-studente van 'n teknikon (insluitende die oud-studente van die tegniese kollege of kollege vir gevorderde tegniese onderwys waarvan die teknikon die opvolger is) wat aan daardie teknikon 'n tersiêre kwalifikasie verwerf het wat van die standaard is van ten minste 'n driejaar Nasionale Diploma;

“permanente werknemer” 'n persoon wat ingevolge die Wet in 'n permanente hoedanigheid vir diens by 'n teknikon deur die raad aangestel is, of wat geag word aldus aangestel te wees, al is hy aangestel—

(a) op proef;

(b) in 'n pos bedoel vir iemand met 'n hoër of laer rang as sy eie; of

(c) in 'n pos wat bykomend tot die vaste diensstaat van die teknikon is;

“personeellid” sowel 'n permanente as 'n tydelike werknemer in voltydse diens van 'n teknikon;

“salaris” die salaris of loon wat gewoonlik aan 'n werknemer betaalbaar is wanneer hy in diens van die teknikon is en ook toelaes wat nie by sy salaris of loon inbegrepe is nie;

DEPARTMENT OF EDUCATION AND CULTURE

No. R. 2876

31 December 1987

TECHNIKONS (NATIONAL EDUCATION) ACT, 1967

REGULATIONS

The Minister of Education and Culture has, under and by virtue of the powers vested in him by section 30 of the Technikons (National Education) Act, 1967, withdrawn the regulations published under Government Notice R. 631 dated 24 April 1970, as amended by Government Notice R. 40 dated 12 January 1979, and made the following regulations:

Definitions

1. In these regulations, unless the context otherwise indicates, any expression to which a meaning has been assigned in the Technikons (National Education) Act, 1967, shall bear the meaning so assigned, and—

“calendar month” means a period extending from the first to the last day, both days inclusive, of any one of the 12 months of the year;

“calendar quarter” means a period of three calendar months commencing on 1 January, 1 April, 1 July and 1 October respectively, of each calendar year;

“calendar year” means a period extending from 1 January to 31 December, both dates inclusive, of any year;

“cycle” means a period of three calendar years reckoned from 1 January 1983 and each succeeding period of three calendar years;

“day of rest” means—

(a) a Sunday or a public holiday in the case of an employee who normally does not work on such a day; or

(b) such other day as he is normally relieved from duty in lieu thereof in the case of an employee who normally works on a Sunday or a public holiday;

“donor” means any body or person that donates an aggregate amount in cash or kind of not less than R5 000 to a teknikon, or who has undertaken to donate an amount of not less than R5 000 to a teknikon in regular instalments over a period of not more than four years and who is not in arrear with his instalments;

“employee” means a person employed full-time or part-time in a permanent or temporary capacity as well as the principal;

“incremental period” means a period of 12 months or any other approved period which must elapse in regard to any employee before his salary may be increased in accordance with the scale applicable to him;

“leave” means leave to an employee to be absent from duty and in respect of which he applies on the approved form;

“month” means a period extending from a date in any one calendar month to the date preceding the corresponding date in the following calendar month, both dates inclusive;

“past students” means the past students of a teknikon (including the past students of the technical college or college for advance technical education of which the teknikon is the successor) who obtained at that teknikon a tertiary qualification which is of the standard of at least a three-year National Diploma;

“rusdag” —

- (a) 'n Sondag of openbare feesdag in die geval van 'n werknemer wat nie gewoonlik op sodanige dag werk nie; of
 - (b) 'n ander dag wat hy gewoonlik in plaas daarvan van diens vrygestel is in die geval van 'n werknemer wat gewoonlik op 'n Sondag of 'n openbare feesdag werk;
 - (c) 'n Saterdag in die geval van 'n werknemer wat 'n volle vyfdaagse werkweek werk;
- “salarisverhoging” die goedgekeurde bedrag waarmee 'n salaris volgens die toepaslike skaal verhoog kan word;

“salarisverhogingstydperk” 'n tydperk van 12 maande of 'n ander goedgekeurde tydperk wat met betrekking tot enige werknemer moet verstryk voordat sy salaris volgens die skaal wat op hom van toepassing, verhoog kan word;

“Sondag” —

- (a) ook 'n openbare feesdag genoem in die Tweede Bylae by die Wet op Openbare Feesdae, 1952 (Wet 5 van 1952), in die geval van 'n werknemer wat nie gewoonlik op sodanige dag werk nie; of
- (b) 'n ander dag wat hy gewoonlik in plaas daarvan van diens vrygestel is, in die geval van 'n werknemer wat gewoonlik op 'n Sondag of op 'n sodanige openbare feesdag werk;

“technikonvakansie” die tydperk tussen twee opeenvolgende teknikontermyne;

“tydkring” 'n tydperk van drie kalenderjare gereken vanaf 1 Januarie 1983 en elke daaropvolgende tydperk van drie kalenderjare;

“verlof” verlof aan 'n werknemer om van diens afwesig te wees en waarom hy op 'n goedgekeurde vorm aansoek doen;

“werknemer” 'n persoon wat voltyds of deelyds in 'n permanente of tydelike hoedanigheid in diens is.

HOOFTUK I

RADE: VERKIESING, ONTSLAG VAN RAADSLEDE EN INDIENING VAN VERSLAE

Wyse van verkiesing

2. (1) (a) Wanneer donateurs 'n persoon tot lid van 'n raad moet verkies, nooi die hoof sodanige donateurs by skriftelike kennisgewing, wat minstens 90 dae voor die datum wat hy vir die verkiesing van lede van sodanige raad bepaal, gepos moet word, om skriftelik 'n kandidaat vir verkiesing tot lid van sodanige raad te nomineer.

(b) Wanneer oud-studente 'n persoon tot lid van 'n raad moet verkies, nooi die hoof sodanige oud-studente by skriftelike kennisgewing, wat minstens 90 dae voor die datum bedoel in paragraaf (a) gepos moet word, om skriftelik 'n kandidaat vir verkiesing tot lid van sodanige raad te nomineer.

(2) (a) 'n Nominasie word minstens 60 dae voor die datum bedoel in subregulasies (1) (a) by die hoof ingedien.

(b) wanneer oud-studente 'n persoon tot lid van 'n raad moet verkies, word elke nominasie deur minstens vyf oud-studente onderteken en deur die genomineerde medeonderteken ter aanduiding van sy aanvaarding van die nominasie.

(3) Indien die getal kandidate nie meer as die getal vakatures is nie, verklaar die hoof onverwyld dat sodanige kandidate behoorlik verkies is.

(4) Indien meer kandidate genomineer word as wat verkies moet word, pos die hoof minstens 30 dae voor die datum bedoel in subregulasie (1) (a) aan die donateurs of oud-studente, na gelang van die geval, stembriewe met die name van al die kandidate in alfabetiese volgorde daarop.

“permanent employee” means a person appointed permanently in terms of the Act at a technikon by the council, or who is deemed to have been so appointed, even though he may have been appointed —

- (a) on probation;
- (b) to a post intended for a person of a rank higher or lower than his own rank; or
- (c) to a post additional to the fixed establishment of the technikon;

“salary” means the salary or wage normally payable to an employee when he is in the service of the technikon and includes allowances which do not form part of his salary or wage;

“salary increment” means the approved amount by which a salary may be increased according to the appropriate scale;

“staff member” includes both a permanent and temporary employee in full-time employment of a technikon;

“Sunday” means —

- (a) also a public holiday mentioned in the Second Schedule to the Public Holidays Act, 1952 (Act 5 of 1952), in the case of an employee who does not normally work on such a day; or
- (b) such other day as he is normally relieved from duty in lieu thereof in the case of an employee who normally works on a Sunday or on such public holiday;

“teaching and research staff” means the principal, vice-rector, vice-principal, director, head of department, senior lecturer, lecturer or any other person who occupy a post which the council regard as an academic post in the technikon;

“technikon holidays” means the period between two consecutive technikon terms;

“termination of service” includes resignation;

“the Act” means the Technikons (National Education) Act, 1967 (Act 40 of 1967), as amended.

CHAPTER I

COUNCILS: ELECTION, DISCHARGE OF COUNCIL MEMBERS AND SUBMISSION OF REPORTS

Manner of election

2. (1) (a) Whenever it is necessary for donors to elect a member of a council the principal shall, by written notice posted at least 90 days before the date determined by him for the election of members of such council, invite such donors to nominate in writing a candidate to be elected a member of such council.

(b) Whenever it is necessary for past students to elect a member of a council the principal shall, by written notice posted at least 90 days before the date referred to in paragraph (a), invite such past students to nominate in writing a candidate to be elected a member of such council.

(2) (a) A nomination shall be lodged with the principal at least 60 days before the date referred to in subregulation (1) (a).

(b) Whenever it is necessary for past students to elect a member of a council, each nomination shall be signed by at least five past students and countersigned by the nominee to indicate his acceptance of the nomination.

(3) If the number of candidates is not greater than the number of vacancies, the principal shall forthwith declare such candidates to be duly elected.

(4) If more candidates are nominated than are to be elected, the principal shall, at least 30 days before the date referred to in subregulation (1) (a), post to the donors or past students, as the case may be, ballot papers containing in alphabetical order the names of all the candidates.

(5) (a) 'n Donateur is geregtig op een stem plus 'n bykomende stem vir elke volle bedrag van R5 000 bo R5 000 wat aan 'n technikon geskenk is of waarvan die skenking aan 'n technikon in gereelde paaientemente oor 'n tydperk van hoogstens vier jaar onderneem is: Met dien verstande dat sodanige tydperk van vier jaar begin op die datum van ontvangs van die eerste paaientement of die betaling van die skenking, en die aantal stemme wat aldus verkry word, is beperk tot 50 per donateur: Met dien verstande voorts dat 'n donateur net 'n stem het ingevolge artikel 8 (1) (c) van die Wet ten opsigte van die skenkings wat gedurende die tydperk van vier jaar onmiddellik voor 'n verkiesing gedoen is.

(b) 'n Oud-student is geregtig op een stem.

(6) (a) 'n Stembriefie word per geregistreerde pos aan die hoof teruggestuur.

(b) 'n Stembriefie wat na die datum bedoel in subregulasie (1) (a) deur die hoof ontvang word, is ongeldig.

(7) By 'n verkiesing tree die hoof as kiesbeampte op en word hy deur twee stemopnemers wat hy benoem, bygestaan.

(8) Die hoof verklaar die persoon(e) wat die grootste aantal stemme verkry, behoorlik verkose en, in die geval van 'n staking van stemme, word die uitslag deur loting deur die hoof in teenwoordigheid van die twee stemopnemers bedoel in subregulasie (7), beslis.

(9) 'n Raad moet 'n lys van plaaslike besture of ander liggame wat die Minister kragtens artikel 8 (1) (d) van die Wet kan nomineer vir verteenwoordiging in sodanige raad, aan die Minister voorlê vir oorweging deur hom en as riglyn vir hom.

Ontslag van raadslede

3. 'n Lid van 'n raad uitgesonderd die hoof ontruim sy amp indien—

- (a) hy sonder toestemming van die raad van drie agtereenvolgende vergaderings van die raad afwesig is;
- (b) hy insolvent raak;
- (c) hy skuldig bevind word aan 'n misdryf waarby oneerlikheid betrokke is of aan enige misdryf waarvoor hy tot gevangenisstraf sonder die keuse van 'n boete gevonnis word;
- (d) hy as gevolg van 'n geesteswakheid of -siekte of liggaamlike swakheid of siekte onbekwaam word om sy amppligte na te kom; of
- (e) hy in die diens van die technikon van wie se raad hy 'n lid is, aangestel word.

State en verslae

4. 'n Raad moet op of voor 30 April van elke jaar 'n verslag oor sy verrigtinge en oor die bestuur van die technikon, tesame met die behoorlik geouditeerde finansiële jaarstate ten opsigte van die voorafgaande kalenderjaar in beide amptelike tale en in tienvoud aan die Minister stuur.

HOOFSTUK II

AANSTELLING VAN HOOF

5. (1) 'n Vakante pos van hoof word geadverteer op die wyse deur die raad bepaal.

(2) Die tersaaklike besonderhede van alle kandidate wat om die vakante pos aansoek doen en die redes van die raad vir die keuse van 'n bepaalde kandidaat word aan die Minister voorgelê, tensy die Minister bepaal het dat sodanige aanstelling sonder sy goedkeuring gedoen word.

(3) Die kandidaat word skriftelik deur die voorsitter van die raad van sy aanstelling in kennis gestel.

(5) (a) A donor shall be entitled to one vote plus an additional vote for every full amount of R5 000 over R5 000 donated to a technikon or the donation of which to a technikon in regular instalments over a period of not more than four years has been undertaken. Such period of four years shall commence from the date of receipt of the first instalment or the payment of the donation and the number of votes so obtained shall be limited to 50 per donor: Provided that a donor shall only have a vote in terms of section 8 (1) (c) of the Act in respect of the donations made during the four-year period immediately preceding the election.

(b) A past student shall be entitled to one vote.

(6) (a) A ballot paper shall be returned to the principal by registered post.

(b) A ballot paper received by the principal after the date referred to in subregulation (1) (a) shall be invalid.

(7) At any election the principal shall act as returning officer and shall be assisted by two scrutineers nominated by him.

(8) The principal shall declare the person(s) obtaining the highest number of votes to have been duly elected, and, in the event of an equality of votes, the result shall be determined by lot by the principal in the presence of the two scrutineers referred to in subregulation (7).

(9) A council shall submit to the Minister for his consideration and guidance a list of local authorities or other bodies which he may, in terms of section 8 (1) (d) of the Act, nominate for representation on such council.

Discharge of council members

3. A member of a council other than the principal shall vacate his office if—

- (a) he is absent from three consecutive meetings of the council without the permission of the council;
- (b) he becomes insolvent;
- (c) he is found guilty of an offence involving dishonesty or of any other offence for which he is sentenced to imprisonment without the option of a fine;
- (d) as a result of a mental or physical weakness or illness, he becomes incompetent to perform his official duties; or
- (e) he is appointed in the service of the technikon of whose council he is a member.

Statement and reports

4. A council shall on or before 30 April of every year transmit to the Minister a report of its proceedings and of the management of the technikon, together with the duly audited annual financial statements in respect of the preceding calendar year in both official languages and in decuple.

CHAPTER II

APPOINTMENT OF PRINCIPAL

5. (1) A vacant post of principal shall be advertised in the manner determined by the council.

(2) The relevant particulars of all candidates applying for the vacant post and the council's reasons for the selection of a particular candidate shall be submitted to the Minister, unless the Minister determined that such appointment be made without his approval.

(3) A candidate shall be informed, in writing, by the chairman of the council of his appointment.

HOOFSTUK III**DIENSVOORWAARDES VAN PERSONEEL*****Pligte van hoof en ander werknemers***

6. (1) Die hoof is die hoof uitvoerende en akademiese beampte van die raad en is regstreeks aan die raad verantwoordelik.

(2) Die pligte en diensure van elke ander werknemer by 'n teknikon word deur die raad bepaal.

(3) Die normale pligte van 'n lid van die doserende personeel sluit in die onderrig en eksaminering van studente, die bevordering en uitbreiding van kennis op sy bepaalde studiegebied deur navorsing en publikasie, deel in die beheer en administrasie van sy departement, toesighouding tydens eksamens en deelname in amptelike aktiwiteite van die teknikons insluitende dié van die akademiese raad en ander komitees waarin hy aangestel word.

(4) Die raad of die hoof kan 'n werknemer aansê om tydelik ander pligte te verrig as dié wat gewoonlik aan sodanige werknemer opgedra word.

Aanstellings

7. (1) Niemand kan as 'n permanente lid van die personeel in 'n pos aangestel, na 'n pos oorgeplaas of tot 'n pos bevorder word nie, hetsy op proef of nie, tensy sodanige persoon—

(a) voldoen aan die taalvereistes vir die aanstelling van werknemers, soos deur die raad bepaal; en

(b) tot bevrediging van die raad bewys kan lewer dat hy vry van enige siekte of liggaams- of geestesgebrek is wat inbreuk kan maak op die behoorlike uitvoering van sy pligte by 'n teknikon of wat sy aftrede uit die personeel van 'n teknikon voor bereiking van die aftree-ouderdom bedoel in regulasies 59 kan noodsaak;

(2) 'n Aanstelling as 'n werknemer in 'n permanente hoedanigheid geskied op minstens 12 maande proef: Met dien verstande dat die raad kan goedkeur dat 'n oorplasing na 'n ander pos of 'n bevordering ook op proef geskied: Met dien verstande voorts dat sodanige permanente werknemer oorgeplaas of bevorder kan word op minder as 12 maande proef, mits sodanige tydperk saam met die proef tydperk en diens in die vorige pos nie minder is nie as die tydperk wat die raad bepaal.

(3) Indien die hoof sertifiseer dat 'n permanente werknemer gedurende die proef tyd of verlengde proef tyd, ywerig en sy gedrag deurgaans bevredigend was, dat hy in alle opsigte geskik is vir die pos wat hy beklee, kan die raad die aanstelling, verplasing of bevordering bekragtig indien die werknemer voldoen het aan al die voorwaardes waaraan sy aanstelling, verplasing of bevordering onderworpe was.

(4) Indien 'n aanstelling, oorplasing of bevordering op proef nie bekragtig word nie, kan die raad—

(a) die proef tyd verleng; of

(b) in die geval van 'n persoon wat onmiddellik voor sy oorplasing of bevordering op proef 'n permanente werknemer van die teknikon was maar nie 'n permanente werknemer op proef was nie, hom terugplaas na die pos wat hy tevore beklee het of hom plaas in 'n pos met 'n gelyke gradering en aan hom die salaris toeken wat hy in sy vorige pos sou bereik het.

(5) Behoudens die bepalinge van subregulasies (4) (b) kan 'n raad 'n permanente werknemer wat op proef is—

(a) ontslaan deur hom 'n kalendermaand kennis te gee; of

(b) summier ontslaan as sy gedrag onbevredigend is.

CHAPTER III**CONDITIONS OF SERVICE OF STAFF*****Duties of principal and other employees***

6. (1) The principal is the chief executive and academic officer of the council and is directly responsible to the council.

(2) The duties and hours of attendance of every other employee at a technikon shall be determined by the council.

(3) The normal duties of a member of the teaching staff shall include teaching and examining students, the promotion and extension of knowledge in his particular field or study through research and publication, sharing in the control and administration of his department, invigilation during examinations and participating in official activities of the technikon, including those of the academic board and other committees to which he is appointed.

(4) The council or the principal may require an employee temporarily to perform duties other than those ordinarily entrusted to such employee.

Appointments

7. (1) No person shall be appointed, transferred or promoted to a post as a permanent member of staff, whether on probation or not, unless such person—

(a) satisfies the language qualifications for the appointment of employees as determined by the council; and

(b) can finish proof to the satisfaction of the council that he is free from any disease or physical or mental defect which could interfere with the proper performance of his duties at the technikon or could necessitate his retirement from the staff of the technikon before he reaches the retirement age referred to in regulation 59.

(2) An appointment as an employee in a permanent capacity shall be on probation for not less than 12 months: Provided that the council may grant approval that a transfer to another post or a promotion may also be on probation: Provided further that such permanent employee may be transferred or promoted on probation of less than 12 months provided that such period together with the period of probation and service in the former post shall not be less than such period as the council may determine.

(3) If the principal certifies that during the period of probation or extended probation the permanent employee concerned has been diligent and his conduct uniformly satisfactory and that he is in all respects suitable for the post which he holds, the council may, if the employee has complied with all the conditions to which his appointment, transfer or promotion were subject, confirm the appointment, transfer or promotion.

(4) If a probationary appointment, transfer or promotion is not confirmed, the council may—

(a) extend the period of probation; or

(b) in the case of a person who, immediately prior to his probationary transfer or promotion, was a permanent employee of the technikon, but who was not a permanent employee on probation, transfer him back to his former post or place him in a post of equivalent grading and grant him the salary he would have attained in his former post.

(5) Subject to the provisions of subregulation (4) (b) the council may discharge a permanent employee serving on probation—

(a) by giving him a calendar month's notice; or

(b) forthwith, if his conduct is unsatisfactory.

Aanstellings uit die diens van staatsdepartemente, administrasies en inrigtings

8. Indien 'n persoon wat voltyds in diens is van 'n departement, liggaam of inrigting wat 'n pensioen- of voorsorgfonds het wat deur die Staat geadministreer word, sonder onderbreking van diens aangestel word in 'n pos op die vaste diensstaat van 'n technikon, word sodanige aanstelling vir die betaling van oorpasingskoste en vir pensioendoeleindes geag 'n oorpasing te wees.

Diensaanvaardings: Datum waarop salaris begin

9. (1) Aan iemand wat as lid van die doserende personeel aangestel word, word salaris betaal met ingang van die datum van diensaanvaarding tot en met die datum van diensbeëindiging. Met dien verstande dat—

- (a) behoudens die beplaings van paragraaf (b) hiervan, aan so iemand wat op die eerste dag van 'n technikontermyn diens aanvaar en minstens 30 dae na die datum van diensaanvaarding diens doen, salaris betaal word met ingang van die eerste dag van die kalendermaand waarin hy diens aanvaar het; en
- (b) indien 'n technikontermyn binne dieselfde kalendermaand begin as wat die voorafgaande technikontermyn geëindig het, aan so iemand salaris betaal word—
 - (i) met ingang van die eerste dag wat volg op die sluitingsdatum van die voorafgaande technikontermyn; of
 - (ii) met ingang van die dag wat volg op die datum van beëindiging van diens onder 'n ander technikon of onderwysdepartement, indien hy tot die laaste dag van die voorafgaande technikontermyn as lid van die doserende personeel diens gedoen het en minstens 30 dae in diens van daardie technikon of onderwysdepartement was.

(2) Ondanks andersluidende bepalings van hierdie regulasies, word aan iemand wat as lid van die doserende personeel in 'n permanente hoedanigheid aangestel is en wat onmiddellik na voltooiing van sy kwalifiserende opleidings- of onderrigkursus deur die Departement van Verdediging opgeroep word vir sy aanvanklike tydperk van verpligte militêre diens, en dus nie in staat is om op die eerste dag van 'n technikontermyn diens te aanvaar nie en aan wie verlov ingevolge regulasie 52 (1) (d) (i) toegestaan sou kon word indien hy reeds diens aanvaar het, salaris betaal asof hy op die eerste dag van die technikontermyn diens aanvaar het.

(3) Indien iemand wat tot en met die laaste dag van 'n technikontermyn of ooreenstemmende kalenderkwartaal in 'n tydelike hoedanigheid as 'n lid van die doserende personeel in diens van 'n technikon was, heraangestel word met ingang van 'n datum binne die eerste vier technikondae van die eersvolgende technikontermyn en hy diens aanvaar op enige sodanige datum, word, behoudens die bepalings van subregulasie (2), salaris aan hom betaal ten opsigte van die tussenkomende technikonvakansie en word sy diens as aaneenlopend beskou. Met dien verstande dat aan hom olopende verlov met volle betaling in die mate beskikbaar of spesiale verlov sonder betaling vir die volle of oorblywende gedeelte van die tydperk of, ten opsigte van die tydperk tussen die laaste dag van diens aan die einde van die vorige technikontermyn of die kalenderkwartaal en die datum van sy diensaanvaarding gedurende die daaropvolgende technikontermyn, toegestaan word.

Salarisverhogings

10. (1) Behoudens die bepalings van subregulasie (2), word die salaris van 'n werknemer na die voltooiing van elke salarisverhogingstydperk met een salarisverhoging

Appointment from the services of Government departments, administrations and institutions

8. If a person who is in the full-time employment of a department, body or institution with a pension or provident fund administered by the Government, is appointed without a break in service to a post on the fixed establishment of a technikon such appointment shall be regarded as a transfer for the payment of transfer expenses and for pension purposes.

Assumption of duty: Commencing date of salary

9. (1) A person who is appointed a member of the teaching staff shall be paid salary with effect from the date of assumption of duty up to and including the date of the termination of his service: Provided that—

- (a) subject to the provisions of paragraph (b) of this subregulation, a person who assumes duty on the first day of a technikon term and who renders service for not less than 30 days after the date of assumption of duty, shall be paid salary with effect from the first day of the calendar month in which he assumed duty; and
- (b) if a technikon term commences within the same calendar month as the preceding technikon term ended, such person shall be paid salary—
 - (i) with effect from the first day following the date on which the preceding technikon term ended; or
 - (ii) with effect from the day following the date of the termination of his service under any other technikon or education department, if he served as a member of the teaching staff up to the last day of the preceding technikon term and was in the employ of that technikon or education department for at least 30 days.

(2) Notwithstanding anything to the contrary contained in these regulations, a person who was appointed a member of the teaching staff in a permanent capacity and who, immediately after completion of his course of his qualifying training or instruction is called up by the Department of Defence for his initial period of compulsory military service, and is, therefore, unable to assume duty on the first day of a technikon term, and to whom leave in terms of regulation 52 (1) (d) (i) could have been granted had he already assumed duty, shall be paid salary if he had assumed duty on the first day of the technikon term.

(3) If a person who was in the employment of a technikon as a member of the teaching staff in a temporary capacity up to and including the last day of a technikon term or corresponding calendar quarter, is reappointed with effect from a date within the first four technikon days of the following technikon term and he assumes duty on any such date, he shall be subject to the provisions of subregulation (2) be paid salary in respect of the intervening technikon holidays and his service shall be regarded as continuous: Provided that he shall be granted accumulated leave with full pay to the extent available or special leave without pay for the period between his last day of service at the end of the previous technikon term or calendar quarter and his date of assumption of duty during the following technikon term.

Salary increments

10. (1) Subject to the provisions of subregulation (2), the salary of an employee shall be increased by one salary increment, within the limits of the scale applicable to him,

binne die perke van die skaal wat op hom van toepassing is, verhoog met ingang van die eerste dag van sodanige werknemer se verhogingsmaand.

(2) Indien die hoof 'n sertifikaat uitreik waarin hy verklaar dat 'n werknemer se gedrag met betrekking tot ywer, dissipline, stiptheid of matigheid gedurende 'n salarisverhogingstydperk nie deurgaans bevredigend was nie of dat hy sy werk gedurende sodanige salarisverhogingstydperk nie deurgaans op 'n bevredigende wyse verrig het nie, word die salaris van sodanige werknemer nie kragtens die bepaling van subregulasie (1) verhoog nie: Met dien verstande dat die raad ondanks sodanige sertifikaat kan goedkeur dat die salaris van die werknemer kragtens die bepaling van subregulasie (1) verhoog word.

(3) Indien die salaris van 'n werknemer nie kragtens die bepaling van subregulasie (1) of van die voorbehoudsbepaling van subregulasie (2) verhoog word nie, word sodanige werknemer deur die raad skriftelik verwittig van die redes daarvoor asook dat hy by verstryking van 'n aaneenlopende tydperk wat aangedui word maar wat nie langer as 'n salarisverhogingstydperk is nie, 'n salarisverhoging deur die raad toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof uitgereik word waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) gedurende sodanige tydperk bevredigend was.

(4) (a) Indien die tydperk bedoel in subregulasie (3) korter is as 'n salarisverhogingstydperk, en bedoelde sertifikaat deur die hoof uitgereik word, word een salarisverhoging deur die raad aan die werknemer toegeken met ingang van die eerste dag van die kalendermaand wat volg op die datum waarop genoemde tydperk verstryk.

(b) Indien 'n salarisverhoging kragtens paragraaf (a) aan 'n werknemer toegeken is, word 'n verdere salarisverhoging deur die raad aan hom toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (1) verhoog sou gewees het indien die verhoging nie kragtens die bepaling van subregulasie (2) teruggehou was nie: Met dien verstande dat sodanige salarisverhoging toegeken word slegs indien die hoof 'n sertifikaat uitreik waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) vanaf die datum van toekenning van die salarisverhoging bedoel in paragraaf (a), tot die datum voorafgaande dié waarop 'n salarisverhoging kragtens hierdie paragraaf toegeken kan word steeds bevredigend was: Met dien verstande voorts dat die bepaling van hierdie paragraaf nie op 'n werknemer van toepassing is nie indien sy salaris reeds gelyk is aan die maksimum kerf van die skaal wat op hom van toepassing is.

(5) Indien 'n salarisverhoging nie ingevolge subregulasie (4) (a) aan 'n werknemer toegeken word nie—

(a) word sodanige werknemer deur die raad skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk (wat aangedui word) wat gelykstaande is met die verskil tussen die tydperk bedoel in subregulasie (3) en 'n salarisverhogingstydperk 'n salarisverhoging deur die raad toegeken kan word op voorwaarde dat 'n sertifikaat deur die hoof uitgereik word waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) bevredigend was gedurende sodanige aaneenlopende tydperk; en

(b) word twee salarisverhogings deur die raad aan sodanige werknemer toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens subregulasie (1) verhoog sou gewees het indien sodanige verhoging nie kragtens die bepaling van subregulasie (2) teruggehou was

after completion of each incremental period and with effect from the first day of such employee's incremental month.

(2) If the principal issues a certificate in which he declares that the employee's conduct as to industry, discipline, punctuality or sobriety was not uniformly satisfactory during an incremental period or that he did not perform his work uniformly satisfactorily during such incremental period the salary of such employee shall not be increased in terms of the provisions of subregulation (1): Provided that notwithstanding such certificate, the council may approve that the salary of an employee be increased in terms of the provisions of subregulation (1).

(3) If the salary of an employee is not increased in terms of the provisions of subregulation (1) or of the proviso to subregulation (2) such employee shall be notified by the council in writing of the reasons therefor as well as that at the expiry of a continuous period to be indicated which shall be not longer than an incremental period, a salary increment may be granted by the council on condition that a certificate is issued by the principal in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during such period.

(4) (a) If the period referred to subregulation (3) is shorter than an incremental period and such certificate is issued by the principal, one salary increment shall be granted to the employee by the council with effect from the first day of the calendar month following the date on which such period expired.

(b) If an employee has been granted a salary increment in terms of paragraph (a), a further salary increment shall be granted to him by the council after the expiry of an incremental period reckoned from the date on which his salary would have been increased in terms of subregulation (1) had such increase not been withheld in terms of subregulation (2): Provided that such salary increment may be granted only if the principal issues a certificate in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2), continued to be satisfactory from the date of the granting of the salary increment mentioned in paragraph (a) to the date preceding that on which a salary increment may be granted in terms of this paragraph: Provided further that the provisions of this paragraph shall not apply to an employee if his salary is already equal to the maximum notch of the scale applicable to him.

5. If an employee is not granted a salary increment in terms of subregulation (4) (a)—

(a) such employee shall be notified by the council in writing of the reasons therefor as well as that at the expiry of a continuous period to be indicated which shall be equal to the difference between the period referred to in subregulation (3) and an incremental period, a salary increment may be granted by the council on condition that the principal issues a certificate in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during such continuous period.

(b) two salary increments shall be granted by the council to such employee after the expiry of an incremental period reckoned from the date on which his salary would have been increased in terms of subregulation (1) if such increase had not been withheld in terms of the provisions of subregulation (2): Provided that

nie: Met dien verstande dat sodanige salarisverhogings toegeken word aalleenlik indien die hoof 'n sertifikaat uitreik waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) bevredigend was gedurende die aaneenlopende tydperk bedoel in paragraaf (a); Met dien verstande voorts dat net een salarisverhoging aan sodanige werknemer toegeken word indien sy salaris reeds gelyk is aan die voorlaaste kerf van die skaal wat op hom van toepassing is.

(6) Indien die tydperk bedoel in subregulasie (3) gelyk is aan 'n salarisverhogingstydperk, word twee salarisverhogings deur die raad aan sodanige werknemer toegeken na verstryking van sodanige tydperk: Met dien verstande dat sodanige salarisverhogings toegeken word aalleenlik indien die hoof 'n sertifikaat uitreik waarin hy verklaar dat die werknemer se werkverrigting en gedrag met betrekking tot die eienskappe bedoel in subregulasie (2) bevredigend was gedurende die aaneenlopende tydperk bedoel in subregulasie 4 (a): Met dien verstande voorts dat net een salarisverhoging aan sodanige werknemer toegeken word indien sy salaris reeds gelyk is aan die voorlaaste kerf van die skaal wat op hom van toepassing is.

(7) Indien 'n salarisverhoging nie ingevolge subregulasie (4) (b), (5) (b) of (6) aan 'n werknemer toegeken word nie, is die bepalings van subregulasies (2), (3), (4), (5) en (6) opnuut *mutatis mutandis* van toepassing.

(8) Behoudens die bepalings van hierdie regulasies word die salaris van 'n werknemer aan wie 'n salarisverhoging kragtens subregulasies (4) (b), (5) (b) of (6) toegeken is, by die verstryking van elke verdere salarisverhogingstydperk verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is.

Verplasing van werknemers

11. 'n Werknemer kan met die goedkeuring van die raad verplaas word van die pos waarin hy diens doen na enige ander pos in dieselfde afdeling of enige ander afdeling van die teknikon, hetsy dit kragtens die Wet ingestel is al dan nie en hetsy daardie verplasing na 'n pos met 'n laer graad is al dan nie: Met dien verstande dat 'n verplasing wat 'n vermindering in sodanige werknemer se pensioengewende verdienste meebring, nie sonder sy toestemming geskied nie tensy die verplasing geskied as gevolg van 'n verlaging van rang wat ingevolge regulasie 55 of 56 opgelê word: Met dien verstande voorts dat 'n permanente werknemer net met die goedkeuring van die Minister na 'n pos met 'n laer graad sonder vermindering van pensioengewende verdienste verplaas kan word en dat sodanige werknemer weer in 'n pos met 'n graad wat by sy salaris pas, aangestel word, sodra 'n geskikte vakature ontstaan.

Verrigting van ander werk deur werknemers

12. Tensy in sy diensvoorwaardes anders bepaal word—

- (a) stel 'n werknemer al sy tyd ter beskikking van die teknikon waar hy in diens is;
- (b) verrig 'n werknemer nie sonder die toestemming van die raad besoldigde werk buite sy werk in diens van 'n teknikon nie, of verbind hom nie om dit te verrig nie; en
- (c) het 'n werknemer nie regtens aanspraak op bykomende betaling ten opsigte van enige amptelike diens of werk wat hy deur 'n bevoegde owerheid aangesê word om te verrig nie.

such salary increments may be granted only if the principal issues a certificate in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during the continuous period referred to in paragraph (a): Provided further that only one salary increment may be granted to the employee if his salary is already equal to the penultimate notch of the scale applicable to him.

(6) If the period referred to in regulation (3) is equal to an incremental period, two salary increments shall be granted by the council to such employee after the expiry of such period: Provided that such salary increments shall be granted only if the principal issues a certificate in which he declares that the employee's work performance and his conduct in regard to the qualities mentioned in subregulation (2) were satisfactory during the continuous period referred to in subregulation (4) (a): Provided further that such employee shall be granted only one salary increment if his salary is already equal to the penultimate notch of the scale applicable to him.

(7) If an employee is not granted a salary increment in terms of subregulations (4) (b), (5) (b) or (6), the provisions of subregulations (2), (3), (4), (5) and (6) shall apply *mutatis mutandis* afresh.

(8) Subject to the provisions of these regulations, the salary of an employee to whom a salary increment has been granted in terms of subregulations (4) (b), (5) (b) or (6) shall, at the expiry of each further incremental period, be increased by one salary increment within the limits of the scale applicable to him.

Transfer of employees

11. An employee may, with the approval of the council, be transferred from the post in which he is employed to any other post in the same division or any other division of the teknikon whether or not established under the Act, and whether or not such transfer is to a post of a lower grade: Provided that no transfer involving a reduction in such employee's pensionable employments shall be made without his consent, unless the transfer is in consequence of a reduction of rank imposed under regulation 55 or 56: Provided further that a permanent employee may only with the approval of the Minister be transferred to a post of a lower grade without reduction of pensionable emoluments and that as soon as a suitable vacancy occurs he shall be reappointed to a post of a grade to which his salary is appropriate.

Performance of other work by employees

12. Unless it is otherwise provided in his condition of service—

- (a) every employee shall place the whole of his time at the disposal of the teknikon at which he is employed;
- (b) no employee shall perform or engage himself to perform remunerative work outside his employment at a teknikon without the permission of the council; and
- (c) no employee may claim as of right additional remuneration in respect of any official duty or work which he is required by competent authority to perform.

Aanneem van geskenke, kommissie, geld of beloning

13. (1) 'n Werknemer neem nie sonder die toestemming van die raad 'n geskenk, geldelik of anders, aan wat hom deur 'n lid van die publiek aangebied word uit hoofde daarvan dat hy 'n bepaalde amp of pos in die technikon beklee of beklee het nie.

(2) 'n Werknemer neem nie enige kommissie, geld of beloning, geldelik of anders (wat nie die betaling is wat ten opsigte van sy pligte aan hom betaalbaar is nie), aan of eis dit nie ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer of versuim nie om aan die raad die aanbod van sodanige kommissie, geld of beloning te rapporteer nie: Met dien verstande dat die raad in 'n buitengewone geval die aanname van sodanige kommissie, geld of beloning kan goedkeur.

Mediese hulp

14. (1) 'n Raad kan, met die vooraf goedkeuring van die Minister, 'n mediese hulpfonds of mediese hulpvereniging as mediese hulpfonds of mediese hulpvereniging aanvaar en voltydse Blanke werknemers wat met ingang van 'n datum na 31 Desember 1978 diens aanvaar het, is behoudens die bepalings van subregulasie (3) verplig om lede daarvan te word en te bly.

(2) (a) Sodanige lidmaatskap neem 'n aanvang met ingang van die eerste dag van die kalendermaand wat onmiddellik volg op die kalendermaand waarin 'n werknemer diens aanvaar.

(b) Behoudens die bepalings van subregulasie (3) mag 'n werknemer wat ingevolge subregulasie (1) 'n lid van bedoelde mediese hulpfonds of mediese hulpvereniging word, nie as lid daarvan bedank nie.

(3) Ondanks die bepalings van subregulasie (1) en (2) mag 'n werknemer nie verplig word om lid te word van bedoelde mediese hulpfonds of mediese hulpvereniging nie, indien—

- (a) so 'n persoon 'n getroude vrou is wie se eggenoot lid is van 'n mediese hulpvereniging, mediese hulpfonds of mediese bystandsfonds;
- (b) so 'n persoon 'n gepensioeneerde is wat reeds lid is van 'n mediese hulpvereniging, mediese hulpfonds of mediese bystandsfonds;
- (c) so 'n persoon 'n weduwee is wat reeds lid is van of op voordele van 'n mediese hulpvereniging, 'n mediese hulpfonds of mediese bystandsfonds geregtig is uit hoofde van haar afgestorwe eggenoot se lidmaatskap van sodanige vereniging of fonds;
- (d) so 'n persoon lid is van 'n mediese hulpvereniging, mediese hulpfonds, mediese bystandsfonds of 'n ander fonds waarvan hy verplig was om lid te word uit hoofde van enige voltydse regeringsdiens; of
- (e) die Minister so iemand individueel of as een uit 'n groep van lidmaatskap of voortgesette lidmaatskap vrystel op grond van bona fide-gewetens- of geloofsbesware wat so iemand as individu teen geneeskundige, tandheelkundige, chirurgiese of hospitaalbehandeling het.

Afstaan van betaling

15. 'n Werknemer staan nie sy betaling of deel daarvan sonder goedkeuring van die raad af nie.

Private geldelike transaksies

16. (1) 'n Werknemer word vir skikkingsdoeleindes nie 'n party by enige vorm van skuldbewys nie: Met dien verstande dat die raad skriftelik toestemming daartoe kan verleen dat daar van die bepalings van hierdie subregulasie afgewyk word indien hy hom deur ondersoek oortuig het dat

Acceptance of gifts, commission, money or reward

13. (1) An employee shall not accept without the permission of the council a gift, pecuniary or otherwise, offered to him by a member of the public by reason of his occupying or having occupied a particular office or post in the technikon.

(2) An employee shall not accept or demand in respect of the carrying out of or failure to carry out his duties, any commission, fee or reward, pecuniary or otherwise (not being the emoluments payable to him in respect of his duties) or shall not fail to report to the council the offer of such commission, fee or reward: Provided that in an exceptional case, the council may approve the acceptance of such commission, fee or reward.

Medical aid

14. (1) A council may, subject to the prior approval of the Minister, accept a medical aid fund or medical aid society as a medical aid fund or medical aid society to which full-time White employees who assumed duty with effect from a date after 31 December 1978, are obliged to become and remain members subject to the provisions of subregulation (3).

(2) (a) Such membership shall commence with effect from the first day of the calendar months immediately following the calendar month in which an employee assumes duty.

(b) Subject to the provisions of subregulation (3), an employee who becomes a member of the said medical aid fund or medical aid society in terms of subregulation (1) shall not terminate his membership thereof.

(3) Notwithstanding the provisions of subregulations (1) and (2), an employee shall not be obliged to become a member of the said medical aid fund or medical aid society if—

- (a) such person is a married woman whose husband is a member of a medical aid society, medical aid fund or medical assistance fund;
- (b) such person is a pensioner who is already a member of a medical aid society, medical aid fund or medical assistance fund;
- (c) such person is a widow who is already a member of or who is entitled to the benefits of a medical aid society, medical aid fund or medical assistance fund, by virtue of her deceased husband's membership of such society or fund;
- (d) such person is a member of a medical aid society, medical aid fund, medical assistance fund or any other fund of which he was obliged to become a member by virtue of any full-time government service; or
- (e) the Minister exempts such person, individually or as one of a group, from membership or continued membership on the grounds of bona fide conscientious or religious objections which such person, as an individual, may have against medical, dental, surgical or hospital treatment.

Assignment of pay

15. An employee shall not without the approval of the council assign the whole or part of his pay.

Private financial transactions

16. (1) An employee shall not become a party to any form of promissory note for compromising purposes: Provided that the council may give its written consent to a departure from the provisions of this subregulation if it has satisfied itself by investigation that the proposed transaction is being

die voorgename transaksie aangegaan word om aanneemlike redes wat niks te doen het nie met spekulasie, dobbelary of onbehoorlik handelinge wat die werknemer in geldelike moeilikheid kan laat kom: Met dien verstande voorts dat sodanige toestemming nie ten opsigte van 'n transaksie tussen twee werknemers verleen word nie.

(2) 'n werknemer leen nie geld van 'n ondergeskikte wat aan dieselfde technikon verbonde is nie.

(3) Indien dit blyk dat 'n werknemer in 'n onredelike mate in die skuld is, indien hy insolvent raak of sy boedel afstaan ten behoeve van sy skuldeisers of indien 'n vonnis weens skuld of 'n gyselingsbevel teen hom in 'n geregshof verkry is, lê hy, as die raad dit vereis, 'n uitvoerige en volledige staat van sy skulde aan die raad voor tesame met 'n verklaring van hoe die skulde aangegaan en hoe hy van voorneme is om sodanige skulde te vereffen.

Regsvordering weens skuld

17. Die uitreiking van 'n prosesstuk weens skuld, gyseling, vonnis of 'n insolvensiegeding waarby 'n werknemer die verweerde is, word dadelik en tesame met volledige besonderhede van die omstandighede wat tot die uitreiking van sodanige prosesstuk gelei het, aan die raad gerapporteer deur bedoelde werknemer.

Vertroulike aard van dokumente rakende werknemers

18. Alle dokumente, lêers en korrespondensie met betrekking tot enigiets wat kragtens die Wet gedoen kan word, wat die eiendom van die technikon is, is vertroulik van aard en 'n werknemer of sy regsvertegenwoordiger by 'n ondersoek wat deur die Minister of die raad gelas is, het nie die reg op toegang daartoe en insae daarin nie: Met dien verstande dat 'n werknemer toegelaat mag word om dié toegang tot en insae in genoemde dokumente, lêers en korrespondensie te hê wat vir die verrigting van sy amptelike pligte nodig is: Met dien verstande voorts dat in die geval waar 'n ondersoek kragtens regulasie 55 of 56 gelas is, die bepalings van regulasie 55 (11) (a) *mutatis mutandis* van toepassing is.

Beantwoording van vrae

19. 'n Werknemer antwoord uitdruklik op 'n wettige vraag wat aan hom gestel is deur iemand wat die bevoegdheid het om so 'n vraag aan hom te stel: Met dien verstande dat 'n werknemer nie verplig is om op 'n vraag 'n antwoord te verstrek wat hom kan inkrimineer nie.

Gehoorsaamheid

20. (1) Behoudens die bepalings van subregulasie (2), gehoorsaam 'n werknemer onvoorwaardelik 'n wettige bevel wat aan hom gegee is deur iemand wat die bevoegdheid het om dit te gee.

(2) 'n Werknemer kan eis dat 'n bevel bedoel in subregulasie (1) skriftelik herhaal word na gehoorsaming daarvan en hy kan 'n klagte wat hy in verband daarmee het aan die hoof vir 'n beslissing voorlê: Met dien verstande dat hy kan versoek dat die beslissing aan die raad vir hersiening voorgelê word indien hy ontevrede is met die beslissing van die hoof.

Verslae oor personeel en ongunstige opmerkings

21. (1) 'n Verslag word so dikwels as wat die raad vereis, deur die hoof ten opsigte van 'n werknemer onder sy beheer ingevul en ingedien.

(2) Behoudens die bepalings van subregulasie (3), het 'n werknemer ten opsigte van wie 'n verslag ingevolge subregulasie (1) ingevul is, nie insae daarin nie.

entered into for acceptable reasons not connected with speculation, gambling or any other improper dealing which may lead to the pecuniary embarrassment of the employee: Provided further that such consent shall not be given in respect of a transaction between two employees.

(2) An employee shall not borrow money from a subordinate serving in the same technikon.

(3) If it is evident that an employee is in debt to an unreasonable extent, if he becomes insolvent or assigns his estate for the benefit of his creditors or if a judgement for debt or a decree of civil imprisonment has been obtained against him in a court of law, he shall, if the council so requires, furnish the council with a detailed and complete statement of his liabilities together with an explanation as to how the liabilities were incurred and how he proposed to liquidate them.

Legal proceedings for debt

17. The issue of a process for debt, civil imprisonment, judgement or insolvency proceedings in which an employee is the defendant, shall forthwith and together with full particulars of the circumstances which led to the issue of such process, be reported to the council by the said employee.

Confidential nature of documents concerning employees

18. All documents, files and correspondence concerning anything which may be done in terms of the Act and being the property of the technikon, shall be of a confidential nature and an employee or his legal representative at any inquiry directed by the Minister, or the Council shall not have the right of access thereto or inspection thereof: Provided that an employee may be permitted to have such access to and inspection of the said documents, files and correspondence as may be necessary for the performance of his official duties: Provided further that, in the case where an inquiry has been directed in terms of regulation 55 or 56 the provisions of regulation 55 (11) (a) shall apply *mutatis mutandis*.

Replying to questions

19. An employee shall reply explicitly to a lawful question put to him by a person who is competent to put such question to him: Provided that an employee shall not be obliged to furnish to a question a reply which may incriminate him.

Obedience

20. (1) Subject to the provisions of subregulation (2) an employee shall obey unconditionally a lawful order given to him by a person who is competent to do so.

(2) An employee may demand that an order referred to in subregulation (1) be repeated in writing after his having obeyed such order and he may submit for decision any complaint he may have in connection therewith to the principal: Provided that he may request that the decision be submitted to the council for revision, if he is dissatisfied with the decision of the principal.

Reports on staff and adverse remarks

21. (1) As often as the council may require a report shall be completed and submitted by the principal in respect of an employee under his control.

(2) Subject to the provisions of subregulation (3), an employee in respect of whom a report has been completed in terms of subregulation (1), shall not have access thereto.

(3) 'n Ongunstige opmerking vervat in sodanige verslag word deur die hoof of 'n ander werknemer skriftelik en in sy volledige samehang onder die aandag gebring van bedoelde werknemer, wat die skriftelike mededeling onderteken en dit tesame met enige skriftelike vertoë wat hy wil voorlê, terugbesorg. Met dien verstande dat die raad kan goedkeur dat ongunstige opmerkings nie onder die aandag van 'n werknemer gebring word nie indien hy van oordeel is dat dit nie in belang van die technikon of dié werknemer is nie.

(4) Die bepalings van subregulasie (3) is van toepassing op ongunstige opmerkings wat ten opsigte van 'n werknemer in 'n skriftelike mededeling gemaak word. Met dien verstande dat 'n ongunstige opmerking wat vervat is in die notule van 'n vergadering van 'n komitee wat vir die doel van verdienstelikebepaling aangewys is, nie onder die aandag gebring word van die werknemer oor wie gerapporteer word nie.

(5) Indien iemand wat 'n verslag ten opsigte van 'n werknemer moet mede-onderteken of moet oorweeg, bevind dat daar nie regverdiging bestaan nie vir 'n ongunstige opmerking wat daarin voorkom, word die ongunstige opmerking uit die verslag geskrap en sodanige werknemer skriftelik van die skraping verwittig indien die ongunstige opmerking reeds onder sy aandag gebring is, en sodanige verwittiging van skraping maak deel van die verslag uit.

Woonadresse en telefoonnommers

22. 'n Werknemer stel die hoof in kennis van sy woonadres en van sy telefoonnommer tuis (indien hy 'n telefoon het) en verandering daarvan, en die hoof maak daarvan aantekening in 'n register wat vir die doel gehou word.

Kennisgewing van huwelik: Permanente vroulike werknemers

23. Voor haar huwelik gee 'n permanente vroulike werknemer aan die raad skriftelike kennis van die datum waarop sy van voornemens is om in die huwelik te tree.

Deelname aan politieke en ander bedrywighede

24. (1) 'n Werknemer—

- (a) maak nie van sy ampsposisie gebruik vir die bevordering of benadeling van die belange van 'n politieke party nie en laat hom nie in die openbare pers of op 'n openbare vergadering oor partypolitieke aangeleentheid uit nie: Met dien verstande dat die uitdrukking "openbare vergadering" 'n byeenkoms, toeloop of optog in, deur of langs 'n plek van 'n aantal persone wat 'n gemeenskaplike doel voor oë het, beteken, maar omvat nie 'n byeenkoms waartoe toegang bedoel is vir lede van een en dieselfde groep, party of beweging nie;

(b) wie—

- (i) ingevolge die bepalings van die Kieswet, 1979 (Wet 45 van 1979), vir die verkiesing van 'n lid van 'n Huis van die Parlement genomineer word;
- (ii) ingevolge die bepalings van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet 110 van 1983), as 'n lid van 'n Huis van die Parlement benoem of indirek verkies word of as lid van die Presidentsraad aangewys of aangestel word; of
- (iii) ingevolge die bepalings van die Wet op Provinsiale Regering, 1986 (Wet 69 van 1986), in die uitvoerende komitee van 'n provinsie aangestel word;

word ondanks andersluidende bepalings van hierdie regulasies, geag uit sy diens te bedank het met ingang van die dag waarop hy aldus genomineer, benoem, indirek verkies, aangewys of aangestel word, na

(3) An adverse remark contained in such report shall be brought to the notice of such employee in writing and in its full context by the principal or any other employee, and the employee reported upon shall sign the written communication and return it, together with any representations, in writing, which he desires to submit: Provided that the council may approve that adverse remarks shall not be brought to the notice of an employee if it is of the opinion that it is not in the interest of the technikon or such employee.

(4) The provisions of subregulation (3) shall apply to adverse remarks made in respect of an employee in a written communication: Provided that an adverse remark contained in the minutes of a meeting of a committee appointed for the purpose of merit assessment, shall not be brought to the notice of an employee reported upon.

(5) If a person who has to countersign or consider a report in respect of an employee, finds that no justification exists for an adverse remark appearing therein, the adverse remark shall be expunged from the report and such employee shall be advised in writing of the expunction if the adverse remark has already been brought to his notice and such advice of expunction shall form part of the report.

Residential addresses and telephone numbers

22. An employee shall notify the principal of his residential address and of his telephone number at home (if he has a telephone) and any change thereof, and the principal shall make a record thereof in a register which shall be kept for this purpose.

Notice of marriage: Permanent female employees

23. A permanent female employee shall, before her marriage, give the council notice in writing of the date on which she proposes to marry.

Participation in political and other activities

24. (1) An employee—

- (a) shall not use his position of office to promote or prejudice the interests of a political party or express himself in the public press or at a public meeting on party-political matters: Provided that the expression "public meeting" shall mean any gathering, concourse or procession in, through or along a place of a number of persons having a common purpose, but shall not include a gathering admittance to which is intended for members of one and the same group, party or movement;

(b) who—

- (i) in terms of the provisions of the Electoral Act, 1979 (Act 45 of 1979), is nominated as a candidate for the election of a member of a House of Parliament;
- (ii) in terms of the provisions of the Republic of South Africa Constitution Act, 1983 (Act 110 of 1983), is nominated or is elected indirectly as a member of a House of Parliament or is designated or appointed as a member of the Presidents' Council; or
- (iii) is in terms of the Provincial Government Act, 1986 (Act 69 of 1986), appointed in the executive committee of a province;

shall, notwithstanding anything to the contrary in this regulations, be deemed to have resigned from his service with effect from the day on which is thus nominated, indirectly elected, designated or appointed, as

gelang van die geval: Met dien verstande dat indien sodanige werknemer nie verkies word soos beoog in subparagraaf (i) nie, hy weer as werknemer aangestel kan word;

- (c) bring geen kennisgewing, dokument, biljet of ander stuk wat ondersteuning vir 'n politieke party uitlok of wat betrekking het op die verkiesing of die bestryding van die verkiesing van iemand tot lid van die Parlement en 'n liggaam bedoel in subregulasie (2) (a) op die terrein, sportterrein of by 'n verrigting van 'n technikon, aan, hetsy voor, gedurende of na die technikonure, versprei dit of deel dit uit nie en hy verrig geen ander daad wat op sodanige verkiesing betrekking het op sodanige terrein, sportterrein of by enige verrigting van 'n technikon nie.

(2) (a) 'n Werknemer laat nie sy lidmaatskap van 'n streekdiensteraad, stadsraad, munisipale raad, dorpsbestuur, gesondheidskomitee, bestuurs- of raadplegende komitee, plaaslike bestuur, skoolraad of hospitaalbestuur op enige wyse op sy ampspligte inbreuk maak nie.

(b) Indien 'n geskil tussen die Regering of die raad en 'n liggaam bedoel in paragraaf (a) ontstaan, neem 'n werknemer wat lid is van enige sodanige liggaam nie aan die bespreking of stemming oor daardie geskilpunt deel nie.

(3) Indien 'n werknemer deur sy lidmaatskap van 'n liggaam bedoel in subregulasie (2) (a) na die mening van die raad sy status en geskiktheid as werknemer benadeel, kan die raad, benewens enige stappe wat kragtens die Wet gedoen kan word, hom met die goedkeuring van die Minister, verbied om aan die werksaamhede van sodanige liggaam deel te neem en hom aansê om binne 'n bepaalde tydperk daaruit te bedank.

Ondersoek deur 'n geneeskundige raad

25. Die raad kan vereis dat 'n werknemer hom onderwerp aan 'n ondersoek deur 'n geneeskundige raad bestaande uit een of meer geregistreerde geneesher wat die raad aanwys, en die koste verbonde aan die ondersoek word deur die raad betaal: Met dien verstande dat die werknemer wat ondersoek moet word, op eie koste kan reël dat sy private geneesheer by die verrigtinge teenwoordig is.

HOOFTUK IV

AMPTELIKE DIENS- EN ONDERRIGURE

Amptelike diens- en onderrigure: Algemene bepalings

26. (1) Die hoof bepaal, behoudens die bepalings van regulasie 27 die amptelike diensure van werknemers en sien toe dat hulle dit nakom.

(2) Ondanks enige andersluidende bepalings in hierdie regulasies, kan die hoof van 'n werknemer vereis om op enige dag van die week of enige tyd van die dag of nag amptelike diens te verrig of om by sy normale werkplek of elders aanwesig te wees vir sodanige diens.

(3) 'n Werknemer—

(a) wy gedurende sy amptelike diensure en tydperke van oortyddiens sy volle aandag aan die pligte wat aan hom toevertrou is; en

(b) is nie gedurende sy amptelike diensure en tydperke van oortyddiens sonder toestemming van die hoof of iemand deur die hoof aangewys, van sy kantoor of werkplek afwesig nie.

(4) (a) Indien 'n werknemer gedurende die amptelike diensure van diens afwesig is as gevolg van verlof toegestaan kragtens hierdie regulasies of weens ander omstandighede wat vir die raad aanneemlik is, word hy vir die doeleindes van die voltooiing van sy werkweek geag op diens te gewees het gedurende sodanige afwesigheid.

the case may be: Provided that if such employee is not elected as contemplated as he may again be appointed as an employee;

- (c) shall not display, circulate or distribute a notice, document, bill or other paper which seeks support for a political party or which relates to the election or the opposition of the election of a person as a member of Parliament and any body referred to in subregulation (2) (a), on the grounds, sports grounds or at a function of a technikon, whether before, during or after technikon hours, and he shall not perform any other act relating to such election on any such grounds, sports grounds or at any function of a technikon.

(2) (a) Membership of any regional services council, city council, municipal council, village council, health committee, management committee or consultative committee, local authority, school board or hospital board shall in no way whatsoever interfere with an employee's official duties.

(b) If any dispute arises between the Government or the council and any body referred to in paragraph (a), an employee who as a member of any such body shall not take part in the discussion of or vote on any such dispute.

(3) If in the opinion of the council, an employee through his membership of any body referred to in subregulation (2) (a) detrimentally affects his status and suitability as an employee the council may, with the approval of the Minister, in addition to any steps that may be taken in terms of the Act, prohibit him from taking part in the activities of such body and call upon him to resign therefrom within a specified period.

Examination by a medical board

25. The council may require an employee to submit himself to an examination by a medical board consisting of one or more registered medical practitioners indicated by the council and expenditure connected with the examination shall be borne by the council: Provided that the employee who is to be examined may arrange at his own expense for his private medical practitioner to be present at the proceedings.

CHAPTER IV

OFFICIAL HOURS OF ATTENDANCE AND INSTRUCTION

Official hours of attendance and instructions: General provisions

26. (1) The principal shall, subject to the provisions of regulation 27 determine the official hours of attendance of employees and shall ensure that they observe such hours.

(2) Notwithstanding any provisions to the contrary contained in these regulations, the principal may require an employee to perform official duty on any day of the week or at any time during the day or night or to attend at his normal place of work or elsewhere for such duty.

(3) An employee—

(a) shall, during his official hours of attendance and periods of overtime duty, give his full attention to the duties entrusted to him; and

(b) shall not without the consent of the principal or a person assigned by the principal, be absent from his office or place of work during his official hours of attendance and periods of overtime duty.

(4) (a) If an employee, during the official hours of attendance, is absent from duty as a result of leave granted in terms of these regulations or as a result of other circumstances which are acceptable to the council, he, shall, for the purposes of the completion of his working week, be deemed to have been on duty during such absence.

(b) Die amptelike diensure wat ten opsigte van 'n bepaalde dag vir 'n werknemer bepaal is en wat—

- (i) op 'n openbare feesdag val, in die geval van 'n werknemer wat nie normaalweg op sodanige dag werk nie; of
 - (ii) op sodanige ander dag val as wat hy normaalweg in plaas daarvan van diens vrygestel mag wees, in die geval van 'n werknemer wat normaalweg op 'n openbare feesdag werk,
- word ingereken vir die doeleindes van die voltooiing van sy werkweek.

Werkweke

27. Die verskillende kategorieë werknemers van 'n technikon kom die aantal werksure per week na, soos deur die raad bepaal.

HOOFSTUK V

VERLOF EN VERLOFGRATIFIKASIES

Indeling van verlof

28. (1) Alle afwesighede van diens met verlof word onder een of meer van die volgende hoofde ingedeel:

- (a) Vakansieverlof.
- (b) Oplopende verlof.
- (c) Siekteverlof met volle betaling.
- (d) Siekteverlof met halwe betaling.
- (e) Siekteverlof sonder betaling.
- (f) Spesiale siekteverlof met volle betaling.
- (g) Spesiale siekteverlof met halwe betaling.
- (h) Spesiale siekteverlof sonder betaling.
- (i) Spesiale verlof met volle betaling.
- (j) Spesiale verlof sonder betaling.

(2) Behalwe soos in regulasie 52 bepaal, word alle ongemagtigde afwesighede van diens ongeag enige tugstappe wat teen 'n werknemer gedoen kan word, geag spesiale verlof sonder betaling te wees, tensy die raad anders bepaal.

Groepering van werknemers vir verlofdoeleindes

29. (1) Werknemers word vir doeleindes van verlofvoorsiening soos volg ingedeel en die verlofvoorsiening is soos onder die groepe aangedui:

GROEP A

Lede van doserende en navorsingspersoneel

(a) *Vakansieverlof met volle betaling.*—Vir tydperke wat die raad goedkeur, gedurende technikonvakansies, wat in die geheel nie 56 dae per jaar oorskry nie: Met dien verstande dat 'n raad in spesiale omstandighede kan goedkeur dat sodanige verlof in geheel of gedeeltelik tydens ander tydperke geneem kan word.

(b) *Siekteverlof.*—In elke tydkring—

- (i) met volle betaling—90 dae; en
- (ii) met halwe betaling—90 dae.

(c) *Oplopende verlof.*—Sodanige verlof loop op teen 15 dae per jaar met volle betaling.

GROEP B

Lede van administratiewe en hulppersoneel uitgesonderd die vir wie in Groep C voorsiening gemaak word

(a) *Vakansieverlof met volle betaling.*—Vir tydperke wat die raad goedkeur, gedurende technikonvakansies, wat in die geheel nie 42 dae oorskry nie: Met dien verstande dat 'n raad in spesiale omstandighede kan goedkeur dat sodanige verlof in geheel of gedeeltelik tydens ander tydperke as technikonvakansies geneem kan word.

(b) The official hours of attendance which have been determined for an employee in respect of a particular day and which—

- (i) fall on a public holiday, in the case of an employee who does not normally work on such day; or
 - (ii) fall on such other day on which he may be normally relieved from duty in lieu thereof, in the case of an employee who normally works on a public holiday,
- shall be reckoned for the purposes of the completion of his working week.

Working weeks

27. The different categories of employees of a technikon shall observe the number of hours per working week as determined by the council.

CHAPTER V

LEAVE AND LEAVE GRATUITIES

Classification of leave

28. (1) All absences from duty on leave are classified under one or more of the following heads:

- (a) Vacation leave.
- (b) Accumulative leave.
- (c) Sick leave with full pay.
- (d) Sick leave with half pay.
- (e) Sick leave without pay.
- (f) Special sick leave with full pay.
- (g) Special sick leave with half pay.
- (h) Special sick leave without pay.
- (i) Special leave with full pay.
- (j) Special leave without pay.

(2) Except as provided for in regulation 52 all unauthorised absences from duty shall, apart from any disciplinary steps which may be taken against an employee be deemed to be special leave without pay unless the council determines otherwise.

Grouping of employees for leave purposes

29. (1) Employees shall for the purpose of leave provision be classified in the undermentioned groups and shall be granted leave accordingly:

GROUP A

Members of teaching and research staff

(a) *Vacation leave with full pay.*—For periods as approved by the council during technikon holidays, not exceeding, in the aggregate, 56 days per annum: Provided that the council may, in special circumstances, approve that such leave be taken in whole or in part during periods other than technikon holidays.

(b) *Sick leave.*—In each cycle with—

- (i) full pay—90 days; and
- (ii) half pay—90 days

(c) *Accumulative leave.*—Such leave shall accrue at the rate of 15 days per annum, with full pay.

GROUP B

Members of administrative and Auxiliary Staff other than those provided for in Group C

(a) *Vacation leave with full pay.*—For periods as approved by the council during technikon holidays, not exceeding in the aggregate, 42 days per annum: Provided that the council may, in special circumstances, approve that such leave be taken in whole or in part during periods other than technikon holidays.

(b) *Siekteverlof*.—In elke tydkring—

- (i) met volle betaling—90 dae; en
- (ii) met halwe betaling—90 dae.

(c) *Oplopende verlof*.—Sodanige verlof loop op teen 12 dae per jaar met volle betaling.

GROEP C

Lede van algemene, ambags- en instandhoudingspersoneel en arbeiders behalwe werknemers wie se diensvoorwaardes ingevolge nywerheids- of soortgelyke ooreenkomste bepaal is en van wie normaalweg vereis word om gedurende technikonvakansies op diens te bly hoewel onderrig opgeskort en die technikon gesluit is

(a) *Vakansieverlof met volle betaling*.—Vir tydperke wat die raad goedkeur, wat in die geheel nie 36 dae per jaar oorskry nie: Met dien verstande dat ondanks andersluidende bepalings van hierdie regulasies 'n raad in sy diskresie elke jaar, in die algemeen, tot een derde van sodanige verlof in oplopende verlof kan omskep.

(b) *Siekteverlof*.—In elke tydkring—

- (i) met volle betaling—90 dae; en
- (ii) met halwe betaling—90 dae.

(2) Ondanks andersluidende bepalings in hierdie regulasies, kan spesiale verlof met of sonder betaling deur 'n raad aan 'n werknemer toegestaan word.

(3) Oplopende verlof wat 'n werknemer op 1 Januarie van elke jaar tot sy krediet het, word in die verlofregister aange-teken en by aantekening van sodanige krediet word enige gedeelte van 'n dag as een dag gereken.

(4) Indien 'n werknemer van een pos na 'n ander pos oorgeplaas word en sy oorplasing 'n verandering van sy groepering vir verlofdoeleindes meebring of as hy om enige ander rede as sy oorplasing van die een na 'n ander verlof-groep oorgaan—

- (a) behou hy die oplopende verlofkrediet wat gedurende sy diens tydperk in die vorige groep of groepe aange-was het; en
- (b) word die nuwe groep se verlofbepalings op hom van toepassing vanaf die eerste dag van die kalender-maand waarin sodanige oorplasing of oorgang van krag word tensy die bepalings van regulasie 33 (4) op hom van toepassing is.

(5) Ongebruikte vakansieverlof in 'n bepaalde kalender-jaar verval aan die einde van daardie kalenderjaar en word nie oorgedra na die volgende kalenderjaar nie.

Verlof 'n vergunning

30. (1) Verlof waarvoor in hierdie regulasies voorsiening gemaak word, is 'n vergunning en word met behoorlike inagneming van die behoeftes van die technikon toegestaan.

(2) Verlof kan nie as 'n reg geëis word nie en wanneer 'n werknemer die diens van die technikon verlaat, om watter rede ook al, verval sy verlof op die laaste dag waarop hy in diens was en kan hy nie eis dat die geldwaarde van onge-bruikte verlof aan hom uitbetaal word nie: Met dien verstande dat die bepalings van hierdie regulasie nie verhoed dat—

- (a) 'n verlofgratifikasie ingevolge regulasie 53, betaal word nie; en
- (b) verlofkrediet ingevolge regulasie 33 (4) herstel word nie.

(b) *Sick leave*.—In each cycle with—

- (i) full pay—90 days; and
- (ii) half pay—90 days.

(c) *Accumulative leave*.—Such leave shall accrue at the rate of 12 days per annum, with full pay.

GROUP C

Members of General, Artisan and Maintenance Staff and Labourers except Employees whose conditions of service have been determined in terms of industrial or similar agreements and who are normally required to remain on duty during technikon holidays, although instruction is sus-pended and the technikon is closed

(a) *Vacation leave with full pay*.—For such periods, as approved by the council, in the aggregate, not exceeding 36 days per annum: Provided that notwithstanding anything to the contrary in these regulations, the council may in its discretion convert in general up to one third of such leave annually into accumulative leave.

(b) *Sick leave*.—In each cycle with—

- (i) full pay—90 days; and
- (ii) half pay—90 days.

(2) Notwithstanding anything to the contrary in these regulations, special leave with or without pay may be granted to an employee by the council.

(3) Accumulated leave standing to the credit of an em-ployee on 1 January of each year, shall be recorded in the leave register, and in recording such credit any part of a day shall be reckoned as one day.

(4) If any employee is transferred from one post to another and his transfer results in a change in his classifica-tion for leave purposes or if, for any reason other than his transfer, he passes from one leave group to another—

- (a) he shall retain the accumulated leave credit which accrued during his service in the previous group or groups; and
- (b) the leave privileges of the new group shall become applicable to him from the first day of the calendar month during, which such transfer or passing be-comes effective, unless the provisions of regulation 33 (4) apply to him.

(5) Unused vacation leave for a particular calendar year shall lapse at the end of that calendar year and shall not be carried forward to the next calendar year.

Leave a privilege

30. (1) Leave provided for in these regulations is a privi-lege and is granted with due regard to the exigencies of the technikon.

(2) Leave cannot be claimed as of right and when an employee leaves the service of the technikon for any reason whatsoever his leave shall lapse on the last day of his ser-vice and he cannot claim payment in respect of the cash value of leave standing to his credit: Provided that the provi-sions of this regulation shall not preclude—

- (a) the payment of a leave gratuity in terms of regulation 53; and
- (b) the reinstatement of a leave credit in terms of regula-tion 33 (4).

Hofsake en ondersoek: Afwesighede van diens wat nie as verlof aangeteken hoef te word nie

31. (a) 'n Werknemer word nie geag afwesig van diens te wees nie indien hy verskyn as—

- (i) getuie by 'n kriminele hofsak;
- (ii) getuie of verweerder in 'n siviele hofsak (insluitende 'n egskeidingsak); of
- (iii) getuie of gedaagde by 'n huurraadondersoek.

(b) Wanneer sodanige werknemer egter die eiser in 'n siviele hofsak (insluitende 'n egskeidingsak) is of die persoon is wat die inisiatief in 'n huurraadondersoek neem, word sy afwesigheid van diens gedek deur die toestaan van vakansieverlof of spesiale verlof met of sonder betaling, na gelang van die geval.

Toestaan en intrekking van verlof: Verlofaansoekvorms en verlofstate

32. (1) (a) Die toestaan van alle verlof is onderworpe aan die goedkeuring van die raad: Met dien verstande dat 'n raad aan die hoof of 'n ander senior permanente werknemer die bevoegdheid kan deleger om verlof aan sy werknemers toe te staan.

(b) Verlof reeds toegestaan, kan te eniger tyd deur die raad ingetrek word.

(2) Behalwe in die geval waar 'n permanente werknemer in sy diens geskors is of waar 'n werknemer weens sy skielike siekte of weens ander omstandighede wat vir die raad aanneemlik is, verhinder word om in sy werk aan te bly of hom vir diens aan te meld, verlaat hy nie sy werk of bly nie van diens weg voordat hy skriftelik om verlof aansoek gedoen het en hy in kennis gestel is dat die verlofaansoek goedgekeur is nie.

(3) (a) Aansoek om verlof word skriftelik gedoen in 'n vorm deur die raad bepaal: Met dien verstande dat sodanige aansoek nie 'n vereiste is in die geval van ongemagtigde afwesighede nie.

(b) Die vorm van die sertifikaat van ongesteldheid wat ter staving van 'n aansoek om siekteverlof dien, word deur die raad bepaal.

(4) (a) Die technikon hou ten opsigte van elke werknemer 'n verlofstaat waarin alle afwesighede van diens aangeteken word volgens die indeling in regulasie 28.

(b) Alle verlofaansoeke word vir audit- en ander doeleindes bewaar in die kantoor waar die verlofstaat gehou word, en wel vir dié tydperk wat die raad bepaal.

Verval van verlof by uitdienstreding

33. (1) Sodra 'n werknemer kennis gee van bedanking verval enige toegestane verlof met betaling met ingang van die datum van die kennisgewing of indien die kennisgewing nie gedateer is nie, vanaf die datum van ontvangs daarvan deur die hoof, en verlof aangevra of afwesigheid van diens na daardie datum word geag spesiale verlof sonder betaling te wees: Met dien verstande dat die raad van hierdie regulasie kan afwyk in die geval van 'n werknemer wat bedank om in die diens van 'n ander technikon of inrigting te tree: Met dien verstande voorts dat die bepalinge van hierdie subregulasie—

- (a) net van toepassing is ten opsigte van afwesigheid gedurende die laaste 30 dae van 'n werknemer se diens; en
- (b) nie van toepassing is nie op—
 - (i) siekteverlof;
 - (ii) spesiale verlof wat kragtens regulasie 52 toegestaan word; en
 - (iii) oplopende verlof wat kragtens regulasie 47 (3) toegestaan word; en

Court cases and inquiries: Absences from duty which need not be recorded as leave

31. (a) An employee shall not be deemed to be absent from duty when he appears as—

- (i) a witness in a criminal court case;
- (ii) a witness or respondent in a civil court case (including a divorce case); or
- (iii) a witness or respondent at a rent board inquiry.

(b) If, however, such employee is the plaintiff in a civil court case (including a divorce case), or the person who takes the initiative in a rent board inquiry, his absence from duty shall be covered by the granting of vacation leave or special leave with or without pay, as the case may be.

Granting and withdrawal of leave: Leave application forms and leave registers

32. (1) (a) the granting of all leave shall be subject to the approval of the council: Provided that a council may delegate to the principal or any other senior permanent employee, the authority to grant leave to its employees.

(b) Leave already granted may at any time be withdrawn by the council.

(2) Except in the case where a permanent employee is suspended from duty or where an employee is prevented by his sudden illness, or by other circumstances which are acceptable to the council, from remaining on or reporting for duty, he shall not leave or stay away from work until he has applied, in writing for leave and has been advised that the leave application has been approved.

(3) (a) Application for leave shall be made in writing in a form determined by the Council: Provided that such application shall not be essential in the case of unauthorised absences.

(b) The form of the certificate of indisposition which is to serve in support of an application for sick leave, shall be determined by the council.

(4) (a) The technikon shall keep a leave register in respect of each employee in which all absences from duty shall be recorded in accordance with the classification in regulation 28.

(b) All applications for leave shall be filed for audit and other purposes in the office where the leave register is kept, for such period as the Council may direct.

Lapse of leave

33. (1) Immediately an employee gives notice of resignation any leave with pay granted shall lapse with effect from the date of such notice, or, if the notice is undated, from the date the notification is received by the principal and leave applied for or absence from duty thereafter shall be deemed to be special leave without pay: Provided that the council may depart from this regulation in the case of an employee who resigns to join the service of some other college or institution approved by the council. Provided further that the provisions of this subregulation shall—

- (a) apply only in respect of absences during an employee's last 30 days of service; and
- (b) not apply to—
 - (i) sick leave;
 - (ii) special leave granted in terms of regulation 52;
 - (iii) accumulative leave granted in terms of regulation 47 (3); and

- (iv) 'n volttydse tydelike of deelttydse werknemer wie se dienskontrak of aanstellingsbrief 'n klousule bevat wat uitdruklik bepaal dat sy dienste met wedersydse kennisgewing van 24 uur beëindig kan word, maar wat desnieteenstaande langer as 24 uur kennis van sy bedanking gee.

(2) Indien 'n werknemer uit diens tree, vervall enige toegestane verlof op die dag wat die datum onmiddellik voorafgaan waarop sodanige uitdienstreding van krag word of op die datum wat ingevolge subregulasie (1) bepaal word, indien gemelde subregulasie op hom van toepassing is.

(3) 'n Werknemer se dienstydperk word nie verleng nie ten einde hom in staat te stel om gebruik te maak van verlof wat aan hom toegestaan mag gewees het.

(4) Indien 'n werknemer wat bedank of afgetree het, heraan gestel word, word sodanige heraanstelling vir doeleindes van hierdie regulasies as 'n nuwe aanstelling beskou. Met dien verstande dat die olopende verlofkrediet wat 'n lid van die doserende personeel by bedanking of aftrede gehad het, tot 'n maksimum van 184 dae herstel kan word: Met dien verstande voorts dat—

- (a) sodanige maksimum getal dae verminder word met die getal dae waarvoor 'n verlofgratifikasie betaal is; en
- (b) geen olopende verlof kragtens regulasie 42 (2) (a) binne twee jaar na sodanige heraanstelling toegestaan word nie.

Betaling van toelaes of besoldiging tydens verlof

34. Die voortsetting of staking van die betaling aan 'n werknemer van toelaes of ander besoldiging as sy salaris of loon en die aanspreeklikheid van 'n werknemer vir die betaling van gelde aan die teknikon verskuldig vir goedere of dienste deur die teknikon gelewer gedurende tydperke van verlof, is onderworpe aan die bepalinge van die regulasies wat daarop van toepassing is of voorskrifte wat deur die raad daaromtrent uitgereik is.

Rusdae

35. Rusdae word nie geag verlof te wees nie en word nie in die verlofstaat as sodanig aangeteken nie: Met dien verstande dat—

- (a) 'n rusdag of twee of meer opeenvolgende rusdae wat binne 'n tydperk van verlof val, geag word verlof te wees wat onder dieselfde hoof resorteer, volgens die indeling in regulasie 28 (1), as die verlof wat sodanige rusdag of rusdae voorafgaan en daarop volg;
- (b) 'n rusdag of twee of meer opeenvolgende rusdae wat tussen 'n tydperk van verlof of 'n tydperk waartydens onderrig opgeskort is en siekteverlof (of omgekeerd) val, geag word verlof, na gelang van die geval, te wees, tensy die betrokke werknemer bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was: Met dien verstande voorts dat in die geval van 'n lid van die doserende personeel, sodanige rusdag nie geag word verlof te wees nie; en
- (c) indien 'n werknemer aangesê word om hom op 'n rusdag vir diens aan te meld en hy in gebreke bly om dit te doen sodanige rusdag geag word spesiale verlof sonder betaling te wees tensy hy weens omstandighede wat vir die raad aanneemlik is, verhinder word om hom vir diens aan te meld.

Vrywillige beëindiging van verlof deur 'n werknemer

36. 'n Werknemer wat diens wil hervat voor die verstryking van 'n tydperk van verlof wat ingevolge hierdie regulasies aan hom toegestaan is, doen dit nie sonder die voorafverkreë goedkeuring van die hoof nie.

- (iv) a full-time temporary or part-time employee whose contract of service or letter of appointment contains a clause expressly providing that his services may be determined on 24 hours' notice on either side but who nevertheless gives more than 24 hours' notice of resignation.

(2) If an employee retires, any leave granted to him shall lapse on the day immediately preceding that on which such retirement becomes effective or on the date determined in terms of subregulation (1) if that subregulation applies to him.

(3) The period of service of an employee shall not be extended in order to enable him to utilise leave which may have been granted to him.

(4) If an employee who has resigned or retired is reappointed, such reappointment shall for the purposes of these regulations be deemed to be a new appointment: Provided that the accumulative leave credit which a member of the teaching staff had on resignation or retirement may be reinstated to a maximum of 184 days: Provided further that—

- (a) such maximum number of days shall be reduced by the number of days in respect to which a leave gratuity was paid; and
- (b) no accumulative leave in terms of regulation 42 (2) (a) shall be granted within two years of such reappointment.

Payment of allowances or remuneration during leave

34. The continuance or cessation of the payment to an employee of allowances or remuneration other than salary or wage and the liability of an employee for payment due to the teknikon in respect of goods supplied or services rendered by the teknikon during periods of leave, shall be subject to the provisions of the regulations applicable thereto or directions issued by the council in connection therewith.

Days of rest

35. A day of rest shall not be deemed to be leave and shall not be recorded as such in the leave register: Provided that—

- (a) a day of rest, or two or more consecutive days of rest, falling, within a period of leave, shall be deemed to be leave which falls under the same heading according to the classification in regulation 28 (1) as the leave which proceeds and exceeds such day of rest or days of rest;
- (b) a day of rest, or two or more consecutive days or rest, falling between a period of leave or a period during which instruction is suspended and a period of sick leave (or vice versa) shall be deemed to be leave as the case may be, unless the employee concerned produces evidence that he was actually ill on such day or days of rest: Provided further that in the case of a member of the teaching staff, such day of rest shall not be deemed to be leave; and
- (c) if an employee who is called upon to report for duty on a day of rest fails to do so, such day of rest shall be deemed to be special leave without pay, unless he is prevented from reporting for duty by circumstances which are acceptable to the council.

Voluntary termination of leave by an employee

36. An employee who wishes to assume duty before the expiry of a period of leave granted to him under these regulations, shall not do so before having obtained the prior approval of the principal.

Oortoekenning van verlof

37. Indien daar aan 'n werknemer meer verlof met betaling toegestaan is as waarvoor in hierdie regulasies voorsiening gemaak word, kan sodanige oortoekenning afgetrek word van sodanige verlof wat later aan hom toeval, mits die raad oortuig is dat die oortoekenning te goeder trou gedoen is: Met dien verstande dat indien die werknemer bedank of sy dienste beëindig word voordat voldoende verlof vir die doel van sodanige aftrekking aan hom toegeval het, daardie gedeelte van die oortoekenning wat sy verlofaanwas op die laaste dag van sy diens oorskry, 'n oorbetalings van salaris geag word wat of teruggevorder of met goedkeuring van die Minister afgeskryf word.

Verlof tel vir salarisverhogingsdoeleindes

38. Alle verlof, van watter aard ook al, hetsy met volle of gedeeltelike betaling of sonder betaling, tel vir salarisverhogingsdoeleindes.

Aanwas van oplopende verlof

39. Oplopende verlof was aan ten opsigte van elke voltooide kalendermaand van diens teen een twaalfde van die voorsiening wat in gevolge regulasie 28 (1) op 'n werknemer van toepassing is.

40. (1) 'n Werknemer wat sonder onderbreking van diens in 'n voltijdse hoedanigheid aangestel word en wat voor sodanige aanstelling in diens was van 'n Staatsdepartement, liggaam of inrigting wat 'n pensioen- of voorsorgfonds het wat deur die Staat geadministreer word, behou die vakansieverlof wat hy tot sy krediet gehad het op die laaste dag van sy diens by sy vorige werkgever.

(2) By die toepassing van die bepalinge van subregulasie (1) word enige gedeelte van 'n dag as een dag gereken wanneer die oplopende verlofkrediet tot 'n werknemer se krediet geplaas word op die datum waarop hierdie regulasies op hom van toepassing word.

Verlof wat vir vakansieverlofdoeleindes tel

41. (1) Alle verlof, van watter aard ook al, met volle of halwe betaling tel vir doeleindes van verlofaanwas.

(2) Verlof van enige aard sonder betaling tel, met die goedkeuring van die raad, vir doeleindes van verlofaanwas.

(3) Verlof wat kragtens subregulasie (1) aanwas gedurende 'n tydperk van verlof sonder betaling word nie aan 'n werknemer toegestaan voordat hy, na sy afwesigheid met verlof sonder betaling, sy dienste hervat het nie en dan slegs ten opsigte van afwesigheid na sodanige hervatting van diens.

Toestaan van oplopende verlof

42. (1) Die raad kan te eniger tyd vereis dat 'n werknemer 'n gedeelte of die geheel van die oplopende verlof wat hy tot sy krediet het, neem: Met dien verstande dat die maksimum verlof tydperk wat in subregulasie (2) en (4) voorgeskryf word, nie oorskry word nie.

(2) (a) Oplopende verlof wat minder as een volle technikontermyn dek, word nie aan 'n lid van die doserende en navorsingspersoneel toegestaan nie en die totale onafgebroke tydperk van sodanige verlof strek nie oor meer as twee technikontermyne nie.

(b) 'n Lid van die doserende en navorsingspersoneel wat minstens een technikontermyn oplopende verlof tot sy krediet het en verlang om twee technikontermyne verlof te neem, kan skriftelik aansoek doen dat die oplopende verlof wat hy tot sy krediet het, omskep word in oplopende verlof met halwe betaling op die grondslag van twee dae met halwe betaling vir elke dag oplopende verlof wat hy vir die doel aanwend: Met dien verstande dat die aanvangs- en verstrykingsdatum van enige tydperk van oplopende verlof

Overgrant of leave

37. If an employee is granted leave with pay in excess of that provided for in these regulations such overgrant may be deducted from such leave which subsequently accrues to him, provided the council is satisfied that the overgrant was made in good faith: Provided that if such employee resigns or his services are terminated before sufficient leave has accrued to him for the purpose of such deduction, that portion of the overgrant which has not yet been set off against his leave accrual on the last day of his service shall be deemed to be an overpayment of salary which shall be recovered or written off with the approval of the Minister.

Leave counts for the purpose of salary increments

38. All leave of whatever nature, whether with full or part pay or without pay, shall count for the purpose of salary increments.

Accrual of accumulated leave

39. Accumulated leave shall accrue in respect of each completed calendar month of service at the rate of one-twelfth of the provision applicable to an employee in terms of regulation 28 (1).

40. (1) An employee who is appointed in a full-time capacity without a break in service and who before such appointment was in the service of a State department, body or institution which has a pension or provident fund administered by the Government, shall retain the accumulative leave standing to his credit on the last day of his service with his previous employer.

(2) For the purposes of subregulation (1) any part of a day shall be reckoned as one day when the accumulative leave credit is placed to the credit of an employee on the date these regulations become applicable to him.

Leave which counts for leave purposes

41. (1) All leave, of whatever nature, with full or half pay shall count for the purpose of leave accrual.

(2) Subject to the approval of the council leave of whatever nature, without salary shall count as service for the purpose of leave accrual.

(3) Leave which in terms of subregulation (1) accrues during a period of leave without pay shall not be granted to an employee until he has resumed his duties after his absence on leave without pay, and then only in respect of absence after such resumption of duty.

Granting of accumulative leave

42. (1) The council may at any time require an employee to take a portion or the whole of the accumulative leave standing to his credit: Provided that the maximum period of leave prescribed in subregulations (2) and (4) shall not be exceeded.

(2) (a) Accumulative leave shall not be granted to a member of the teaching and research staff for less than one full technikon term and the total continuous period of such leave shall not extend over more than two technikon terms.

(b) A member of the teaching and research staff who has at least one technikon term accumulative leave standing to his credit and who desires to take leave for two technikon terms, may apply in writing for the conversion of the accumulative leave standing to his credit into accumulative leave with half pay on the basis of two days with half pay for each day of accumulative leave he utilises for this purpose: Provided that the dates of commencement and termination of

wat aan 'n sodanige lid toegestaan word saamval met onderskeidelik, die eerste en laaste dag van 'n teknikontersyn: Met dien verstande voorts dat die raad 'n lid van die doserende personeel kan magtig om te eniger tyd die oplopende verlof wat hom toekom, of 'n gedeelte daarvan, te neem.

(3) Oplopende verlof en vakansieverlof tot hoogstens 184 dae kan in enige tydperk van 18 maande aan 'n lid van die nie-doserende personeel toegestaan word en behoudens subregulasie (4) word enige afwesigheid van diens bo hierdie beperking gedek deur die bestaan van spesiale verlof sonder betaling.

(4) Behoudens subregulasies (2) en (3) en regulasie 50 (3) kan die raad, indien gegronde redes daarvoor bestaan, aan 'n werknemer wat nie oplopende verlof tot sy krediet het nie, spesiale verlof sonder betaling vir hoogstens twee teknikontersyne toestaan as hy lid van die doserende personeel is en hoogstens 184 dae as hy lid van die nie-doserende personeel is, in 'n onafgebroke tydperk van 18 maande.

Verlof vir studie- en navorsingsdoeleindes

43. (1) Indien 'n werknemer wat lid is van die doserende en navorsingspersoneel oplopende verlof wat tot sy krediet staan, neem vir studie- en navorsingsdoeleindes, kan die raad op aansoek van sodanige werknemer en by indiening deur hom van 'n bevredigende navorsings- en studieprogram, 'n gelyke aantal dae spesiale verlof met volle betaling aan sodanige werknemer vir gemelde doel toestaan.

(2) Aan 'n lid van die nie-doserende personeel word studieverlof toegestaan op die grondslag wat die raad bepaal.

Verlof vir private sake

44. Ondanks andersluidende bepalings van hierdie regulasies kan aan 'n lid van die doserende en navorsingspersoneel verlof toegestaan word om hom in staat te stel om aandag te skenk aan private sake: Met dien verstande dat sodanige verlof met volle betaling beperk word tot die getal dae verlof wat die betrokke lid by die aanvang van die verlof tot sy krediet het.

Verlof vir bevalling

45. (1) 'n Getroude vroulike lid van die doserende en navorsingspersoneel neem spesiale verlof sonder betaling vir haar bevalling vir 'n tydperk wat die raad bepaal, maar vir 'n tydperk van minstens een maand voor die verwagte datum van bevalling en ses weke na die bevalling: Met dien verstande dat—

(a) oplopende verlof met volle betaling aan haar toegestaan kan word mits sy binne 30 dae nadat sy diens hervat het aldus aansoek doen en sy die oplopende verlof tot haar krediet het: Met dien verstande voorts dat oplopende verlof met halwe betaling op die grondslag van twee dae met halwe betaling vir elke dag oplopende verlof wat sy tot haar krediet het, toegestaan kan word;

(b) sy minstens een maand kennis gee van die datum waarop die verlof 'n aanvang sal neem.

(2) 'n Getroude vroulike lid van die nie-doserende personeel neem behoudens regulasie 49 oplopende verlof met betaling of spesiale verlof sonder betaling vir haar bevalling vir 'n tydperk wat die raad bepaal, maar vir 'n tydperk van minstens 'n maand voor die verwagte datum van bevalling en ses weke na die bevalling: Met dien verstande dat sy minstens een maand kennis gee van die datum waarop die verlof 'n aanvang sal neem.

any period of accumulative leave granted to such member shall coincide with the first and the last day, respectively, of the technikon term: Provided further that the council may authorise a member of the teaching staff to take at any time such accumulative leave, or part thereof, as may have accrued to him.

(3) Accumulative and vacation leave with pay up to a maximum of 184 days in any period of 18 months may be granted to a member of the non-teaching staff, and subject to subregulation (4), any absence from duty in excess of this limit shall be covered by the granting of special leave without pay.

(4) Subject to subregulations (2) and (3) and regulation 50 (3), the council may, of sound reasons exist, grant an employee with no accumulative leave standing to his credit, special leave without pay not exceeding two technikon terms if he is a member of the teaching staff and not exceeding 184 days if he is a member of the non-teaching staff, in a continuous period of 18 months.

Leave for study and research purposes

43. (1) If accumulative leave standing to the credit of an employee who is a member of the teaching and research staff is taken by such employee for purposes of study and research, the council may upon application by such employee and on submission by him of a satisfactory study and research programme, grant such employee an equal number of days special leave with full pay for the said purpose.

(2) A member of the non-teaching staff may be granted study leave on the basis determined by the council.

Leave for private affairs

44. Notwithstanding anything to the contrary in these regulations leave may be granted to a member of the teaching and research staff to enable him to attend to private affairs: Provided that such leave with full pay shall be limited to the number of days of accumulative leave standing to the credit of the member concerned at the commencement of the leave.

Leave for confinement

45. (1) A married female member of the teaching and research staff shall take special leave without pay for her confinement for such period as may be determined by the council but not less than a period commencing one month before the anticipated date of confinement and ending six weeks after the confinement: Provided that—

(a) accumulative leave with full pay may be granted to her if she so applies within 30 days of her resumption of duty and if the accumulative leave stands to her credit: Provided further that accumulative leave with half pay may be granted on the basis of two days with half pay for each day of accumulative leave standing to her credit;

(b) she shall give at least one month's notice of the date on which the leave will commence.

(2) Subject to regulation 49 a married female member of the non-teaching staff shall take accumulative leave with full pay or special leave without pay for her confinement for such period as the council may determine, but for a period of at least one month before the anticipated date of the confinement and six weeks after the confinement: Provided that she shall give at least one month's notice of the date on which the leave will commence.

Verlof vir dienskynkontinuiteit

46. (1) Ondanks andersluidende bepalings van hierdie regulasies, kan aan 'n lid van die doserende personeel wat in diens van 'n technikon aangestel word en wat voorheen by die technikon as 'n tydelike lid van die doserende en navorsingspersoneel in diens was, hoogstens 90 dae spesiale verlof sonder betaling toegestaan word vanaf die eerste dag wat volg op die datum van sy diensbeëindiging tot die dag voor die datum van diensaanvaarding ingevolge sodanige aanstelling met die doel om die kontinuiteit van sy diens te behou. Met dien verstande dat—

- (a) die beperking van 90 dae nie geld nie waar die tydperk wat hy nie in diens was nie strek vanaf die dag wat volg op die laaste dag van 'n technikontermyn tot die dag vóór die eerste dag van 'n technikontermyn nadat een volle technikontermyn verloop het; en
- (b) die bepalings van hierdie regulasie nie van toepassing is nie op 'n geval wat gedek word deur regulasie 9.

Algemene bepalings: Siekteverlof

47. (1) Siekteverlof val toe aan 'n werknemer op die eerste dag van 'n tydkring of op die datum van sy diensaanvaarding waar sodanige datum binne 'n tydkring val en met ingang van daardie dag kan die volle voorsiening vir die betrokke tydkring aan hom toegestaan word, mits aan die ander bepalings van hierdie regulasies voldoen word. Met dien verstande dat aan geen werknemer siekteverlof met volle of halwe betaling toegestaan word voordat hy 30 dae diens voltooi het nie en dan slegs ten opsigte van afwesighede na die voltooiing van sodanige diens.

(2) Onderworpe aan die geneeskundige vereistes van die geval, is die datum waarop geag word dat enige siekteverlof van 'n lid van die doserende en navorsingspersoneel begin en die datum waarop dit eindig soos deur die raad bepaal wat, by die vasstelling van die tydperk van die verlof, die belange van die technikon in aanmerking kan neem.

(3) Aan 'n werknemer kan, op sy skriftelike aansoek, oplopende verlof wat hy tot sy krediet het, toegestaan word in plaas van siekteverlof met halwe betaling of siekteverlof sonder betaling, mits sodanige aansoek nie later nie as 30 dae nadat hy diens hervat het, ingedien word. Met dien verstande dat—

- (a) op die skriftelike versoek van 'n lid van die doserende en navorsingspersoneel bedoelde oplopende verlof omskep kan word in spesiale verlof met halwe betaling op grondslag van twee dae met halwe betaling vir elke dag oplopende verlof wat hy tot sy krediet het;
- (b) die getal dae verlof wat aldus aan 'n lid van die nie-doserende personeel toegestaan word, nie 365 dae in 'n tydkring oorskry nie;
- (c) die raad oortuig is dat die werknemer op daardie tydstep nie permanent ongeskik is vir die verrigting van sy normale pligte nie; en
- (d) indien bedoelde verlof aan 'n werknemer toegestaan is en hy ten opsigte daarvan betaling ontvang het, dit nie weer in siekteverlof met halwe betaling of sonder betaling omgesit word nie.

(4) Indien 'n werknemer aan wie oplopende of vakansieverlof toegestaan is, siek word terwyl hy met sodanige verlof is, kan daardie gedeelte van die verlof waartydens hy siek was, behoudens die bepalings van regulasie 48 (3), in siekteverlof omskep word. Met dien verstande dat—

- (a) 'n werknemer binne 30 dae na verstryking van sodanige verlof skriftelik om die omskepping aansoek doen;
- (b) die tydperk in die geval van 'n lid van die doserende en navorsingspersoneel meer as sewe dae is.

Leave for continuity of service

46. (1) Notwithstanding anything to the contrary contained in these regulations, a member of the teaching and research staff who is appointed in the service of a technikon and who was previously employed by the technikon as a temporary member of the teaching staff, may be granted special leave without pay not exceeding 90 days, for the purpose of preserving the continuity of his service, from the first day following the date of the termination of his service to the date preceding the date of assumption of duty pursuant to such appointment: Provided that—

- (a) the limitation of 90 days shall not apply where the period during which he was not in service, extends from the day following the last day of a technikon term to the day preceding the first day of a technikon term after a full technikon term has lapsed; and
- (b) the provisions of this regulation shall not apply to a case covered by regulation 9.

General provisions: Sick leave

47. (1) Sick leave shall accrue to an employee on the first day of a cycle or on the date of his assumption of duty where such date falls within a cycle, and with effect from that day the full provision of the relative cycle may be granted to him provided the other provisions of these regulations are complied with: Provided that no employee shall be granted sick leave with full or half pay until he has completed 30 days' service and then only in respect of absences subsequent to the completion of such service.

(2) Subject to the medical requirements of the case, the date on which any sick leave of a member of the teaching and research staff shall be deemed to commence and the date on which it shall be deemed to end, shall be those as determined by the council who may, in determining the period of the leave, take into consideration the interests of the technikon.

(3) An employee may, on his written application, be granted accumulative leave standing to his credit in lieu of sick leave with half pay or sick leave without pay, provided such application is submitted not later than 30 days after he has resumed duty: Provided that—

- (a) at the written request of a member of the teaching and research staff, such accumulative leave may be converted into special leave with half pay on the basis of two days with half pay for each day of accumulative leave standing to his credit;
- (b) the number of days of leave so granted to a member of the non-teaching staff shall not exceed 365 days in a cycle;
- (c) the council is satisfied that the employee is at that stage not permanently unfit for the performance of his normal duties; and
- (d) once such leave has been granted to an employee and he has received payment in respect thereof, it shall not be reconverted into sick leave with half pay or without pay.

(4) If an employee to whom accumulative or vacation leave has been granted, takes ill while on such leave, that part of the leave during which he was ill may, subject to the provisions of regulation 48 (3) be converted into sick leave: Provided that—

- (a) an employee shall apply in writing for such conversion within 30 days of the expiry of such leave; and
- (b) the period in the case of a member of the teaching and research staff, shall be more than seven days.

(5) Aan 'n werknemer wat sy oplopende verlofkrediet ingevolge regulasie 40 (1) behou word gedurende die ongestreke gedeelte van die tydkring waarin hy aldus oorgeplaas is, siekteverlof met betaling toegestaan wat nie meer is as die siekteverlof wat aan hom toegestaan kon gewees het indien al sy diens gedurende sodanige tydkring diens by die technikon was.

(6) Aan 'n lid van die doserende en navorsingspersoneel kan, ondanks regulasie 28 (1) en behoudens regulasie 48, na voltooiing van nege jaar onafgebroke diens en in elke drie tydkringe daarna, addisionele siekteverlof vir hoogstens 90 dae met volle betaling en 90 dae met halwe betaling, by indiening van 'n sertifikaat bedoel in regulasie 48 (3) (a), toegestaan word.

(7) Ongebruikte siekteverlof wat vir 'n bepaalde tydkring voorgeskryf is, verval aan die einde van daardie tydkring en word nie na die volgende tydkring oorgedra nie.

(8) Indien aan 'n lid van die nie-doserende personeel die maksimum hoeveelheid siekteverlof toegestaan is waarvoor in hierdie regulasies voorsiening gemaak is en hy weens gesondheidsredes nie in staat is om sy pligte te hervat nie, kan die raad—

- (a) by die voorlegging van 'n bevredigende sertifikaat bedoel in regulasie 48 (3);
- (b) indien sodanige lid op daardie tydskop nie permanent ongeskik is vir die verrigting van sy normale pligte nie; en
- (c) indien sodanige lid nie oplopende verlof tot sy krediet het nie,

verdere siekteverlof met halwe betaling aan hom toeken vir hoogstens 92 dae in 'n tydkring: Met dien verstande dat hierdie toekenning gedoen kan word ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van ongesteldhede van verskillende aard.

(9) Indien 'n werknemer gedurende 'n tydkring sonder onderbreking van diens—

- (a) oorgaan na 'n groep waarin die siekteverlofvoorsiening minder gunstig is as dié wat voorheen op hom van toepassing was, behou hy vir die duur van daardie tydkring die siekteverlofvoorsiening wat voorheen op hom van toepassing was; of
- (b) oorgaan na 'n groep waar die siekteverlofvoorsiening gunstiger is as dié wat voorheen op hom van toepassing was, verwerf hy onmiddellik die siekteverlofvoorsiening van die nuwe groep: Met dien verstande dat die gunstiger voorsiening vir die lopende tydkring verminder word met die siekteverlof met betaling wat hy reeds geneem het.

(10) Aan 'n lid van die nie-doserende personeel wat minstens 21 jaar onafgebroke diens voltooi het en wat al die siekteverlof met volle betaling geneem het wat ingevolge hierdie regulasies aan hom toegestaan kan word, kan addisionele siekteverlof met volle betaling toegestaan word in die mate en op die voorwaarde soos deur die raad bepaal.

Toestaan van siekteverlof

48. (1) Siekteverlof word net toegestaan in verband met 'n werknemer se afwesigheid van diens weens 'n siekte, ongesteldheid of besering wat nie te wyte is aan sy eie toedoen of gebrek aan behoorlike voorsorg nie.

(2) Siekteverlof word vir senuwee-aandoenings, slape-loosheid, swakte of dergelike minder goed omskrewe siektes of ongesteldhede net toegestaan indien die werknemer se gesondheidstoestand—

- (a) hom ongeskik maak vir sy werk; en
- (b) nie voortvloei uit sy versuim om van oplopende en vakansieverlof gebruik te maak nie.

(5) An employee who retains his accumulative leave credit in terms of regulation 40 (1) shall be granted sick leave with pay during the unexpired part of the cycle in which he was so transferred, which shall not exceed the sick leave which could have been granted to him, had the whole period of his service during such cycle been service at the technikon.

(6) Notwithstanding regulation 28 (1) and subject to regulation 48, a member of the teaching and research staff may be granted, subsequent to the completion of nine years' continuous service and in every three cycles thereafter, additional sick leave up to a maximum of 90 days with full pay and 90 days with half pay on submission of a certificate referred to in regulation 48 (3) (a).

(7) Unused sick leave prescribed for any particular cycle shall lapse at the end of that cycle and shall not be carried forward to the next cycle.

(8) If a member of the non-teaching staff, who has been granted the maximum sick leave provided for in these regulations, is unable for reasons of health, to resume his duties, the council may—

- (a) on submission of a satisfactory certificate referred to in regulation 48 (3);
- (b) if such member at that time is not permanently unfit to perform his normal duties; and
- (c) if such member has no accumulative leave standing to his credit,

grant him further sick leave with half pay not exceeding 92 days in any cycle: Provided that such grant may be made in respect of separate periods of absence and in respect of different kinds of illnesses.

(9) If an employee during a cycle and without a break in service—

- (a) passes to a group in which the sick leave provision is less favourable than that formerly applicable to him, he shall for the duration of that cycle, retain the sick leave provision formerly applicable to him; or
- (b) passes to a group in which the sick leave provision is more favourable than that formerly applicable to him, he shall immediately acquire the sick leave provision of the new group: Provided that the more favourable provision for the current cycle shall be reduced by the paid sick leave already used by him.

(10) A member of the non-teaching staff, who has completed at least 21 years' continuous service and who used all the sick leave with full pay which may be granted in terms of these regulations, may be granted additional sick leave with full pay to such extent and on such conditions as the council may determine.

Granting of sick leave

48. (1) Sick leave shall be granted only in respect of the absence from duty of an employee owing to an illness, indisposition or injury through no fault of his own or failure to take reasonable precautions.

(2) Sick leave shall be granted in respect of nervous complaints, insomnia, debility or similar ill-defined illnesses or indisposition only if the employee's state of health—

- (a) incapacitates him for duty; and
- (b) does not arise from his failure to take accumulative and vacation leave.

(3) (a) Indien 'n werknemer weens siekte van diens afwesig is vir 'n aaneenlopende tydperk van langer as drie dae, kan siekteverlof met of sonder betaling aan hom toegestaan word net as hy 'n sertifikaat van 'n geregistreerde geneesheer (of 'n geregistreerde tandarts) indien waarin—

(i) die aard van die siekte omskryf is;

(ii) verklaar word dat hy nie in staat is om sy ampspligte waar te neem nie; en

(iii) aangetoon word watter tydperk vir sy herstel nodig is.

(b) Die raad kan van 'n werknemer vereis dat 'n sertifikaat bedoel in subparagraaf (a) ten opsigte van tydperke van drie dae of minder ingedien word.

(c) Indien die werknemer weens siekte afwesig was en daar goeie redes bestaan waarom 'n sertifikaat nie ingevolge subparagraaf (a) ingedien is nie, kan die raad hom vrystel van die indiening van sodanige sertifikaat ten opsigte van 'n aaneenlopende tydperk van siekteverlof van nie langer as 14 dae nie.

(d) Vrystelling van die indiening van 'n sertifikaat ingevolge subparagraaf (c) word op die verlofaansoek aangeteken.

(e) Behoudens die bepalings van subparagraaf (c) word siekteverlof met of sonder betaling ten opsigte waarvan 'n sertifikaat soos in hierdie subregulasie omskryf, nie ingedien is nie, toegestaan vir 'n totaal van hoogstens 10 dae gedurende 'n kalenderjaar en verdere afwesighede word gedek deur die toestaan van oplopende verlof of, as die werknemer geen oplopende verlof tot sy krediet het nie, van spesiale verlof sonder betaling.

(4) Ondanks die indiening van 'n sertifikaat bedoel in subregulasie (3), kan die raad weier om siekteverlof met betaling toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het en in sodanige geval kan die raad bepaal dat die afwesigheid ongemagtig was en is die bepalings van regulasie 28 (2) van toepassing.

Huismoeders: Siekteverlof tydens bevalling

49. Ondanks die bepalings van regulasie 44 kan aan 'n lid van die huismoederpersoneel wat die vrou van 'n werknemer is en wat saam met hom as koshuisouers diens doen, siekteverlof vir die doel van 'n bevalling insluitende 'n tydperk voor en na sodanige bevalling, toegestaan word binne die perke van hierdie regulasies en volgens die grondslag en voorwaardes wat die raad bepaal.

Siekteverlof sonder betaling

50. (1) Aan 'n werknemer wat al sy siekteverlof met betaling geneem het waarvoor in hierdie regulasies voorsiening gemaak is, kan ondanks die bepalings van regulasie 47 (3) siekteverlof sonder betaling toegestaan word—

(a) vir hoogstens 365 dae in 'n tydkring as hy 'n lid van die nie-doserende personeel is; en

(b) vir 'n verdere tydperk wat die raad bepaal as hy 'n lid van die doserende en navorsingspersoneel is.

(2) Verlof ingevolge subregulasie (1) (a) kan toegestaan word ondanks die feit dat addisionele siekteverlof met halwe betaling ingevolge regulasie 47 (8) toegestaan is.

(3) Indien al die siekteverlof sonder betaling waarvoor in hierdie regulasies voorsiening gemaak word, aan 'n lid van die nie-doserende personeel toegestaan is, word geen verdere verlof, van watter aard ook al gedurende die betrokke tydkring aan hom toegestaan nie ten opsigte van sy afwesigheid weens siekte, behalwe met die goedkeuring van die Minister.

(3) (a) If an employee is absent from duty for a continuous period exceeding three days owing to illness, he may be granted sick leave with or without pay only if he submits a certificate by a registered medical practitioner (or a registered dentist) which—

(i) describes the nature of the illness;

(ii) states that he is not capable of performing his official duties; and

(iii) indicates the period necessary for his recuperation.

(b) The council may require an employee to submit a certificate referred to in subparagraph (a) in respect of periods of three days or less.

(c) If the absence of an employee is due to illness and there are good reasons for the non-submission of a certificate in terms of paragraph (a), the council may exempt such employee from the submission of such certificate in respect of sick leave for a continuous period not exceeding 14 days.

(d) Exemption from the submission of a certificate in terms of subparagraph (c) shall be recorded on the application for leave.

(e) Subject to the provisions of subparagraph (c), sick leave with or without pay in respect of which a certificate as defined in this subregulation is not submitted, shall be granted only for an aggregate not exceeding 10 days during any calendar year and further absences shall be covered by the granting of accumulative leave or, if the employee has no accumulative leave to his credit, of special leave without pay.

(4) Notwithstanding the submission of a certificate referred to in subregulation (3), the council may refuse to grant sick leave with pay in respect of any absence from duty to which the certificate relates, in which case the council may determine that the absence was unauthorised and the provisions of regulation 28 (2) shall apply.

Housemothers: Sick leave during confinement

49. Notwithstanding the provisions of regulation 44 a member of the housemother staff who is the wife of an employee, where the two of them serve as hostel parents, may be granted sick leave for the purpose of a confinement, including a period before and after such confinement, within the limits of these regulations and on such basis and such conditions as the council may determine.

Sick leave without pay

50. (1) Notwithstanding the provisions of regulation 47 (3), an employee who has used all his sick leave with pay provided for in these regulations, may be granted sick leave without pay—

(a) not exceeding 365 days in any cycle if he is a member of the non-teaching staff; and

(b) for such further periods as may be determined by the council if he is a member of the teaching and research staff.

(2) Leave may be granted in terms of subregulation (1) (a) notwithstanding that additional sick leave with half pay has been granted in terms of regulation 47 (8).

(3) If a member of the non-teaching staff has been granted all the sick leave without pay provided for in these regulations, he shall not, during the relative cycle, be granted any further leave, of whatever nature, in respect of his absence from duty owing to illness, except with the approval of the Minister.

Spesiale siekteverlof

51. (1) Aan 'n werknemer wat afwesig is weens 'n beseering wat voortspruit uit 'n ongeval wat uit sy diens ontstaan en in die loop daarvan plaasvind of weens 'n siekte wat in die loop van en as gevolg van sy diens opgedoen is, kan spesiale siekteverlof met volle betaling toegestaan word vir die tydperk wat hy nie geskik is om diens te verrig nie, of, spesiale siekteverlof met besoldiging gelyk aan die verskil tussen volle betaling en die skadeloosstelling wat aan hom by wyse van periodieke uitkerings van sy maandelikse verdienste betaalbaar is indien sy geval binne die bestek van die Ongevallewet, 1941, val.

(2) Spesiale siekteverlof ingevolge hierdie regulasie word nie toegestaan indien die ongeval aan die ernstige en opsetlike wangedrag soos omskryf in die Ongevallewet, 1941, van die werknemer toe te skryf is nie.

(3) Die bepaling van regulasie 48 (3) is *mutatis mutandis* van toepassing op die toestaan van spesiale siekteverlof.

Spesiale verlof met volle betaling

52. (1) Spesiale verlof met volle betaling kan aan 'n werknemer toegestaan word—

- (a) vir elke dag waarop hy 'n goedgekeurde eksamen doen: Met dien verstande dat een addisionele dag spesiale verlof met volle betaling toegestaan kan word vir elke dag waarop werklik eksamen afgeleë word;
- (b) wanneer hy van diens afwesig is as gevolg van afsondering of isolasie kragtens geneeskundige instruksies waar hy in aanraking was met iemand wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het;
- (c) wanneer hy gevange geneem is of voor die hof moet verskyn op 'n aanklag van misdaad en later vrygespreek of die aanklag teruggetrek word;
- (d) (i) wanneer hy as lid van die Burgermag kragtens die Verdedigingswet, 1957, onafgebroke of afgebroke militêre diens moet verrig, behalwe in die geval van sy aanvanklike tydperk van militêre diens, in welke geval spesiale verlof met salaris gelyk aan die verskil tussen sy gewone salaris en die soldy wat hy kragtens die Burgermagregulasies ontvang, aan hom toegestaan kan word: Met dien verstande dat—
 - (aa) die bepalings van hierdie paragraaf nie van toepassing is as hy voltydse diens kragtens artikel 20 van die Verdedigingswet, 1957, verrig nie; en
 - (bb) 'n werknemer wat vir sy aanvanklike tydperk van militêre diensplig deur die Departement van Verdediging opgeroep word, 'n verbintenis met die technikon aangaan, volgens voorwaardes deur die raad goedgekeur, waarvolgens hy onderneem om die technikon te dien vir 'n tydperk gelykstaande met minstens die tydperk waarvoor spesiale verlof ingevolge hierdie paragraaf aan hom toegestaan is;
- (ii) wanneer hy as lid van die Burgermag soos hierbo omskryf, met toestemming van die raad vrywillig of as gevolg van 'n spesiale ooreenkoms tussen hom en die Departement van Verdediging in verband met sy diens, bo en behalwe enige diens wat hy ooreenkomstig genoemde Wet moet verrig, en onafgebroke of afgebroke diens verrig of 'n instruksie- of kwalifiserende kursus bywoon, mits die bevelvoerder van die betrokke kommandement of Suid-Afrikaanse Lugmaggroep sertifiseer dat sodanige diens of kursus nodig is in belang van die Suid-Afrikaanse Weermag;

Special sick leave

51. (1) An employee who is absent owing to an injury sustained in an accident arising out of and in the course of his duties or owing to a disease contracted in the course of and as a result of his duties, may be granted special sick leave with full pay for the period he is incapacitated for his duties, or, special sick leave with remuneration equal to the difference between full pay and the compensation payable to him in the form of periodical payments of his monthly earnings, if his case falls within the scope of the Workmen's Compensation Act, 1941.

(2) Special sick leave in terms of this regulation shall not be granted if the accident is attributable to the serious and wilful misconduct as defined in the Workmen's Compensation Act, 1941, of the employee.

(3) The provisions of regulation 48 (3) shall apply *mutatis mutandis* to the granting of special sick leave.

Special leave with full pay

52. (1) Special leave with full pay may be granted to an employee—

- (a) for each day on which he writes an approved examination: Provided that one day's special leave with full pay may be granted additionally in respect of each day on which he actually does an examination;
- (b) when he is absent from duty as a result of segregation or isolation on medical instructions where he was in contact with a person who has contracted, or is suspected of having contracted an infectious or contagious disease;
- (c) when he is arrested or has to appear in court on a criminal charge and he is subsequently acquitted or the charge withdrawn;
- (d) (i) when, as a member of the Citizen Force, he is required in terms of the Defence Act, 1957, to perform continuous or non-continuous military service, except in the case of his initial period of military service in which case special leave with pay equal to the difference between his normal pay and the pay which he receives in terms of the Citizen Force Regulations may be granted to him: Provided that—
 - (aa) this paragraph shall not apply when he is performing full-time service in terms of section 20 of the Defence Act, 1957; and
 - (bb) an employee who is called up for his initial period of compulsory military service by the Department of Defence, shall enter into an agreement with the technikon according to conditions approved by the council in accordance with which he undertakes to serve the technikon for a period equal to at least the period in respect of which special leave has been granted to him in terms of this paragraph;
- (ii) when, as a member of the Citizen Force as defined above, he voluntarily, or in pursuance of a special agreement between him and the Department of Defence relating to his service and with the permission of the council performs any continuous or non-continuous service or attends an instructional or qualifying course over and above any service to which he is liable in terms of the said Act, provided the officer commanding the relative command, or South African Air Force group certifies that such service or course is necessary in the interest of the South African Defence Force;

- (iii) wanneer hy as lid van 'n kommando kragtens die Verdedigingswet, 1957, diens moet lewer of opleiding moet ontvang, mits die bevelvoerder van die betrokke kommandement sertifiseer dat die verrigting van sodanige diens of bywoning van sodanige opleiding in ooreenstemming met die bepalings van bedoelde Wet is;
 - (iv) wanneer hy as lid van 'n kommando, 'n instruksie- of kwalifiserende kursus bywoon, mits die bevelvoerder van die betrokke kommandement sertifiseer dat bywoning van sodanige kursus nodig is in belang van die Suid-Afrikaanse Weermag;
 - (v) wanneer hy as lid van die Reserwe van Offisiere 'n herhalingsoefenkursus moet bywoon of herhalingsopleiding moet ontvang ten einde sy bekwaamheid te behou, mits die Stafhoof van die betrokke Landmag, Lugmag of Vlootmag sertifiseer dat sodanige kursus of opleiding nodig is in belang van die Suid-Afrikaanse Weermag;
 - (vi) wanneer hy as lid van 'n afdeling van die Suid-Afrikaanse Weermag (behalwe 'n lid van die Burgermag wat voltydse diens kragtens artikel 20 van die Verdedigingswet, 1957, verrig) insluitende 'n kommando wat kragtens die Verdedigingswet, 1957, diens, verrig of opleiding ontvang, opgeroep word kragtens die bepalings van Hoofstuk X van bedoelde Wet vir diens in verband met die voorkoming of onderdrukking van onluste of ander noodtoestande in die Republiek; en
 - (vii) wanneer hy as lid van die Reserwepolisie mag kragtens die Polisie wet, 1958, voltydse opleiding ontvang, 'n verpligte skietoefening bywoon wat sy afwesigheid van diens noodsaak of opgeroep word vir diens in verband met die voorkoming of onderdrukking van onluste of ander noodtoestande in die Republiek;
- (e) wanneer hy as 'n lid van die doserende personeel 'n onderwysklas of vakansiekursus vir onderwysers bywoon wat deur die raad goedgekeur word;
- (f) wanneer hy deur 'n erkende amateursportvereniging gekies word om—
- (i) Suid-Afrika by internasionale sportwedstryde, buite sowel as binne die Republiek of Suidwes-Afrika, as deelnemer te verteenwoordig;
 - (ii) spanne wat Suid-Afrika by internasionale sportwedstryde buite die Republiek of Suidwes-Afrika verteenwoordig, as afrieter of bestuurder te vergesel; of
 - (iii) 'n buitelandse nasionale span wat die Republiek of Suidwes-Afrika besoek, as verteenwoordiger van die betrokke sportvereniging te vergesel.
- (2) Spesiale verlof wat ooreenkomstig subregulasie (1) toegestaan word, kan 'n tydperk insluit wat werklik en noodsaaklikerwys deurgebring is met reise vir doeleindes waarvoor verlof toegestaan word.

Verlofgratifikasies

53. Oplopende verlof wat tot krediet van 'n werknemer staan kan met die goedkeuring van die raad deur sodanige werknemer as verlof geneem word of by sy aftrede in die vorm van 'n verlofgratifikasie op die grondslag wat van toepassing is op 'n beampde of werknemer wie kragtens die bepalings van die Staatsdienswet, 1984 (Wet 111 van 1984), aangestel is.

Leave gratuities

53. Accumulated leave standing to the credit of an employee may, with the approval of a council be taken in the form of leave by such employee, or otherwise by retirement, be paid out to him in the form of a leave gratuity in accordance with the basis applicable to an officer or employee, appointed in terms of the Public Service Act, 1984 (Act 111 of 1984).

HOOFTUK VI**WANGEDRAG EN ONBEKWAAMHEID*****Omskrywing van wangedrag***

54. 'n Permanente werknemer is skuldig aan wangedrag indien hy—

- (a) 'n bepaling van die Wet of 'n regulasie wat op 'n technikon betrekking het wat hy moet nakom oortree of versuim om daaraan te voldoen;
- (b) 'n daad wat nadelig is vir die administrasie, dissipline of doeltreffendheid van 'n technikon doen, of laat doen, of toelaat of oogluikend toelaat dat dit gedoen word;
- (c) 'n wettige bevel wat aan hom gegee is nie gehoorsaam nie of verontagsaam, of opsetlik versuim om dit uit te voer, of deur woord of gedrag hom aan insubordinasie skuldig maak;
- (d) nalatig of traag by die vervulling van sy pligte is;
- (e) sonder die toestemming van die raad 'n private agentskap of private werk onderneem in verband met 'n aangeleentheid wat in verband staan met die verrigting van sy amptelike werksaamhede of die uitvoering van sy ampspligte;
- (f) in die openbaar kritiek uitoefen aangaande die administrasie van die technikon of 'n Staatsdepartement;
- (g) deur middel van iemand wat nie in die diens van 'n technikon is nie probeer om ingryping in verband met sy posisie en diensvoorwaardes te verkry, tensy dit om herstel van 'n grief deur bemiddeling van die Parlement te probeer verkry;
- (h) hom op 'n skandelijke, onbehoorlike of onbetaamlike wyse gedra of, terwyl hy diens doen, hom aan growwe onbeleefdheid teenoor 'n ander persoon skuldig maak;
- (i) buitensporig gebruik maak van sterk drank of bedwelmende middels, of, terwyl hy aan diens is of behoort te wees, onder die invloed van sterk drank of bedwelmende middels is in 'n mate wat tot nadeel strek van die technikon of van die doeltreffende verrigting van sy pligte, tensy daar bewys word dat dit nie aan onbetaamlike gedrag of optrede van sy kant te wyte is nie;
- (j) insolvent word of 'n akkoord met sy skuldeisers aangaan of as 'n bevel tot siviele gyseling deur 'n geregs hof teen hom uitgereik word, tensy daar bewys word dat sy insolvensie of die akkoord of die uitreiking van die bevel teen hom deur onvermydelike teenspoed veroorsaak is;
- (k) in geldelike moeilikheid raak, tensy daar bewys word dat sy geldelike moeilikheid nie die gevolg is van onversigtigheid of ander laakbare oorsaak nie, en nie nadelig is vir die getroue uitvoering van sy pligte nie;
- (l) inligting wat hy ingewin of bekom het as gevolg van sy werk by 'n technikon, openbaar maak anders as by die vervulling van sy ampspligte, of sodanige inligting gebruik vir 'n ander doel as vir die vervulling van sy ampspligte, hetsy hy sodanige inligting openbaar maak of nie: Met dien verstande dat 'n werknemer van 'n technikon met of sonder vergoeding artikels in 'n tydskrif kan publiseer mits so 'n artikel vooraf deur die voorsitter en twee lede van die raad goedgekeur is;
- (m) enige kommissie, geld of ander beloning wat nie die emolumente is wat ten opsigte van sy pligte aan hom betaalbaar is nie, aanneem of eis, ten opsigte van die uitvoering van sy pligte of die versuim om sy pligte uit te voer, of as hy versuim om die raad van die aanbod van sodanige kommissie, geld of beloning te verwittig;

CHAPTER VI**MISCONDUCT AND INEFFICIENCY*****Definition of misconduct***

54. A permanent employee shall be guilty of misconduct if he—

- (a) contravenes or fails to comply with a provision of the Act or a regulation relating to a technikon with which it is his duty to comply;
- (b) does, or causes or permits to be done, or connives at, an act which is prejudicial to the administration, discipline or efficiency of a technikon;
- (c) disobeys, disregards or makes wilful default in carrying out a lawful order given to him, or by word or conduct displays insubordination;
- (d) is negligent or indolent in the discharge of his duties;
- (e) undertakes, without the permission of the council any private agency or private work in connection with any matter connected with the performance of his official functions or the discharge of his official duties;
- (f) publicly comments adversely upon the administration of the technikon or a government department;
- (g) attempts to secure intervention, through any person not in the employment of the technikon in relation to his position and conditions of service, unless it is done to obtain redress of any grievance through Parliament;
- (h) conducts himself in a disgraceful, improper or unbecoming manner, or, while on duty, is grossly discourteous to any person;
- (i) uses intoxicants or stupefying drugs excessively, or, while he is or should be on duty, is under the influence of intoxicants or stupefying drugs to an extent which is prejudicial to the technikon or to the efficient performance of his duties, unless it is proved that it is not due to any improper conduct or action on his part;
- (j) become insolvent or compromises with his creditors or if a decree of civil imprisonment is made against him by any court of law, unless it is shown that his insolvency or such composition or the making of such decree against him has been occasioned by unavoidable misfortune;
- (k) becomes pecuniarily embarrassed, unless it is shown that his pecuniary embarrassment has not been occasioned by imprudence or other reprehensible cause, and is not prejudicial to the faithful performance of his duties;
- (l) discloses, otherwise, than in the discharge of his official duties, information gathered or obtained by him through his employment at a technikon, or uses such information for any purpose other than for the discharge of his official duties, whether or not he discloses such information: Provided that an employee of a technikon may publish, with or without remuneration, papers or articles in any journal, provided that such article was approved by the chairman and two members of the council before publication;
- (m) accepts or demands in respect of the discharge of or the failure to discharge his duties any commission, fee or other reward, not being the emoluments payable to him in respect of his duties, or fails to report to the council the offer of any such commission, fee or reward;

- (n) hom eiendom van die teknikon wederregtelik toeëien of op onbehoorlike wyse daarvan gebruik maak of versuim om enige sodanige eiendom onder sy toesig en beheer behoorlik te versorg, en sodanige toeëiening of gebruikmaking nie 'n misdryf uitmaak nie;
- (o) 'n misdryf pleeg;
- (p) sonder verlof van sy teknikon of diens wegbly, tensy hy 'n geldige rede vir sy afwesigheid kan bewys;
- (q) met die oog op die verkryging van 'n voorreg of voordeel met betrekking tot sy amptelike posisie of sy pligte, of op die veroorsaking van enige nadeel of skade aan die teknikon of onderwysdiens of lid van sodanige diens, 'n valse of onjuiste verklaring aflê terwyl hy weet dat dit vals of onjuis is;
- (r) 'n bepaling van die reëls van die konstitusie van 'n mediese hulpfonds of mediese hulpvereniging waarvan hy ingevolge die regulasies verplig is om lid te wees, oortree of versuim om te voldoen aan 'n bepaling van bedoelde reëls waaraan dit uit hoofde van sy lidmaatskap van sodanige mediese hulpfonds of mediese hulpvereniging sy plig is om te voldoen.

Procedure in geval van wangedrag

55. (1) Indien 'n permanente werknemer beskuldig word van wangedrag soos in regulasie 54 omskryf, kan die voorsitter van die raad of, indien daartoe gemagtig deur die raad, die hoof, hom skriftelik onder sy handtekening van daardie wangedrag aankla.

(2) Die persoon wat die aanklag onderteken het, laat dit aan die aangeklaagde bestel deur dit aan hom te laat oorhandig of te stuur per geregistreerde brief of dit te laat afgee by sy woonplek of die plek waar, sover bekend, hy laas gewoon het.

(3) Die aanklag bevat, of gaan gepaard met 'n aansegging waarby die aangeklaagde aangesê word om binne 'n redelike tydperk wat in die aansegging vermeld word, 'n skriftelike erkenning of ontkenning van die aanklag en, indien hy dit verlang, 'n skriftelike verduideliking van die wangedrag waarvan hy aangekla word, aan iemand insgelyks vermeld, te stuur of te oorhandig.

(4) Die voorsitter van die raad, of die hoof, indien daartoe deur die raad gemagtig, kan iemand wat beskuldig word van wangedrag soos in regulasie 54 omskryf, in sy diens skors, hetsy hy van wangedrag aangekla is of nie.

(5) Die voorsitter van die raad of die hoof wat iemand ingevolge subregulasie (4) geskors het, kan die skorsing te eniger tyd intrek, maar die intrekking van die skorsing raak geen verrigting in verband met die aanklag van wangedrag nie.

(6) Iemand wat ingevolge subregulasie (4) in sy diens geskors is, is nie op enige besoldiging ten opsigte van die tydperk van sy skorsing geregtig nie: Met dien verstande dat die raad kan gelas dat aan so iemand sy volle besoldiging of 'n gedeelte daarvan betaal word.

(7) As geen aanklag kragtens hierdie regulasie ingebring word nie teen iemand wat aldus in sy diens geskors is, word hy toegelaat om so spoedig doenlik sy diens te hervat, en word sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal vir sover dit nie reeds gedoen is nie.

(8) (a) Indien die aangeklaagde die aanklag erken, word hy geag kragtens hierdie regulasie skuldig bevind te wees aan die wangedrag waarvan hy aangekla is.

(b) Indien die aangeklaagde die aanklag ontken of versuim om te voldoen aan die aansegging vermeld in subregulasie (3), stel die raad iemand aan om ondersoek na die aanklag in te stel.

- (n) misappropriates or improperly uses any property of the teknikon or fails to take proper care of such property under his supervision and control and such misappropriation or use does not constitute an offence;
- (o) commits an offence;
- (p) absents himself from his teknikon or duty without leave unless he can prove a valid cause for his absence;
- (q) with a view to obtaining any privilege or advantage in relation to his official position or his duties, or is causing prejudice or injury to the teknikon or educational service or a member of such service, makes a false or incorrect statement, knowing it to be false or incorrect;
- (r) contravenes any provision of the rules of the constitution of a medical aid fund or medical aid society of which he is required to be a member in terms of the regulations or fails to comply with any provision of the said rules with which it is his duty to comply by virtue of his membership of such medical aid fund or medical aid society.

Procedure in case of misconduct

55. (1) If a permanent employee is accused of misconduct, as defined in regulation 54 the chairman of the council, or, if authorised thereto by the council, the principal, may charge him in writing under his hand with that misconduct.

(2) The person who signed the charge shall serve it upon the person charged by causing it to be delivered or sent by registered letter to him, or to be left at his place of residence or last known place of residence.

(3) The charge shall contain or shall be accompanied by a direction calling upon the person charged to transmit or deliver, within a reasonable period to be specified in such direction, to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is charged.

(4) The chairman of the council or, if authorised thereto by the council, the principal, may suspend from duty any person accused of misconduct, as defined in regulation 54 whether or not such person has been charged with misconduct.

(5) The chairman of the council or the principal who suspended any person in terms of subregulation (4), may at any time cancel the suspension, but the cancellation of the suspension shall not affect any proceedings in connection with the charge of misconduct.

(6) A person who has been suspended in terms of subregulation (4) shall not be entitled to any emoluments in respect of the period of his suspension: Provided that the council may order payment to the said person of the whole or a portion of his emoluments.

(7) If no charge under this regulation is preferred against a person who has been so suspended from duty, he shall be allowed to assume duty as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not been done already.

(8) (a) If the person charged admits the charge, he shall be deemed to have been found guilty in terms of this regulation of the misconduct with which he has been charged.

(b) If the person charged denies the charge or fails to comply with the direction mentioned in subregulation (3), the council shall appoint a person to inquire into the charge.

(9) (a) Die persoon wat die ondersoek instel, stel in ooreenstemming met die persoon wat die aanklag onderteken het, die tyd en plek van die ondersoek vas, en die persoon wat die aanklag onderteken het, gee die aangeklaagde redelike skriftelike kennis van die tyd en plek aldus vasgestel: Met dien verstande dat die raad die ondersoek kan uitstel indien goeie redes daarvoor aangevoer word.

(b) Die reg met betrekking tot getuienis en getuies wat geld in verband met strafsake in 'n landdroshof, geld *mutatis mutandis* vir die doeleindes van en by so 'n ondersoek: Met dien verstande dat dagvaardings om die aanwesigheid van getuies daarby te verkry, uitgereik word deur die persoon wat die ondersoek instel.

(10) Die persoon wat die aanklag onderteken het, kan iemand magtig om by die ondersoek teenwoordig te wees en om getuienis en argumente ter stawing van die aanklag aan te voer, en om iemand wat as getuie vir die verweer opgeroep is, onder kruisverhoor te neem.

(11) (a) By die ondersoek kan die aangeklaagde teenwoordig wees, het hy die reg om persoonlik of deur 'n verteenwoordiger aangehoor te word, iemand wat as getuie ter stawing van die aanklag opgeroep is, onder kruisverhoor te neem, insae te hê in stukke wat as getuienis voorgelê is en ander persone as getuies op te roep, en kan hy self getuienis aflê.

(b) Die versuim van die aangeklaagde om persoonlik of deur 'n verteenwoordiger by die ondersoek teenwoordig te wees, maak nie die verrigtinge ongeldig nie.

(c) Die persoon wat die ondersoek instel, hou notule van die verrigtinge by die ondersoek en van die getuienis wat daarby afgelê word.

(12) Indien die wangedrag waarvan iemand aangekla word, die pleeg van 'n misdryf is en daar bewys word dat hy deur 'n geregshof daaraan skuldig bevind is, is 'n gesertifiseerde afskrif van die notule van sy verhoor en skuldigbevinding deur daardie hof *prima facie*-bewys dat hy daardie misdryf gepleeg het.

(13) Die persoon wat die ondersoek instel, beslis na afloop daarvan of die aangeklaagde skuldig of onskuldig is aan die wangedrag waarvan hy aangekla is en verwittig hom en die raad van sy beslissing.

(14) Indien die aangeklaagde onskuldig bevind word aan die wangedrag waarvan hy aangekla is en hy ingevolge subregulasie (4) in sy diens geskors is, word hy toegelaat om so spoedig doenlik sy diens te hervat en word sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal, vir sover dit nie reeds gedoen is nie.

(15) Indien die aangeklaagde skuldig bevind word aan die wangedrag waarvan hy aangekla is, kan hy binne veertien dae na die datum waarop hy van die bevinding verwittig is, na die Minister appelleer deur aan die persoon wat die ondersoek ingestel het, 'n skriftelike kennisgewing van appêl te oorhandig of te pos waarin die gronde waarop die appêl gebaseer is, volledig uiteengesit word.

(16) Indien die persoon wat die ondersoek instel, bevind dat die aangeklaagde skuldig is aan die wangedrag waarvan hy aangekla is—

(a) stuur hy na verstryking van die tydperk vermeld in subregulasie (15) aan die raad—

- (i) die notule van die verrigtinge by die ondersoek;
- (ii) die dokumentêre bewysstukke wat daarby toegelaat is;
- (iii) 'n uiteensetting van sy bevinding en sy redes daarvoor;
- (iv) enige opmerkings wat hy oor die saak wil maak;
- (v) indien teen sy bevinding ingevolge subregulasie (15) geappelleer is, die kennisgewing van appêl; en

(9) (a) The person who is to hold the inquiry shall, in consultation with the person who signed the charge, fix the time and place of the inquiry, and the person who signed the charge shall give the person charged reasonable written notice of the time and place so fixed: Provided that the council may postpone the inquiry on good cause shown.

(b) The law relating to witnesses and evidence which applies in criminal cases in a magistrate's court, shall *mutatis mutandis* apply for the purposes of and at any such inquiry: Provided that subpoenas to procure the attendance of witnesses thereat shall be issued by the person who is to hold the inquiry.

(10) The person who signed the charge may authorise any person to be present at the inquiry and to adduce evidence and arguments in support of the charge, and to cross-examine any person called as a witness for the defence.

(11) (a) At the inquiry the person charged may be present, shall have the right to be heard either personally or through a representative, to cross-examine any person called as a witness in support of the charge, to inspect any documents produced in evidence and to call other persons as witnesses, and may give evidence himself.

(b) The failure of the person charged to be present at the inquiry, either personally or through a representative, shall not invalidate the proceedings.

(c) The person holding the inquiry shall keep a record of the proceedings at the inquiry and of the evidence given thereat.

(12) If the misconduct with which any person is charged, is the commission of an offence and it is proved that he has been convicted thereof by a court of law, a certified copy of the record of his trial and conviction by that court shall be *prima facie* evidence of the commission by him of that offence.

(13) The person holding the inquiry, shall after the conclusion thereof decide whether the person charged is guilty or not guilty of the misconduct with which he has been charged and inform him and the council of his decision.

(14) If the person charged is found not guilty of the misconduct with which he has been charged and was suspended from duty in terms of subregulation (4), he shall be allowed to resume duty as soon as practicable and he paid his emoluments in respect of the period of his suspension in so far as it has not been done already.

(15) If the person charged is found guilty of the misconduct with which he has been charged, he may within 14 days of the date on which he was informed of the finding appeal to the Minister by delivering or posting to the person who held the inquiry a written notice of appeal setting forth fully the grounds on which the appeal is based.

(16) If the person holding the inquiry finds that the person charged is guilty of the misconduct with which he has been charged, he shall—

- (a) after expiry of the period referred to in subregulation (15) forward to the council—
 - (i) the record of the proceedings at the inquiry;
 - (ii) the documentary evidence admitted thereat;
 - (iii) a statement of his finding and his reasons therefor;
 - (iv) any observations which he may wish to make on the case; and
 - (v) if there is an appeal from his finding in terms of subregulation (15) the notice of appeal; and

(b) verstrek hy skriftelik sy redes vir die bevinding aan die appellant, indien daar aldus teen sy bevinding geappelleer is.

(17) Indien die appellant binne sewe dae na die datum waarop 'n afskrif van die redes vir die bevinding aan hom verstrek is, by die raad aansoek doen om 'n afskrif van die notule van die verrigtinge by die ondersoek en die dokumentêre bewysstukke wat daarby toegelaat is, verstrek die raad dit aan hom.

(18) Die appellant kan, indien hy 'n aansoek ingevolge subregulasie (17) gedoen het, binne 14 dae na die datum waarop 'n afskrif van die redes vir die bevinding aan hom verstrek is, of, indien hy nie aldus aansoek gedoen het nie, binne 21 dae na die datum waarop die redes vir die bevinding aan hom verstrek is, skriftelike vertoë ter stawing van sy appèl aan die raad voorlê, en die raad lê na ontvangs daarvan of, indien hy geen sodanige vertoë binne die voorgeskrewe tydperk ontvang het nie, na verstryking van die tydperk, die notule van die verrigtinge by die ondersoek, die ander stukke in sy besit wat op die ondersoek of appèl betrekking het en sy aanbeveling omtrent die appèl aan die Minister voor.

(19) Na oorweging van die betrokke notule en ander stukke kan die Minister die appèl geheel en al of ten dele handhaaf en die bevinding tersyde stel of wysig, die appèl van die hand wys en die bevinding bekrachtig, of, voordat hy tot 'n finale beslissing oor die appèl kom, 'n aangeleentheid in verband met die ondersoek terugverwys na die persoon wat die ondersoek ingestel het, en hom gelas om verslag daaroor te doen of nadere ondersoek in te stel en 'n bevinding daaroor te doen.

(20) Indien die Minister gelas dat nadere ondersoek ingestel word, is die bepalings van subregulasies (9), (10) en (11) ten opsigte daarvan van toepassing.

(21) Indien die Minister tot 'n finale beslissing oor die appèl gekom het, deel hy die beslissing skriftelik mee aan die appellant en die raad.

(22) Indien die Minister die appèl handhaaf en die appellant ingevolge subregulasie (4) in sy diens geskors is, word hy toegelaat om so spoedig doenlik sy diens te hervat en word sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal, vir sover dit nie reeds gedoen is nie.

(23) Indien die aangeklaagde die aanklag van wangedrag erken het soos in subregulasie (3) beoog of indien hy aan wangedrag skuldig bevind is ingevolge subregulasie (13) en nie binne die voorgeskrewe tydperk geappelleer het nie, of geappelleer het en die appèl geheel en al of ten dele van die hand gewys is ingevolge hierdie regulasie kan die raad die aangeklaagde—

- (a) waarsku of berispe;
- (b) behoudens die tweede voorbehoudsbepaling by regulasie 11 na 'n ander pos oorplaas;
- (c) se besoldiging of rang of sy besoldiging sowel as sy rang verlaag; of
- (d) ontslaan of gelas om te bedank.

(24) (a) Behalwe wanneer die raad 'n handeling kragtens subregulasie (23) (a) of (d) doen, kan hy 'n handeling kragtens meer as een van die ander paragrawe van daardie subregulasie doen.

(b) Die raad kan optrede kragtens subregulasie (23) vir 'n tydperk van hoogstens 12 maande uitstel.

(25) (a) Indien die raad iemand ingevolge subregulasie (23) (d) ontslaan, tree die ontslag in werking op 'n datum wat die raad bepaal.

(b) if there is such an appeal from his finding, furnish the appellant with a copy of his reasons for the finding.

(17) If the appellant applies to the council for a copy of the record of the proceedings at the inquiry and of the documentary evidence admitted thereat, within seven days of the date upon which he was furnished with a copy of the reasons for the finding, the council shall furnish him with it.

(18) The appellant may, if he has made an application in terms of subregulation (17), within 14 days of the date upon which he was furnished with a copy of the reasons for the findings or if he did not make such an application, within 21 days of the date upon which he was furnished with the reasons of the finding, submit to the council written representations in support of his appeal, and the council shall after receipt thereof or, if it did not receive such representations within the prescribed period after expiry of such period, submit to the Minister the record of the proceedings at the inquiry, the other documents in his possession which relate to the inquiry or appeal, and his recommendation concerning the appeal.

(19) After consideration of the record and other documents in question the Minister may allow the appeal in whole or in part and set aside or vary the finding, dismiss the appeal and confirm the finding, or, before arriving at a final decision on the appeal, remit any matter in connection with the inquiry to the person who held the inquiry and direct him to report thereon or to hold a further inquiry and to arrive at a finding thereon.

(20) If the Minister has directed that a further inquiry be held, the provisions of subregulations (9), (10) and (11) shall apply in respect thereof.

(21) If the Minister has arrived at a final decision on the appeal, he shall convey that decision in writing to the appellant and the council.

(22) If the Minister allows the appeal and the appellant has been suspended from duty in terms of subregulation (4), he shall be allowed to resume duty as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not already been done.

(23) If the person charged has admitted the charge of misconduct as is contemplated in subregulation (3) or if he has been found guilty of misconduct in terms of subregulation (13) and has not appealed within the period prescribed or has appealed and the appeal has been dismissed wholly or in part in terms of this regulation, the council may—

- (a) caution or reprimand the person charged;
- (b) subject to the second proviso to regulation 11, transfer the person charged to some other post;
- (c) reduce the emoluments or rank or both the emoluments and rank of the person charged; or
- (d) discharge the person charged, or call upon him to resign.

(24) (a) Except where the council acts in terms of subregulation (23) (a) or (d), it may act in terms of more than one of the other paragraphs of that subregulation.

(b) The council may postpone for a period not exceeding 12 months, any action taken in terms of subregulation (23).

(25) (a) If the council discharges any person in terms of subregulation (23) (d), the discharge shall take effect on a date fixed by the council.

(b) Indien die raad iemand ingevolge subregulasie (23) (d) gelas om te bedank en so iemand versuim om aldus te bedank met ingang van 'n datum wat die raad bepaal, word hy geag uit die diens ingevolge hierdie subregulasie ontslaan te wees met ingang van daardie datum.

(26) Indien iemand ingevolge subregulasie (4) in sy diens geskors is en die raad met hom handel soos in subregulasie (23) (a), (b) of (c) beoog, of die raad met hom handel ooreenkomstig subregulasie (24) (b) word so iemand so spoedig doenlik toegelaat om diens in 'n gepaste pos te hervat, en word sy besoldiging ten opsigte van die tydperk van sy skorsing aan hom betaal vir sover dit nie reeds gedoen is nie: Met dien verstande dat indien so iemand se besoldiging of rang verlaag word soos beoog in subregulasie (23) (c) sy besoldiging ten opsigte van die tydperk van sy skorsing bereken word op die grondslag van die verlaagde besoldiging of rang, na gelang van die geval: Met dien verstande voorts dat indien ten opsigte van die tydperk van sy skorsing reeds 'n hoër besoldiging aan hom ingevolge subregulasie (6) betaal is as die besoldiging aldus bereken, hy nie verplig is om die verskil terug te betaal nie.

(27) Indien iemand wat ingevolge hierdie regulasie geskors of van wangedrag aangekla is, uit die diens van 'n technikon bedank of ander werk aanvaar voordat die toepaslike aanklag van wangedrag kragtens hierdie regulasie afgehandel is, word hy geag weens wangedrag uit dié diens ontslaan te wees met ingang van 'n datum wat die raad bepaal, tensy, voordat sy kennisgewing van bedanking ontvang is of hy die ander werk aanvaar het, hy in kennis gestel is dat hy nie van wangedrag aangekla sal word nie, of, na gelang van die geval, dat die aanklag van wangedrag teen hom teruggetrek is.

(28) Die feit dat iemand deur 'n geregshof skuldig of onskuldig aan die pleeg van 'n misdryf bevind is, belet nie dat stappe teen so iemand ingevolge hierdie regulasie gedoen word nie.

Onbekwame permanente werknemers

56. (1) Indien beweer word dat 'n permanente werknemer ongeskik is vir die pligte wat aan sy pos verbonde is of nie in staat is om daardie pligte op bekwame wyse uit te voer nie kan die raad iemand aanstel om ondersoek na die bewering in te stel.

(2) Die bepalinge van subregulasies (9), (10), (11), (13), (15) tot en met (21), (23) en (25) (a) van regulasie 55 is *mutatis mutandis* van toepassing ten opsigte van 'n ondersoek vermeld in subregulasie (1) en die permanente werknemer ten opsigte van wie die bewering gedoen is: Met dien verstande dat by die toepassing van die genoemde subregulasie (23) die raad slegs kan bepaal dat die betrokke permanente werknemer uit die diens van die technikon ontslaan word of dat sy rang verlaag word en, indien sy besoldiging meer is as die maksimum van die verlaagde rang, die besoldiging tot dié maksimum verminder word.

HOOFSTUK VII

DIENSBEÏNDIGING

Diensbeëindiging: Datum waarop salaris eindig

57. (1) Tensy die raad in 'n uitsonderlike geval anders goedkeur, bedank 'n werknemer wat 'n lid is van die dose-rende personeel uit sy pos alleenlik met ingang van die dag wat volg op die end van 'n kalenderkwartaal of die end van die ooreenstemmende technikontermyn, naamlik die laaste datum van die twee: Met dien verstande dat hy kennis daarvan gee nie later nie as die eerste dag van die betrokke technikontermyn.

(b) If the council in terms of subregulation (23) (d) calls upon any person to resign and such person fails so to resign with effect from a date fixed by the council, he shall be deemed to have been discharged in terms of this subregulation from service with effect from that date.

(26) If any person has been suspended from duty in terms of subregulation (4) and the council deals with him in a manner contemplated in subregulation (23) (a), (b) or (c), or the council deals with him in accordance with subregulation (24) (b) such person shall be allowed to resume duty in an appropriate post as soon as practicable and be paid his emoluments in respect of the period of his suspension in so far as it has not already been done: Provided that if the emoluments or rank of such person are reduced as is contemplated in subregulation (23) (c), his emoluments in respect of the period of his suspension shall be calculated on the basis of the reduced emoluments or rank as the case may be: Provided further that if in respect of the period of his suspension emoluments in excess of the emoluments so calculated have already been paid to him in terms of subregulation (6), he shall not be obliged to refund the excess.

(27) If any person who has been suspended or charged with misconduct in terms of this regulation, resigns from the service of a technikon or assumed other employment before the appropriate charge of misconduct has been disposed of under this regulation, he shall be deemed to have been discharged on account of misconduct from such service with effect from a date fixed by the council, unless before the receipt of his notification of resignation or his assumption of other employment, he was notified that he would not be charged with misconduct or, as the case may be, that the charge of misconduct against him had been withdrawn.

(28) The fact that a person has been convicted or acquitted by a court of law of the commission of an offence, shall not preclude the taking of any steps in terms of this regulation against such person.

Inefficient permanent employees

56. (1) If it is alleged that any permanent employee is incompetent, or is unable to perform the duties attached to his post in an efficient manner, the council may appoint a person to inquire into the allegation.

(2) The provisions of subregulations (9), (10), (11), (13), (15) to (21) inclusive, and (23) and (25) (a) of regulation 55 shall *mutatis mutandis* apply in respect of any inquiry referred to in subregulation (1) and the permanent employee in respect of whom the allegation was made: Provided that in the application of the said subregulation (23) the council may only lay down that the permanent employee in question be discharged from the service of the technikon or that his rank be reduced and, if his emoluments are more than the maximum for the reduced rank, such emoluments be reduced to that maximum.

CHAPTER VII

TERMINATION OF SERVICE

Termination of service: Terminating date of salary

57. (1) Unless the council in an exceptional case approves otherwise, an employee who is a member of the teaching staff, shall resign his post only with effect from the date following the end of a calendar quarter or the end of the corresponding technikon term, whichever may be the later date: Provided that he shall give notice thereof not later than the first day of the technikon term concerned.

(2) Indien 'n lid van die doserende en navorsingspersoneel bedank of ontslaan word om 'n ander rede as wangedrag soos in regulasie 54 omskryf, of ongeskiktheid of onbekwaamheid soos in regulasie 56 bepaal en sy dienste eindig as gevolg daarvan—

- (a) te eniger tyd gedurende 'n teknikontermyn, word aan hom salaris betaal tot en met die laaste dag waarop hy werklik diens gedoen het; en
- (b) met ingang van die dag onmiddellik na die laaste dag van 'n teknikontermyn, word salaris aan hom betaal tot en met die laaste dag van die kalendermaand waarin bedoelde teknikontermyn gesluit het: Met dien verstande dat as bedoelde teknikontermyn binne dieselfde kalendermaand sluit as dié waarin die volgende teknikontermyn begin, aan hom salaris betaal word tot en met die laaste dag van die teknikontermyn waarin sy dienste aldus eindig: Met dien verstande voorts dat 'n lid van die doserende en navorsingspersoneel wat ingevolge regulasies 58 (1) (b) en (c) ontslaan word; minstens 'n teknikontermynkennis van sy ontslag kry: Met dien verstande voorts dat indien die laaste teknikontermyn gedurende November van 'n kalenderjaar eindig, hy betaling sal ontvang tot en met die laaste dag van die betrokke kalenderjaar.

(3) (a) Tensy in sy aanstellingsvoorwaardes anders bepaal word of die raad in 'n uitsonderlike geval anders goedkeur, gee 'n permanente werknemer wat 'n lid van die nie-doserende personeel is, minstens een kalendermaand kennis van sy voorneme om uit sy pos te bedank: Met dien verstande dat sodanige kennis ook op die eerste dag van sodanige kalendermaand gegee kan word: Met dien verstande voorts dat waar die eerste dag of die eerste dag sowel as die daaropvolgende dag of dae van sodanige kalendermaand op 'n rusdag of rusdae val, sodanige kennis ook op die eerste werksdag wat onmiddellik op sodanige rusdag of rusdae volg, gegee kan word.

(b) Indien sodanige werknemer aldus kennis gee, word hy betaal vir die volle kalendermaand ongeag of dit eindig op 'n rusdag of op 'n dag waartydens onderrig opgeskort is, al dan nie, mits hy in diens bly tot en met die laaste dag wat van hom vereis word om in sodanige kalendermaand diens te doen.

(4) Indien korter kennisgewing van bedanking as 'n kalendermaand in die geval van 'n werknemer wat lid is van die nie-doserende personeel, aanvaar word, word hy betaal tot en met die laaste dag waarop hy werklik diens gedoen het.

(5) Indien 'n permanente werknemer wat lid is van die nie-doserende personeel ontslaan word om 'n rede bedoel in regulasie 58 (1) (b) en (c), kry hy minstens een kalendermaand kennis van ontslag: Met dien verstande dat sodanige kennis ook op die eerste dag van sodanige kalendermaand gegee kan word: Met dien verstande voorts dat waar die eerste dag of die eerste dag sowel as die daaropvolgende dag of dae van sodanige kalendermaand op 'n rusdag of rusdae val sodanige kennisgewing ook op die eerste werksdag wat onmiddellik op sodanige rusdag of rusdae volg, gegee kan word.

(6) (a) Tensy daar in sy dienskontrak anders bepaal word, kan die diens van 'n voltydse tydelike of deelydse werknemer beëindig word deur 24 uur kennisgewing van die kant van die raad of van die werknemer en sodanige kennisgewing kan te eniger tyd gedurende of aan die einde van 'n kalendermaand gegee word.

(2) If a member of the teaching and research staff resigns or is, discharged for any reason other than misconduct, as defined in regulation 54 on unfitness or inefficiency, as provided in regulation 56 and his services terminate as a result thereof—

- (a) at any time during a technikon term, he shall be paid salary up to and including the last day on which he actually rendered service; and
- (b) with effect from the day immediately following the last day of a technikon term, he shall be paid salary up to and including the last day of the calendar month in which such technikon term ended: Provided that if such technikon term ends within the same calendar month as the month in which the next technikon term commences, he shall be paid salary up to and including the last day of the technikon term in which he services so terminate: Provided further that a member of the teaching and research staff who is discharged in terms of regulation 58 (1) (b) and (c) shall receive at least a technikon term's notice of his discharge: Provided further that should the last technikon term end during November of a calendar year, he shall be remunerated up to and including the last day of the calendar year concerned.

(3) (a) Unless otherwise provided in the terms of his appointment, or the council in an exceptional case approves otherwise, a permanent employee who is a member of the non-teaching staff, shall give at least one calendar month's notice of his intention to resign his post: Provided that such notice may also be given on the first day of such calendar month: Provided further that where the first day or the first day as well as the following day or days of such calendar month falls on a day of rest or days of rest, such notice may also be given on the first working day immediately following such day of rest or days of rest.

(b) If such employee so gives notice he shall be paid for the full calendar month, irrespective of whether it ends on a day of rest or on a day during which instruction is suspended, provided that he remains in service up to and including the last day he is required to serve in such calendar month.

(4) If notice of resignation shorter than a calendar month is accepted in the case of an employee who is a member of the non-teaching staff he shall be paid up to and including the last day on which he actually rendered service.

(5) If a permanent employee who is a member of the non-teaching staff is discharged for a reason referred to in regulation 58 (1) (b) and (c) he shall receive at least one calendar month's notice of discharge: Provided that such notice may also be given on the first day or the first day of such calendar month: Provided further that where the first day or the first day as well as the following day or days of such calendar month falls on a day of rest or days of rest, such notice may also be given on the first working day immediately following such day of rest or days of rest.

(6) (a) Unless his contract of employment determines otherwise, the service of a full-time temporary or part-time employee may be terminated on 24 hours' notice from either side and such notice may be given at any time during or at the end of a calendar month.

(b) Indien sodanige tydelike werknemer kennis gee soos in subregulasie (3) (a) aangedui, word hy tot aan die einde van sodanige kalendermaand besoldig ongeag of dit eindig op 'n rusdag of op 'n dag waartydens onderrig opgeskort is al dan nie, mits hy in diens bly tot die laaste dag wat van hom vereis word om in sodanige kalendermaand diens te doen.

Diensbeëindiging van permanente werknemers

58. (1) Behoudens die bepalings van subregulasie (2) kan die diens van 'n permanente werknemer deur die raad beëindig word—

- (a) weens voortdurende swak gesondheid;
- (b) weens die afskaffing van sy pos of vermindering of reorganisasie of herreëling van die personeel van 'n teknikon;
- (c) as om ander redes as sy eie ongeskiktheid of onvermoë, sy ontslag doeltreffendheid of besuiniging in die teknikon waar hy in diens is, sal bevorder;
- (d) weens wangedrag;
- (e) weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer; en
- (f) indien, in die geval van 'n permanente werknemer wat op proef aangestel is, sy aanstelling nie bekrachtig word nie.

(2) (a) 'n Permanente werknemer wat nie op proef is nie en wie se dienste weens een of meer van die gronde bedoel in subregulasie (1), beëindig staan te word, kan binne 14 dae na ontvangs van kennisgewing van sodanige beëindiging van diens na die Minister appèl aanteken.

(b) Die Minister kan die saak laat ondersoek en sy beslissing oor die appèl is finaal.

(3) 'n Permanente werknemer wat sonder goedgekeurde verlof vir 'n tydperk van meer as 'n maand van sy ampspligte wegbly, word geag weens wangedrag uit sy diens ontslaan te gewees het met ingang van die datum wat onmiddellik volg op die laaste dag waarop hy op sy plek van diens teenwoordig was: Met dien verstande dat indien sodanige werknemer ander werk aanvaar, hy geag word ontslaan te gewees het soos voormeld, nieteenstaande die bedoelde tydperk nog nie verstryk het nie: Met dien verstande voorts dat indien sodanige werknemer hom te eniger tyd na die verstryking van bedoelde tydperk vir diens aanmeld, hy onderworpe aan die goedkeuring van die Minister in sy vorige of ander pos of betrekking in die diens van die betrokke teknikon herstel kan word, op die voorwaardes wat die Minister bepaal en in sodanige geval word die tydperk van sy afwesigheid van sy ampspligte geag afwesigheid met spesiale verlof sonder betaling of verlof op die ander voorwaardes wat die Minister bepaal, te wees.

Ouderdom en aftrede

59. (1) Die datum van aftrede van 'n werknemer van 'n teknikon, wat 'n lid is van—

- (a) die doserende en navorsingspersoneel, is die eerste dag van die kalenderjaar wat onmiddellik volg op die kalenderjaar waarin hy die ouderdom van 60 jaar bereik; en
- (b) enige ander groep personeel, is die eerste dag van die kalendermaand wat onmiddellik volg op die kalendermaand waarin hy die ouderdom van 60 jaar bereik.

(2) Op aansoek van 'n werknemer kan die raad die diens van sodanige werknemer verleng nadat hy die datum van aftrede bereik het, vir enige tydperk, tot en met die eerste dag van die kalendermaand wat onmiddellik volg op die kalendermaand waarin hy die ouderdom van 65 jaar bereik het.

(b) If such temporary employee gives notice as indicated in subregulation (3) (a), he shall be paid until the end of such calendar month irrespective of whether it ends on a day of rest or on a day during which instruction is suspended, provided that he remains in service up to the last day he is required to serve in such calendar month.

Termination of service of permanent employees

58. (1) Subject to the provisions of subregulation (2) the services of a permanent employee may be terminated by the council—

- (a) on an account of continued ill-health;
- (b) owing to the abolition of his post or any reduction in or re-organisation or readjustment of the staff of a teknikon;
- (c) if, for reasons other than his own unfitness or incapacity, his discharge will promote efficiency or economy in the teknikon at which he is employed;
- (d) on account of misconduct;
- (e) on account of unfitness for his duties, or incapacity to carry them out efficiently; and
- (f) if, in the case of a permanent employee appointed on probation, his appointment is not confirmed.

(2) (a) A permanent employee, other than a person on probation, whose services are to be terminated on account of one or more of the reasons referred to in subregulation (1) may, within 14 days of receipt of notice of such termination of service, appeal to the Minister.

(b) The Minister may cause the matter to be investigated and his decision on the appeal shall be final.

(3) A permanent employee who without approved leave absents himself from his official duties for a period exceeding one month, shall be deemed to have been discharged from his employment on account of misconduct with effect from the date immediately succeeding the last day on which he was in attendance at his place of duty: Provided that if such employee assumes other employment he shall be deemed to have been discharged as aforesaid notwithstanding that the said period has not yet been expired: Provided further that if such employee reports for duty at any time after the expiry of the said period, he may, subject to the approval of the Minister, be reinstated in his former or any other post or appointment in the service of the teknikon in question, on such conditions as the Minister may determine, and in that event the period of his absence from his official duties shall be deemed to be absence on special leave without pay, or leave on such other conditions as the Minister may determine.

Retirement age

59. (1) The date of retirement of an employee of a teknikon who is a member of—

- (a) the teaching and research staff shall be the first day of the calendar year in which he attains the age of 60 years; and
- (b) any other group of employees shall be the first day of the calendar month immediately following the calendar month in which he attains the age of 60 years.

(2) On application by an employee a council may extend the service of such employee after his date of retirement for any period up to the first day of the calendar month immediately following the calendar month in which he attains the age of 65 years.

(3) 'n Werknemer wat voor die eerste dag van Januarie 1956 aangestel is en wat op of na gemelde datum, in die geval van 'n man, die ouderdom van 60 jaar of, in die geval van 'n vrou, die ouderdom van 55 jaar bereik, het die reg om met pensioen af te tree—

- (a) op die dag waarop hy gemelde ouderdom bereik, indien hy sodanige ouderdom op die eerste dag van 'n kalendermaand bereik;
- (b) op die eerste dag van die kalendermaand wat onmiddellik volg op die kalendermaand waarin hy gemelde ouderdom bereik, indien hy sodanige ouderdom na die eerste dag van daardie kalendermaand bereik; of
- (c) op die eerste dag van enige kalendermaand na die kalendermaand waarin hy sodanige ouderdom bereik: Met dien verstande dat hy die raad ten minste een kalendermaand skriftelik kennis gee van sy voorneme om met pensioen af te tree:

Met dien verstande voorts dat hy aftree nie later nie as die eerste dag van die kalendermaand wat onmiddellik volg op die kalendermaand waarin hy die ouderdom van 65 jaar bereik.

(4) 'n Werknemer wat op of na die eerste dag van Januarie 1956, maar voor die datum van publikasie van hierdie regulasies, aangestel is, het die reg om sy aftree-ouderdom van 65 jaar te behou, in welke geval hy aftree op die eerste dag van die kalendermaand wat onmiddellik volg op die kalendermaand waarin hy die ouderdom van 65 jaar bereik: Met dien verstande dat sodanige werknemer ook die keuse het om af te tree op die eerste dag van enige kalendermaand na die kalendermaand waarin hy die ouderdom van 60 jaar bereik: Met dien verstande voorts dat hy die raad ten minste drie kalendermaande skriftelik kennis gee van sy voorneme om so af te tree.

(5) 'n Raad kan ondanks die bepalings van subregulasies (1), (2), (3) en (4) die dienste van 'n permanente werknemer na bereiking van die voorgeskrewe uitdienstredingsouderdom vir 'n verdere tydperk, hoogstens 'n jaar per keer, behou.

DEPARTEMENT VAN FINANSIES

No. R. 2884

31 Desember 1987

WYSIGING VAN BYLAE 1 BY DIE VERKOOPBELASTINGWET, 1978

Kragtens artikel 49 (1) (b) van die Verkoopbelastingwet, 1978 (Wet 103 van 1978), wysig ek, Barend Jacobus du Plessis, Minister van Finansies, hierby Bylae 1 by genoemde Wet soos in die Bylae hiervan uiteengesit.

B. J. DU PLESSIS,
Minister van Finansies.

BYLAE

Bylae 1 by die Verkoopbelastingwet, 1978, word hierby gewysig—

- (a) deur subitem (ee) van item (ii) van subparagraaf (b) van paragraaf 1 deur die volgende subitem te vervang:
 - “(ee) masjinerie of installasie, tesame met 'n voetstuk, fondament of steunstruktuur spesifiek vir bedoelde masjinerie of installasie ontwerp, wat vir die doeleindes van die werksaamhede van 'n kragstasie gebruik word, met inbegrip van die transformasie van krag deur 'n transformator met 'n eenheidskapasiteit wat 3150 KVA oorskry,”; en

(3) An employee who was appointed before the first day of January 1956 and who on or after the said date in the case of a male attains the age of 60 years, or in the case of a female the age of 55 years, shall have the right to be retired on pension—

- (a) on the day on which he attains the said age, should he attain such age on the first day of any calendar month;
- (b) on the first day of the calendar month immediately following the calendar month in which he attains the said age should he attain such age after the first day of that calendar month; or
- (c) on the first day of any calendar month after the calendar month in which he attains such age:

Provided that he shall give the council at least one calendar month's written notification of his intention to be retired on pension: Provided further that he shall be retired not later than the first day of the calendar month immediately following the calendar month in which he attains the age of 65 years.

(4) An employee who was appointed on or after the first day of January 1956, but before the date of the publication of these regulations, shall have the right to retain his retirement age of 65 years, in which case he shall be retired on the first day of the calendar month immediately following the calendar month in which he attains the age of 65 years: Provided that such employee may also elect to retire on the first day of any calendar month after the calendar month in which he attains the age of 60 years: Provided further that he shall give the council at least three calendar month's written notification of his intention so to retire.

(5) A council may, notwithstanding anything to the contrary contained in subregulations (1), (2), (3) and (4), retain the services of a permanent employee beyond the prescribed age of retirement for a further period not exceeding one year at a time.

DEPARTMENT OF FINANCE

No. R. 2884 *Repealed by Act 87/88* 31 December 1987

AMENDMENT OF SCHEDULE 1 TO THE SALES TAX ACT, 1978

Under section 49 (1) (b) of the Sales Tax Act, 1978 (Act 103 of 1978), I, Barend Jacobus du Plessis, Minister of Finance, hereby amend Schedule 1 to the said Act as set out in the Schedule hereto.

B. J. DU PLESSIS,
Minister of Finance.

SCHEDULE

Schedule 1 of the Sales Tax Act, 1978, is hereby amended—

- (a) by the substitution for subitem (ee) of item (ii) of subparagraph (b) of paragraph 1 of the following subitem:
 - “(ee) any machinery or plant, together with any footing, foundation or supporting structure specifically designed for such machinery or plant, used for the purposes of the operations of any power station including the transformation of electric power by means of any transformer having a unit capacity exceeding 3150 KVA,”; and

(b) deur paragraaf 1A deur die volgende paragraaf te vervang:

“1A By die toepassing van hierdie Wet word, waar 'n ooreenkoms voorsiening maak vir die lewering van 'n diens wat ingevolge subparagraaf (b) (ii) of (bA) van paragraaf 1 'n belasbare diens is, en die vergoeding betaalbaar ingevolge daardie ooreenkoms aan die persoon wat bedoelde diens lewer, betaalbaar is ten opsigte van bedoelde diens en enige materiale, komponente of ander goed deur bedoelde persoon voorsien wat vir die lewering van bedoelde diens nodig is, genoemde ooreenkoms as geheel as 'n ooreenkoms vir die lewering van bedoelde belasbare diens behandel en word genoemde vergoeding geag ten opsigte van bedoelde belasbare diens betaalbaar te wees.”.

No. R. 2887

31 Desember 1987

DOEANE- EN AKSYNSWET, 1964

INWERKINGTREDING VAN WYSIGINGS VAN DIE “EXPLANATORY NOTES TO THE HARMONIZED COMMODITY DESCRIPTION AND CODING SYSTEM” UITGEREIK DEUR DIE DOEANESAMEWERKINGSRAAD (E.N. 2)

Hiermee word bekend gemaak dat die wysigings van die “Explanatory Notes to the Harmonized Commodity Description and Coding System” ooreenkomstig Aanvullende Wysiging 2, deur die Doeanesamewerkeringsraad in Brussel uitgereik, kragtens artikel 47 (8) van die Doeane- en Akswet, 1964 op 1 Januarie 1988 in die Republiek van krag word.

D. H. ELLIOTT,

Waarnemende Kommissaris van Doeane en Aksyns.

DEPARTEMENT VAN JUSTISIE

No. R. 2852

31 Desember 1987

AANWYSING VAN KOMMISSARISSE VAN EDE KRAGTENS ARTIKEL 6 VAN DIE WET OP VREDE-REGTERS EN KOMMISSARISSE VAN EDE, 1963 (WET 16 VAN 1963)

Kragtens die bevoegdheid my verleen by artikel 6 van die Wet op Vrederegters en Kommissarisse van Ede, 1963 (Wet 16 van 1963), wysig ek, Hendrik Jacobus Coetsee, Minister van Justisie, hierby die Bylae by Goewermentskennisgewing R. 2477 van 16 November 1984 soos in die Bylae uiteengesit.

H. J. COETSEE,

Minister van Justisie.

BYLAE

Die Bylae by Goewermentskennisgewing R. 2477 van 16 November 1984 word hierby gewysig—

(a) deur na item 2 die volgende item in te voeg:

“2A. Eerste Nasionale Batebestuur en Trustmaatskappy (Eiendoms) Beperk:

Bestuurder, Assistent-bestuurder en Hoofttrustbeampte

Republiek.”;

(b) deur na item 15 die volgende item in te voeg:

“15A. Krygkor:

(a) Uitvoerende Hoofbestuurder, Senior Hoofbestuurder, Hoofbestuurder, Groepsbestuurder, Afdelingsbestuurder en Bestuurder

Republiek.

(b) Sekretaris

Republiek.

(c) Regsadviseur, Regsassistent en Kommersiële Adviseur

Republiek.

(b) by the substitution for paragraph 1A of the following paragraph:

“1A For the purposes of this Act, where any agreement provides for the rendering of a service which in terms of subparagraph (b) (ii) or (bA) of paragraph 1 is a taxable service and the consideration payable under such agreement to the person rendering such service is payable in respect of such service and any materials, components or other goods supplied by such person which are required for the rendering of such service, the said agreement as a whole shall be treated as an agreement for the rendering of such taxable service and the said consideration shall be deemed to be payable in respect of such taxable service.”.

No. R. 2887

31 December 1987

CUSTOMS AND EXCISE ACT, 1964

COMMENCEMENT OF AMENDMENTS TO THE “EXPLANATORY NOTES TO THE HARMONIZED COMMODITY DESCRIPTIONS AND CODING SYSTEM” ISSUED BY THE CUSTOMS CO-OPERATION COUNCIL (E.N. 2)

It is hereby notified that the amendments of the “Explanatory Notes to the Harmonized Commodity Description and Coding System” in accordance with Amending Supplement 2, issued by the Customs Co-operation Council in Brussels shall, in terms of section 47 (8) of the Customs and Excise Act, 1964, become effective in the Republic on 1 January 1988.

D. H. ELLOITT,

Acting Commissioner for Customs and Excise.

DEPARTMENT OF JUSTICE

No. R. 2852

31 December 1987

DESIGNATION OF COMMISSIONERS OF OATHS IN TERMS OF SECTION 6 OF THE JUSTICES OF THE PEACE AND COMMISSIONERS OF OATHS ACT, 1963 (ACT 16 OF 1963)

Under the powers vested in me by section 6 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act 16 of 1963), I, Hendrik Jacobus Coetsee, Minister of Justice, hereby amend the Schedule to Government Notice R. 2477 of 16 November 1984, as set out in the Schedule.

H. J. COETSEE,

Minister of Justice.

(d) Hoof: Fisiese, Personeel-, Informasie-, Inligting-, Projeksekerheid, Republiek.
Hoof: Sekerheidsoperasies en enige ander sekerheidsbeampte van gelyke of hoër rang

(e) Direkteur: Personeel, Hoof: Personeeladministrasie en enige ander Republiek.
personeelbeampte van gelyke of hoër rang

(f) Direkteur: Openbare Betrekkinge Republiek.”;

(c) deur subitem (f) van item 25 deur die volgende subitem te vervang:

“(f) Tegniese kollege ingestel kragtens die Wet op Tegniese Kolleges, 1981 (Wet 104 van 1981):

Hoof, Adjunk-hoof, Senior Voorsieningsadministrasiebeampte en Voor- Distrik waarin tegniese kollege geleë is.”; en
sieningsadministrasiebeampte

(d) deur item 44 deur die volgende item te vervang:

“44. Suid-Afrikaanse Ontwikkelingstrustkorporasie Beperk vermeld in artikel 2 van die Wet op die Bevordering van die Ekonomiese Ontwikkeling van Nasionale State, 1968 (Wet 46 van 1968):

Besturende Direkteur, Hoofbestuurder: Finansies en Vervoer, Hoofbestuurder: Landbou, Hoofbestuurder: Mynbou, Hoofbestuurder: Nywerheidsontwikkeling en Handel, Senior Bestuurder: Regs- en Bestuursdienste, Senior Bestuurder: Menslike Hulpbronontwikkeling, Bestuurder: Regs- en Sekretariële Dienste, Hoof: Sekuriteitsdienste Republiek.”

SCHEDULE

The Schedule to Government Notice R. 2477 of 16 November 1984 is hereby amended—

(a) by the insertion after item 3 of the following item:

“3A. Armscor:

(a) Executive General Manager, Senior General Manager, General Manager, Group Manager, Divisional Manager and Manager. Republic.

(b) Secretary Republic.

(c) Legal Adviser, Legal Assistant and Commercial Adviser Republic.

(d) Head: Physical, Personnel, Information, Intelligence, Project Security, Head: Security Operations and any other security officer of equal or higher rank Republic.

(e) Director: Personnel, Head: Personnel Administration and any other personnel officer of equal or higher rank Republic.

(f) Director: Public Relations Republic.”;

(b) by the insertion after item 4 of the following item:

“4A. First National Asset Management and Trust Company (Proprietary) Limited: Manager, Assistant Manager and Chief Trust Officer Republic.”;

(c) by the substitution for subitem (f) of item 17 of the following subitem:

“(f) Technical College established in terms of the Technical Colleges Act, 1981 (Act 104 of 1981):

Head, Deputy Head, Senior Provisioning Administration Officer and Provisioning Administration Officer District in which technical college is situated.”; and

(d) by the substitution for item 46 of the following item:

“46. South African Development Trust Corporation Limited referred to in section 2 of the Promotion of the Economic Development of National States Act, 1968 (Act 46 of 1968):

Managing Director, General Manager: Finance and Transport, General Manager: Agriculture, General Manager: Mining, General Manager: Industrial Development and Commerce, Senior Manager: Legal and Managerial Services, Senior Manager: Human Resources Development, Manager: Legal and Secretarial Services, Chief: Security Services Republic.”

DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 2860

31 Desember 1987

WET OP DIE UITVOER VAN LANDBOUPRODUKTE,
1971 (WET 51 VAN 1971)

REGULASIES MET BETREKKING TOT DIE GRADERING, VERPAKKING EN MERK VAN PRUIME EN PRUIMEDANTE BESTEM VIR UITVOER UIT DIE REPUBLIEK VAN SUID-AFRIKA.—WYSIGING

Die Minister van Landbou het kragtens artikel 4 van die Wet op die Uitvoer van Landbouprodukte, 1971 (Wet 51 van 1971), die regulasies in die Bylae uitgevaardig.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2860

31 December 1987

AGRICULTURAL PRODUCE EXPORT ACT, 1971
(ACT 51 OF 1971)

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF PLUMS AND PRUNES INTENDED FOR EXPORT FROM THE REPUBLIC OF SOUTH AFRICA.—AMENDMENT

The Minister of Agriculture has under section 4 of the Agricultural Produce Export Act, 1971 (Act 51 of 1971), made the regulations in the Schedule.

BYLAE

SCHEDULE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermenskennisgewing R. 101 van 28 Januarie 1983, soos gewysig deur die regulasies gepubliseer by Goewermenskennisgewings R. 1005 van 13 Mei 1983, R. 2858 van 28 Desember 1984, R. 38 van 10 Januarie 1986 en R. 2309 van 7 November 1986.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—
(a) deur die omskrywing van "Departement" deur die volgende omskrywing te vervang:

" 'Departement' die Departement van Landbou-
ekonomie en -bemarking;"; en

(b) deur die omskrywing van "Direkteur" deur die volgende omskrywing te vervang:

" 'Direkteur' die Direkteur van die Direktooraat
Landbouprodukstandaarde van die Departement;".

Wysiging van regulasie 10 van die Regulasies

3. Regulasie 10 van die Regulasies word hierby gewysig deur paragraaf (k) van die tabel in subregulasie (3) deur die volgende paragraaf te vervang:

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice R. 101 of 28 January 1983, as amended by the regulations published by Government Notices R. 1005 of 13 May 1983, R. 2858 of 28 December 1984, R. 38 of 10 January 1986 and R. 2309 of 7 November 1986.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—

(a) by the substitution for the definition "Department" of the following definition:

" 'Department' means the Department of Agricultural Economics and Marketing;"; and

(b) by the substitution for the definition "Director" of the following definition:

" 'Director' means the Director of the Directorate of Agricultural Product Standards of the Department;".

Amendment of regulation 10 of the Regulations

3. Regulation 10 of the Regulations is hereby amended by the substitution for paragraph (k) of the table in subregulation (3) of the following paragraph:

Gehaltefaktor	Bestemming A		Bestemming B	Bestemming C
	Oppervlakvervoer	Lugvervoer		
"(k) Chemikalieë:	Maksimum residuperk (mg/kg)	Maksimum residuperk soos vir Oppervlak- vervoer	Maksimum residuperk soos vir Bestemming A	Maksimum residuperk soos vir Bestemming A"
Asefaat	1,0			
Asinfosmetiel	0,5			
Benomil	0,1			
Bitertanol	0,05			
Chlorpirifos	0,05			
Deltametrin	0,05			
Demeton-S-metiel	0,4			
Diasinon	0,5			
Dikofol	2,0			
Dimetoot	1,0			
DNOC	0,01			
Endosulfan	0,5			
Fention	1,0			
Formotion	0,1			
Iprodion	3,0			
Kaptab ook bekend as Kaptan	3,0			
Koperoksichloried	20,0 As Cu			
Mankoseb	2,0 Ditiokarbamate gesa- mentlik bereken as CS ₂			
Mekarbam	0,05			
Merkaptotien ook be- kend as Malathion	0,5			
Metidation	0,02			
Metiokarb	0,05			
Metiram	2,0 Ditiokarbamate gesa- mentlik bereken as CS ₂			
Minerale olie	0,05			
Oksidemetonmetiel	0,4			
Protiofos	0,05			
Siheksatin	1,0			
Sineb	2,0 Ditiokarbamate gesa- mentlik bereken as CS ₂			
Sipermetrin	0,05			
Swawel	50,0			
Tiometon	0,05			
Tiram	2,0 Ditiokarbamate gesa- mentlik bereken as CS ₂			
Trichlorfon	0,2			
Triforfen	1,0			
Enige ander chemika- lieë nie hierbo ge- noem nie	0,05			

Quality factor	Destination A		Destination B	Destination C
	Surface Transport	Air Transport		
(k) Chemicals:	<i>Maximum residue limit (mg/kg)</i>	<i>Maximum residue limit as for Surface Transport</i>	<i>Maximum residue limit as for Destination A</i>	<i>Maximum residue limit as for Destination A</i>
Accephate	1,0			
Azinphosmethyl	0,5			
Benomyl	0,1			
Bitertanol	0,05			
Captab also known as Captan	3,0			
Chlorpyrifos	0,05			
Copper oxychloride	20,0 As Cu			
Cyhexatin	1,0			
Cypermethrin	0,05			
Deltamethrin	0,05			
Demeton-S-methyl	0,4			
Diazinon	0,5			
Dicofol	2,0			
Dimethoate	1,0			
DNOC	0,01			
Endosulfan	0,5			
Fention	1,0			
Formothion	0,1			
Iprodione	3,0			
Mancozeb	2,0	Dithiocarbamates calculated collectively as CS ₂		
Mecarbam	0,05			
Mercaptothion also known as Malathion	0,5			
Methidathion	0,02			
Methiocarb	0,05	Dithiocarbamates calculated collectively as CS ₂		
Metiram	2,0			
Mineral oil	0,05			
Oxydemeton methyl	0,4			
Prothiophos	0,05			
Sulphur	50,0			
Thiometon	0,05	Dithiocarbamates calculated collectively as CS ₂		
Thiram	2,0			
Trichlorfon	0,2			
Triforine	1,0			
Zineb	2,0	Dithiocarbamates calculated collectively as CS ₂		
Any other chemical not mentioned above	0,05			

Wysiging van regulasie 12 van die Regulasies

4. Regulasie 12 van die Regulasies word hierby gewysig deur in die Engelse teks die woorde wat subregulasie (1) voorafgaan deur die volgende woorde te vervang:

“12. Subject to the provisions of regulation 11 the specifications for Types S1, S2 and L1 containers shall be as follows:”.

Wysiging van regulasie 14 van die Regulasies

5. Regulasie 14 van die Regulasies word hierby gewysig deur paragraaf (f) van subregulasie (1) deur die volgende paragraaf te vervang:

“(f) 'n Wit bovel van enkelvlakruffelvoering van C-groef wat voldoen aan Sagtevrugteraadmateriaalspesifikasienommer 1/9785 en met afmetings van 365 mm × 270 mm moet met die gladde vlak na die vrugte bo-op die pruime geplaas word vir beskerming teen kneusings van bo, voordat die kartonklappe versigtig ingevou word.”.

Amendment of regulation 12 of the Regulations

4. Regulation 12 of the Regulations is hereby amended by the substitution for the words preceding subregulation (1) of the following words:

“12. Subject to the provisions of regulation 11 the specifications for Types S1, S2 and L1 containers shall be as follows:”.

Amendment of regulation 14 of the Regulations

5. Regulation 14 of the Regulations is hereby amended by the substitution for paragraph (f) of subregulation (1) of the following paragraph:

“(f) A white upper sheet of single faced corrugated lining of C-flute that conforms to the Deciduous Fruit Board material specification number 1/9785 and with dimensions of 365 mm × 270 mm shall be placed with the smooth surface towards the fruit on top of the plums for protection against bruising from above, before the carton flaps are carefully folded down.”.

Wysiging van regulasie 16 van die Regulasies

6. Regulasie 16 van die Regulasies word hierby gewysig—

- (a) deur die woorde wat paragraaf (a) van subregulasie (1) voorafgaan deur die volgende woorde te vervang:

“(1) Elke houer wat pruime of pruimedante bestem vir Bestemmings A en C bevat, moet duidelik, leesbaar en nie onnet, onderstebo of skeef nie, in die toepaslike ruimtes in blokletters met die volgende gegewens op die een entkant, gestempel of gedruk wees: Met dien verstande dat die in paragraaf (g) voorgeskrewe gegewens met spesiaal ontwerpte plakkers aangebring moet word.”;

- (b) deur paragraaf (f) van subregulasie (1) deur die volgende paragraaf te vervang:

“(f) Die plukdatum, uitgedruk in 'n viersyferkode wat by die Direkteur geregistreer is, in letters 4 mm tot 6 mm hoog in die middel aan die bokant op die etiketkant.”; en

- (c) deur paragraaf (gA) van subregulasie (2) deur die volgende paragraaf te vervang:

“(gA) Die plukdatum, uitgedruk in 'n viersyferkode wat by die Direkteur geregistreer is, in letters 4 mm tot 6 mm hoog in die middel aan die bokant op die etiketkant.”.

No. R. 2861

31 Desember 1987

WET OP DIE UITVOER VAN LANDBOUPRODUKTE, 1971 (WET 51 VAN 1971)

REGULASIES MET BETREKKING TOT DIE GRADE-RING, VERPAKKING EN MERK VAN PERSKES EN NEKTARIENE BESTEM VIR UITVOER UIT DIE REPUBLIEK VAN SUID-AFRIKA.—WYSIGING

Die Minister van Landbou het kragtens artikel 4 van die Wet op die Uitvoer van Landbouprodukte, 1971 (Wet 51 van 1971), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken “die Regulasies” die regulasies gepubliseer by Goewermentskennisgewing R. 102 van 28 Januarie 1983, soos gewysig deur die regulasies gepubliseer by Goewermentskennisgewings R. 1005 van 13 Mei 1983, R. 1604 van 27 Julie 1984, R. 2859 van 28 Desember 1984, R. 39 van 10 Januarie 1986 en R. 2308 van 7 November 1986.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—

- (a) deur die omskrywing van besering deur die volgende omskrywing te vervang:

“‘besering’ enige wond of prik wat die vlees van 'n perske of nektarien blootstel, uitgesonderd 'n wond of prik wat volkome genees of vereelt geraak het of, in die geval van perskes en Marina nektariene, 'n uitgeskeurde stingel.”;

- (b) deur die omskrywing van “Departement” deur die volgende omskrywing te vervang:

“‘Departement’ die Departement van Landbou-ekonomie en -bemaking.”;

- (c) deur die omskrywing van “Direkteur” deur die volgende omskrywing te vervang:

“‘Direkteur’ die Direkteur van die Direktoraat Landbouprodukstandaarde van die Departement.”; en

Amendment of regulation 16 of the Regulations

6. Regulation 16 of the Regulations is hereby amended—

- (a) by the substitution for the words preceding paragraph (a) of subregulation (1) of the following words:

“(1) Each container containing plums or prunes destined for Destinations A and C shall be printed or stamped clearly, legibly and not untidy, upside-down or askew in the appropriate spaces, in block letters on one end with the following particulars: Provided that the particulars prescribed in paragraph (g) shall be applied with specially designed stickers.”;

- (b) by the substitution for paragraph (f) of subregulation (1) of the following paragraph:

“(f) The picking date, expressed in a four figure code registered with the Director, in letters 4 mm to 6 mm in height, in the middle on the top on the label side.”; and

- (c) by the substituted for paragraph (gA) of subregulation (2) of the following paragraph:

“(gA) The picking date, expressed in a four figure code registered with the Director, in letters 4 mm to 6 mm in height in the middle on the top on the label side.”.

No. R. 2861

31 December 1987

AGRICULTURAL PRODUCE EXPORT ACT, 1971 (ACT 51 OF 1971)

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF PEACHES AND NEKTARINES INTENDED FOR EXPORT FROM THE REPUBLIC OF SOUTH AFRICA.—AMENDMENT

The Minister of Agriculture has under section 4 of the Agricultural Produce Export Act, 1971 (Act 51 of 1971), made the regulations in the Schedule.

SCHEDULE**Definition**

1. In this Schedule “the Regulations” means the regulations published by Government Notice R. 102 of 28 January 1983, as amended by the regulations published by Government Notices R. 1005 of 13 May 1983, R. 1604 of 27 July 1984, R. 2859 of 28 December 1984, R. 39 of 10 January 1986 and R. 2308 of 7 November 1986.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—

- (a) by the substitution for the definition of “Department” of the following definition:

“‘Department’ means the Department of Agricultural Economics and Marketing.”;

- (b) by the substitution for the definition of “Director” of the following definition:

“‘Director’ means the Director of the Directorate Agricultural Product Standards of the Department.”;

- (c) by the substitution for the definition of “injury” of the following definition:

“‘injury’ means any wound or puncture that exposes the flesh of a peach or nectarine, excluding a wound or puncture that has healed completely or has become calloused or, in the case of peaches or Marina nectarines, a torn out stem.”; and

(d) deur die volgende omskrywing na die omskrywing van "telling" in te voeg:

"'uitgeskeurde stingel' die toestand waar die stingel van 'n vrug verwyder is en die skil in die stingelholte losgeskeur maar nie verwyder is nie, of losgeskeur en hoogstens 4 mm vanaf die stingelaanhegting verwyder is, maar die endodermis direk onder die buitenste skillaag intak is;"

Wysiging van regulasie 10 van die Regulasies

3. Regulasie 10 van die Regulasies word hierby gewysig—

- (a) deur paragrawe (a) en (b) van die tabel in subregulasie (2) deur die volgende paragrawe te vervang:

(d) by the insertion after the definition of "the Act" of the following definition:

"'torn out stem' means the condition where the stem of a fruit has been removed and the skin in the stem-cavity is either torn loose but not removed, or torn loose and removed up to 4 mm from the stem attachment, but the endodermis directly underneath the outer skin-layer is intact;"

Amendment of regulation 10 of the Regulations

3. Regulation 10 of the Regulations is hereby amended—

- (a) by the substitution for paragraphs (a) and (b) of the table in subregulation (2) of the following paragraphs:

Gehaltefaktor	Bestemming A en Bestemming C						Bestemming B		
	Oppervlakvervoer			Lugvervoer					
“(a) Cultivars:									
(i) Perskes	Culemborg, Duke of York, Peregrine, Rhodes, San Pedro en Van Riebeeck			Albatros, Babcock, Boland, Coronet, Culemborg, De Wet, Duke of York, Early Belle, Early Dawn, Elberta, Golden Amber, Ingwe, Inkoos, Jubilee, Orion, Peregrine, Rhodes, Safari, San Pedro, Suncrest, Sunray en Van Riebeeck			Albatros, Babcock, Beale, Boland, Brigg's Red May, Coronet, Culemborg, De Wet, Duke of York, Early Alexander, Early Belle, Early Dawn, Elberta, Golden Amber, Goodman's Choice, Hales Haven, Ingwe, Inkoos, Jubilee, Mammie Ross, Million Dollar, Mayflower, Orion, Peregrine, Pucelle, Rex, Rhodes, Safari, San Pedro, Suncrest, Sunray en Van Riebeeck		
(ii) Nektariene	Armking, Goldmine, Marina en Panamint			Armking, Early River, Early Sungrand, Fantasia, Flamekist, Flavortop, Goldmine, Independence, Marina, Nectared 9, Olympia, Panamint, Sunlite en Zaigina			Armking, Early River, Early Sungrand, Fantasia, Flamekist, Flavortop, Goldmine, Independence, Marina, Nectared 9, Olympia, Panamint, Sunlite en Zaigina		
(b) Telling en minimum deursnee:	Mini-mum telling	Maksi-mum telling	Mini-mum deursnee (mm)	Mini-mum telling	Maksi-mum telling	Mini-mum deursnee (mm)	Mini-mum telling	Maksi-mum telling	Mini-mum deursnee (mm)
(i) Perskes:									
(aa) Culemborg, Duke of York, Peregrine, Rhodes, San Pedro en Van Riebeeck	15	28	55	15	28	55	15	30	52
(bb) Boland en Elberta	—	—	—	15	28	55	15	28	55
(cc) Million Dollar en Rex	—	—	—	—	—	—	15	28	55
(dd) Beale, Brigg's Red May, Early Alexander, Goodman's Choice, Hales Haven, Mammie Ross, Mayflower en Pucelle	—	—	—	—	—	—	15	30	52
(ee) Albatros, Babcock, Coronet, De Wet, Early Belle, Early Dawn, Golden Amber, Ingwe, Inkoos, Jubilee, Orion, Safari, Suncrest en Sunray	—	—	—	15	28	55	15	30	52
(ff) Alle ander lospit kultivars	—	—	—	—	—	—	15	30	52
(ii) Nektariene:									
(aa) Goldmine en Marina	15	28	55	15	28	55	15	41	44
(bb) Alle ander witvleis kultivars	—	—	—	15	30	52	15	41	44
(cc) Armking	15	30	52	15	30	52	15	30	52
(dd) Panamint	15	28	55	15	28	55	15	30	52
(ee) Alle ander geelvleis kultivars	—	—	—	15	28	55	15	30	52”; en

Quality factor	Destination A and Destination C						Destination B		
	Surface Transport			Air Transport					
“(a) Cultivars:									
(i) Peaches.....	Culemborg, Duke of York, Peregrine, Rhodes, San Pedro and Van Riebeeck			Albatros, Babcock, Boland, Coronet, Culemborg, De Wet, Duke of York, Early Belle, Early Dawn, Elberta, Golden Amber, Ingwe, Inkoos, Jubilee, Orion, Peregrine, Rhodes, Safari, San Pedro, Suncrest, Sunray and Van Riebeeck			Albatros, Babcock, Beale, Boland, Brigg's Red May, Coronet, Culemborg, De Wet, Duke of York, Early Alexander, Early Belle, Early Dawn, Elberta, Golden Amber, Goodman's Choice, Hales Haven, Ingwe, Inkoos, Jubilee, Mamie Ross, Million Dollar, Mayflower, Orion, Peregrine, Pucelle, Rex, Rhodes, Safari, San Pedro, Suncrest, Sunray and Van Riebeeck		
(ii) Nectarines.....	Armking, Goldmine, Marina and Panamint			Armking, Early River, Early Sungrand, Fantasia, Flamekist, Flavortop, Goldmine, Independence, Marina, Nectared 9, Olympia, Panamint, Sunlite and Zaigina			Armking, Early River, Early Sungrand, Fantasia, Flamekist, Flavortop, Goldmine, Independence, Marina, Nectared 9, Olympia, Panamint, Sunlite and Zaigina		
(b) Count and minimum diameter:	Mini-mum count	Maxi-mum count	Mini-mum diam. (mm)	Mini-mum count	Maxi-mum count	Mini-mum diam. (mm)	Mini-mum count	Maxi-mum count	Mini-mum diam. (mm)
(i) Peaches:									
(aa) Culemborg, Duke of York, Peregrine, Rhodes, San Pedro and Van Riebeeck	15	28	55	15	28	55	15	30	52
(bb) Boland and Elberta.....	—	—	—	15	28	55	15	28	55
(cc) Million Dollar and Rex	—	—	—	—	—	—	15	28	55
(dd) Beale, Brigg's Red May, Early Alexander, Goodman's Choice, Hales Haven, Mamie Ross, Mayflower and Pucelle	—	—	—	—	—	—	15	30	52
(ee) Albatros, Babcock, Coronet, De Wet, Early Belle, Early Dawn, Golden Amber, Ingwe, Inkoos, Jubilee, Orion, Safari, Suncrest and Sunray	—	—	—	15	28	55	15	30	52
(ff) All other freestone cultivars	—	—	—	—	—	—	15	30	52
(ii) Nectarines:									
(aa) Goldmine and Marina	15	28	55	15	28	55	15	41	44
(bb) All other white flesh cultivars	—	—	—	15	30	52	15	41	44
(cc) Armking.....	15	30	52	15	30	52	15	30	52
(dd) Panamint.....	15	28	55	15	28	55	15	30	52
(ee) All other yellow flesh cultivars	—	—	—	15	28	55	15	30	52”; and

(b) deur paragraaf (j) van die tabel in subregulasie (3) deur die volgende paragraaf te vervang:

(b) by the substitution for paragraph (j) of the table in subregulation (3) of the following paragraph:

Gehaltefaktor	Bestemming A en Bestemming C		Bestemming B
	Oppervlakvervoer	Lugvervoer	
“(j) Chemikalieë:	Maksimum residuperk (mg/kg)		Maksimum residuperk soos vir Bestemmings A en C”.
Asefaat	1,0	Maksimum residuperk soos vir Oppervlakvervoer	
Alfametrin	0,05		
Asinfosmetiel.....	0,5		
Asosiklotin.....	1,0		

Gehaltefaktor	Bestemming A en Bestemming C		Bestemming B
	Oppervlakvervoer	Lugvervoer	
Benomil	0,1		
Binapakril	0,3		
Bitertanol	0,05		
Bupirimaat	0,05		
Chinometionat	0,3		
Chlorpirifos	0,05		
Deltametrin	0,05		
Demeton-S-metiel	0,4		
Diasinon	0,5		
Dichlofluaniid	0,5		
Dichloran	0,1		
Dikofol	2,0		
Dimetoaat	1,0		
Dinokap	0,1		
Ditianon	2,0		
DNOC	0,01		
Endosulfan	0,5		
Fenbutatinoksied	2,0		
Fention	1,0		
Formotion	0,1		
Heptenofos	0,05		
Kaptab ook bekend as Kaptan	3,0		
Koperoksichloried	20,00 as Cu		
Mankoseb	2,0 Ditiokarbamate gesa- mentlik bereken as CS ₂		
Mekarbam	0,05		
Merkaptotion ook bekend Malathion	0,5		
Metamidofos	1,0		
Metidation	0,02		
Metomil	0,2		
Metiram	2,0 Ditiokarbamate gesa- mentlik bereken as CS ₂		
Nitrotalisopropiel	0,05		
Oksidementonmetiel	0,4		
Pirimikarb	0,05		
Prosimidoon	0,05		
Propargiet	2,0		
Propikonasool	0,05		
Protiofos	0,05		
Siheksatin	1,0		
Sineb	2,0 Ditiokarbamate gesa- mentlik bereken as CS ₂		
Sipermetrin	0,05		
Swawel	50,0		
Tetradifon	1,5		
Tiometon	0,05		
Tiram	2,0 Ditiokarbamate gesa- mentlik bereken as CS ₂		
Trichlorfon	0,2		
Triforien	1,5		
Enige ander chemikalieë nie hierbo genoem nie	0,05		

Quality factor	Destination A and Destination C		Destination B
	Surface Transport	Air Transport	
"(j) Chemicals:	<i>Maximum residue limit (mg/kg)</i>	<i>Maximum residue limit as for Surface Transport</i>	<i>Maximum residue limit as for Destinations A and C"</i>
Acephate	1,0		
Alphamethrin	0,05		
Azinphos-methyl	0,5		
Azocyclotin	1,0		
Benomyl	0,1		
Binapacryl	0,3		
Bitertanol	0,05		
Bupirimate	0,05		

Quality factor	Destination A and Destination C		Destination B
	Surface Transport	Air Transport	
Captab also known as Captan	3,0		
Chinomethionat	0,3		
Chlorpyrifos	0,05		
Copper oxychloride	20,0 as Cu		
Cyhexatin	1,0		
Cypermethrin	0,05		
Deltamethrin	0,05		
Demeton-S-methyl	0,4		
Diazinon	0,5		
Dichlofluanid	0,5		
Dichloran	0,1		
Dicofol	2,0		
Dimethoate	1,0		
Dinocap	0,1		
Dithianon	2,0		
DNOC	0,01		
Endosulfan	0,5		
Fenbutatin-oxide	2,0		
Fenthion	1,0		
Formothion	0,1		
Heptenophos	0,05		
Mancozeb	2,0 Dithiocarbamates combined, calcu- lated as CS ₂		
Mecarbam	0,05		
Mercaptothion also known as Malathion	0,5		
Methamidophos	1,0		
Methidathion	0,02		
Methomyl	0,2		
Metiram	2,0 Dithiocarbamates combined, calcu- lated as CS ₂		
Nitrothal-isopropyl	0,05		
Oxydemetonmethyl	0,4		
Pirimicarb	0,05		
Procymidone	0,05		
Propargite	2,0		
Propiconazole	0,05		
Prothiophos	0,05		
Sulphur	50,0		
Tetradifon	1,5		
Thiometon	0,05		
Thiram	2,0 Dithiocarbamates combined, calcu- lated as CS ₂		
Trichlorfon	0,2		
Triforine	1,5		
Zineb	2,0 Dithiocarbamates combined, calcu- lated as CS ₂		
Any other chemicals not mentioned above ...	0,05		

Wysiging van regulasie 13 van die Regulasies

4. Regulasie 13 van die Regulasies word hierby gewysig—

(a) deur paragraaf (a) van subregulasie (3) deur die volgende paragraaf te vervang:

“(a) ’n Blou uitgedyde polistireenrakkie met Sagtevrugteraadmateriaalspesifikasienommer 5/6982, of ’n pulprakkie met Sagtevrugteraadmateriaalspesifikasienommer 5/7982, moet op die bodem van die houer geplaas word.”;

(b) deur subregulasie (4) deur die volgende subregulasie te vervang:

“(4) Perskes of nektariene vir Bestemmings A en C bestem, moet soos volg verpak wees:

Amendment of regulation 13 of the Regulations

4. Regulation 13 of the Regulations is hereby amended—

(a) by the substitution for paragraph (a) of subregulation (3) of the following paragraph:

“(a) A blue expanded polystyrene tray with Deciduous Fruit Board material specification number 5/6982, or a pulp tray with Deciduous Fruit Board material specification number 5/7982, shall be placed on the bottom of the container.”;

(b) by the substitution for subregulation (4) of the following subregulation:

“(4) Peaches or nectarines destined for Destinations A and C shall be packed as follows:

- (a) 'n Geventileerde, blou, gevormde laedigheid-polistireenrakkie met Sagtevrugteraadmateriaalspesifikasienommer 5/7982, waarvan die aantal induikings in die rakkie ooreenstem met die aantal perskes of nektariene wat in die houer gepak sal word, moet op die bodem van die houer geplaas word voor die perskes of nektariene daarin verpak word.
- (b) Geelvlisnektariene mag nie toegedraai word nie, maar moet op hul sye verpak word met die rooiste kant bo: Met dien verstande dat vrugte van gepunte cultivars so geplaas word dat die lengte-as diagonaal met die breedte van die karton loop.
- (c) Perskes en witvlisnektariene moet toegedraai wees in 'n enkele vel wit sneespapier wat voldoen aan Sagtevrugteraadmateriaalspesifikasienommer 1-5/2279.
- (d) 'n Geventileerde, blou, poli-uretaaneterskuimvel met Sagtevrugteraadmateriaalspesifikasienommer 12456/0779 en afmetings 360 mm × 280 mm × 5 mm moet bo-op die perskes of nektariene geplaas word.”; en
- (c) deur subregulasie (5) deur die volgende subregulasie te vervang:

“(5) Perskes of nektariene—

- (a) van 'n telling en grootte onderskeidelik in kolom 1 en 2 van die tabel hieronder vermeld, wat vir Bestemmings A en C bestem is, moet in 'n tipe S1- of tipe L1-houer met diepte soos in kolom 3 van genoemde tabel teenoor die betrokke telling en grootte vermeld, verpak word:

Telling	Minimum deursnee (mm)	Diepte van houters (mm)
1	2	3
15	75*	82
18	70*	82
20	65*	76
23	61	76
25	58	70
28	55	70†
30	52	63

* Die minimum deursnee van perskes van die cultivars Elberta, Jubilee en Safari mag 2 mm minder wees.

† Ontoedgedraaide geelvlisnektariene moet in 'n houer met binnediepte van 63 mm verpak word.

- (b) van 'n telling en grootte onderskeidelik in kolom 1 en 2 van die tabel hieronder vermeld, wat vir Bestemming B bestem is, moet in 'n tipe S2- of tipe L1-houer met diepte soos in kolom 3 van genoemde tabel teenoor die betrokke telling en grootte vermeld, verpak word:

Telling	Minimum deursnee (mm)	Diepte van houters (mm)
1	2	3
15	75*	82
18	70*	82
20	65*	76
23	61	76
25	58	70
28	55	70†

- (a) A vented, blue, moulded low density polystyrene tray with Deciduous Fruit Board material specification number 5/7982, of which the number of indentations in the tray coincide with the number of peaches or nectarines to be packed in the container, shall be placed on the bottom of the container prior to the packing of the peaches or nectarines therein.
- (b) Yellow flesh nectarines may not be wrapped, but shall be packed on their sides with the reddest side uppermost: Provided that fruit of the pointed cultivars shall be placed with their longitudinal axes diagonally to the width of the container.
- (c) Peaches and white flesh nectarines shall be wrapped in a single sheet of white tissue paper which complies with Deciduous Fruit Board material specification number 1-5/2279.
- (d) A vented, blue, polyurethane ether foam sheet with Deciduous Fruit Board material specification number 12456/0779 and dimensions 360 mm × 280 mm × 5 mm shall be placed on top of the peaches or nectarines.”; and
- (c) by the substitution for subregulation (5) of the following subregulation:

“(5) Peaches or nectarines—

- (a) of a count and size specified in columns 1 and 2 respectively of the table hereunder, destined for Destinations A and C, shall be packed in a type S1 or type L1 container with a depth as specified in column 3 of the said table opposite the count and size concerned:

Count	Minimum diameter (mm)	Depth of containers (mm)
1	2	3
15	75*	82
18	70*	82
20	65*	76
23	61	76
25	58	70
28	55	70†
30	52	63

* The minimum diameter of peaches of the cultivars Elberta, Jubilee and Safari may be 2 mm less.

† Unwrapped yellow flesh nectarines shall be packed in a container with internal depth of 63 mm.

- (b) of a count and size specified in columns 1 and 2 respectively of the table hereunder, destined for Destination B, shall be packed in a type S2 or type L1 container with a depth as specified in column 3 of the said table opposite the count and size concerned:

Count	Minimum diameter (mm)	Depth of containers (mm)
1	2	3
15	75*	82
18	70*	82
20	65*	76
23	61	76
25	58	70
28	55	70†

Telling	Minimum deursnee (mm)	Diepte van houters (mm)
1	2	3
30	52	63
33	50	63
36	47	63
41	44	63

* Die minimum deursnee van perskes van die kultivars Elberta, Jubilee en Safari mag 2 mm minder wees.

† Ontoedgedraaide perskes en nektariene moet in 'n houer met binnediepte van 63 mm verpak word."

Wysiging van regulasie 14 van die Regulasies

5. Regulasie 14 van die Regulasies word hierby gewysig—

- (a) deur die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:

"14. Elke houer wat perskes of nektariene bevat moet duidelik, leesbaar en nie onnet, onderstebo of skeef nie, in die toepaslike ruimtes in blokletters met die volgende gegewens gemerk wees: Met dien verstande dat die in paragraaf (c) voorgeskrewe gegewens met spesiaal ontwerpte plakkers aangebring moet word op houters bestem vir uitvoer na Bestemmings A en C."; en

- (b) deur paragraaf (k) deur die volgende paragraaf te vervang:

"(k) die plukdatum, uitgedruk in 'n viersyferkode wat by die Direkteur geregistreer is, in letters 4 mm tot 6 mm hoog in die middel aan die bokant op die etiketkant."

Wysiging van regulasie 18 van die Regulasies

6. Regulasie 18 van die Regulasies word hierby gewysig—

- (a) deur in paragraaf (a) van subregulasie (3) die woorde wat subparagraaf (i) voorafgaan deur die volgende woorde te vervang:

"(a) Alle perske- en nektariencultivars, uitgesonderd Armking, moet soos volg vir rypheid getoets word;" en

- (b) deur paragraaf (b) van subregulasie (3) deur die volgende paragraaf te vervang:

"(b) Die nektariencultivar Armking moet soos volg vir rypheid getoets word:

- 'n Gedeelte van die skil moet van twee plekke, een op die naat 11 mm vanaf die punt van die vrug en die ander op die teenoorgestelde kant van die nektarien, van elke nektarien wat ooreenkomstig subregulasie (2) uitgesoek is, verwyder word.
- Die drukweerstand van die vlees van die nektariene in subparagraaf (i) bedoel, moet bepaal word deur op die plek waar die skil verwyder is 'n drukmeter met 'n suier van 11,1 mm in deursnee aan te wend.
- Die gemiddelde van al die druklesings in subparagraaf (ii) bedoel, word geag die druk ten opsigte van die betrokke besending te wees."

Count	Minimum diameter (mm)	Depth of containers (mm)
1	2	3
30	52	63
33	50	63
36	47	63
41	44	63

* The minimum diameter of peaches of the cultivars Elberta, Jubilee and Safari may be 2 mm less.

† Unwrapped peaches and nectarines shall be packed in a container with internal depth of 63 mm."

Amendment of regulation 14 of the Regulations

5. Regulation 14 of the Regulations is hereby amended—

- (a) by the substitution for the words preceding paragraph (a) of the following words:

"14. Each container containing peaches or nectarines shall be marked clearly, legibly and not untidy, upside-down or askew, in the appropriate spaces, in block letters with the following particulars: Provided that the particulars prescribed in paragraph (c) shall be applied with specially designed stickers on containers destined for export to Destinations A and C."; and

- (b) by the substitution for paragraph (k) of the following paragraph:

"(k) the picking date, expressed in a four figure code registered with the Director, in letters 4 mm to 6 mm in height, in the middle on the top on the label side."

Amendment of regulation 18 of the Regulations

6. Regulation 18 of the Regulations is hereby amended—

- (a) by the substitution for the words preceding subparagraph (i) in paragraph (a) of subregulation (3) of the following words:

"(a) All peach and nectarine cultivars, excluding Armking, shall be tested for maturity as follows;" and

- (b) by the substitution for paragraph (b) of subregulation (3) of the following paragraph:

"(b) The nectarine cultivar Armking shall be tested for maturity as follows:

- A portion of skin shall be removed from two places, one on the suture 11 mm from the tip of the fruit and the other on the opposite side of the nectarine, of each of the nectarines selected in accordance with subregulation (2).
- The pressure resistance of the flesh of the nectarines referred to in subparagraph (i) shall be determined at the spot from where the skin was removed, by applying a pressure tester fitted with a plunger of 11,1 mm in diameter.
- The average of all the pressure readings referred to in subparagraph (ii), shall be deemed to be the pressure in respect of the consignment concerned."

No. R. 2862

31 Desember 1987

WET OP DIE UITVOER VAN LANDBOUPRODUKTE,
1971 (WET 51 VAN 1971)

REGULASIES MET BETREKKING TOT DIE GRADERING, VERPAKKING EN MERK VAN APPELKOSE BESTEM VIR UITVOER UIT DIE REPUBLIEK VAN SUID-AFRIKA.—WYSIGING

Die Minister van Landbou het kragtens artikel 4 van die Wet op die Uitvoer van landbouprodukte, 1971 (Wet 51 van 1971), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennissgewing R. 103 van 28 Januarie 1983, soos gewysig deur die regulasies gepubliseer by Goewermentskennissgewings R. 502 van 11 Maart 1983, R. 1005 van 13 Mei 1983, R. 2857 van 28 Desember 1984, R. 2752 van 13 Desember 1985 en R. 2187 van 24 Oktober 1986.

Wysiging van regulasie 1 van die Regulasies

2. Regulasie 1 van die Regulasies word hierby gewysig—
(a) deur die omskrywing van "besering" deur die volgende omskrywing te vervang:

"'besering' enige wond of prik wat die vlees van 'n appelkoos blootstel, uitgesonderd 'n wond of prik wat volkome genees of vereelt geraak het, 'n speldeprik wat droog geword het, of 'n uitgeskeurde stingel";

(b) deur die omskrywing van "Direkteur" deur die volgende omskrywing te vervang:

"'Direkteur' die Direkteur van die Direktoraat Landbouproduktstandaarde van die Departement"; en

(c) deur die volgende omskrywing na die omskrywing van "telling" in te voeg:

"'uitgeskeurde stingel' die toestand waar die stingel van 'n appelkoos verwyder is en die skil in die stingelholte losgeskeur, maar nie verwyder is nie, of losgeskeur en hoogstens 2 mm vanaf die stingelaanhegting verwyder is, maar die endodermis direk onder die buitenste skillaag intak is";

Wysiging van regulasie 8 van die Regulasies

3. Regulasie 8 van die Regulasies word hierby gewysig deur paragraaf (a) deur die volgende paragraaf te vervang:

"(a) wat vir uitvoer bestem is na die Koninkryk van Lesotho, die Koninkryk van Swaziland, die Republiek van Botswana, die gebied van Suidwes-Afrika en enige gebied wat sy onafhanklikheid verkry het ten gevolge van 'n Wet van die Republiek van Suid-Afrika";

Wysiging van regulasie 10 van die Regulasies

4. Regulasie 10 van die Regulasies word hierby gewysig—

(a) deur paragraaf (p) van die tabel in subregulasie (2) deur die volgende paragraaf te vervang:

No. R. 2862 31 December 1987

AGRICULTURAL PRODUCE EXPORT ACT, 1971
(ACT 51 OF 1971)

REGULATIONS RELATING TO THE GRADING, PACKING AND MARKING OF APRICOTS INTENDED FOR EXPORT FROM THE REPUBLIC OF SOUTH AFRICA.—AMENDMENT

The Minister of Agriculture has under section 4 of the Agricultural Produce Export Act, 1971 (Act 51 of 1971), made the regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice R. 103 of 28 January 1983, as amended by the regulations published by Government Notices R. 502 of 11 March 1983, R. 1005 of 13 May 1983, R. 2857 of 28 December 1984, R. 2752 of 13 December 1985 and R. 2187 of 24 October 1986.

Amendment of regulation 1 of the Regulations

2. Regulation 1 of the Regulations is hereby amended—

(a) by the substitution for the definition of "Director" of the following definition:

"'Director' means the Director of the Directorate of Agricultural Product Standards of the Department";

(b) by the substitution for the definition of "injury" of the following definition:

"'injury' means any wound or puncture that exposes the flesh of an apricot, excluding a wound or puncture that has healed completely or has become calloused, a pinprick that has become dry, or a torn-out stem"; and

(c) by the insertion after the definition of "the Act" of the following definition:

"'torn-out stem' means the condition where the stem of an apricot has been removed and the skin in the stem-cavity is either torn loose but not removed, or torn loose and removed up to 2 mm from the stem attachment, but the endodermis directly underneath the outer skin-layer is intact";

Amendment of regulation 8 of the Regulations

3. Regulation 8 of the Regulations is hereby amended by substitution in the Afrikaans text for paragraph (a) of the following paragraph:

"(a) wat vir uitvoer bestem is na die Koninkryk van Lesotho, die Koninkryk van Swaziland, die Republiek van Botswana, die gebied van Suidwes-Afrika en enige gebied wat sy onafhanklikheid verkry het ten gevolge van 'n Wet van die Republiek van Suid-Afrika";

Amendment of regulation 10 of the Regulations

4. Regulation 10 of the Regulations is hereby amended—

(a) by the substitution for paragraph (p) of the table in subregulation (2) of the following paragraph:

Gehaltefaktor	Bestemming A		Bestemming B	Bestemming C
	Oppervlakvervoer	Lugvervoer		
"(p) Rypheid	Ten volle ontwikkel en volwasse maar nie oorryp nie, met die vlees ferm maar sappig, en 'n pit wat maklik van die vlees skei sonder dat enige vlees aan die sigbare helfte van die pit bly vaskleef wanneer met 'n mes op die naat langs rondom die vrug tot teen die pit gesny word en die twee helftes van die vrug daarna in teenoorgestelde rigtings gewring word	Soos vir Oppervlakvervoer	Soos vir Bestemming A	Soos vir Bestemming A"; en

Quality factor	Destination A		Destination B	Destination C
	Surface Transport	Air Transport		
"(p) Maturity	Fully developed and mature but not over-ripe, with the flesh firm but juicy, and a stone that separate easily from the flesh without any flesh adhering to the visible half of the stone when cut with a knife on the suture around the fruit to the stone and the two halves of the fruit are thereafter wrung in opposite directions	As for Surface Transport	As for Destination A	As for Destination A"; and

(b) deur paragrawe (fA) en (k) van die tabel in subregulasie (3) onderskeidelik deur die volgende paragrawe te vervang:

(b) by the substitution for paragraphs (fA) and (k) of the table in subregulation (3) of the following paragraphs respectively:

Gehaltefaktor	Bestemming A		Bestemming B	Bestemming C
	Oppervlakvervoer	Lugvervoer		
"(fA) (i) Kouebskadiging.....	6 %	6 %	7 %	6 %
(ii) Misvorming, blare en spore, barste, oorryp of vuil vrugte, individueel.....	10 %	10 %	10 %	10 %
(iii) Gesplete pit	5 %	5 %	6 %	5 %
(k) Chemikalieë	Maksimum residuperk (mg/kg)	Soos vir Oppervlakvervoer	Soos vir Bestemming A	Soos vir Bestemming A"
Asinfosmetiel.....	0,5			
Benomil	0,1			
Bitertanol.....	0,05			
Chlorpirifos.....	0,05			
Demeton-S-metiel	0,4			
Diasinon.....	0,5			
Dichlofluanid.....	0,5			
Dikofol	2,0			
Ditianon	2,0			
Endosulfan.....	0,5			
Fention	1,0			
Kaptab ook bekend as Kaptan....	3,0			
Koperoksichloried	20,0 as Cu			
Mankoseb.....	2,0 Ditiokarbamate gesamentlik bereken as CS ₂			
Mekarbam.....	0,05			
Merkaptotion ook bekend as Malthion	0,5			
Metidation	0,02			
Metiram	2,0 Ditiokarbamate gesamentlik bereken as CS ₂			
Minerale olie.....	0,05			
Oksidemeton metiel	0,4			
Protiofos.....	0,05			
Sineb.....	2,0 Ditiokarbamate gesamentlik bereken as CS ₂			
Swawel.....	50,0			
Tiometon.....	0,05			
Tiram	2,0 Ditiokarbamate gesamentlik bereken as CS ₂			
Trichlorfon.....	0,2			
Enige ander chemikalieë nie hierbo genoem nie	0,05			

Quality factor	Destination A		Destination B	Destination C
	Surface Transport	Air Transport		
"(fA) (i) Cold damage.....	6 %	6 %	7 %	6 %
(ii) Malformation, leaves and spurs, cracks, overmature or dirty fruit, individually	10 %	10 %	10 %	10 %
(iii) Split stone	5 %	5 %	6 %	5 %
(k) Chemicals:	Maximum residue limit (mg/kg)	As for Surface Transport	As for Destination A	As for Destination A"
Azinphos-methyl.....	0,5			
Benomyl.....	0,1			
Bitertanol.....	0,05			
Captab also known as Captan	3,0			
Chlorpyrifos.....	0,05			
Copper Oxychloride	20,0 as Cu			
Demeton-S-methyl.....	0,4			
Diazinon.....	0,5			

Desti- nation C	Desti- nation B	Destination A		Quality Factor
		Air Transport	Surface Transport	
				Dichloroanilid..... 0.5
				Dicofol..... 2.0
				Dithianon..... 2.0
				Endosulfan..... 0.5
				Fenphon..... 1.0
				Mancozeb..... 2.0
				Mecarbam..... 0.05
				Mercaptothion also known as..... 0.5
				Malathion..... 0.02
				Metidathion..... 2.0
				Metram..... 0.05
				Mineral oil..... 0.4
				Oxydemeton-methyl..... 0.05
				Prothiophos..... 50.0
				Sulphur..... 0.05
				Thiometon..... 2.0
				Thiram..... 0.2
				Trichlorfon..... 2.0
				Zineb..... 0.05
				Any other chemical not men- tioned above..... 0.05

Amendment of regulation 12 of the Regulations
5. Regulation 12 of the Regulations is hereby amended by the substitution in subregulation (1) for the words preceding paragraph (a) of the following words:
“(1) Type SI.—A composite container with external dimensions of 392 mm in length and 295 mm in width and an internal depth of 93 mm or 104 mm, manufactured from—”

Amendment of regulation 13 of the Regulations
6. Regulation 13 of the Regulations is hereby amended—
(a) by the deletion of paragraph (f) of subregulation (4); and
(b) by the deletion of subregulation (5).

Amendment of regulation 15 of the Regulations
7. Regulation 15 of the Regulations is hereby amended—
(a) by the substitution for the words preceding paragraph (a) of subregulation (1) of the following words:
“(1) Each container containing apricots shall be marked clearly, legibly and not untidily, upside-down or askew, in the appropriate spaces, in block letters with the following particulars: Provided that the particulars referred to in paragraph (g) shall be applied with specially designed stickers on containers designed for export to Destinations A and C.”;
(b) by the substitution for paragraph (e) of subregulation (1) of the following paragraph:
“(e) the picking date, expressed in a four figure code registered with the Director, in letters 4 mm to 6 mm in height, in the middle on the top on the label side; and
(c) by the substitution for paragraph (g) of subregulation (1) of the following paragraph:
“(g) the diameter group in numerals of at least 8 mm in height and the selling code in letters of at least 12 mm in height for every separate diameter group, as the case may be, as follows:

Selling code	Diameter group
AA	55 mm-60 mm
A	50 mm-55 mm
B	45 mm-50 mm
C	40 mm-45 mm

Wysiging van regulasie 12 van die Regulasies
5. Regulasie 12 van die Regulasies word hierby gewysig deur in subregulasie (1) die woorde wat paragraaf (a) voorafgaan deur die volgende woorde te vervang:
“(1) Type SI.—n Samegestelde houër met buite-afmetings van 392 mm lank en 295 mm breed en n binne-afmeting van 93 mm of 104 mm, vervaardig van—”

Wysiging van regulasie 13 van die Regulasies
6. Regulasie 13 van die Regulasies word hierby gewysig—
(a) deur paragraaf (f) van subregulasie (4) te skrap; en
(b) deur subregulasie (5) te skrap.

Wysiging van regulasie 15 van die Regulasies
7. Regulasie 15 van die Regulasies word hierby gewysig—
(a) deur die woorde wat paragraaf (a) van subregulasie (1) voorafgaan deur die volgende woorde te vervang:
“(1) Elke houër wat appeltjies bevat moet duidelik, leesbaar en nie onnet, onderstebo of skeef nie, in die toepaslike ruimtes in blokketters met die volgende gegewens gemerk wees: Met dien verstande dat die in paragraaf (g) bedoelde gegewens met spesiaal ontwerpte plakkers aangebring moet word op houers bestemd vir uitvoer na Bestemmings A en C.”;
(b) deur paragraaf (e) van subregulasie (1) deur die volgende paragraaf te vervang:
“(e) die plukdatum, uitgedruk in n viersyferkode wat by die Direkteur geregistreer is, in letters 4 mm tot 6 mm hoog, in die middel aan die bokant op die etiketkant; en
(c) deur paragraaf (g) van subregulasie (1) deur die volgende paragraaf te vervang:
“(g) die deursnee-groep in syfers minstens 8 mm hoog en die verkoopskode in letters minstens 12 mm hoog vir elke afsonderlike deursnee-groep, na gelang van die geval, soos volg:

Verkoops- kode	Deursnee-groep
AA	55 mm-60 mm
A	50 mm-55 mm
B	45 mm-50 mm
C	40 mm-45 mm

DEPARTEMENT VAN MANNEKRAG**No. R. 2857****31 Desember 1987****WET OP ARBEIDSVERHOUDINGE, 1956****KLERASIENYWERHEID, KAAP.—WYSIGING VAN OOREENKOMS VIR DIE PLATTELANDSE GEBIEDE**

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 12 Desember 1988 eindig, bindend is vir die werkgeversorganisasies en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgevers en werknemers wat lede van genoemde organisasies 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 12 Desember 1988, eindig, bindend is vir alle ander werkgevers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

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

BYLAE

**NYWERHEIDSRAAD VIR DIE KLERASIENYWERHEID (KAAP)
OOREENKOMS**

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

Cape Clothing Manufacturers' Association

en die

Cape Knitting Industry Association

(hierna die "werkgevers" of die "werkgeversorganisasies" genoem), aan die een kant, en die

Garment Workers' Union of the Western Province

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

wat die partye is by die Nywerheidsraad vir die Klerasienywerheid (Kaap), om die Ooreenkoms vir die Plattelandse Gebiede gepubliseer by Goewermmentskennisgewing R. 1375 van 1 Julie 1983, soos gewysig en verleng by Goewermmentskennisgewings R. 2659 van 2 Desember 1983, R. 1261 van 22 Junie 1984, R. 1554 van 27 Julie 1984, R. 2436 van 9 November 1984, R. 2670 van 7 Desember 1984, R. 1744 van 9 Augustus 1985, R. 2693 van 6 Desember 1985, R. 306 van 21 Februarie 1986, R. 2367 van 14 November 1986 en R. 252 van 6 Februarie 1987, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

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

- (a) deur die werkgevers en die werknemers wat lede van onderskeidelik die werkgeversorganisasies en die vakvereniging is;
- (b) in die landdrosdistrik George.
- (2) Ondanks subklousule (1), is hierdie Ooreenkoms—
- (a) slegs van toepassing op werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word;

DEPARTMENT OF MANPOWER**No. R. 2857****31 December 1987****LABOUR RELATIONS ACT, 1956****CLOTHING INDUSTRY, CAPE.—AMENDMENT OF AGREEMENT FOR THE COUNTRY AREAS**

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 12 December 1988, upon the employers' organisations and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations 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 12 December 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

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

SCHEDULE

**INDUSTRIAL COUNCIL FOR THE CLOTHING
INDUSTRY (CAPE)**

AGREEMENT

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

Cape Clothing Manufacturers' Association

and the

Cape Knitting Industry Association

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

Garment Workers' Union of the Western Province

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

being the parties to the Industrial Council for the Clothing Industry (Cape), to amend the Agreement for the Country Areas published under Government Notice R. 1375 of 1 July 1983, as amended and extended by Government Notices R. 2659 of 2 December 1983, R. 1261 and 22 June 1984, R. 1554 of 27 July 1984, R. 2436 of 9 November 1984, R. 2670 of 7 December 1984, R. 1744 of 9 August 1985, R. 2693 of 6 December 1985, R. 306 of 21 February 1986, R. 2367 of 14 November 1986 and R. 252 of 6 February 1987.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The term of this Agreement shall be observed in the Clothing Industry—

- (a) by the employers and employees who are members of the employers' organisations and the trade respectively;
- (b) in the Magisterial District of George.

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

- (a) only apply in respect of employees for whom wages are prescribed in this Agreement;

- (b) nie van toepassing nie op werknemers en werkende direkteure wie se lone meer bedra as R9 516 per jaar;
- (c) nie van toepassing nie op werkgewers en werknemers wat betrokke is by of in diens is in die Brei-afdeling.

2. KLOUSULE 1.—TOEPASSINGSBESTEK VAN OOREENKOMS

Vervang subklausule (2) (b) deur die volgende:

“(b) nie van toepassing nie op werknemers en werkende direkteure wie se lone meer as R9 516 per jaar bedra;”.

3. KLOUSULE 26.—SIEKEFONDS

Vervang subklausule (4) (a) deur die volgende:

“(4) (a) Vir die doel van sodanige Fonds moet elke werkgewer behoudens die bepalinge van subklausule (13), elke week van die loon van elkeen van sy werknemers (hierna ‘n bydraer’ genoem), vir wie minimum lone in hierdie Ooreenkoms voorgeskryf word en wat gedurende ‘n week gewerk het, afgesien vir die tyd aldus gewerk, die volgende afrek:

Groep I.—In die geval van ‘n werknemer wat ‘n loon van minder as R104,00 per week ontvang: R1,60;

Groep II.—In die geval van ‘n werknemer wat ‘n loon van R104,00 per week en meer ontvang: R2,40.”

Namens die partye op hede die 28ste dag van September 1987 te Sout-rivier onderteken.

A. M. ROSENBERG,

Voorsitter van die Raad.

L. A. PETERSEN,

Ondervoorsitter van die Raad.

G. J. NEL,

Sekretaris van die Raad.

- (b) not apply to employees and working directors whose wages are more than R9 516 per annum;

- (c) not apply to employers and employees engaged or employed in the Knitting Division.

2. CLAUSE 1.—SCOPE OF APPLICATION OF AGREEMENT

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

“(b) not apply to employees and working directors whose wages are more than R9 516 per annum;”.

3. CLAUSE 26.—SICK FUND

Substitute the following for subclause (4) (a):

“(4) (a) For the purpose of such Fund, every employer shall, save as provided in subclause (13), each week deduct from the wages of each of his employees (hereinafter referred to as a ‘contributor’) for whom minimum wages are prescribed in this Agreement and who has worked during any week, irrespective of the time so worked:

Group I.—In the case of an employee earning a wage of less than R104,00 per week: R1,60;

Group II.—In the case of an employee earning a wage of R104,00 per week and more: R2,40.”

Signed at Salt River, on behalf of the parties, this 28th day of September 1987.

A. M. ROSENBERG,

Chairman of the Council.

L. A. PETERSEN,

Vice-Chairman of the Council.

G. J. NEL,

Secretary of the Council.

No. R. 2882

31 Desember 1987

VERBETERINGSKENNISGEWING

LOONWET, 1957

**LOONVASTSTELLING 488.—SEMENTPRODUKTE-
NYWERHEID, SEKERE GEBIEDE**

Die volgende verbeterings aan Goewermentskennisgewing R. 1616 in *Staatskoerant* 10848 van 31 Julie 1987 word vir algemene inligting gepubliseer:

1. In die Afrikaanse teks van die Bylae, in—

- (a) klousule 2 (17), vervang die woord “of” deur die woord “op” waar dit die tweede keer in item (c) verskyn;
- (b) klousule 2 (23), voeg die uitdrukking “(werknemer graad III)” in na die woord “ketelbediener”;
- (c) klousule 2 (72) (1), vervang—
 - (i) die getal “84” deur die getal “83”, en
 - (ii) die getal “95” deur die getal “94”;
- (d) klousule 2 (75), voeg die syfer “(1)” in na die woord “subklousule”;
- (e) klousule 2 (83), voeg die syfer “(72)” in na die woord “subklousule”;
- (f) klousule 2 (85), voeg die syfer “(1)” in na die woord “subklousule”;
- (g) klousule 3 (1) (a), in die loontabel, vervang die bedrag:
 - (i) “R86,46” deur die bedrag “R86,48” waar dit teenoor “Drywer van ‘n motorvoertuig buite ‘n bedryfsinrigting—medium motorvoertuig—nie-gelede” op bladsy 21 verskyn;
 - (ii) “R92,45” deur die bedrag “R92,46” waar dit teenoor “Bediener van ‘n beheertafel, -paneel of -konsole van ‘n masjien vir die maak van veselversterkte sementpype” op bladsy 25 verskyn;

No. R. 2882

31 December 1987

CORRECTION NOTICE

WAGE ACT, 1957

**WAGE DETERMINATION 448.—CEMENT PRO-
DUCTS INDUSTRY, CERTAIN AREAS**

The following corrections to Government Notice R. 1616 in *Gazette* 10848 of 31 July 1987 are published for general information:

1. In the Afrikaans version of the Schedule, in—

- (a) clause 2 (17), substitute the word “op” for the word “of” where it appears for the second time in item (c);
- (b) clause 2 (23), insert the expression “(werknemer graad III)” after the word “ketelbediener”;
- (c) clause 2 (72) (1), substitute—
 - (i) the number “83” for the number “84”; and
 - (ii) the number “94” for the number “95”;
- (d) clause 2 (75), insert the figure “(1)” after the word “subklousule”;
- (e) clause 2 (83), insert the figure “(72)” after the word “subklousule”;
- (f) clause 2 (85), insert the figure “(1)” after the word “subklousule”;
- (g) clause 3 (1) (a), in the wage table, substitute the amount—
 - (i) “R86,48” for the amount “R86,46” where it appears against “Drywer van ‘n motorvoertuig buite ‘n bedryfsinrigting—medium motorvoertuig—nie-gelede” on p. 21;
 - (ii) “R92,46” for the amount “R92,45” where it appears against “Bediener van ‘n beheertafel, -paneel of -konsole van ‘n masjien vir die maak van veselversterkte sementpype” on p. 25;

- (iii) "R192,72" deur die bedrag "R129,72" waar dit teenoor "Reisende verteenwoordiger—gedurende die vierde jaar ondervinding" op bladsy 26 verskyn;
 - (iv) "R42,90" deur die bedrag "R52,90" waar dit teenoor "Ambagsmanshulp—gedurende die eerste ses maande ondervinding" op bladsy 32 verskyn;
 - (h) klousule 4 (6), voeg die uitdrukking " 'n werknemer om 'n ander rede as op las of op versoek van sy werkgever," in na die woord "wanneer" in die tweede reël van paragraaf (b);
 - (i) klousule 5 (7) (a) (ii) (ac), vervang die bedrag "R1 100" deur die bedrag "R1 320";
2. In die Engelse teks van die Bylae, in—
- (a) klousule 5 (7) (a) (ii) (ac), vervang die bedrag "R1 100" deur die bedrag "R1 320";
 - (b) klousule 6 (6), in paragraaf (i) van die tweede voorbehoudsbepaling voeg die woord "paid" in na die woorde "the employee has".

No. R. 2883

31 Desember 1987

VERBETERINGSKENNISGEWING**LOONWET, 1957**

LOONVASSTELLING 450.—WASSERY, DROOGSKOONMAAK- EN KLEURBEDRYF, SEKERE GEBIED

Die volgende verbetering aan Goewermentskennisgewing R. 2616 in *Staatskoerant* 11043 van 27 November 1987 word vir algemene inligting gepubliseer:

In die Afrikaanse teks van die Bylae, in klousule 1 (1), voeg die woorde "en Kroonstad" in na "Harrismith".

No. R. 2888

31 Desember 1987

WET OP ARBEIDSVERHOUDINGE, 1956

DRANK- EN SPYSENIERINGSBEDRYF (WITWATERSRAND EN VEREENIGING).—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 bepalinge van Goewermentskennisgewings R. 179 van 6 Februarie 1981, R. 2375 van 5 November 1982, R. 546 van 23 Maart 1984, R. 1903 van 31 Augustus 1984 en R. 887 van 9 Mei 1986, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 29 Februarie 1988 eindig.

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

No. R. 2889

31 Desember 1987

WET OP ARBEIDSVERHOUDINGE, 1956

WASSERY-, DROOGSKOONMAAK- EN KLEURBEDRYF (TRANSVAAL).—VERLENGING VAN VOORSORG- EN 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)

(iii) "R129,72" for the amount "R192,72" where it appears against "Reisende verteenwoordiger—gedurende die vierde jaar ondervinding" on p. 26;

(iv) "R52,90" for the amount "R42,90" where it appears against "Ambagsmanshulp gedurende die eerste ses maande ondervinding" on p. 32;

(h) clause 4 (6), in the second line of paragraph (b), insert the expression " 'n werknemer om 'n ander rede as op las of op versoek van sy werkgever," after the word "wanneer";

(i) clause 5 (7) (a) (ii) (ac), substituted the amount "R1 320" for the amount "R1 100".

2. In the English version of the Schedule, in—

(a) clause 5 (7) (a) (ii) (ac), substitute the amount "R1 320" for the amount "R1 100";

(b) clause 6 (6), in paragraph (i) of the second proviso, insert the word "paid" after the words "the employee has".

No. R. 2883

31 December 1987

CORRECTION NOTICE**WAGE ACT, 1957**

WAGE DETERMINATION 450.—LAUNDRY, DRY-CLEANING AND DYEING TRADE, CERTAIN AREAS

The following correction to Government Notice R. 2616 in *Gazette* 11043 of 27 November 1987 is published for general information:

In the Afrikaanse text of the Schedule, in clause 1 (1), insert the words "en Kroonstad" after "Harrismith".

No. R. 2888

31 December 1987

LABOUR RELATIONS ACT, 1956

LIQUOR AND CATERING TRADE (WITWATERSRAND AND VEREENIGING).—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. 179 of 6 February 1981, R. 2375 of 5 November 1982, R. 546 of 23 March 1984, R. 1903 of 31 August 1984 and R. 887 of 9 May 1986, to be effective from the date of publication of this notice and for the period ending 29 February 1988.

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

No. R. 2889

31 December 1987

LABOUR RELATIONS ACT, 1956

LAUNDRY, DRY CLEANING AND DYEING TRADE (TRANSVAAL).—EXTENSION OF PROVIDENT AND SICK BENEFIT 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

van die Wet op Arbeidsverhoudinge, 1956, die tydperk vasgestel in Goewermentskennisgewings R. 2655 van 7 Desember 1984, R. 2632 van 22 November 1985, R. 530 van 21 Maart 1986, R. 922 van 16 Mei 1986 en R. 1907 van 12 September 1986, met 'n verdere tydperk wat op 30 Junie 1989 eindig.

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

No. R. 2890 31 Desember 1987

WET OP ARBEIDSVERHOUDINGE, 1956
KLERASIENYWERHEID, NATAL.—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 1988 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 1988 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

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

BYLAE

NYWERHEIDSRAAD VIR DIE KLERASIENYWERHEID
(NATAL)

OOREENKOMS

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

Natal Clothing Manufacturers' Association

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

Garment Workers' Industrial Union (Natal)

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

wat die partye is by die Nywerheidsraad vir die Klerasienywerheid (Natal), om die Ooreenkoms, gepubliseer by Goewermentskennisgewing R. 46 van 11 Januarie 1980, soos gewysig, verleng en hernieu deur Goewermentskennisgewings R. 2774 en R. 2775 van 24 Desember 1982, R. 2606 van 30 November 1984, R. 918 en R. 919 van 26 April 1985, R. 2175 van 17 Oktober 1986, R. 2721 van 24 Desember 1986 en R. 393 van 27 Februarie 1987, te wysig.

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet in die Klerasienywerheid (Natal) nagekom word—

- (a) deur alle werkgewers wat lede van die werkgewersorganisasie en by die Klerasienywerheid (Natal) betrokke is en deur alle werknemers wat lede van die vakvereniging is en wat in genoemde Nywerheid werksaam is;

Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 2655 of 7 December 1984, R. 2632 of 22 November 1985, R. 530 of 21 March 1986, R. 922 of 16 May 1986 and R. 1907 of 12 September 1986, by a further period ending 30 June 1989.

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

No. R. 2890 31 December 1987

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, NATAL.—ADMENDMENT
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 1988, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in 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 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

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

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CLOTHING INDUSTRY
(NATAL)

AGREEMENT

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

Natal Clothing Manufacturers' Association

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

Garment Workers' Industrial Union (Natal)

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

being the parties to the Industrial Council for the Clothing Industry (Natal), to amend the Agreement, published under Government Notice R. 46 of 11 January 1980, as amended, extended and renewed by Government Notices R. 2774 and R. 2775 of 24 December 1982, R. 2606 of 30 November 1984, R. 918 and R. 919 of 26 April 1985, R. 2175 of 17 October 1986, R. 2721 of 24 December 1986 and R. 393 of 27 February 1987.

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed in the Clothing Industry (Natal)—

- (a) by all employers who are members of the employers' organisation and who are engaged in the Clothing Industry (Natal) and by all employees who are members of the trade union and who are employed in the said Industry;

(b) in die landdrosdistrikte Chatsworth, Durban (uitgesonderd daardie gedeelte wat voor die publikasie van Goewernementskennisgewing 1401 van 16 Augustus 1968 binne die landdrosdistrik Umlazi geval het), Inanda, Pinetown, Pietermaritzburg en Lower Tugela.

(2) Ondanks subklousule (1), is hierdie Ooreenkoms slegs van toepassing ten opsigte van die werknemers vir wie lone voorgeskryf word in die Ooreenkoms gepubliseer by Goewernementskennisgewing R. 46 van 11 Januarie 1980, soos gewysig.

2. KLOUSULE 3.—WOORDOMSKRYWING

(1) Skrap die omskrywing "handkraalaanwerker en/of handborduurder".

(2) Skrap die omskrywing "spoelopdraaier".

(3) Vervang die omskrywing "klerk" deur die volgende:

"klerk" beteken 'n werknemer wat—

- (a) skryf-, tik- en liasseerwerk verrig;
- (b) rekenmasjiene, rekenaarterminale, ponskaartmasjiene of boekhoumasjiene bedien;
- (c) enige ander klerklike werk verrig, en omvat dit, 'n kassier, versendingsklerk, magasynman, skeepsklerk, faktuurklerk, werkstudieklerk en skakelbordoperateur maar nie enige ander klas werknemer wat elders omskryf is nie, ondanks die feit dat klerklike werk deel van so 'n werknemer se werk mag wees;

(4) Voeg die volgende omskrywing in na die omskrywing "ondervinding":

"fabrieksklerk" werknemer wat een of meer van die volgende werksaamhede verrig of in een of meer van die volgende hoedanighede diens doen:

- (a) Bonusbetalings vanaf produksielyste vir loonklerk bereken;
- (b) kontrolering of notering vir produksiebeheer;
- (c) fakture of ander dokumente met 'n masjien of met die hand kopieer;
- (d) masjienonderdele, gereedskap, olie en ander uitrusting vanuit 'n werkwinkelmagasyn uitreik en/of die uitreiking daarvan aanreken;
- (e) bywoningsregisters kontroleer of besonderhede aantekene van werknemers wat aan diens of van die werk afwesig is en loonkaarte of koerte vir latere gebruik deur ander werknemers voorberei;
- (f) fakture of ander dokumente kontroleer;
- (g) slegs dokumente liasseer;
- (h) besonderhede van afval aantekene;

(5) In die omskrywing van "handafwerker" voeg die volgende woord in na die woorde "vingers in posisie gehou word":

"krale met die hand of 'n masjien aanwerk en/of motiewe met die hand aan kledingstukke borduur".

(6) Vervang die omskrywing "algemene werker" deur die volgende omskrywings:

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

- (a) Kratte of bale of ander houers vasmaak, met draad vasmaak of vasbind;
- (b) goedere op- of aflaai van voertuie, sleepwaens of internasionale standaardhouers;
- (c) goedere dra of opstapel;
- (d) rubberoplossing meng vir rubberbehandeling van kledingstukke;
- (e) algemene tuinwerk;
- (f) vloere en trappe met 'n masjien of met die hand was en poleer;

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

- (a) Met 'n besem vee en/of stoele en tafels afstof en afvee;
- (b) pos opvou en/of in koerte steek en posseëls of etikette daarop plak;
- (c) tee of soortgelyke drankies maak en bedien en skottelgoed, messeware en kombuisgerei was;
- (d) kiste, bale of ander houers met die hand merk, sjabloneer of etikette daarop plak;

(b) in the Magisterial Districts of Chatsworth, Durban (excluding that portion which, prior to the publication of Government Notice 1401 of 16 August 1968, fell within the Magisterial District of Umlazi), Inanda, Pinetown, Pietermaritzburg and Lower Tugela.

(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 the Agreement published under Government Notice R. 46 of 11 January 1980, as amended.

2. CLAUSE 3.—DEFINITIONS

(1) Delete the definition "beader and/or embroiderer by hand".

(2) Delete the definition "bobbin winder".

(3) Substitute the following for the definition "clerk":

"clerical employee" means an employee who is engaged in—

- (a) writing, typing and filing;
- (b) operating a calculating machine, computer terminal, punch card machine or accounting machine;
- (c) any other clerical work, and includes a cashier, despatch clerk, storeman, shipping clerk, invoice clerk, work study clerk and telephone switchboard operator, but does not include any other class of employee elsewhere defined, notwithstanding the fact that clerical work may form part of such employee's work;

(4) Insert the following after the definition "experience":

"Factory clerk" means an employee who is engaged in one or more of the following duties or capacities:

- (a) Calculating bonus payments from production schedules for wage clerk;
- (b) checking or recording for production control;
- (c) copying invoices or other documents by machine or hand;
- (d) issuing machine parts, tools, oil and other equipment from a workshop store and/or recording same;
- (e) checking attendance records or recording particulars of employees' at work or absent from work and preparing wage cards or envelopes for subsequent use by another employee;
- (f) checking invoices or other documents;
- (g) filing only of documents;
- (h) recording particulars of waste;

(5) In the definition of "Finisher by hand", insert the following words after the word "fingers":

"sewing on beads by hand or by machine and/or embroidering motifs onto garments by hand".

(6) Substitute the following definitions for the definition "general worker":

"general worker (heavy work)" means an employee who is engaged in one or more of the following duties:

- (a) Binding, wiring or strapping boxes or bales or other containers;
- (b) loading or unloading vehicles, trailers or international standard containers;
- (c) carrying or stacking goods;
- (d) mixing rubber solution for rubberised garments;
- (e) general gardening work;
- (f) washing or polishing floors and staircases by machine or by hand;

"general worker (light work)" means an employee who is engaged in one or more of the following duties:

- (a) Sweeping with a broom and/or dusting and wiping down chairs and tables;
- (b) folding and/or inserting mail, affixing postage stamps or labels for posting;
- (c) making and serving tea or similar beverages and washing crockery, cutlery and kitchen utensils;
- (d) marking, stencilling or affixing labels on boxes, bales or other containers by hand;

- (e) briewe, boodskappe of ligte pakkette binne die fabrieksterrein aflewer;
- (f) 'n dupliseer- en/of addressograaf- en/of frankeermasjien bedien;
- (g) toiletfasiliteite afgee en/of was;

(7) Vervang die omskrywing "werknemer graad I" deur die volgende:

"'werknemer graad I' 'n werknemer wat in een of meer van die volgende hoedanighede werksaam is:

- (a) Rygwerker;
- (b) —;
- (c) perssnyer;
- (d) vervoerbandlaaier;
- (e) ondersoeker;
- (f) handafwerker;
- (g) inpasser;
- (h) opvouer;
- (i) patroonplaatkopieerder;
- (j) masjienwerker;
- (k) maker van strikke;
- (l) bediener van outomatiese kant, borduur- of monogrammasjien;
- (m) parser;
- (n) naatmaker;
- (o) steller van outomatiese plooiemasjiene;
- (p) fatsoeneerder;
- (q) halsuitsnyer;
- (r) enige ander werknemer wat nie elders gespesifiseer word nie;
- (s) fabrieksklerk;

(8) Voeg die volgende omskrywing "werknemer graad A" in na die omskrywing "werknemer graad I":

"'werknemer graad A' 'n werknemer wat in een of meer van die volgende hoedanighede werksaam is:

- (a) Algemene werker (swaar werk);
- (b) neerleër met 'n masjien;
- (c) voorparser;

(9) Vervang die omskrywing "werknemer graad II" deur die volgende:

"'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) Assistent-magasynman;
- (b) outomatiese hidrouliese hoedepersbediener;
- (c) dryfbandversorger;
- (d) —;
- (e) ketelbediener;
- (f) kartondoosmaker;
- (g) afknipper;
- (h) baadjieomkeerder;
- (i) gespes met die hand of 'n masjien oortrek en/of afwerk en gordels reg knip nadat voering en gordel met 'n masjien vasgestik is;
- (j) snyer van handelsreisiger se monsters;
- (k) versendingsverpakker;
- (l) ogiepons- en inlaatwerk;
- (m) materiaal met papier deur outomatiese plooiemasjiene voer;
- (n) hoedespuiters d.w.s. die wat hoede spuitverf;
- (o) tussenvoerings wat vasgesmelt kan word met 'n handstrykyster vasstryk en tussenvoerings wat vasgesmelt kan word in vasstrykposisie plaas en met 'n spesiale masjien op sekere punte vassmelt;
- (p) —;
- (q) merker;
- (r) bediener van hand- of masjiengedrewe knoopoortrekmasjiene;
- (s) bediener van 'n krimppers;

(e) delivering letters or messages or light parcels within the factory premises;

(f) operating a duplicating and/or addressograph and/or franking machine;

(g) mopping and/or washing of toilet facilities;

(7) Substitute the following for the definition "Grade I employee":

"'Grade I employee' means an employee engaged in one or more of the following capacities:

- (a) Baster;
- (b) —;
- (c) clicker;
- (d) conveyer feeder;
- (e) examiner;
- (f) finisher by hand;
- (g) fitter-up;
- (h) folder;
- (i) lay copier;
- (j) machinist;
- (k) maker of bows;
- (l) operator of automatic lace, embroidery or monogramming machine;
- (m) presser;
- (n) seam welder;
- (o) setter of automatic pleating machines;
- (p) shaper;
- (q) sloper;
- (r) any other employee not elsewhere specified;
- (s) factory clerk;

(8) "Grade A employee" after the definition "Grade I employee" insert the following definition:

"'Grade A employee' means an employee engaged in any one of the following capacities:

- (a) General worker (heavy work);
- (b) layer by machine;
- (c) underpresser;

(9) Substitute the following for the definition "Grade II employee":

"'Grade II employee' means an employee engaged in any one or more of the following duties or capacities:

- (a) Assistant storeman;
- (b) automatic hydraulic hat presser;
- (c) belt man;
- (d) —;
- (e) boiler attendant;
- (f) cardboard box maker;
- (g) cleaner;
- (h) coat turner;
- (i) covering buckles by hand or machine and/or trimming and cleaning belts after lining and belt have been machined together;
- (j) cutter of traveller's swatches;
- (k) despatch packer;
- (l) eyelet punching and letting;
- (m) guiding material with paper through automatic pleating machine;
- (n) hat sprayers, i.e. those spray painting hats;
- (o) ironer of fusible interlinings with hand iron and positioning and spot fusing of fusible interlinings with special machine;
- (p) —;
- (q) marker;
- (r) operator of hand or machine operated button covering machine;
- (s) operator of a shrinking press;

- (t) bediener van 'n halfoutomatiese of outomatiese vassmelt-masjien;
 (u) bediener van 'n halfoutomatiese drukknoopmasjien;
 (v) bediener van 'n ritssluitermasjien;
 (w) verpakker;
 (x) —;
 (y) patentomvouer (hand of masjien);
 (z) vasspelder;
 (aa) gewone naaldwerker;
 (ab) vasmakers aan pette vassit;
 (ac) materiaal in die pers tussen twee papiervormers plaas en vir die stoomkas volgens die hand- of persplooiproses voorberei;
 (ad) voorbereide vormers in 'n stoomkas plaas en hulle weer uithaal in die hand- of persplooiproses;
 (ae) gespes vasklink, gordelgespes buig, gaatjies vir gespes en tongetjies pons, gespetongetjies in gespes vasdruk, gespe aan gordel vaskram;
 (af) rubberbehandeling, d.w.s. waterdigtingsprosesse deur rubberoplossing aan nate of rande te smeer en dit met 'n klein handrol-ler van hout te rol; oortollige rubberoplossing verwyder; nate van olieklere en waterdigte hoede verf;
 (ag) sorteerder;
 (ah) P.V.C. aansmeer (plastiekoplossing) in waterdigtingsproses en/of aan reënjasse en beskermende drag;
 (ai) stempelaar;
 (aj) materiaal uit perse uithaal in hand- of persplooiproses;
 (ak) —;
 (al) —;
 (am) waterdigting van nate;
 (an) oproller of afroller van kant, borduursel, galon, linte, omboor-sel en rek;
 (ao) neerleër met die hand;
 (ap) algemene werk (ligte werk);".
- (10) Skrap die omskrywing "laagpakker".
- (11) Voeg die volgende omskrywings in na die omskrywing "patroon-plaatkopieerder":
- "'neerleër met die hand' 'n werknemer wat die materiaal in lae rangskik om gesny te word;
 'Neerleër met 'n masjien' 'n werknemer wat die materiaal in lae rangskik om gesny te word;".
- (12) Skrap die omskrywing "handelsreisiger se motordrywer".

3. KLOUSULE 4.—LONE

- (1) In die loontabel, vervang die detail teenoor "Snyer en voering-merker-snyer", "Wag", en "Werknemer Graad A" deur die volgende:

Tydperk	Beroep	Getal maande ondervinding in die Nywerheid (tot en met)							
		0-6	7-12	13-18	19-24	25-30	31-36	37-42	43-48
Vanaf die datum van inwer-king-treding van hierdie Ooreenkoms	Snyer en voering-merker-snyer	57,50	68,00	78,00	88,00	100,00	110,00		
Vanaf die datum van inwer-king-treding van hierdie Ooreenkoms	Wag.....	78,00							
Vanaf die datum van inwer-king-treding van hierdie Ooreenkoms	Werknemer graad A	62,50	70,50	83,00					

Period	Occupation	Number of months experience in industry (inclusive)							
		0-6	7-12	13-18	19-24	25-30	31-36	37-42	43-48
From the date of coming into operation of this Agreement	Cutter and trim-mer	57,50	68,00	78,00	88,00	100,00	110,00		
From the date of coming into operation of this Agreement	Watchman.....	78,00							
From the date of coming into operation of this Agreement	Grade A employee	62,50	70,50	83,00					

- (t) operator of a semi-automatic or automatic fusing machine;
 (u) operator of a semi-automatic press-stud machine;
 (v) operator of zip machine;
 (w) packer;
 (x) —;
 (y) patent turner (hand or machine);
 (z) pinner;
 (aa) plain sewer;
 (ab) putting fasteners on caps;
 (ac) putting material between two paper looms (formers) and prepar- ing for steambox in hand or loom pleating process;
 (ad) putting prepared formers in steambox and taking them out again in hand or loom pleating process;
 (ae) riveting buckles, bending belt buckles, punching holes for buckles and prongs, pressing buckle prongs into buckles, sta- pling buckles onto belt;
 (af) rubberising, i.e. waterproofing processes on the work of smear- ing rubber solution upon seams or edges and rolling them over with a small wooden hand roller, cleaning off any rubber solu- tion, painting seams of oilskins and waterproof hats;
 (ag) sorter;
 (ah) spreading of p.v.c. (plastic solution) in waterproofing process and/or on raincoats and protective wear;
 (ai) stamper;
 (aj) taking material out of looms in hand or loom pleating process;
 (ak) —;
 (al) —;
 (am) waterproofing seams;
 (an) winder or unwinder of lace, embroidery, braids, ribbons, bind- ings and elastic;
 (ao) layer by hand;
 (ap) general worker (light work);".
- (10) Delete the definition "layer up".
- (11) Insert the following definitions after the definition "lay copier":
- "'layer by hand' means an employee engaged in laying up materials by hand preparatory to cutting;
 'layer by machine' means an employee engaged in laying up mate- rials by machine preparatory to cutting;".
- (12) Delete the definition "traveller's driver".

3. CLAUSE 4.—WAGES

- (1) In the table of wage rates, substitute the following for the detail opposite "Cutter and trimmer", "Watchman", and "Grade A em- ployee":

(2) Voeg die volgende nuwe subklousule (6) in:

“(6) Alle werknemers wat tans die werksaamhede van ’n fabrieksklerk verrig, moet herklassifiseer word as fabrieksklerk of werknemer graad I maar teen die bestaande loonskaal van ’n klerk tot tyd en wyl die loonskaal vir ’n fabrieksklerk die vlak van ’n klerk bereik.”

4. KLOUSULE 5.—TAAKWERK EN STUKWERK

(1) In die opskrif van hierdie klousule, vervang die uitdrukking “Taakwerk en Stukwerk” deur die uitdrukking “Taakwerk”.

(2) Skrap subklousules (2), (3) en (4).

5. KLOUSULE 8.—WERKURE EN OORTYDWERK

(1) Vervang subklousules (1) tot (4) deur die volgende:

“(1) *Werkure*.—’n Werkweek van vyf dae moet vanaf Maandag tot en met Vrydag en die gewone werkure van ’n werknemer moet hoogstens soos volg wees:

(a) 42½ uur, uitgesonderd etenspouses, in ’n bepaalde week van Maandag tot en met Vrydag;

(b) 8½ uur op ’n dag tussen die ure 07h00 en 18h00.

In die geval van ’n werknemer wat uitsluitlik of hoofsaaklik as ketelbediener werksaam is, kan die weeklikse ure 45 en die daaglikse ure neges wees.

(2) (a) Alle werkure op ’n dag moet, uitgesonderd etenspouses, opeenvolgend wees.

(b) ’n Werkgewer mag nie van ’n werknemer vereis of hom toelaat om langer as vyf uur aaneenlopend ononderbroke te werk sonder ’n etenspouse van minstens ’n halfuur nie: Met dien verstande dat indien so ’n pouse langer as ’n halfuur is, die tydperk langer as ’n halfuur as werkure gereken moet word.

(3) (a) Alie tyd gewerk—

(i) langer as die gewone ure in klousule 8 (1) voorgeskryf, of

(ii) voor 07h00 en na 18h00 van Maandag tot Vrydag, behalwe in die geval van ketelbedieners,

as oortyd geag moet word.

(b) ’n Werkgewer mag nie van ’n werknemer vereis of hom toelaat om oortyd te werk vir langer as—

(i) 10 uur in ’n bepaalde week nie;

(ii) twee uur op enige dag (Maandag tot Vrydag) nie.

(c) ’n Werkgewer mag nie van ’n werknemer vereis of hom toelaat om langer as een en ’n half uur op ’n dag, van Maandag tot Vrydag, oortyd te werk nie, tensy die werkgewer—

(i) sodanige werknemer die vorige dag daarvan in kennis gestel het;

(ii) sodanige werknemer van ’n toereikende ete voorsien het voordat hy met die oortydwerk moet begin; of

(iii) sodanige werknemer ’n toelae van R1,20 betyds betaal om hom in staat te stel om ’n ete te bekom voordat die oortydwerk begin.

(d) Daar mag nie van ’n werknemer vereis word om oortyd te werk sonder sy toestemming nie en ’n werknemer mag nie ontslaan word as gevolg van sy weiering om oortyd te werk nie.

(4) Geen oortyd langer as dié bepaal ingevolge klousule 8 (3) (b) mag toegelaat word nie; tensy skriftelike toestemming voor die verrigting van sodanige werk van die Nywerheidsraad verkry is. In dringende gevalle kan die Sekretaris voorlopige toestemming verleen, wat geldig is tot die volgende vergadering van die Nywerheidsraad.”

(2) In subklousule (7) (c), vervang die uitdrukking “Paasmaandag” deur die uitdrukking “Gesinsdag en Werkersdag (die eerste Vrydag in Mei)”.

(3) Skrap subklousule (10), (11) en (13).

(4) In subklousule (14), skrap die woorde “handelsreisigers, die motor-drywers van handelsreisigers en”.

6. KLOUSULE 11.—GETALSVERHOUDING VAN WERKNEMERS

In subklousule (1) (a), vervang die syfer “20” deur die syfer “30”.

7. KLOUSULE 12.—VAKANSIEVERLOF

In subklousule (1):

(a) Voeg die uitdrukking “Werkersdag (die eerste Vrydag in Mei)” in na die uitdrukking “Gesinsdag”;

(2) Insert the following new subclause (6):

“(6) All employees who are currently performing the duties of a factory clerk shall be reclassified as factory clerk or Grade I employee but at the existing clerical employee rate of pay until such time as the rate for a factory clerk reaches the level of a clerical employee.”

4. CLAUSE 5.—TASK-WORK AND PIECE-WORK

(1) In the heading to this clause, substitute the expression “Task Work” for the expression “Task-work and Piece-work”.

(2) Delete subclauses (2), (3) and (4).

5. CLAUSE 8.—HOURS OF WORK AND OVERTIME

(1) Substitute the following for subclauses (1) to (4):

“(1) *Hours of work*.—A five-day week shall be observed from Monday to Friday inclusive and the ordinary hours of work of an employee shall not exceed—

(a) 42½ hours, excluding meal intervals, in any week from Monday to Friday, inclusive;

(b) 8½ hours on any day between the hours 07h00 and 18h00.

In the case of an employee wholly engaged as a boiler attendant, the weekly hours may be 45 and the daily hours nine.

(2) (a) All hours of work in any day shall (excluding) meal intervals, be consecutive.

(b) An employer shall not require or permit an employee to work for more than five hours continuously without a meal interval of at least half an hour: Provided that if such interval be for longer than half an hour, the period in excess of half an hour shall be deemed to be hours of work.

(3) (a) All time worked—

(i) in excess of the ordinary hours prescribed in clause 8 (1), or

(ii) before 07h00 and after 18h00 on Monday to Friday, except in the case of boiler attendants,

shall be deemed to be overtime.

(b) No employer shall require or permit an employee to work overtime for more than—

(i) 10 hours in any week;

(ii) two hours on any day (Monday to Friday).

(c) No overtime in excess of one and a half hours, from Monday to Friday, may be required or permitted of an employee unless the employer—

(i) has given notice thereof to such employee on the previous day;

(ii) provides such employee with an adequate meal before he has to commence overtime; or

(iii) pays such employee an allowance of R1,20 in sufficient time to enable him to obtain a meal before the overtime is due to commence.

(d) An employee shall not be required to work overtime without his consent and an employee shall not be dismissed by reason of his refusal to work overtime.

(4) No overtime in excess of that stated in terms of clause 8 (3) (b) shall be allowed unless permission has been obtained, in writing, from the Council prior to the performance of such work. In cases of urgency, the Secretary may issue provisional authority, which shall be valid until the next meeting of the Council.”

(2) In subclause (7) (c), substitute the expression “Family Day and Workers’ Day (the first Friday of May)” for the expression “Easter Monday”.

(3) Delete subclause (10), (11) and (13).

(4) In subclause (14), delete the words “travellers, travellers’ drivers and”.

6. CLAUSE 11.—PROPORTION OF RATIO OF EMPLOYEES

In subclause (1) (a), substitute the figure “30” for the figure “20”.

7. CLAUSE 12.—HOLIDAY LEAVE

In subclause (1):

(a) Insert the expression “Workers’ Day (the first Friday of May)” after the expression “Family Day”;

- (b) voeg die uitdrukking "of Sondag" in na die uitdrukking "Indien enigeen van die openbare vakansiedae in hierdie subklousule bedoel, op 'n Saterdag".

8. KLOUSULE 27.—SIEKTEBYSTANDSFONDS

Vervang die bestaande subklousule (9) (d) deur die volgende:

"(9) (d) Bydraers wat werkloos word, bly geregtig op lidmaatskap van die Fonds en is, terwyl hulle werkloos is, op die bystand voorgeskryf in paragrawe (a) en (b), geregtig vir die volgende tydperke:

	Weeks
Diegene met een jaar maar hoogstens twee jaar diens.....	6
Diegene met meer as twee jaar maar hoogstens vyf jaar diens	12
Diegene met meer as vyf jaar maar hoogstens 10 jaar diens....	18
Diegene met meer as 10 jaar diens.....	24

in elke kringloop van een jaar."

9. Voeg die volgende nuwe klousule 28 in:

"28. PERSONEELVERMINDERINGS

(1) Die werkgever moet daarna streef om personeelvermindering te vermy deur werkers na ander departemente te verplaas, deur opleiding of heropleiding, deur oortydwerk te beperk en/of af te skaf, deur korttyd te werk, deur die toelating van vrywillige aftrede en deur ander soortgelyke geskikte alternatiewe.

(2) Die werkgever moet die Nywerheidsraad en die vakvereniging minstens 21 dae skriftelike kennis gee: Met dien verstande dat die vakvereniging en die werkgever die kennisgewingstermyn deur wedersydse ooreenkoms kan verminder, en dat die toestemming nie op onbillike wyse weerhou moet word nie.

(3) Die kennisgewingstermyn moet nie saamval met die jaarlikse sluiting van die werkgever se bedryfsinrigting nie.

(4) Die werkgever moet die vakvereniging raadpleeg oor die noodsaaklikheid en omvang van die voorgestelde personeelvermindering en die billikheid van die keuse van werknemers wat ontslaan moet word.

(5) Die werkgever moet die Nywerheidsraad en die vakvereniging van die volgende inligting voorsien:

- Die effektiewe datum van personeelvermindering;
- volledige redes vir die personeelvermindering;
- die geraamde getal werknemers wat ontslaan moet word;
- die identifiseringsbasis van werknemers wat ontslaan moet word.

(6) Waar 'n werkgever werknemers ontslaan het, moet hy wanneer hy daarna addisionele werknemers in diens neem, so ver moontlik voorkeur gee aan die herindiensneming van dié werknemers wat gedurende die vorige ses maande deur sy bedryfsinrigting ontslaan is.

(7) Oor die skaal van uittreelone moet daar op bedryfsvlak onderhandel word tussen die werkgever en die vakvereniging soos en wanneer die omstandighede opduik en die behoefte bestaan."

Namens die partye op hede die 5de dag van Oktober 1987 te Durban onderteken.

R. G. SAVAGE,

Voorsitter van die Raad.

I. MUCKDOOM,

Ondervoorsitter van die Raad.

R. E. REDFERN,

Sekretaris van die Raad.

- (b) after the expression "Should any of the public holidays referred to in this subclause fall on a Saturday", insert the expression "or Sunday".

8. CLAUSE 27.—SICK BENEFIT FUND

Substitute the following for the existing subclause (9) (d):

"(9) (d) Contributors who become unemployed shall remain eligible for membership of the Fund, and, while unemployed, shall be entitled to the benefits prescribed in paragraphs (a) and (b) for the following periods:

	Weeks
Those with one year's but not exceeding two years' service	6
Those with more than two years' but not exceeding five years' service	12
Those with more than five years' but not exceeding 10 years' service	18
Those with more than 10 years' service.....	24

in each cycle of one year."

9. Insert the following new clause 28:

"28. RETRENCHMENT PROCEDURE

(1) The employer shall endeavour to avoid retrenchments by transferring workers to other departments, by training or retraining, by limiting and/or eliminating overtime, by working short-time, by allowing voluntary retirement and by such other suitable alternatives.

(2) The employer shall give the Council and the trade union not less than 21 days' written notice: Provided that the trade union and the employer may reduce the period of notice by mutual agreement, which agreement shall not be unreasonably withheld.

(3) The notice shall not run concurrently with the annual shutdown period of the employer's establishment.

(4) The employer shall consult with the trade union on the need and extent of the proposed retrenchment and the fairness of selection of employees to be retrenched.

(5) The employer shall furnish Council and the trade union with the following information:

- The effective date of the retrenchment;
- full reasons for the retrenchments;
- approximate number of employees to be retrenched;
- the basis of identifying employees to be retrenched.

(6) Where an employer has retrenched employees he shall, if he subsequently engages additional employees, as far as possible give preference to the re-engagement of those employees who were retrenched from his establishment within the previous six months.

(7) The rate of severance pay shall be negotiated at plant level between employer and the trade union as and when the circumstances arise and the need to do so."

Signed at Durban, on behalf of the parties, this 5th day of October 1987.

R. G. SAVAGE,

Chairman of the Council.

I. MUCKDOOM,

Vice-Chairman of the Council.

R. E. REDFERN,

Secretary of the Council.

No. R. 2891

31 Desember 1987

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, NATAL.—WYSIGING VAN VOORSORGFONDSOOREENKOMS

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

No. R. 2891

31 December 1987

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, NATAL.—AMENDMENT OF PROVIDENT FUND 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,

van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1988 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkomst 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 Wysigingsooreenkomst, 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 1988 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkomst gespesifiseer.

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

BYLAE

NYWERHEIDSRAAD VIR DIE KLERASIENYWERHEID (NATAL)

OOREENKOMS

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

Natal Clothing Manufacturers' Association

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

Garment Workers' Industrial Union (Natal)

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

wat die partye is by die Nywerheidsraad vir die Klerasienywerheid (Natal), om die Voorsorgfondsooreenkomst gepubliseer by Goewermenskennisgewing R. 49 van 11 Januarie 1980, soos verleng en gewysig by Goewermenskennisgewings R. 2775 en R. 2776 van 24 Desember 1982, R. 1609 van 3 Augustus 1984, R. 2723 en R. 2724 van 14 Desember 1984 en R. 2174 van 17 Oktober 1986, te wysig.

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkomst moet in die Klerasienywerheid (Natal) nagekom word—

- (a) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakvereniging is en wat onderskeidelik daarby betrokke of daarin werksaam is;
 - (b) in die landdrosdistrikte Chatsworth, Durban (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermenskennisgewing 1401 van 16 Augustus 1968 binne die landdrosdistrik Umlazi geval het), Inanda, Pinetown, Pietermaritzburg en Lower Tugela.
- (2) Ondanks subklousule (1), is hierdie Ooreenkomst—
- (a) van toepassing slegs op werknemers vir wie lone in die Hoofdooreenkomst voorgeskryf word, en op die werkgewers van dié werknemers;
 - (b) nie op handelsreisigers van toepassing nie.

2. KLOUSULE 6.—BYDRAES

Vervang subklousule (1) deur die volgende:

"(1) Vir die doeleindes van die Fonds moet elke werkgewer die volgende aftrekkings maak van die lone van elk van sy werknemers, uitgesonderd handelsreisigers, wat gedurende enige week gewerk het, ongeag die tyd aldus gewerk:

78 sent per week vanaf die datum van inwerkingtreding van hierdie Ooreenkomst."

3. KLOUSULE 7.—FINANSIES

Voeg die volgende subklousule in na subklousule (2) (h):

"(2)bis Bystand mag aan die fonds sodeer word as sekuriteit as gevolg van enige behuisinglening wat deur die fonds toegeken word, kragtens artikel 8 (5) van die Ooreenkomst."

shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1988, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions; and

- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

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

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CLOTHING INDUSTRY (NATAL)

AGREEMENT

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

Natal Clothing Manufacturers' Association

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

Garment Workers' Industrial Union (Natal)

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

being the parties to the Industrial Council for the Clothing Industry (Natal), to amend the Provident Fund Agreement published under Government Notice R. 49 of 11 January 1980, as extended and amended by Government Notices R. 2775 and R. 2776 of 25 December 1982, R. 1609 of 3 August 1984, R. 2723 and R. 2724 of 14 December 1984 and R. 2174 of 17 October 1986.

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed in the Clothing Industry (Natal)—

- (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union, who are engaged or employed therein;
- (b) in the Magisterial Districts of Chatsworth, Durban (excluding that portion which, prior to the publication of Government Notice 1401 of 16 August 1968, fell within the Magisterial District of Umlazi), Inanda, Pinetown, Pietermaritzburg and Lower Tugela.

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

- (a) apply only to employees for whom wages are prescribed in the Main Agreement, and to the employers of such employees;
- (b) not apply to travellers.

2. CLAUSE 6.—CONTRIBUTIONS

Substitute the following for subclause (1):

"(1) For the purpose of the Fund, each employer shall make the following deductions from the wages of each of his employees, other than travellers, who have worked during any week, irrespective of the time so worked:

78 cents per week from the date of coming into operation of this Agreement."

3. CLAUSE 7.—FINANCE

Insert the following subclause after subclause (2) (h):

"(2)bis Benefits may be ceded to the fund as security in respect of any housing loan granted by the fund in terms of clause 8 (5) of this Agreement"

4. KLOUSULE 8.—BYSTAND

In subklousule (5), na die woord behuising voeg die woorde "en huiseienaarslenings".

5. KLOUSULE 12.—BYSTAND MAG NIE GESEDEER OF AFGE-STAAN WORD NIE

Skrap klousule 12 (2).

Namens die partye op hede die 7de dag van Augustus 1987, in Durban onderteken.

R. G. SAVAGE,
Voorsitter van die Raad.

I. MUCKDOOM,
Ondervoorsitter van die Raad.

R. E. REDFERN,
Sekretaris van die Raad.

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS- ONTWIKKELING

No. R. 2892

31 Desember 1987

WET OP VOEDINGSMIDDELS, SKOONHEIDSMID-
DELS EN ONTSMETTINGSMIDDELS, 1972 (WET 54
VAN 1972)

REGULASIES WAT DIE GEBRUIK VERBOD VAN
HIDROKINOON, ENIGE AKTIEWE OF POTENSIEEL
AKTIEWE DEPIGMENTASIEBESTANDDEEL, LOOD
EN DIE SOUTE DAARVAN, KWIK EN DIE SOUTE
DAARVAN, ANDER BESTANDDELE EN DIE SKOON-
HEIDSMIDDELKATEGORIE VELVERBLEIKER, VEL-
VERLICHTER OF VELWITMAKER

Die Adjunk-Minister van Nasionale Gesondheid is
voornemens om kragtens artikel 15 (1) van die Wet op
Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmid-
dels, 1972 (Wet 54 van 1972), die regulasies vervat in die
Byl. hiervan uit te vaardig, wat binne ses maande na die
publikasie van hierdie kennisgewing van krag word.

BYLAE**Woordomskrywing**

1. In hierdie regulasies beteken "die Wet" die Wet op
Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmid-
dels, 1972 (Wet 54 van 1972), en tensy uit die samehang
anders blyk, het 'n uitdrukking waaraan daar in die Wet 'n
betekenis geheg is, daardie betekenis.

Verbod op sekere skoonheidsmiddels

2. (1) Vir die doeleindes van artikel 2 (1) (a) (i) van die
Wet, in soverre dit toegepas word en van toepassing is op
skoonheidsmiddels, word die volgende stowwe hierby ver-
bied:

- (a) Lood en die soute daarvan, hidrokinonmonobensie-
lester (p-hidroksifenielbensielester of monobensoon)
hidrokinon en kwik en die soute daarvan;
- (b) katesjols, saliesielsuur, salisilate, trimetielsikloheksa-
nol, resorsinol, oksikinoliensulfaat, odochlorohidroks-
sikin, timol, heksachlorofeen en ander fenoliese ver-
bindings;
- (c) enige ander aktiewe of potensieel aktiewe depigmen-
tasiebestanddeel as hidrokinon.

(2) Vir die doeleindes van artikel 2 (1) (a) (iv) van die
Wet word die volgende skoonheidsmiddels hierby verbied:

- (a) Skoonheidsmiddels algemeen bekend as "Blue But-
ter", "Blue Ointment" of "Blou Botter";
- (b) enige skoonheidsmiddels wat 'n velverbleiker, vel-
verlichter of velwitmaker heet te wees.

4. CLAUSE 8.—BENEFITS

In subclause (5), after the words housing loans, add the words "and homeownership loans".

5. CLAUSE 12.—BENEFITS NOT TO BE CEDED OR ASSIGNED

Delete clause 12 (2).

Signed at Durban on behalf of the parties, this 7th day of August 1987.

R. G. SAVAGE,
Chairman of Council.

I. MUCKDOOM,
Vice-Chairman of Council.

R. E. REDFERN,
Secretary of Council.

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 2892

31 December 1987

FOODSTUFFS, COSMETICS AND DISINFECTANTS
ACT, 1972 (ACT 54 OF 1972)

REGULATIONS PROHIBITING THE USE OF HYDRO-
QUINONE, ANY ACTIVE OR POTENTIALLY ACTIVE
DEPIGMENTING INGREDIENT, LEAD AND ITS
SALTS, MERCURY AND ITS SALTS, OTHER INGRE-
DIENTS AND THE COSMETIC CATEGORY SKIN
BLEACHER, SKIN LIGHTENER OR SKIN WHITENER

The Deputy Minister of National Health intends, in terms
of section 15 (1) of the Foodstuffs, Cosmetics and Disinfec-
tants Act, 1972 (Act 54 of 1972), to make the regulations
contained in the Schedule hereto to be effective within six
months after the publication of this notice.

SCHEDULE**Definitions**

1. In these regulations "the Act" means the Foodstuffs,
Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972),
and any expression to which a meaning has been assigned in
the Act shall, unless inconsistent with the context, bear such
meaning.

Prohibition of certain cosmetics

2. (1) For the purposes of section 2 (1) (a) (i) of the Act,
in so far as it is applied and applicable to cosmetics, the
following substances are hereby prohibited:

- (a) Lead and its salts, hydroquinone monobenzyl ether
(p-hydroxyphenyl benzyl ether or monobenzene), hy-
droquinone and mercury and its salts;
- (b) catechols, salicylic acid, salicylates, trimethyl
cyclohexanol, resorcinol, oxyquinoline sulphate,
odochlorohydroxyquin, thymol, hexachlorophene
and other phenolic compounds;
- (c) any active or potentially active depigmenting ingre-
dient other than hydroquinone.

(2) For the purposes of section (2) (1) (a) (iv) of the Act
the following cosmetics are hereby prohibited:

- (a) Cosmetics generally known as "Blue Butter", "Blue
Ointment" or "Blou Botter";
- (b) any cosmetic purporting to be a skin bleacher, skin
lightener or skin whitener.

Voorbehoudsbepaling

3. Regulasie 2 moet nie vertolk word as sou die verkoop, vervaardiging of invoer vir verkoop van die volgende verbied word nie:

- (a) Enige ooggrimering waarby tiomersal (BP) of fenielkwikasetaat, bereken as die metaal, uitsluitlik as bederfwerende middel, afsonderlik maar nie in kombinasie nie, tot 'n maksimum van 65 mg/kg gevoeg is;
- (b) gekonsentreerde sjampoe of room waarby tiomersal (BP) of fenielkwikasetaat, bereken as die metaal, tot 'n maksimum van 30 mg/kg gevoeg is.

Herroeping van regulasies

4. Die regulasies afgekondig by Goewermentskennisgewings R. 2083 van 23 September 1983 en R. 1807 van 17 Augustus 1984 word hierby herroep.

No. R. 2893

31 Desember 1987

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS, 1972 (WET 54 VAN 1972)

REGULASIES BETREFFENDE DIE MAKSIMUM PLAAGDODERRESIDU-PERKE VIR VOEDINGSMIDDELS.—VERBETERINGSKENNISGEWING

Die volgende verbeterings aan Goewermentskennisgewing R. 2160 van 2 Oktober 1987 word hierby vir algemene inligting gepubliseer.

1. In die regulasies—

- (a) vervang die woordskrywing van “graan” deur die volgende woordskrywing: “‘graan’, koring, manna, mielies, rys, sorghum, gars, hawer en rog nadat gedors is”;
- (b) vervang die woord “koffieboon” deur “koffiebessie” in die woordskrywing van “koffie”;
- (c) in regulasie 3, vervang die uitdrukking “'n Voedingsmiddel, vermeld in die *Recommended International Maximum Limits for Pesticide Residues* van die Codex Alimentarius-kommissie van die Gemeenskaplike Voedsel- en Landbouorganisasie / Wêreldgesondheidsorganisasie,” deur “'n Voedingsmiddel, vermeld in die jongste uitgawe van *Codex Maximum Limits for Pesticide Residues* van die Codex Alimentarius-kommissie (Gemeenskaplike Voedsel- en Landbouorganisasie/Wêreldgesondheidsorganisasie-Voedselstandaardeprogram)”;
- (d) in regulasie 5 (a), voeg die sinsnede “wat in kolom I van die Aanhangel genoem word,” in tussen die woorde “stof” en “by”.

2. In die Aanhangel van die regulasies—

- (a) in die Engelse teks, vervang die opskrif “Annexure” deur “Annex”;
- (b) ten opsigte van die chemiese stof benomielys in kolom I, vervang—
 - (i) “1,0” deur “0,5” in kolom III teenoor “Brusselse spruitjies en pampoenge-wasse” in kolom II; en
 - (ii) “0,5” deur “1,0” in kolom III teenoor “Druwe, piesangs en tamaties”;
- (c) ten opsigte van die chemiese stof karbarielys in kolom I, vervang die item “Kasteroliesaad, katoensaad, mielies (groen), pluimvee en turksvye” in kolom II deur die item “Kasteroliesaad, katoensaad, mielies (groen) en turksvye”;

Proviso

3. Regulation 2 shall not be construed so as to prohibit the sale, manufacture or import for sale of the following:

- (a) Any eye make-up to which has been added, solely as a preservative, thiomersal (BP) or phenyl mercuric acetate calculated as the metal, singly but not in combination, not in excess of 65 mg/kg;
- (b) concentrated shampoo or cream to which has been added thiomersal (BP) or phenyl mercuric acetate, calculated as the metal, not in excess of 30 mg/kg.

Withdrawal of regulations

4. The regulations published under Government Notices R. 2083 of 23 September 1983 and R. 1807 of 17 August 1984 are hereby withdrawn.

No. R. 2893

31 December 1987

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT 54 OF 1972)

REGULATIONS GOVERNING THE MAXIMUM LIMITS FOR PESTICIDE RESIDUES THAT FOODSTUFFS MAY CONTAIN.—CORRECTION NOTICE

The following corrections to Government Notice R. 2160 of 2 October 1987 are hereby published for general information.

1. In the regulations—

- (a) for the definition of “cereal” substitute the following definition: “‘cereal grains’ means wheat, millet, maize, rice, sorghum, barley, oats and rye after threshing”;
- (b) for the words “coffee bean” in the definition of “coffee” substitute the words “coffee berry”;
- (c) for the following expression in regulation 3: “Any foodstuff mentioned in the *Recommended International Maximum Limits for Pesticide Residues* of the Codex Alimentarius Commission of the Joint Food and Agricultural Organization/World Health Organization,” substitute the expression “Any foodstuff mentioned in the latest list of the *Codex Maximum Limits for Pesticide Residues* of the Codex Alimentarius Commission (Joint Food and Agricultural Organization/World Health Organization Food Standards Programme)”;
- (d) in regulation 5 (a), insert the phrase “mentioned in column I of the Annex” between the words “substance” and “is”.

2. In the Annexure to the regulations—

- (a) for the designation “Annexure” in the English text substitute “Annex”;
- (b) in respect of the chemical substance benomyl listed in column I—
 - (i) for “1,0” in column III opposite “Brussels sprouts and cucurbits” in column II substitute “0,5”;
 - (ii) for “0,5” in column III opposite “Bananas, grapes and tomatoes” substitute “1,0”;
- (c) in respect of the chemical substance carbaryl listed in column I, for the item “Castor-oil seed, cotton seed, mealies (green), prickly pears and poultry” in column II substitute the item “Castor-oil seed, cotton seed, mealies (green) and prickly pears”;

- (d) teenoor die chemiese stof karbaryl gelys in kolom I, voeg in alfabetiese volgorde die items "Pluimvee" en "0,5 *****" in onderskeidelik kolom II en III in;
- (e) vervang die voetnote "* Op die gelewerde of geëkstraheerde karkasvet" en "**** Op 'n vetbasis" deur onderskeidelik die voetnote "* In die karkasvet" en "**** Op 'n heelproduk-basis"; en
- (f) voeg die volgende voetnoot by: "***** In die eetbare gedeelte".

3. In die Afrikaanse teks van die Aanhangsel van die regulasies—

- (a) ten opsigte van die chemiese stof disulfoton in kolom I, vervang die syfer "5" deur die letter "S" in die gedeelte tussen hakies en sluit die hakies;
- (b) vervang "Etiopfenkarb" in kolom I deur "Etiofenkarb";
- (c) ten opsigte van die chemiese stof fentinasetaat in kolom I, vervang die woord "uitgesonderd" deur "uitgesonderd";
- (d) vervang "Fosetiel-A1 (fosfoonsuur)" in kolom I deur "Fosetiel-A1 (fosforigsuur)";
- (e) vervang "Glifosaat (som van glifosaat en aminometielfosfoonsuur)" in kolom I deur "Glifosaat (som van glifosaat en aminometielfosforigsuur)";
- (f) ten opsigte van die chemiese stof oksadiksel in kolom I, vervang "2,9" in kolom III teenoor "Druwe (wyn)" deur "2,0";
- (g) ten opsigte van die chemiese stof propikonasool in kolom I, vervang "pakanneute" in kolom II deur "pekanneute";
- (h) ten opsigte van die chemiese stof tetrachloorvinfos in kolom I, vervang "trichloorfeniele-ton-1-ol" deur "trichloorfenieleetan-1-ol";
- (i) vervang die uitdrukkings "Vinklosolien (som van vinklosolien en die 3,5-dichlooranaliengedeelte, bereken as vinklosolien)" en "Waterstoffosfied (fosfien) (alle fosfiede, uitgedruk as waterstoffosfied)" tesame met die inskrywings teenoor elk in kolom II en III aangedui, deur die volgende items in onderskeidelik kolom II, III en IV:

"Vinklosolien (som van vinklosolien en die 3,5-dichlooranaliengedeelte, bereken as vinklosolien)	Aarbeie	1,0
	Druwe	3,0
Waterstoffosfied (fosfien) (alle fosfiede, uitgedruk as waterstoffosfied)	Graan	0,1
	Alle ander	
	voedingsmid-	0,01".
	dels	

4. In die Engelse teks van die Aanhangsel van die regulasies—

- (a) ten opsigte van die chemiese stof alphamethrin gelys in kolom I, vervang "Beens" deur "Beans" en "Mielies (green)" deur "Mealies (green)" in kolom II;
- (b) ten opsigte van die volgende chemiese stowwe gelys in kolom I: Bromophos, chlorpyrifosmethyl, dieldrin (HEOD), hydrogen phosphide, mercaptothion (malathion), methyl bromide (bromomethane), phoxim, piperonyl butoxide en pyrethrins, vervang die uitdrukking "cereal" deur "cereal grains";

- (d) opposite the chemical substance carbaryl listed in column I insert, in alphabetical order, the items "Poultry" and "0,5*****" in columns II and III, respectively;
- (e) for the footnotes "* On the rendered or extracted carcass fat" and "**** On a fat basis" substitute the footnotes: "* In the carcass fat" and "**** On a whole product basis"; and
- (f) add the following footnote: "***** In the edible portion".

3. In the Afrikaans text of the Annex to the regulations—

- (a) in respect of the chemical substance disulfoton in column I, for the digit "5" in the part in brackets substitute the letter "S" and close the brackets;
- (b) for "Etiopfenkarb" in column I substitute "Etiofenkarb";
- (c) in respect of the chemical substance fentinasetaat in column I for the word "uitgesonderd" substitute "uitgesonderd";
- (d) for "Fosetiel-A1 (fosfoonsuur)" in column I substitute "Fosetiel-A1 (fosforigsuur)";
- (e) for "Glifosaat (som van glifosaat en aminometielfosfoonsuur)" in column I substitute "Glifosaat (som van glifosaat en aminometielfosforigsuur)";
- (f) in respect of the chemical substance oksadiksel in column I, for "2,9" in column III opposite "Druwe (wyn)" substitute "2,0";
- (g) in respect of the chemical substance propikonasool in column I, for "pakanneute" in column II substitute "pekanneute";
- (h) in respect of the chemical substance tetrachloorvinfos in column I, for "trichloorfeniele-ton-1-ol" substitute "trichloorfenieleetan-1-ol";
- (i) for the expressions "Vinklosolien (som van vinklosolien en die 3,5-dichlooranaliengedeelte, bereken as vinklosolien)" and "Waterstoffosfied (fosfien) (alle fosfiede, uitgedruk as waterstoffosfied)" together with the entries indicated opposite each in columns II and III substitute the following items in columns I, II and III, respectively:

"Vinklosolien (som van vinklosolien en die 3,5-dichlooranaliengedeelte, bereken as vinklosolien)	Aarbeie	1,0
	Druwe	3,0
Waterstoffosfied (fosfien) (alle fosfiede, uitgedruk as waterstoffosfied)	Graan	0,1
	Alle ander	
	voedingsmid-	0,01".
	dels	

4. In the English text of the Annex to the regulations—

- (a) in respect of the chemical substance alphamethrin listed in column I, for "Beens" in column II substitute "Beans" and for "Mielies (green)" substitute "Mealies (green)";
- (b) in respect of the following chemical substances listed in column I: Bromophos, chlorpyrifosmethyl, dieldrin (HEOD), hydrogen phosphide, mercaptothion (malathion), methyl bromide (bromomethane), phoxim, piperonyl butoxide and pyrethrins, for the expression "cereal" substitute the expression "cereal grains";

- (c) vervang die uitdrukking "Chloronbenzilate" deur "Chlorobenzilate" en "Chlorprophan" deur "Chlorpropham" in kolom I;
- (d) ten opsigte van die chemiese stof methyl bromide, vervang "Dried food" deur "Dried fruit" in kolom II;
- (e) vervang "Pirimicarb (sum of pirimicarb, demethyl-pirimicarb, demethyl-pirimicarb and demethyl-formamido-pirimicarb)" deur "Pirimicarb (sum of pirimicarb, demethyl-pirimicarb and demethyl-formamido-pirimicarb)" in kolom I;
- (f) vervang die uitdrukking "Temephos (sum of temephos, its oxygen analogue and their sulphoxides and sulphones, expressed as temephos)" en "Terbufos (sum of terbufos, its oxygen analogue and their sulphoxides and sulphones, expressed as terbufos)" tesame met die inskrywings teenoor elk in kolomme II en III aangedui, deur die volgende items in onderskeidelik kolomme I, II en III:

"Temephos (sum of temephos, its oxygen analogue and their sulphoxides and sulphones, expressed as temephos)	Citrus	1,0
Terbufos (sum of terbufos, its oxygen analogue and their sulphoxides and sulphones, expressed as terbufos)	Dry beans	0,05
	Mealies (green), potatoes and sorghum	0,1"

en

- (g) ten opsigte van die chemiese stof tetrachlorvinphos, vervang die uitdrukking "ethon-l-ol" deur die uitdrukking "ethan-l-ol".

- (c) for the expression "Chloronbenzilate" in column I substitute "Chlorobenzilate" and for "Chlorprophan" substitute "Chlorpropham";
- (d) in respect of the chemical substance methyl bromide, for "Dried food" in column II substitute "Dried fruit";
- (e) for "Pirimicarb (sum of pirimicarb, demethyl-pirimicarb, demethyl-pirimicarb and demethyl-formamido-pirimicarb)" in column I, substitute "Pirimicarb (sum of pirimicarb, demethyl-pirimicarb and demethyl-formamido-pirimicarb)";
- (f) for the expressions "Temephos (sum of temephos, its oxygen analogue and their sulphoxides and sulphones, expressed as temephos)" and "Terbufos (sum of terbufos, its oxygen analogue and their sulphoxides and sulphones, expressed as terbufos)" together with the entries indicated opposite each in columns II and III substitute the following items in columns I, II and III, respectively:

"Temephos (sum of temephos, its oxygen analogue and their sulphoxides and sulphones, expressed as temephos)	Citrus	1,0
Terbufos (sum of terbufos, its oxygen analogue and their sulphoxides and sulphones, expressed as terbufos)	Dry beans	0,05
	Mealies (green), potatoes and sorghum	0,1"

and

- (g) in respect of the chemical substance tetrachlorvinphos, for the expression "ethon-l-ol" substitute the expression "ethan-l-ol".

DEPARTEMENT VAN VERVOER

No. R. 2881

31 Desember 1987

DRIE-EN-VEERTIGSTE WYSIGING VAN DIE STAATSLUGHAWEREGULASIES, 1963

Die Minister van Vervoerwese het kragtens artikel 22 van die Lugvaartwet, 1962 (Wet 74 van 1962), die Regulasies in die Bylae hiervan uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken die uitdrukking "die Regulasies" die Staatslughaweregulasies, 1963, soos afgekondig by Goewermentskennisgewing R. 1974 van 20 Desember 1963, soos gewysig deur Goewermentskennisgewing R. 397 van 20 Maart 1964, R. 2027 van 24 Desember 1965, R. 943 van 23 Junie 1967, R. 1031 van 26 Junie 1970, R. 2233 van 11 Desember 1970, R. 331 van 9 Maart 1973, R. 1258 van 27 Julie 1973, R. 1564 van 31 Augustus 1973, R. 1677 van 14 September 1973, R. 2443 van 21 Desember 1973, R. 774 van 18 April 1975, R. 142 van 30 Januarie 1976, R. 1479 van 20 Augustus 1976, R. 2512 van 24 Desember 1976, R. 2633 van 30 Desember 1977, R. 441 van 10 Maart 1978, R. 2544 van 22 Desember 1978, R. 2784 van 14 Desember 1979, R. 2820 van 21 Desember 1979, R. 351 van 22 Februarie 1980, R. 1992 van 26 September 1980, R. 2567 van 22 Desember 1980, R. 2628 van 19 Desember 1980, R. 1771 van 21 Augustus 1981, R. 2385 van 30 Oktober 1981, R. 2801 van 24 Desember 1981, R. 317 van 26 Februarie 1982, R. 846 van 29 April 1983, R. 2603 van 2 Desember

DEPARTMENT OF TRANSPORT

No. R. 2881

31 December 1987

FORTY THIRD AMENDMENT OF THE STATE AIRPORT REGULATIONS, 1963

The Minister of Transport Affairs has, under section 22 of the Aviation Act, 1962 (Act 74 of 1962), made the Regulations in the Schedule hereto.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, the expression "the Regulations" means the State Airport Regulations, 1963, promulgated under Government Notice R. 1974 of 20 December 1963, as amended by Government Notices R. 397 of 20 March 1964, R. 2027 of 24 December 1965, R. 943 of 23 June 1967, R. 1031 of 26 June 1970, R. 2233 of 11 December 1970, R. 331 of 9 March 1973, R. 1258 of 27 July 1973, R. 1564 of 31 August 1973, R. 1677 of 14 September 1973, R. 2443 of 21 December 1973, R. 774 of 18 April 1975, R. 142 of 30 January 1976, R. 1479 of 20 August 1976, R. 2512 of 24 December 1976, R. 2633 of 30 December 1977, R. 441 of 10 March 1978, R. 2544 of 22 December 1978, R. 2784 of 14 December 1979, R. 2820 of 21 December 1979, R. 351 of 22 February 1980, R. 1992 of 26 September 1980, R. 2567 of 22 December 1980, R. 2628 of 19 December 1980, R. 1771 of 21 August 1981, R. 2385 of 30 October 1981, R. 2801 of 24 December 1981, R. 317 of 26 February 1982, R. 846 of 29 April 1983, R. 2603 of 2 December 1983,

1983, R. 302 van 24 Februarie 1984, R. 844 van 27 April 1984, R. 2851 van 28 Desember 1984, R. 59 van 11 Januarie 1985, R. 60 van 11 Januarie 1985, R. 442 van 1 Maart 1985, R. 846 van 2 Mei 1986, R. 2391 van 14 November 1986, R. 2653 van 12 Desember 1986, R. 1127 van 29 Mei 1987 en R. 2091 van 25 September 1987.

2. Die Regulasies word hierby gewysig deur in—

- (a) Aanhangsel C, paragraaf (d) die bedrag van R3 990 te vervang deur R3 730;
- (b) Aanhangsel C, paragraaf (e) die bedrag van R910 te vervang deur R850;
- (c) Aanhangsel C, paragraaf (f) die bedrag van R630 te vervang deur R680;
- (d) Aanhangsel C, paragraaf (g) die bedrag van R175 te vervang deur R250;
- (e) Aanhangsel C, paragraaf (h) die bedrag van R190 te vervang deur R210;
- (f) Aanhangsel C, paragraaf (i) die bedrag van R2 360 te vervang deur R2 280;
- (g) Aanhangsel C, paragraaf (j) die bedrag van R1 020 te vervang deur R980;
- (h) Aanhangsel C, paragraaf (k) die bedrag van R150 te vervang deur R290.

3. Die regulasies in hierdie Bylae tree in werking op 1 Januarie 1988.

R. 302 of 24 February 1984, R. 844 of 27 April 1984, R. 2851 of 28 December 1984, R. 59 of 11 January 1985, R. 60 of 11 January 1985, R. 442 of 1 March 1985, R. 846 of 2 May 1986, R. 2391 of 14 November 1986, R. 2653 of 12 December 1986, R. 1127 of 29 May 1987 and R. 2091 of 25 September 1987.

2. The Regulations are hereby amended by—

- (a) the substitution of the amount of R3 730 in Annexure C, paragraph (d) for the amount of R3 990;
- (b) the substitution of the amount of R850 in Annexure C, paragraph (e) for the amount of R910;
- (c) the substitution of the amount of R680 in Annexure C, paragraph (f) for the amount of R630;
- (d) the substitution of the amount of R250 in Annexure C, paragraph (g) for the amount of R175;
- (e) the substitution of the amount of R210 in Annexure C, paragraph (h) for the amount of R190;
- (f) the substitution of the amount of R2 280 in Annexure C, paragraph (i) for the amount of R2 360;
- (g) the substitution of the amount of R980 in Annexure C, paragraph (j) for the amount of R1 020;
- (h) the substitution of the amount of R290 in Annexure C, paragraph (k) for the amount of R150.

3. The regulations in this Schedule come into operation on 1 January 1988.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

Die "Onderstepoort Journal of Veterinary Research" word deur die Staatsdrukker, Pretoria, gedruk en is verkrygbaar van die Direkteur, Afdeling Landbou-inligting, Privaatsak X144, Pretoria, 0001, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

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

Direkteure van laboratoriums ens. wat begerig is om publikasies om te ruil moet in verbinding tree met die Direkteur, Navorsingsinstituut vir Veeartsenykunde, Pk. Onderstepoort, 0110, Republiek van Suid-Afrika.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

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

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

Directors of laboratories etc. desiring to exchange publications are invited to communicate with the Director, Veterinary Research Institute, P.O. Onderstepoort, 0110, Republic of South Africa.

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 1987 tot 30 September 1988 word Afrikaans 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.*

—oOo—

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 1987 to 30 September 1988, Afrikaans 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.*

**Help om ons land, Suid-Afrika,
skoon te hou!**



**Please keep our country, South
Africa, clean!**

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