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No. 11152

PROKLAMASIES

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 20, 1988

WYSIGING VAN AANGELEENTHEDE RAKENDE DIE
STAATSDIENS OPGEDRA AAN MINISTERS EN
ADMINISTRATEURS

Kragtens die bevoegdheid my verleen by artikel 6 (2) van die Wet op die Kommissie vir Administrasie, 1984 (Wet 65 van 1984), wysig ek hierby Deel A van die Bylae tot Proklamasie 88 van 1983, soos afgekondig in *Staatskoerant* 8745 van 1 Junie 1983, in die mate aangetoon in die Bylae hiervan.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Nege-en-twintigste dag van Januarie Eenduisend Negehonderd Agt-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

A. L. SCHLEBUSCH,
Minister van die Kabinet.

BYLAE

1. Vervang item 4 van Afdeling IV deur die volgende item:

- “4. Die vulling van gesamentlike aanstellingsposte in toetree- en bevorderingsrange by wyse van die bevordering of oorpasing van geskikte beamptes of die aanstelling van geskikte persone wat nie beamptes is nie. [Verwys ook na item 1 (b) van Afdeling VIII ten opsigte van beamptes/kontrakwerknemers in die beroepsklas Spesialis wat volgens die gewone bevorderingsvereiste in aanmerking kom vir bevordering.]”

PROCLAMATIONS

by the

State President of the Republic of South Africa

No. R. 20, 1988

AMENDMENT OF MATTERS INVOLVING THE PUBLIC SERVICE ASSIGNED TO MINISTERS AND ADMINISTRATORS

By virtue of the powers vested in me by section 6 (2) of the Commission for Administration Act, 1984 (Act 65 of 1984), I hereby amend Part A of the Annex to Proclamation 88 of 1983, as published in *Government Gazette* 8745 of 1 June 1983, to the extent indicated in the Annex hereto.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town on this Twenty-ninth day of January, One thousand Nine hundred and Eighty-eight.

P. W. BOTHA,
State President.

By Order of the State President in Cabinet:

A. L. SCHLEBUSCH,
Minister of the Cabinet.

ANNEX

1. Substitute for item 4 of Section IV the following item:

- “4. The filling of joint appointment posts in entry and promotion ranks by promoting/transferring suitable officers or appointing suitable persons who are not officers. [Also refer to item 1 (b) under Section VIII in respect of officers/contract employees in the occupational class Specialist who can be promoted in terms of the normal requirements for promotion.]”

2. Vervang paragraaf (b) van item 1 van Afdeling VIII deur die volgende paragraaf:

“(b) geskikte beamptes/kontrakwerknemers in die beroepsklas Spesialis wat aan al die vereistes betreffende kwalifikasies, ondervinding en bekwaamheid voldoen tot op die vlak van Hoofspesialis. (Verwys ook na item 4 onder Afdeling IV indien gesamentlike aanstellingsposte gevul word en daar nie beamptes/kontrakwerknemers is wat onder hierdie voorsiening kwalifiseer vir bevordering nie.);”

No. R. 21, 1988

OPHEFFING VAN BEPERKINGS OP EKONOMIESE BEDRYGWIGHEDE VAN SEKERE PERSONE IN BEPAALDE OMSTANDIGHEDEN IN 'N GEBIED TE KEW, JOHANNESBURG, DISTRIK JOHANNESBURG

Kragtens die bevoegdheid my verleen by artikel 1 van die Wet op die Tydelike Opheffing van Beperkings op Ekonomiese Bedrywighede, 1986 (Wet 87 van 1986), skort ek die wette, voorwaardes, beperkings en verpligtings in Bylae 1 genoem, op ten opsigte van die gebied in Bylae 2 genoem, ten opsigte van die persone of klasse persone in Bylae 3 genoem en op die voorwaardes in Bylae 4 bepaal, vanaf die datum van publikasie van hierdie Proklamasie aangesien ek van oordeel is dat daar omstandighede bestaan waarin die toepassing van sekere wette, of die nakoming van sekere voorwaardes, beperkings en verpligtings kragtens daardie wette ekonomiese ontwikkeling of die skepping van werkgeleenthede onbehoorlik strem.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Agste dag van Februarie Eenduisend Negenhonderd Agt-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

A. L. SCHLEBUSCH,
Minister van die Kabinet.

BYLAE 1

BEPALINGS OPGESKORT

Deel 1

Die bepalings van—

- alle loonreëlende maatreëls soos bedoel in paragraaf (a) en (b) van die omskrywing van “loonreëlende maatreël” in die Wet op Arbeidsverhoudinge, 1956 (Wet 28 van 1956), wat op die datum van inwerking-treding van hierdie Proklamasie bindend is;
- artikel 48 (1) (b) en (c) van die Wet op Arbeidsverhoudinge, 1956;
- artikels 14 en 17 van die Loonwet, 1957 (Wet 5 van 1957);
- artikels 2 tot en met 16, 19, 20, 21, 26 tot en met 30, 33 en 39 van die Wet op Basiese Diensvoorwaardes, 1983 (Wet 3 van 1983);
- die regulasies uitgevaardig kragtens artikel 37 (1) van die Wet op Basiese Diensvoorwaardes, 1983, afgekondig by Goewermentskennisgewing R. 1148 van 3 Junie 1983, behalwe regulasies 1, 5 en 6 daarvan;
- artikels 9, 14 en 23 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983);
- regulasies 5 (a), 7 en 10 van die Algemene Administratiewe Regulasies uitgevaardig kragtens artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983, afgekondig by Goewermentskennisgewing R. 2206 van 5 Oktober 1984;

2. Substitute for paragraph (b) of item 1 of Section VIII the following paragraph:

“(b) suitable officers/contract employees in the occupational class Specialist complying with all the requirements regarding qualifications, experience and efficiency up to the level of Chief Specialist. (Also refer to item 4 under Section IV when joint appointment posts are filled and there are no officers/contract employees who qualify for promotion under this provision.);”

No. R. 21, 1988

REMOVAL OF RESTRICTIONS ON ECONOMIC ACTIVITIES OF CERTAIN PERSONS IN SPECIFIC CIRCUMSTANCES IN AN AREA AT KEW, JOHANNESBURG, DISTRICT OF JOHANNESBURG

By virtue of section 1 of the Temporary Removal of Restrictions on Economic Activities Act, 1986 (Act 87 of 1986), I suspend the laws, conditions, limitations and obligations mentioned in Schedule 1 with respect to the area mentioned in Schedule 2, with regard to the persons or classes of persons mentioned in Schedule 3 and on the conditions specified in Schedule 4, from the date of publication of this Proclamation since I am of the opinion that circumstances exist under which the application of certain laws, or compliance with certain conditions, limitations and obligations under those laws, unduly impede economic development or the creation of job opportunities.

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

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

A. L. SCHLEBUSCH,
Minister of the Cabinet.

SCHEDULE 1

PROVISIONS SUSPENDED

Part 1

The provisions of—

- all wage regulating measures as contemplated in paragraphs (a) and (b) of the definition of “wage regulating measure” in the Labour Relations Act, 1956 (Act 28 of 1956), which are binding at the date of commencement of this Proclamation;
- section 48 (1) (b) and (c) of the Labour Relations Act, 1956;
- sections 14 and 17 of the Wage Act, 1957 (Act 5 of 1957);
- sections 2 to 16 inclusive, 19, 20, 21, 26 to 30 inclusive, 33 and 39 of the Basic Conditions of Employment Act, 1983 (Act 3 of 1983);
- the regulations made under section 37 (1) of the Basic Conditions of Employment Act, 1983, published under Government Notice R. 1148 of 3 June 1983, except regulations 1, 5 and 6 thereof;
- sections 9, 14 and 23 of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983);
- regulations 5 (a), 7 and 10 of the General Administrative Regulations made under section 35 of the Machinery and Occupational Safety Act, 1983, published under Government Notice R. 2206 of 5 October 1984;

- (h) die Algemene Veiligheidsregulasies uitgevaardig kragtens artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983, afgekondig by Goewermentskennisgewing R. 1031 van 30 Mei 1986;
- (i) die regulasies uitgevaardig kragtens artikel 51 van die Wet op Fabriek, Masjinerie en Bouwerk, 1941 (Wet 22 van 1941), afgekondig by Goewermentskennisgewing R. 929 van 28 Junie 1963, wat geag word uitgevaardig te wees kragtens artikel 35 (6) van die Wet op Masjinerie en Beroepsveiligheid, 1983;
- (j) die Ordonnansie op Lisensies, 1974 (Ordonnansie 19 van 1974 van Transvaal);
- (k) die Verordeninge betreffende Tweedehandse Goedere van die Stad Johannesburg uitgevaardig by Administrateurskennisgewing 1269 van 12 November 1969 (Transvaal);
- (l) die Verordeninge betreffende Lisensies en die Beheer oor Besighede van die Stad Johannesburg uitgevaardig by Administrateurskennisgewing 1034 van 4 Augustus 1982 (Transvaal).

Deel 2

Die bepalings van—

- (a) die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet 103 van 1977);
- (b) die Nasionale Bouregulasies uitgevaardig kragtens artikel 17 van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977, afgekondig by Goewermentskennisgewing R. 441 van 1 Maart 1985;
- (c) die Standaard Bouverordeninge van die Stad Johannesburg, uitgevaardig by Administrateurskennisgewing 1993 van 7 November 1974 (Transvaal).

BYLAE 2

BEPAAALDE GEBIED

Gedeelte 16 van Erf 821, Kew Dorpsgebied, Registrasieafdeling IR, Transvaal, distrik Johannesburg.

BYLAE 3

KLASSE PERSONE

- (a) 'n Eienaar soos in Bylae 4 omskryf;
- (b) 'n onderhuurder, soos in genoemde Bylae omskryf, wat 'n onderneming of nywerheid bedryf of 'n bedryf of beroep uitoefen of beoefen op 'n eenheid soos in daardie Bylae omskryf;
- (c) die werknemers van persone in paragraaf (b) bedoel.

BYLAE 4

VOORWAARDES VAN OPSKORTING

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

“eenheid” ook 'n gedeelte van 'n gebou;
“eienaar”—

- (a) die persoon op wie se naam die grond in die aktekantoor geregistreer is; en
- (b) ook 'n huurder aan wie sodanige persoon die grond of 'n gebou daarop verhuur met die doel dat die huurder eenhede aan onderhuurders mag verhuur;

“gebou” 'n gebou op die grond;

“grond” die gebied in Bylae 2 bedoel;

“onderhuurder” iemand wat 'n eenheid kragtens 'n huurkontrak met 'n eienaar okkupeer;

“werknemer” iemand in die diens van 'n onderhuurder.

(h) the General Safety Regulations made under section 35 of the Machinery and Occupational Safety Act, 1983, published under Government Notice R. 1031 of 30 May 1986;

(i) the regulations made under section 51 of the Factories, Machinery and Building Work Act, 1941 (Act 22 of 1941), published under Government Notice R. 929 of 28 June 1963, which are deemed to have been made under section 35 (6) of the Machinery and Occupational Safety Act, 1983;

(j) the Licences Ordinance, 1974 (Ordinance 19 of 1974 of the Transvaal);

(k) the Second-hand Goods By-laws of the City of Johannesburg made by Administrator's Notice 1269 of 12 November 1969 (Transvaal);

(l) the Licences and Business Control By-laws of the City of Johannesburg, made under Administrator's Notice 1034 of 4 August 1982 (Transvaal).

Part 2

The provisions of—

- (a) the National Building Regulations and Building Standards Act, 1977 (Act 103 of 1977);
- (b) the National Building Regulations made under section 17 of the National Building Regulations and Building Standards Act, 1977, published under Government Notice R. 441 of 1 March 1985;
- (c) the Standard Building By-laws of the City of Johannesburg made by Administrator's Notice 1993 of 7 November 1974 (Transvaal).

SCHEDULE 2

SPECIFIC AREA

Portion 16 of Lot 821, Kew Township, Registration Division IR, Transvaal, District of Johannesburg.

SCHEDULE 3

CLASSES OF PERSONS

- (a) An owner as defined in Schedule 4;
- (b) a sublessee, as defined in the said Schedule, who is carrying on or exercising an undertaking, industry, trade or occupation on a unit as defined in that Schedule;
- (c) the employees of persons referred to in paragraph (b).

SCHEDULE 4

CONDITIONS OF SUSPENSION

1. In these conditions unless the context otherwise indicates—

“building” means a building on the land;

“employee” means a person in the employ of a sublessee;

“land” means the area referred to in Schedule 2;

“owner”—

(a) means the person in whose name the land is registered in the deeds registry; and

(b) includes a lessee to whom such person has let the land or a building thereon to enable the lessee to let units to sublessees;

“sublessee” means a person who occupies a unit by virtue of a lease agreement with an owner;

“unit” includes a part of a building.

2. Die opskorting van die bepalings bedoel in Deel 1 van Bylae 1 geld nie ten opsigte van 'n bepaalde onderhuurder en sy werknemers nie—

- (a) as die huurkontrak wat daardie onderhuurder met die eienaar aangegaan het deur enige van die partye opgesê word;
- (b) as die onderhuurder skuldig bevind word aan 'n misdryf kragtens—
 - (i) artikel 28 van die Wet op Masjinerie en Beroepsveiligheid, 1983;
 - (ii) artikel 25 van die Wet op Basiese Diensvoorwaardes, 1983;
- (c) gedurende enige tydperk waartydens daardie onderhuurder meer as 20 werknemers in sy diens het.

3. Die bepalings van die Proklamasie is van toepassing slegs op 'n onderhuurder wat 'n huurkontrak met die eienaar aangaan ten opsigte van die onderhuurder se okkupasie van 'n eenheid, welke huurkontrak onder andere bepalings met die volgende strekking bevat:

- (a) Dat die huurkontrak behoudens die huurbepalings in paragraaf (f) bedoel vir 'n onbepaalde tydperk duur, maar te eniger tyd deur enige van die partye daartoe met 30 dae skriftelike kennis opgesê kan word;
- (b) dat die onderhuurder onderneem om die eenheid te gebruik slegs vir die doel wat in die kontrak uiteengesit word;
- (c) dat die onderhuurder behoudens voorwaarde 2 (c) van tyd tot tyd sodanige aantal werknemers in diens kan neem as wat nodig is om hom in sy besigheid by te staan;
- (d) dat die onderhuurder onderneem om nie enige bedrywigheid op die eenheid uit te oefen op 'n wyse wat na die mening van die eienaar gevaarlik of nadelig is vir die gesondheid en veiligheid van die onderhuurder se werknemers of enige ander persoon wat wettig tot die eenheid, gebou, of grond toegang het nie;
- (e) dat die onderhuurder onderneem om aan sy werknemers 'n loon te betaal wat na die mening van die eienaar redelik is met inagneming van die omstandighede waarin die onderhuurder sy klas onderneming of nywerheid op die eenheid bedryf of sy bedryf of beroep daarop uitoefen of beoefen;
- (f) dat die eienaar daarop geregtig is om die huurkontrak met 14 dae skriftelike kennis op te sê indien die onderhuurder, nadat die eienaar hom minstens 30 dae tevore skriftelik versoek het om te voldoen aan die huurbepalings in paragraaf (d) of (e) bedoel, sonder grondige redes weier of versuim om aan sodanige versoek te voldoen.

2. The suspension of the provisions referred to in Part 1 of Schedule 1 shall not apply to a particular sublessee and his employees—

- (a) if the lease agreement concluded by such sublessee with the owner is terminated by either party;
- (b) if the sublessee is convicted of an offence under—
 - (i) section 28 of the Machinery and Occupational Safety Act, 1983;
 - (ii) section 25 of the Basic Conditions of Employment Act, 1983;
- (c) during any period in which such sublessee has more than 20 employees in his service.

3. The provisions of this Proclamation shall apply only to a sublessee who has concluded a lease agreement with the owner in respect of the sublessee's occupation of a unit, which lease agreement shall contain among other things provisions to the following effect:

- (a) That the lease agreement shall, subject to the lease provisions contemplated in paragraph (f), endure for an indefinite period, but may at any time be terminated by either party thereto on 30 days' written notice;
- (b) that the sublessee undertakes to use the unit only for the purpose set out in the agreement;
- (c) that the sublessee may, subject to condition 2 (c), from time to time employ such number of employees as may be necessary to assist him in his business;
- (d) that the sublessee undertakes not to conduct any activity on the unit in a manner which in the opinion of the owner is dangerous or detrimental to the health and safety of the sublessee's employees or any other person who may lawfully enter the unit, building, or land;
- (e) that the sublessee undertakes to pay to his employees wages which in the opinion of the owner are reasonable having regard to the circumstances in which the sublessee is carrying on or exercising his class of undertaking, industry, trade or occupation on the unit;
- (f) that the owner is entitled to terminate the lease agreement on 14 days' notice in writing if the sublessee, the owner having not less than 30 days previously in writing requested him to comply with the lease provisions contemplated in paragraph (d) or (e), without good reason refuses or fails to comply with such request.

GOEWERMENTSKENNISGEWINGS

ADMINISTRASIE: VOLKSRAAD

DEPARTEMENT VAN WELSYN EN GESONDHEIDSDIENSTE

No. R. 268

26 Februarie 1988

REGULASIES Kragtens DIE WET OP MAATSKAPLIKE PENSIOENE, 1973.—WYSIGING

Die Mininster van Begroting en Welsyn in die Volksraad het kragtens die bevoegdheid hom verleen by artikel 17 van die Wet op Maatskaplike Pensioene, 1973 (Wet 37 van 1973), die regulasie in die Bylae hiervan uiteengesit, uitgevaardig.

GOVERNMENT NOTICES

ADMINISTRATION: HOUSE OF ASSEMBLY

DEPARTMENT OF HEALTH SERVICES AND WELFARE

No. R. 268

26 February 1988

REGULATIONS UNDER THE SOCIAL PENSIONS ACT, 1973.—AMENDMENT

The Minister of the Budget and Welfare in the House of Assembly has by virtue of the powers vested in him under section 17 of the Social Pensions Act, 1973 (Act 37 of 1973), made the regulation set out in the Schedule hereto.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing R. 140 van 1 Februarie 1974, soos gewysig.

2. Regulasie 18 van die Regulasies word hierby deur die volgende regulasie vervang:

"18. Indien 'n persoon aan wie 'n maatskaplike pensioen ingevolge die Wet toegeken is, na die oordeel van die Direkteur-generaal in so 'n liggaamlike of geestes-toestand verkeer dat hy gereeld deur iemand anders opgepas moet word en geen subsidie deur die Staat aan enige ouetehuis of ander inrigting ten opsigte van sy huisvesting en versorging betaal word nie, kan die Direkteur-generaal, op die voorwaardes en met ingang van die datum wat hy bepaal, benewens sodanige pensioen, aan die pensioentrekker of iemand anders ten behoeve die pensioentrekker 'n oppasserstoelae van hoogstens R312 per jaar toeken."

3. Die bepalinge van hierdie Bylae tree op 1 Mei 1988 in werking.

DEPARTEMENT VAN FINANSIES

No. R. 275

26 Februarie 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/3)

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

K. D. S. DURR,

Adjunk-minister van Finansies.

SCHEDULE

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice R. 140 of 1 February 1974, as amended.

2. The following regulation is hereby substituted for regulation 18 of the Regulations:

"18. If, in the opinion of the Director-General, any person to whom a social pension has been granted under the Act, is in such a physical or mental condition that he requires the regular attendance of any other person and if no subsidy is paid by the State to any home for the aged or other institution in respect of his accommodation and care, the Director-General may, on such conditions and with effect from such date as he may determine, in addition to such pension, grant such pensioner or any person on behalf of such pensioner an attendant's allowance not exceeding R312 per annum."

3. The provisions of this Schedule shall come into operation on 1 May 1988.

DEPARTMENT OF FINANCE

No. R. 275

26 February 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/3)

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

K. D. S. DURR,

Deputy Minister of Finance.

BYLAE

I Korting- item	II			III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.		
408.02	87.00	01.00			
		01.01	26	Volle reg	
		01.02	23	Volle reg min 25%	
		01.03	20	Volle reg min 50%	
Deur tariefpos no. 87.00 deur die volgende te vervang: Een motorvoertuig van 'n klas of tipe deur die Kommissaris goedgekeur, aangepas tot die mate wat die Kommissaris mag voorskryf of as voldoende mag ag vir bestuur deur 'n permanent liggaamlik gestremde persoon of vir die vervoer van 'n permanent liggaamlik gestremde persoon wat medies as 'n kwadrupleeg verklaar is, onderhewig aan 'n permit deur die Kommissaris uitgereik en enige verdere voorwaardes wat hy in elke geval mag stel: Met 'n waarde vir belastingdoeleindes, uitgesonderd die koste van sodanige aanpassing, van hoogstens R30 000 Met 'n waarde vir belastingdoeleindes, uitgesonderd die koste van sodanige aanpassing, van meer as R30 000 maar hoogstens R45 000 Met 'n waarde vir belastingdoeleindes, uitgesonderd die koste van sodanige aanpassing, van meer as R45 000 maar hoogstens R60 000— (i) mits sodanige voertuig nie binne 'n tydperk van 3 jaar na die datum van klaring onder hierdie kortingitem aangebied, geadverteer, geleen, verhuur, verpag, verpand, weggegee, verruil, verkoop of andersins vervreem word sonder die vooraf toestemming van die Kommissaris nie: Met dien verstande dat enigeen van voormelde handeling met sodanige voertuig binne 'n tydperk van 2 jaar na die datum van klaring kragtens hierdie kortingitem sodanige voertuig onderhewig maak aan die betaling van reg ooreenkomstig die regulasies; en					

Opmerking.—Die waardes vir belastingdoeleindes wat by tariefpos no. 87.00 in kortingitem 408.02 aangedui is, word verhoog.

I		II			III	Annotations
Rebate Item	Tariff-Heading	Rebate Code	C. D.	Description	Extent of Rebate	
408.02	"87.00	01.00		By the substitution for tariff heading No. 87.00 of the following: One motor vehicle of a class or type approved by the Commissioner, adapted to the extent the Commissioner may prescribe or may deem sufficient for driving by a permanently physically disabled person or for the transport of a permanently physically disabled person who is medically declared to be a quadriplegic, subject to a permit issued by the Commissioner and any additional conditions which he may impose in each case:		
		01.01	26	Of a value for duty purposes, excluding the cost of such adaptation, not exceeding R30 000	Full duty	
		01.02	23	Of a value for duty purposes, excluding the cost of such adaptation, exceeding R30 000 but not exceeding R45 000	Full duty less 25%	
		01.03	20	Of a value for duty purposes, excluding the cost of such adaptation, exceeding R45 000 but not exceeding R60 000— (i) provided such vehicle is not offered, advertised, lent, hired, leased, pledged, given away, exchanged, sold or otherwise disposed of without the prior consent of the Commissioner within a period of 3 years from the date of entry under this rebate item: Provided that any one of the foregoing acts with such vehicle within a period of 2 years from the date of entry in terms of this rebate item shall render such vehicle liable to the payment of duty in accordance with the regulations; and (ii) a rebate of duty in terms of this rebate item shall be allowed only once per person during a period of 3 years or such shorter period as the Commissioner may in exceptional circumstances decide."	Full duty less 50%	

Note.—The values for duty purposes which are indicated against tariff heading No. 87.00 in rebate item 408.02 are increased.

26 February 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/13)

Under section 48A of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended, with retrospective effect to 1 January 1988, to the extent set out in the Schedule hereto.

K. D. S. DURR,
Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
16.03			Deur die opskrif van pos no. 16.03 deur die volgende te vervang: "Ekstrakte en sappe van vleis, vis of skaaldiere, weekdiere of ander ongewerwelde waterdiere."			
16.04			Deur pos no. 16.04 deur die volgende te vervang: Bereide of gepreserveerde vis; kaviaar en kaviaarsurrogate van viseiers berei.			
16.04	1604.1		Vis, heel of in stukkies, maar nie gemaal nie:			
	1604.11	5	Salm	kg	6c/kg	
	1604.12		Harings:			
	.10	9	Bevrore	kg	25% of 200c/kg	
	.90	7	Ander	kg	6c/kg	
	1604.13		Sardiens, sardinella en sprot:			
	.10	5	Sardiens (<i>Sardina pilchardus</i>) en sprot (<i>Sprattus sprattus</i>), in olie, in lugdigte metaalhouers	kg	2,4c/kg netto	
	.80	6	Ander, bevrore	kg	25% of 200c/kg	
	.90	3	Ander	kg	6c/kg	
	1604.14		Tunas, pennstreep-tuna en Atlantiese bonito (<i>Sarda spp.</i>):			
	.10	1	Bevrore	kg	25% of 200c/kg	
	.90	7	Ander	kg	6c/kg	
	1604.15		Makriel:			
	.10	8	Bevrore	kg	25% of 200c/kg	
	.90	6	Ander	kg	6c/kg	
	1604.16	7	Ansjovisse	kg	25%	
	1604.19		Ander:			
	.10	3	Bevrore	kg	25% of 200c/kg	
	.90	1	Ander	kg	6c/kg	
	1604.20		Ander bereide of gepreserveerde vis:			
	.10	0	Vissmeer	kg	16,5c/kg met 'n maksimum van 25% vry	
	.20	8	Gehomogeniseerde saamgestelde voedselbereidinge	kg		
	.30	5	Ander ansjovisse	kg	25%	
	.80	1	Ander, bevrore	kg	25% of 200c/kg	
	.90	9	Ander	kg	6c/kg	
	1604.30		Kaviaar en kaviaarsurrogate:			
	.10	5	Kaviaar	kg	30%	
	.20	2	Kaviaarsurrogate	kg	27%.	
16.05			Deur die opskrif van pos no. 16.05 deur die volgende te vervang: "Skaaldiere, weekdiere en ander ongewerwelde waterdiere, berei of gepreserveer."			

SCHEDULE

Head- ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
16.03			By the substitution for the heading of heading No. 16.03 of the following: "Extracts and juices of meat, fish or crustaceans, molluscs or other aquatic invertebrates."			
16.04			By the substitution for heading No. 16.04 in the Afrikaans text of the following:			
16.04			Bereide of gepreserveerde vis; kaviaar en kaviaarsurrogate van visciere berei.			
	1604.1		Vis, heel of in stukies, maar nie gemaal nie:			
	1604.11	5	Salm	kg	6c/kg	
	1604.12		Harings:			
	.10	9	Bevrore	kg	25% of 200c/kg	
	.90	7	Ander	kg	6c/kg	
	1604.13		Sardiens, sardinella en sprot:			
	.10	5	Sardiens (<i>Sardina pilchardus</i>) en sprot (<i>Sprattus sprattus</i>), in olie, in lugdigte metaalhouers	kg	2,4c/kg netto	
	.80	6	Ander, bevrore	kg	25% of 200c/kg	
	.90	3	Ander	kg	6c/kg	
	1604.14		Tunas, pennstreep-tuna en Atlantiese bonito (<i>Sarda spp.</i>):			
	.10	1	Bevrore	kg	25% of 200c/kg	
	.90	7	Ander	kg	6c/kg	
	1604.15		Makriel:			
	.10	8	Bevrore	kg	25% of 200c/kg	
	.90	6	Ander	kg	6c/kg	
	1604.16	7	Ansjovisse	kg	25%	
	1604.19		Ander:			
	.10	3	Bevrore	kg	25% off 200c/kg	
	.90	1	Ander	kg	6c/kg	
	1604.20		Ander bereide of gepreserveerde vis:			
	.10	0	Viissmeer	kg	16,5c/kg met 'n maksimum van 25% vry	
	.20	8	Gehomogeniseerde saamgestelde voedsel-bereidings	kg		
	.30	5	Ander ansjovisse	kg	25%	
	.80	1	Ander, bevrore	kg	25% of 200c/kg	
	.90	9	Ander	kg	6c/kg	
	1604.30		Kaviaar en kaviaarsurrogate:			
	.10	5	Kaviaar	kg	30%	
	.20	2	Kaviaarsurrogate	kg	27%."	
16.05			By the substitution in the Afrikaans text for the heading of heading No. 16.05 of the following: "Skaaldiere, weekdiere en ander ongewerweldde waterdiere, berei of gepreserveer."			

Note.—Typographical errors are rectified.

No. R. 278

26 Februarie 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE I (No. 1/1/14)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae I by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1988, in die mate in die Bylae hiervan aangetoon.

K. D. S. DURR,

Adjunk-minister van Finansies.

No. R. 278

26 February 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE I (No. 1/1/14)

Under section 48A of the Customs and Excise Act, 1964, Part I of Schedule I to the said Act is hereby amended, with retrospective effect to 1 January 1988, to the extent set out in the Schedule hereto.

K. D. S. DURR,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
30.03			Deur subpos no. 3003.39 deur die volgende te vervang:			
30.04	"3003.39	7	Ander Deur in die Engelse teks die uitdrukking, 'heading No. 29.31' in die opskrif van subpos no. 3004.3 deur die uitdrukking 'heading No. 29.37' te vervang.		vry."	
	"3004.39	0	Deur subpos no. 3004.39 deur die volgende te vervang: Ander		vry."	

Opmerking.—Die uitwerking van hierdie wysiging is dat die skaal van reg op al die geneesmiddels van subposte nos. 3003.39 en 3004.39 met ingang van 1 Januarie 1988 vry is.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
30.03			By the substitution for subheading No. 3003.39 of the following:			
30.04	"3003.39	7	Other By the substitution for the expression 'heading No. 29.31' in the heading of subheading No. 3004.3 of the expression 'heading No. 29.37'.		free."	
	"3004.39	0	By the substitution for subheading No. 3004.39 of the following: Other		free."	

Note.—The effect of this amendment is that the rate of duty on all the medicament of subheadings Nos. 3003.39 and 3004.39 is free with effect from 1 January 1988.

No. R. 279

26 Februarie 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE I (No. 1/1/15)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae I by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1988, in die mate in die Bylae hiervan aangetoon.

K. D. S. DURR,

Adjunk-minister van Finansies.

No. R. 279

26 February 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE I (No. 1/1/15)

Under section 48A of the Customs and Excise Act, 1964, Part I of Schedule I to the said Act is hereby amended, with retrospective effect to 1 January 1988, to the extent set out in the Schedule hereto.

K. D. S. DURR,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
30.03			Deur subpos no. 3003.90.35 deur die volgende te vervang:			
	"35	0	Geneesmiddels met 'n basis van pirasinamied of derivate daarvan		10% of 7 500 c/kg min 90%."	
30.04			Deur subposte nos. 3004.90.35 en 3004.90.40 deur die volgende te vervang:			
	"35	3	Geneesmiddels met 'n basis van pirasinamied of derivate daarvan		10% of 7 500 c/kg min 90%"	
	.40	0	Geneesmiddels met 'n basis van organoterapeutiese stowwe		vry."	

Opmerking.—By die herskryf van subposte nos. 3003.90.35, 3004.90.35 en 3004.90.40 word die korrekte skale van reg en toetssyfers aangedui. Hierdie wysigings het terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

Head- ing	Subhead- ing	C. D.	Article Description	Statistical Unit	Rate of Duty	Anno- tations
30.03	.35	0	By the substitution for subheading no. 3003.90.35 of the following: Medicaments with a basis of pyrazinamide or its derivatives		10% or 7 500 c/kg less 90%.	
30.04	.35	3	By the substitution for subheadings nos. 3004.90.35 and 3004.90.40 of the following: Medicaments with a basis of pyrazinamide or its derivatives		10% or 7 500 c/kg less 90%.	
	.40	0	Medicaments with a basis of organo-therapeutic substances		free.	

Note.—In restating subheadings Nos. 3003.90.35, 3004.90.35 and 3004.90.40 the correct rates of duty and check digits are indicated. These amendments have retrospective effect to 1 January 1988.

No. R. 280

26 Februarie 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE I (No. 1/1/16)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae I by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1988, in die mate in die Bylae hiervan aangetoon.

K. D. S. DURR,
Adjunk-minister van Finansies.

No. R. 280

26 February 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE I (No. 1/1/16)

Under section 48A of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended, with retrospective effect to 1 January 1988, to the extent set out in the Schedule hereto.

K. D. S. DURR,
Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Anno- tasies
62.11			Deur subpos no. 6211.4 deur die volgende te vervang: Ander kledingstukke, vroue of dogters: Van wol of fyn dierehaar:			
	6211.4					
	6211.41					
	.10	1	Sari's	getal	25%	
	.90	0	Ander	getal	35%	
	6211.42		Van katoen:			
	.10	8	Sari's	getal	25%	
	.90	6	Ander	getal	35%	
	6211.43		Van gefabriseerde vesels:			
	.10	4	Sari's	getal	25%	
	.90	2	Ander	getal	35%	
	6211.49		Van ander tekstielstowwe:			
	.10	2	Sari's	getal	25%	
	.90	0	Ander	getal	35%.	

Opmerking.—Die skaal van reg op sari's van pos no. 62.11 word van 35% na 25% verlaag met terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

Head- ing	Sub- heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Anno- tations
62.11			By the substitution for subheading No. 6211.4 of the following: Other garments, women's or girls': Of wool or fine animal hair:			
	6211.4					
	6211.41					
	.10	1	Saris	no.	25%	
	.90	0	Other	no.	35%	
	6211.42		Of cotton:			
	.10	8	Saris	no.	25%	
	.90	6	Other	no.	35%	
	6211.43		Of man-made fibres:			
	.10	4	Saris	no.	25%	
	.90	2	Other	no.	35%	
	6211.49		Of other textile materials:			
	.10	2	Saris	no.	25%	
	.90	0	Other	no.	35%.	

Note.—The rate of duty on saris of heading No. 62.11 is reduced from 35% to 25% with retrospective effect to 1 January 1988.

No. R. 281

26 Februarie 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/17)

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

K. D. S. DURR,
Adjunk-minister van Finansies.

No. R. 281

26 February 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/17)

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

K. D. S. DURR,
Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
84.13	"8413.40	5	Deur subpos no. 8413 deur die volgende te vervang: Betonpompe	getal	vry."	

Opmerking.—Subpos no. 8413.40 word herskryf en die uitwerking daarvan is dat die skaal van reg op betonpompe wat deur kompressie-ontstekingsenjins aangedryf word na vry verminder word.

SCHEDULE

Head-ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota-tions
84.13	"8413.40	5	By the substitution for subheading No. 8413.40 of the following: Concrete pumps	no.	free."	

Note.—Subheading No. 8413.40 is restated and the effect thereof is that the rate of duty on concrete pumps driven by compression ignition engines is reduced to free.

No. R. 282

26 Februarie 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/13)

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

K. D. S. DURR,
Adjunk-minister van Finansies.

No. R. 282

26 February 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/13)

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

K. D. S. DURR,
Deputy Minister of Finance.

BYLAE

I Korting- item	II			III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.		
306.04		"02.00	45	Deur na kortingkode 01.00 by tariefpos no. 39.12 die volgende in te voeg: Sellulose-asetaatpropionaat, vir die vervaardiging van ink	Volle reg."

Opmerking.—Voorsiening word gemaak vir 'n volle korting op reg op sellulose-asetaatpropionaat, vir die vervaardiging van ink.

SCHEDULE

I Rebate Item	II			III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.		
306.04		"02.00	45	By the insertion after rebate code 01.00 to tariff heading No. 39.12 of the following: Cellulose acetate propionate, for the manufacture of ink	Full duty."

Note.—Provision is made for a rebate of the full duty on cellulose acetate propionate, for the manufacture of ink.

DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 328

26 Februarie 1988

VERBETERINGSKENNISGEWING

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

WINTERGRAANSKEMA.—HEFFING EN SPESIALE
HEFFINGS—WYSIGING

Goewermentskennisgewing R. 41 van 15 Januarie 1988 gepubliseer in *Staatskoerant* 11097 van vermelde datum word hierby verbeter deur paragraaf 4 daarvan te skrap.

No. R. 329

26 Februarie 1988

VERBETERINGSKENNISGEWING

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

WINTERGRAANSKEMA.—HEFFING EN SPESIALE
HEFFINGS

Goewermentskennisgewing R. 2211 van 30 September 1987 gepubliseer in *Staatskoerant* 10962 van vermelde datum word hierby verbeter deur in Tabel 1 die uitdrukking "463c/ton" waar dit in kolom 4 teenoor item 3 voorkom, deur die uitdrukking "643c/ton" te vervang.

No. R. 330

26 Februarie 1988

BEMARKINGSWET, 1968 (WET 59 VAN 1968)

SYBOKHAARSKEMA.—HEFFING EN SPESIALE
HEFFING

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

- die Sybokhaarraad bedoel in artikel 6 van die Sybokhaarskema gepubliseer by Proklamasie R. 281 van 1971, soos gewysig, kragtens artikels 23 en 24 van genoemde Skema die heffing en spesiale heffing in die Bylae uiteengesit, opgelê het;
- genoemde heffing en spesiale heffing deur my goed-gekeur is en op 1 Maart 1988 in werking tree; en
- Goewermentskennisgewing R. 2830 van 27 Desember 1985 met ingang van genoemde datum van inwerkingtreding herroep word.

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

BYLAE

Woordomskrywing

1. In hierdie Bylae het enige woord of uitdrukking waarvan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Sybokhaarskema gepubliseer by Proklamasie R. 281 van 1971, soos gewysig.

Oplegging van heffing en spesiale heffing

2. (1) 'n Heffing word hierby opgelê op sybokhaar wat deur bemiddeling van die Raad verkoop word.

(2) 'n Spesiale heffing word hierby opgelê op sybokhaar wat aan die Raad vir verkoop gelewer word.

Bedrag van heffing en spesiale heffing

3. (1) Die bedrag van die heffing in klousule 2 (1) bedoel, is 6,0c per kg sybokhaar.

(2) Die bedrag van die spesiale heffing in klousule 2 (2) bedoel, is $\left[9,0 + \frac{(5 \times A)}{100} \right]$ c per kg sybokhaar,

waar A gelyk is aan die gemiddelde bruto opbrengs per kg van sybokhaar wat gedurende 'n in artikel 36 (1) van die Skema bedoelde tydperk deur bemiddeling van die Raad verkoop word.

DEPARTMENT OF AGRICULTURAL ECONOMIC AND MARKETING

No. R. 328

26 February 1988

CORRECTION NOTICE

MARKETING ACT, 1968 (ACT 59 OF 1968)

WINTER CERIAL SCHEME.—LEVIES AND
SPECIAL LEVIES—AMENDMENT

Government Notice R. 41 of 15 January 1988 published in *Government Gazette* 11097 of the said date is hereby corrected by the deletion of paragraph 4 thereof.

No. R. 329

26 February 1988

CORRECTION NOTICE

MARKETING ACT, 1968 (ACT 59 OF 1968)

WINTER CERIAL SCHEME.—LEVIES AND
SPECIAL LEVIES

Government Notice R. 2211 of 30 September 1987 published in *Government Gazette* 10962 of the said date is hereby corrected by the substitution for the expression "463c/ton" where it occurs in column 4 opposite item 3, of the expression "643c/ton".

No. R. 330

26 February 1988

MARKETING ACT, 1968 (ACT 59 OF 1968)

MOHAIR SCHEME.—LEVY AND SPECIAL LEVY

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

- the Mohair Board referred to in section 6 of the Mohair Scheme published by Proclamation R. 281 of 1971, as amended, has under sections 23 and 24 of the said Scheme imposed the levy and special levy set out in the Schedule;
- the said levy and special levy have been approved by me and shall come into operation on 1 March 1988; and
- Government Notice R. 2830 of 27 December 1985 is repealed with effect from the said date of commencement.

J. J. G. WENTZEL,
Minister of Agriculture.

SCHEDULE

Definitions

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Mohair Scheme published by Proclamation R. 281 of 1971, as amended.

Imposition of levy and special levy

2. (1) A levy is hereby imposed on mohair sold through the Board.

(2) A special levy is hereby imposed on mohair delivered for sale to the Board.

Amount of levy and special levy

3. (1) The amount of the levy referred to in clause 2 (1) shall be 6,0c per kg of mohair.

(2) The amount of the special levy referred to in clause 2 (2) shall be $\left[9,0 + \frac{(5 \times A)}{100} \right]$ c per kg of mohair,

where A equals the average gross yield per kg of mohair sold through the Board during a period referred to in section 36 (1) of the Scheme.

DEPARTEMENT VAN MANNEKRAG**No. R. 286****26 Februarie 1988****WERKLOOSHEIDVERSEKERINGSWET, 1966****VERHOOGING VAN DIE MAKSIMUM VERDIENSTE
UIT HOOFDE WAARVAN IEMAND AS 'N BYDRAER
KWALIFISEER**

Kragtens artikel 2 (2) (d) van die Werkloosheidversekeringswet, 1966 (Wet 30 van 1966), wysig ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, hierby met ingang van 1 Mei 1988 die verdienste vermeld in Goewermentskennisgewing 2392 van 14 November 1986 van dertigduisend rand tot vyf-en-dertigduisend rand.

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

No. R. 292**26 Februarie 1988****WET OP ARBEIDSVERHOUDINGE, 1956****KLERASIENYWERHEID, TRANSVAAL.—HERNU-
WING 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. 343 van 2 Maart 1984 en R. 705 van 18 April 1986 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1988 eindig.

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

No. R. 293**26 Februarie 1988****WET OP ARBEIDSVERHOUDINGE, 1956****KLERASIENYWERHEID, TRANSVAAL.—HERNU-
WING VAN FONDSOOREENKOMS**

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. 340 van 2 Maart 1984, R. 2252 van 19 Oktober 1984, R. 2722 van 14 Desember 1984 en R. 707 van 18 April 1986 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1988 eindig.

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

DEPARTMENT OF MANPOWER**No. R. 286****26 February 1988****UNEMPLOYMENT INSURANCE ACT, 1966****INCREASE OF THE MAXIMUM RATE OF EARNINGS
BY VIRTUE OF WHICH A PERSON QUALIFIES AS A
CONTRIBUTOR**

Under section 2 (2) (d) of the Unemployment Insurance Act, 1966 (Act 30 of 1966), I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby amend the rate of earnings referred to in Government Notice 2392 of 14 November 1986 from thirty-thousand rand to thirty-five-thousand rand, with effect from 1 May 1988.

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

No. R. 292**26 February 1988****LABOUR RELATIONS ACT, 1956****CLOTHING INDUSTRY, TRANSVAAL.—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. 343 of 2 March 1984 and R. 705 of 18 April 1986 to be effective from the date of publication of this notice and for the period ending 30 June 1988.

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

No. R. 293**26 February 1988****LABOUR RELATIONS ACT, 1956****CLOTHING INDUSTRY, TRANSVAAL.—RENEWAL
OF 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) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices R. 340 of 2 March 1984, R. 2252 of 19 October 1984, R. 2722 of 14 December 1984 and R. 707 of 18 April 1986 to be effective from the date of publication of this notice and for the period ending 30 June 1988.

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

No. R. 294

26 Februarie 1988

VERBETERINGSKENNISGEWING

WET OP ARBEIDSVERHOUDINGE, 1956

HAARKAPPERSBEDRYF, PORT ELIZABETH EN
UITENHAGE

Die volgende verbeterings van Goewermenskennisgewings R. 2494 en R. 2794 wat onderskeidelik in *Staatskoerante* 11021 van 6 November 1987 en 11069 van 18 Desember 1987 verskyn, word vir algemene inligting gepubliseer:

In die Engelse tekste—

1. in klousule 9 van die Bylae—PROVIDENT FUND (Goewermenskennisgewing R. 2494)—
in subklousule (3), vervang die uitdrukking, "For the purposes of this clause 'wage' means remuneration payable to an employtailed hereunder;" deur die uitdrukking "For the purposes of this clause, 'wage' means remuneration payable to an employee in terms of clause 4 in respect of the hours of work prescribed in clause 6: Provided that:";
2. in die verlengingskennisgewing (Goewermenskennisgewing R. 2794), vervang die datum "31 Desember 1987" deur die datum "31 Desember 1989".

No. R. 295

26 Februarie 1988

WET OP MASJINERIE EN BEROEPSVEILIGHEID,
1983 (WET 6 VAN 1983)

Die Minister van Mannekrag het kragtens artikel 35 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983), die regulasies in die Bylae hiervan vervat, uitgevaardig.

BYLAE**AANGEDREWE MASJINERIE REGULASIES****Woordomskeywing**

1. In hierdie regulasies beteken "die Wet" die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983), en het enige uitdrukking waaraan in die Wet 'n betekenis geheg is, die betekenis aldus daaraan geheg, en, tensy uit die samehang anders blyk, beteken—

"afdelingsinspekteur" die afdelingsinspekteur soos omskryf in regulasie 1 van die regulasies afgekondig by Goewermenskennisgewing R. 2206 van 5 Oktober 1984;

"banksaag" 'n sirkelsaag wat in 'n bank werk (met inbegrip van 'n rakbank) met die doel om te kloof, diep te saag of dwars te saag, maar nie ook 'n hangsaag of ander saag wat na die hout toe beweeg word nie;

"bouershysmasjien" 'n toestel wat in verband met bouwerk gebruik word om materiaal op te hys of te laat sak deur middel van 'n platform, hysbak, hyshok of ander houer op 'n vaste leispoor of leispoore;

"goederehysmasjien" 'n toestel wat gebruik word vir die vervoer van goedere deur middel van 'n hysbak, hyshok, hysraam of ander houer in 'n luikgang op vaste leispoore en waarin persone nooit ry nie;

"hystakel" kettingstroppe, toustroppe, ringe, hake, sluitskakels, draaiskakels, spreiers of dergelike toestelle;

No. R. 294

26 February 1988

CORRECTION NOTICE

LABOUR RELATIONS ACT, 1956

HAIRDRESSING TRADE, PORT ELIZABETH AND
UITENHAGE

The following corrections to Government Notices R. 2494 and R. 2794 appearing in *Government Gazettes* 11021 of 6 November 1987 and 11069 of 18 December 1987, respectively, are hereby published for general information:

In the English texts—

1. in clause 9 of the Schedule—PROVIDENT FUND (Government Notice R. 2494)—
in subclause (3), substitute the expression "For the purposes of this clause, 'wage' means remuneration payable to an employee in terms of clause 4 in respect of the hours of work prescribed in clause 6: Provided that:" for the expression "For the purposes of this clause 'wage' means remuneration payable to an employtailed hereunder;";
2. in the extension notice (Government Notice R. 2794), substitute the date "31 December 1989" for the date "31 December 1987".

No. R. 295

26 February 1988

MACHINERY AND OCCUPATIONAL SAFETY ACT,
1983 (ACT 6 OF 1983)

The Minister of Manpower has, under section 35 of the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), made the regulations contained in the Schedule hereto.

SCHEDULE**DRIVEN MACHINERY REGULATIONS****Definitions**

1. In these regulations "the Act" means the Machinery and Occupational Safety Act, 1983 (Act 6 of 1983), and any expression to which a meaning has been assigned in the Act shall have the meaning so assigned, and, unless the context otherwise indicates—

"anti-repeat device" means a device which incorporates a control system designed to limit the press every time to a single stroke even if the control that is actuating the press is held in the operating position, and which requires the actuating controls to be returned to the neutral position before another stroke can be initiated;

"bench saw" means a circular saw working in a bench (including a rack-bench) for the purpose of ripping, deep cutting or cross cutting but does not include a swing-saw or other saw which is moved towards the wood;

"builder's hoist" means an appliance used in connection with building work for the raising or lowering of material by means of a platform, skip, cage or other receptacle on a fixed guide or guides;

"divisional inspector" means the divisional inspector defined in regulation 1 of the regulations published by Government Notice R. 2206 of 5 October 1984;

"explosive powered tool" means a tool that is activated by an explosive charge and that is used for driving bolts, nails and similar objects for the purpose of providing a fixing;

"hystoestel" enige masjien of kombinasie van masjiene ontwerp en vervaardig met die uitsluitlike doel om enige voorwerp deur middel van 'n ketting of tou en 'n haak of ander aanhegtoestel te lig of te laat sak, maar nie ook enige masjien of raamwerk ontwerp en vervaardig om 'n persoon of persone te ondersteun of om sodanige persoon of persone na of van 'n hoë plek op te tel of neer te laat nie;

"luikgang" 'n vertikale of skuins gang waarin 'n goederehysmasjien loop;

"pers" 'n aangedrewe masjien wat metaal of ander materiaal sny, pons, vorm of monteer deur middel van sny-, vorm- of kombinasiematryse wat aan leibane met 'n gekontroleerde heen-en-weerbeweging geheg is, maar nie ook warmbuig- of warmmetaalperse, smeeperse en -hamers en klinkmasjiene en soortgelyke hegmasjiene nie;

"skiethamer" 'n stuk gereedschap wat met 'n springstoflading werk en gebruik word om boute, spykers en soortgelyke voorwerpe te dryf met die doel om 'n aanhegting te verkry;

"teenherhalingsapparaat" 'n apparaat wat 'n kontrolestelsel insluit wat ontwerp is om die pers elke keer tot 'n enkele slag te beperk, al word die kontrole wat die pers in werking stel, in die werkposisie gehou, en wat vereis dat die inwerkingstelkontroles in die neutrale posisie herstel word alvorens nog 'n slag geïnisieer kan word;

"uittreplek" enige vloer of platform wat 'n gemagtigde stilhouplek vir 'n goederehysmasjien of bouershysmasjien is;

"vervoerinstallasie" apparaat wat gebruik word vir die vervoer van materiaal deur middel van 'n geligte vervoermiddel wat hang van en beweeg langs 'n drakabel of -ketting, waar persone onder die pad van die vervoermiddel kan deurgaang van werk, of enige sodanige apparaat wat gebruik word om persone te vervoer;

"werkpunt" die plek in 'n masjien waar materiaal opgestel word en waar daadwerklik gewerk word.

Draaiende masjinerie

2. Behalwe wanneer bewegende of draaiende onderdele van masjinerie sodanig geplaas is of sodanig gemaak is dat hulle net so veilig is as wanneer hulle stewig omhein of afgeskerm is, moet die gebruiker sorg dat—

- elke as, katrol, wiel, rat, kettingrat, koppeling, kraag, koppelaar, wrywingstrom of soortgelyke voorwerp stewig omhein of afgeskerm is;
- elke stelskroef, spy of bout aan draaiende asse, koppelingen, krae, wrywingstromme, koppelaars, wiele, katrolle, ratte en soortgelyke voorwerpe versink, ingeslote of andersins afgeskerm is;
- elke vierkantige uitstekende as of spilent en elke ander as of spilent wat meer as 'n kwart van sy diameter uitsteek, afgeskerm is deur 'n dop of mantel;
- elke dryfband, tou of ketting afgeskerm is; en
- die onderkant van elke oorhoofse dryfband, tou of ketting bokant gange of werkplekke afgeskerm is om te voorkom dat 'n gebreekte band, tou of ketting val en sodoende persone beseer: Met dien verstande dat die bepalinge van hierdie paragraaf nie van toepassing is nie waar daar na die mening van 'n inspekteur geen gevaar bestaan in die geval van ligte bande weens die aard daarvan en die werkspoed nie.

"goods hoist" means an appliance used for the transportation of goods by means of a car, cage, cradle or other receptacle in a hatchway on fixed guides and in which persons never travel;

"hatchway" means a vertical or inclined way in which a goods hoist is operated;

"landing" means any floor or platform which is an authorised stopping place for a goods hoist or builder's hoist;

"lifting machine" means any machine or combination of machines designed and constructed for the sole purpose of lifting or lowering any object by means of a chain or rope and hook or other attaching device but does not include any machine or framework designed and constructed for supporting a person or persons or for raising or lowering such person or persons to or from an elevated position;

"lifting tackle" means chain slings, rope slings, rings, hooks, shackles, swivels, spreaders or similar appliances;

"point of operation" means the place in a machine where material is positioned and where the actual work is performed;

"press" means a driven machine that shears, punches, forms or assembles metal or other material by means of cutting, shaping or combination dies attached to slides having a controlled reciprocating motion but does not include hot bending or hot metal presses, forging presses and hammers, and riveting machines and similar types of fastener applicators;

"transportation plant" means apparatus used for the transportation of material by means of an elevated conveyance suspended from and travelling along a catenary rope or chain where persons may pass or work below the path of the conveyance, or any such apparatus used for the transportation of persons.

Revolving machinery

2. Unless moving or revolving components of machinery are in such a position or of such construction that they are as safe as they would be if they were securely fenced or guarded, the user shall cause—

- every shaft, pulley, wheel, gear, sprocket, coupling, collar, clutch, friction drum or similar object to be securely fenced or guarded;
- every set screw, key or bolt on revolving shafts, couplings, collars, friction drums, clutches, wheels, pulleys, gears and the like to be countersunk, enclosed or otherwise guarded;
- every square projecting shaft or spindle end and every other shaft or spindle end which projects for more than a quarter of its diameter to be guarded by a cap or shroud;
- every driving belt, rope or chain to be guarded; and
- the underside of every overhead driving belt, rope or chain above passages or workplaces to be so guarded as to prevent a broken belt, rope or chain from falling and so injuring persons: Provided that the provisions of this paragraph shall not apply where in the opinion of an inspector no danger exists in the case of light belts due to the nature thereof and the speed of operation.

Sirkelsae

3. (1) Geen gebruiker mag vereis of toelaat dat enige persoon 'n kragaangedrewe sirkelsaag bedien—

- (a) teen 'n hoër spoed as die vervaardiger se aangeslane maksimum spoed vir die saaglem nie; of
- (b) waarvan die saaglem op enige wyse beskadig is of stomp is of nie reëlmatig of reg skerp gemaak en geset is nie.

(2) Die gebruiker van 'n kragaangedrewe banksaag moet sorg dat—

- (a) die saaglem onder die bankblad doeltreffend afgeskerm is; en
- (b) die deel van die saaglem bo die bankblad deur 'n stewige skerm bedek is wat die saag te alle tye tot minstens die diepte van die tande moet bedek en wat homself outomaties instel op die dikte van, en in aanraking bly met die materiaal wat gesaag word: Met dien verstande dat waar so 'n skerm onprakties is, die bopunt van die saag bedek moet word met 'n sterk handverstelbare skerm wat gestel moet word dat dit so laag ondertoe strek dat dit tot so na doenlik aan die snypunt van die saag reik: Met dien verstande voorts dat die skerm in die geval van 'n voorsaag die bopunt van die saaglem doeltreffend moet bedek.

(3) Die gebruiker moet sorg dat elke kragaangedrewe sirkelsaag wat gebruik word om hout te kloof, voorsien is van 'n kloofmes—

- (a) wat so na doenlik aan die saaglem geplaas moet wees maar nie meer as 12 mm daaragter nie, en presies in lyn met die saagtande op die hoogte van die bankblad;
- (b) waarvan die kant naaste aan die saag in die vorm van 'n sirkelboog is met 'n radius wat nie die radius van die grootste saaglem wat op die bank gebruik kan word, met meer as 3 mm oorskry nie;
- (c) wat bokant die bankblad moet uitsteek tot binne 5 mm van die bopunt van die saaglem; en
- (d) wat 'n gladde oppervlak moet hê en wat sterk, stewig en maklik verstelbaar moet wees.

(4) Die gebruiker moet sorg dat elke kantelsaag of kantel-tafelsaag so ingerig is dat die kloofmes en die skerm effektief gestel bly met enige stand van die saag of tafel.

(5) Die gebruiker moet—

- (a) sorg dat 'n geskikte stootstok by elke banksaag wat met die hand gevoer word, beskikbaar bly sodat die werk sonder gevaar vir persone uitgevoer kan word;
- (b) geskikte meganiese middele verskaf om ruhout vas te hou wat op 'n banksaag haaks gesaag moet word; en
- (c) 'n doeltreffende skerm verskaf vir die outomatiese voerrolle van elke banksaag wat met sodanige rolle toegerus is.

(6) Die gebruiker moet sorg dat elke hang- of radiaalsaag wat na die materiaal toe beweeg word—

- (a) sodanig afgeskerm is dat slegs die snygedeelte van die saaglem blootgestel is;
- (b) sodanig ingerig is dat die saag vanself van die snystand wegbeweeg as dit gelos word; en
- (c) toegerus is met 'n toestel wat die stootkrag of neiging van die saag om die hout op te tel of om die hout terug te gooi na die operateur wanneer sodanige saag gebruik word om hout te kloof, teenwerk.

(7) Die gebruiker van 'n draagbare kragaangedrewe sirkelsaag moet—

- (a) 'n vaste skerm bokant die skuif of skoen verskaf, wat die saaglem tot minstens die diepte van die tande moet bedek; en

Circular saws

3. (1) No user shall require or permit any person to operate a power-driven circular saw—

- (a) at a speed in excess of the manufacturer's rated maximum speed for the saw blade; or
- (b) the saw blade of which is in any way damaged or which is dull or not regular or not correctly sharpened and set.

(2) The user of a power-driven bench saw shall cause—

- (a) the saw blade to be effectively guarded below the table; and
- (b) the part of the saw blade above the table to be covered by a substantial guard which shall cover the saw at all times to at least the depth of the teeth and which shall automatically adjust itself to the thickness of and remain in contact with the material being cut: Provided that where such a guard is impracticable, the top of the saw shall be covered by a strong manually adjustable guard which shall be adjusted to extend downwards to a point as near as practicable to the cutting point of the saw: Provided further that in the case of a breakdown saw, the guard shall effectively cover the top of the saw blade.

(3) The user shall cause every power-driven circular saw which is used for ripping wood to be provided with a riving knife which shall—

- (a) be placed as close as practicable to the saw blade but not more than 12 mm behind it, and in a direct line with the saw teeth at the level of the bench table;
- (b) have the edge nearest the saw in the form of an arc of a circle which shall have a radius not exceeding the radius of the largest saw blade which can be used on the bench by more than 3 mm;
- (c) extend to a height above the table to within 5 mm of the top of the saw blade; and
- (d) have a smooth surface and which shall be strong, rigid and easily adjustable.

(4) The user shall cause every tilting saw or tilting table saw to be so arranged that the adjustment of the riving knife and the guard remains effective with any position of the saw or table.

(5) The user shall—

- (a) cause a suitable push stick to be kept available at every bench saw which is fed by hand, to enable work to be carried out without danger to persons;
- (b) provide suitable mechanical means for holding rough timber which is to be slabbed on a bench saw; and
- (c) provide an effective guard for the automatic feed rollers of every bench saw equipped with such rollers.

(6) The user shall cause every swing or radial saw which is moved towards the material—

- (a) to be guarded so that only the cutting portion of the saw blade is exposed;
- (b) to be arranged in such a manner that the saw will automatically move away from the cutting position when it is released; and
- (c) to be fitted with a device which will oppose the thrust or tendency of the saw to pick up the timber or to throw the timber back at the operator when such saw is used for ripping timber.

(7) The user of a portable power-driven circular saw shall provide—

- (a) a fixed guard above the slide or shoe, which shall cover the saw blade to at least the depth of the teeth; and

- (b) 'n skerm verskaf wat die gedeelte van die saaglem onderkant die skuif of skoen outomaties moet bedek terwyl daar nie daadwerklik gesaag word nie.

Bandsae en bandmesse

4. Die gebruiker moet toesien dat alle bewegende dele, behalwe die werkende gedeelte van die lem, by die werkpunt van elke bandsaag of bandmes doeltreffend afgeskerm is.

Houtskaafmasjiene

5. (1) Die gebruiker moet toesien dat elke houtskaafmasjien wat vir oorhandse skaafwerk gebruik word en wat nie meganies gevoer word nie, toegerus is met 'n silindriese beitelblok.

(2) Die gebruiker moet toesien dat elke skaafmasjien wat vir oorhandse skaafwerk gebruik word, voorsien is van 'n brugskerm wat die volle lengte en breedte van die saaggleuf in die bankblad kan bedek en wat maklik in 'n vertikale en horisontale rigting verstel kan word.

(3) Geen gebruiker mag vereis of toelaat dat 'n skaafmasjien wat nie meganies gevoer word nie, gebruik word om 'n stuk hout wat minder as 300 mm lank is, oorhands te skaaf nie, tensy 'n veilige houder vir so 'n stuk hout gebruik word: Met dien verstande dat hierdie subregulasie nie op die skaaf van die kante van plat stukke hout van toepassing is nie.

(4) Die gebruiker moet 'n doeltreffende skerm verskaf vir die voerrol van elke skaafmasjien wat vir dikteskaafwerk gebruik word, behalwe in die geval van die gekombineerde masjien vir oorhandse en dikteskaafwerk.

Houtlys- en houttapgatmasjiene

6. (1) Met inagneming van die aard van die werk wat verrig word, moet die gebruiker toesien dat die beitel of ketting van elke houtlys- of houttapgatmasjien doeltreffend afgeskerm is.

(2) Indien werk nie gedoen kan word waneer die beitel van 'n lysmasjien afgeskerm is nie, moet die gebruiker toesien dat die hout wat gevorm word, in 'n setmaat of houer gehou word wat so gemaak is dat dit die veilige werking van die masjien sal verseker: Met dien verstande dat waar 'n setmaat of houer nie gebruik kan word nie, die gebruiker 'n geskikte skerp pen of stootstok moet voorsien en moet vereis dat persone wat die masjien bedien, dit gebruik wanneer nodig.

Skuurmasjiene

7. Die gebruiker moet toesien dat elke—

- (a) tromskuurmasjien voorsien is van doeltreffende skerms wat so ingerig is dat dit die draaiende trom geheel en al insluit, behalwe die gedeelte wat nodig is vir die verrigting van die werk;
- (b) skyfskuurmasjien voorsien is van geskikte skerms wat die omtrek en rug van die skuurskyf en die gedeelte van die werkvlak van die skyf onder die bankblad geheel en al insluit; en
- (c) bandskuurmasjien voorsien is van skerms by die vangpunte waar die skuurband oor sy katrolle loop en toesien dat enige deel van die band wat nie vir skuur gebruik word nie, doeltreffend ingesluit is.

Slypmasjiene

8. (1) Die gebruiker van 'n kragaangedrewe slypmasjien moet toesien dat sodanige masjien op 'n opvallende plek met die vervaardiger se aangeslane spoed of spoede van die spil in omwentelings per minuut gemerk is.

- (b) a guard which shall automatically cover the portion of the saw blade below the slide or shoe while sawing is not actually being done.

Band saws and band knives

4. The user shall cause all moving parts, except the working portion of the blade at the point of operation, of every band saw or band knife to be effectively guarded.

Wood planing machines

5. (1) The user shall cause every wood planing machine which is used for overhand planing and which is not mechanically fed to be fitted with a cylindrical cutter block.

(2) The user shall cause every planing machine used for overhand planing to be provided with a bridge guard which is capable of covering the full length and breadth of the cutting slot in the table and which can easily be adjusted in a vertical and horizontal direction.

(3) No user shall require or permit any planing machine which is not mechanically fed to be used for the overhand planing of any piece of wood which is less than 300 mm long, unless a safe holder is used for such a piece of wood: Provided that this subregulation shall not apply to the planing of the edges of flat pieces of wood.

(4) The user shall provide an effective guard for the feed roller of every planing machine used for thicknessing, except in the case of the combined machine for overhand planing and thicknessing.

Wood moulding and mortising machines

6. (1) Having regard to the nature of the work which is performed, the user shall cause the cutter or chain of every wood moulding or mortising machine to be effectively guarded.

(2) If work cannot be performed when the cutter of a moulding machine is guarded, the user shall cause the wood being moulded to be held in a jig or holder which is so constructed that it will ensure safe working of the machine: Provided that where a jig or holder cannot be used, the user shall provide a suitable spike or pushstick and shall require persons who operate the machine to use it when necessary.

Sanding machines

7. The user shall cause every—

- (a) drum sanding machine to be provided with effective guards so arranged as to completely enclose the revolving drum except such portion as is necessary for the performance of the work;
- (b) disc sanding machine to be provided with suitable guards which shall completely enclose the periphery and back of the sanding disc and that portion of the working face of the disc under the table; and
- (c) belt sanding machine to be provided with guards at the trap points where the sanding belt runs onto its pulleys and cause any section of the belt not used for sanding to be effectively enclosed.

Grinding machines

8. (1) The user of a power-driven grinding machine shall cause such machine to be marked in a conspicuous place with the manufacturer's rated speed or speeds of the spindle in revolutions per minute.

(2) Geen gebruiker mag vereis of toelaat nie dat 'n slyp-wiel van 'n kragaangedrewe slypmasjien teen 'n spoed werk wat die maksimum spoed vir die wiel, soos aanbeveel deur die vervaardiger van sodanige wiel, oorskry: Met dien verstande dat 'n slypwiel met 'n deursnee groter as 100 mm slegs gebruik mag word indien die aanbevole werkspoed daarvoor duidelik daarop aangedui is.

(3) Die gebruiker moet toesien dat elke slypwiel van 'n kragaangedrewe slypmasjien konsentries op die spil gemonteer is deur middel van stewige metaalfense met ringvormige omtrekdraagvlakke van voldoende breedte wat op die wiel moet druk, en 'n laag geskikte saamdrukbare materiaal moet tussen die fense en die wiel aangebring word: Met dien verstande dat slypwiele vir gespesialiseerde aanwending wat nie deur middel van fense gemonteer kan word nie, so vasgesit moet word dat verskuiwing of breek van die wiel terwyl dit loop, sover moontlik uitgeskakel word.

(4) Met inagneming van die aard van die werk wat verrig word, moet die gebruiker toesien dat elke kragaangedrewe slypmasjien voorsien is van 'n sterk skerm wat die slypwiel sover doenlik moet insluit en wat sterk genoeg is om die trefkrag van 'n wiel wat breek, te weerstaan.

(5) Met inagneming van die aard van die werk wat verrig word, moet die gebruiker toesien dat 'n kragaangedrewe slypmasjien waar die werkstuk met die hand teen die wiel gehou word, voorsien is van 'n sterk verstelbare werkskrans, wat stewig in posisie vasgesit en gestel moet wees tot binne 3 mm van die slypvlak van die wiel af.

(6) Die gebruiker moet toesien dat elke kragaangedrewe slypmasjien voorsien is van 'n sterk deursigtige skerm wat so gestel moet bly dat dit die operateur se oë beskerm: Met dien verstande dat sodanige skerm weggelaat kan word indien geskikte oogbeskerming aan elke operateur van die masjien persoonlik uitgereik word en hy verplig word om dit te dra.

(7) Die gebruiker moet toesien dat 'n kennisgewing op 'n opvallende plek by elke kragaangedrewe slypmasjien aangebring word wat persone belet om slypwerk uit te voer, te inspekteer of dop te hou sonder om geskikte oogbeskerming te gebruik.

Skêre, valmesse en perse

9. (1) Waar die opening by die werkpunt van 'n skêr, valmes of pers groter as 10 mm is, moet die gebruiker toesien dat sodanige masjien voorsien is van—

- (a) 'n vaste skerm wat keer dat hande of vingers deur, oor, onder of om die skerm tot in die werkpunt reik; of
- (b) 'n selfstelskerm wat hom outomaties instel op die dikte van die materiaal wat bewerk word en wat keer dat hande of vingers deur, oor, onder of om die skerm tot in die werkpunt reik; of
- (c) 'n handbediende of outomatiese bewegende skerm wat die werkpunt van sodanige masjien geheel en al insluit en wat so ingerig is dat die werkslag nie kan begin nie tensy die skerm toe is en wat nie oopgemaak kan word nie tensy die ram of lem stilstaan; of
- (d) 'n outomatiese wegvee- of wegstootskerm wat enige deel van die operateur se liggaam uit die gevaarsone wegstoot wanneer die werkslag begin; of
- (e) 'n elektroniese teenwoordigheidsensor wat 'n werkslag keer of tot stilstand bring as dit aanvoel dat enige deel van 'n persoon se liggaam of enige ander vreemde voorwerp in die gevaarsone is;

Met dien verstande dat die beskerming wat ingevolge hierdie subregulasie voorsien word, nie op sigself enige bedreiging vir die veiligheid van persone moet skep nie.

(2) No user shall require or permit a grinding wheel of a power-driven grinding machine to be operated at a speed exceeding that of the manufacturer of such wheel: Provided that a grinding wheel larger than 100 mm in diameter shall only be used if the recommended operating speed therefor is distinctly marked on it.

(3) The user shall cause every grinding wheel of a power-driven grinding machine to be mounted concentrically on the spindle by means of robust metal flanges with annular peripheral bearing surfaces of adequate breadth which shall bear upon the wheel, and a layer of suitable compressible material shall be fitted between the flanges and the wheel: Provided that grinding wheels for specialised application which cannot be fixed by flanges shall be so secured that displacement or rupture of the wheel in motion is eliminated as far as possible.

(4) Having regard to the nature of the work which is performed, the user shall cause every power-driven grinding machine to be provided with a substantial guard which shall enclose the grinding wheel as far as practicable and which shall be of sufficient strength to withstand the force of impact of a rupturing wheel.

(5) Having regard to the nature of the work which is performed, the user shall cause a power-driven grinding machine where the workpiece is applied to the wheel by hand, to be provided with a substantial adjustable work rest, which shall be securely fixed in position and adjusted to within 3 mm from the grinding face of the wheel.

(6) The user shall cause every power-driven grinding machine to be provided with a strong transparent shield which shall be kept adjusted to as to protect the operator's eyes: Provided that such shield may be omitted if every operator of the machine is personally issued with suitable eye protection and is obliged to wear it.

(7) The user shall cause a notice to be posted in a conspicuous place at every power-driven grinding machine, prohibiting persons from carrying out, inspecting or observing grinding work without using suitable eye protection.

Shears, guillotines and presses

9. (1) Where the opening at the point of operation of shears, a guillotine or a press is greater than 10 mm, the user shall cause such machine to be provided with—

- (a) a fixed guard which prevents hands or fingers reaching through, over, under or around the guard into the point of operation; or
- (b) a self-adjusting guard which automatically adjusts itself to the thickness of the material being worked and which prevents hands or fingers reaching through, over, under or around the guard into the point of operation; or
- (c) a manually or automatically operated moving guard which completely encloses the point of operation of such machine and which is so arranged that the working stroke cannot be commenced unless the guard is closed and which cannot be opened unless the ram or blade is stationary; or
- (d) an automatic sweep-away or push-away which pushes any part of the operator's body out of the danger zone when the working stroke commences; or
- (e) an electronic presence-sensing device which prevents or arrests a working stroke if it senses that any part of a person's body or any other foreign object is in the danger zone;

Provided that the guarding provided in terms of this subregulation shall not in itself create any threat to the safety of persons.

(2) Die gebruiker kan 'n skêr, valmes of pers gebruik, of toelaat dat dit gebruik word, sonder die beskerming bedoel in subregulasie (1), indien die bedieningskontroles om dit in beweging te stel die gelyktydige gebruik verg van albei hande van al die operateurs wat betrokke is by die bediening van die masjien, en indien sodanige bedieningskontroles—

- (a) op so 'n afstand van die werkpunt geleë is dat geeneen van die operateurs genoeg tyd het om met enige deel van sy liggaam die gevaarsone te bereik alvorens die werkslag voltooi is nie; of
- (b) so ontwerp is dat die werkslag tot stilstand gebring sal word indien enigeen van die operateurs een van sy hande van die kontroles wegneem:

Met dien verstande dat die bedieningskontroles so ingerig moet wees dat hulle nie oorgeslaan kan word nie.

(3) Die gebruiker moet toesien dat enige handtoevoerskêr, -valmes of -pers met 'n volomwentelingskoppeelaar van 'n teenherhalingsapparaat voorsien is.

Kloofmasjiene

10. Met inagneming van die aard van die werk wat verrig word, moet die gebruiker van 'n kloofmasjien toesien dat die snykant van die skyflem doeltreffend afgeskerm is.

Meng-, roer- en dergelike masjiene

11. (1) Die gebruiker moet toesien dat alle gevaarlike bewegende dele van 'n meng-, roer- of dergelike masjien buite die bereik van persone geplaas is deur middel van deure, deksels, skerms of ander middele.

(2) Die gebruiker moet, waar doenlik, toesien dat elke meng-, roer- of dergelike masjien so ingerig is dat dit nie in beweging gestel kan word tensy die deure, deksels, skerms of ander middele bedoel in subregulasie (1) in posisie is, en dat die masjien tot stilstand sal kom as enigeen van hulle oopgemaak, ontsluit of verwyder word of as die gevaarlike bewegende dele van die masjien om watter rede ook al blootgestel word: Met dien verstande dat die bepalinge van hierdie subregulasie nie van toepassing is nie op deure, deksels of skerms wat in posisie vasgebout is of op 'n inspeksieluik wat voorsien is om 'n proses te kontroleer terwyl die masjien werk.

Rolle en kalenders

12. Die gebruiker moet, waar doenlik, toesien dat elke kragaangedrewe masjien bestaande uit of met twee of meer rolle wat in teenoorgestelde rigtings roteer en wat minder as 75 mm van mekaar af is, oor die volle lengte van die inloopsy of knyp van die rolle, waar sodanige knyp binne bereik van persone is, beveilig is deur middel van—

- (a) 'n vaste skerm; of
- (b) 'n uitsklinkstaaf, kabel of elektroniese sensor, hoogstens 300 mm vanaf die knyp, wat die rotasie van die rolle sal stop of omkeer as die staaf of kabel aangeraak word of as die gevaarsone deur 'n vreemde voorwerp binnegedring word:

Met dien verstande dat waar dit nie doenlik is om enige van die gespesifiseerde toestelle aan te bring nie, 'n inspekteur 'n ander metode van beskerming kan vereis of toelaat by die invoer van die rolle.

Wasmasjiene, sentrifugale skeitoestelle, ens.

13. Die gebruiker moet, waar doenlik, sorg dat elke kragaangedrewe wasmasjien, sentrifugale skeitoestel of soortgelyke masjien van tweesilinderkonstruksie waarin die binneste silinder, trom of mandjie draai, van 'n deur of deksel aan die buitenste silinder voorsien is wat so vergrendel is dat—

- (a) die binneste silinder nie aan die gang gesit kan word nie tensy die deur of deksel toe is; en
- (b) die deur of deksel nie oopgemaak kan word nie tensy die binneste silinder stilstaan.

(2) The user may use or permit the use of shears, a guillotine or a press without the guarding contemplated in subregulation (1) if the operating controls to set it in motion require the simultaneous engagement of both hands of all the operators involved in the operation of the machine, and such operating controls—

- (a) are situated at such distance from the point of operation that none of the operators has enough time to reach the danger zone with any part of his body before the working stroke is completed; or
- (b) are so designed that the working stroke will be arrested if any one of the operators removes one of his hands from the controls:

Provided that the operating controls shall be so arranged that they cannot be by-passed.

(3) The user shall cause any full-revolution clutch shear, guillotine or press which is fed by hand to be provided with an anti-repeat device.

Slitting machines

10. Having regard to the nature of the work which is performed, the user of a slitting machine shall cause the cutting edge of the disc cutter to be effectively guarded.

Mixing, agitating and similar machines

11. (1) The user shall cause all dangerous moving parts of a mixing, agitating or similar machine to be placed beyond the reach of persons by means of doors, covers, guards or by other means.

(2) The user shall, wherever practicable, cause every mixing, agitating or similar machine to be so arranged that it cannot be set in motion unless the doors, covers, guards or other means referred to in subregulation (1) are in position and that the machine will come to a stop if any one of them is opened, unlocked or removed or if the dangerous moving parts of the machine are exposed for any reason whatsoever: Provided that the provisions of this subregulation shall not apply to doors, covers or guards which are bolted in position or to an inspection hatch which is provided for controlling a process while the machine is in operation.

Rolls and calendars

12. The user shall, where practicable, cause every power-driven machine consisting of or incorporating two or more rolls rotating in opposite directions, which are less than 75 mm apart, to be guarded for the full length of the in-running side or nip of the rolls where such nip is within the reach of persons, with—

- (a) a fixed guard; or
- (b) a trip bar, a cable or an electronic sensing device not more than 300 mm from the nip, which will stop or reverse the rotation of the rolls if the bar or cable is touched or if the danger area is invaded by any foreign object:

Provided that where it is not practicable to install any of the specified devices an inspector may require or permit any other means of protection at the intake of the rolls.

Washing machines, centrifugal extractors, etc.

13. The user shall, wherever practicable, cause every power-driven washing machine, centrifugal extractor or similar machine of double cylinder construction in which the inner cylinder, drum or basket rotates, to be provided with a door or lid on the outer cylinder, so interlocked that—

- (a) the inner cylinder cannot be put into motion unless the door or lid is closed; and
- (b) the door or lid cannot be opened unless the inner cylinder is stationary.

Lugkompressors

14. Die gebruiker van 'n positiewe lugverplasingskompressor wat nie voorsien is van 'n outomatiese toestel wat die werktemperatuur tot 'n veilige vlak beperk nie, moet 'n smeltprop digby die uitlaatkleppe of uitlaatpoorte van elke trap van kompressie voorsien. Met dien verstande dat die bepalinge van hierdie regulasie nie van toepassing is op lugkompressors met 'n vryluglewering van minder as 8,5 m³ per minuut of waarin kompressie nie in die teenwoordigheid van smeerolie plaasvind nie.

Koel- en lugversorgingsinstallasies

15. Geen gebruiker mag 'n koel- of lugversorgingsinstallasie gebruik of toelaat dat dit gebruik word nie tensy dit voldoen aan 'n veiligheidsstandaard ten opsigte van die konstruksie, installering, bediening en ondersoek daarvan wat kragtens artikel 36 van die Wet vir hierdie doel by hierdie regulasies ingelyf is.

Vervoerinstallasies

16. (1) Geen gebruiker mag 'n vervoerinstallasie gebruik of toelaat dat dit gebruik word nie tensy—

- (a) dit voldoen aan 'n veiligheidsstandaard ten opsigte van die ontwerp, konstruksie, installering, bediening en ondersoek daarvan wat kragtens artikel 36 van die Wet vir hierdie doel by hierdie regulasies ingelyf is; en
- (b) hy in besit is van skriftelike magtiging van 'n inspekteur vir die gebruik daarvan.

(2) Enige persoon wat 'n vervoerinstallasie wil gebruik, moet skriftelik by die afdelingsinspekteur aansoek doen om toestemming vir sodanige gebruik en moet saam met sodanige aansoek die volgende voorlê:

- (a) 'n Volledige stel ontwerp-berekenings en -tekenings van die voorgestelde installasie; en
- (b) 'n Sertifikaat uitgereik deur 'n geregistreerde professionele ingenieur waarin hy sertifiseer dat hy die ontwerp van die installasie nagegaan het en dat sodanige ontwerp die veilige werking van die installasie onder alle toegelate laste sal verseker.

(3) 'n Inspekteur kan, as hy daarvan oortuig is dat die bepalinge van hierdie regulasie nagekom is en dat die vervoerinstallasie met veiligheid gebruik kan word, skriftelik toestemming verleen vir die gebruik daarvan, onderworpe aan sodanige voorwaardes as wat hy bepaal.

(4) 'n Inspekteur kan die toestemming kragtens subregulasie (3) verleen, terugtrek as hy dit in die belang van veiligheid nodig ag.

(5) Die gebruiker moet sorg dat die hele installasie en alle werkende dele van die vervoerinstallasie deeglik ondersoek word en aan 'n prestasietoets soos voorgeskryf by die standaard waarvolgens die vervoerinstallasie vervaardig is, onderwerp word deur 'n persoon wat kennis en ondervinding het van die oprigting en instandhouding van vervoerinstallasies of soortgelyke masjinerie en wat die diensbaarheid van die strukture, toue, masjinerie en veiligheidstoestelle, voordat dit in gebruik gestel word, moet bepaal elke keer na die oprigting daarvan en daarna by tussenpose van uiters 12 maande. Met dien verstande dat, by afwesigheid van sodanige voorgeskrewe prestasietoets, die hele installasie van die vervoerinstallasie onderwerp moet word aan 'n las van 120 % van die aangeslane massas, aangewend oor die volle werkveld van sodanige vervoerinstallasie en op so 'n wyse dat elke gedeelte van die hele installasie dienoreenkomstig belas word.

(6) Ondanks die bepalinge van subregulasie (5), moet die gebruiker toesien dat elke hystou en elke haak of ander lasaanhegtoestel wat deel van die vervoerinstallasie uitmaak, by tussenpose van uiters ses maande deeglik ondersoek word deur 'n persoon bedoel in subregulasie (5).

Air compressors

14. The user of a positive displacement type air compressor which is not provided with automatic means for limiting the operating temperature to a safe level shall provide a fusible plug fitted close to the outlet valves or discharge ports of every stage of compression: Provided that the provisions of this regulation shall not apply to air compressors with a free air delivery of less than 8,5 m³ per minute or in which compression does not take place in the presence of lubricating oil.

Refrigeration and air conditioning installations

15. No user shall use or permit the use of a refrigeration or an air conditioning installation unless it complies with a safety standard with respect to its construction, installation, operation and inspection incorporated for this purpose into these regulations under section 36 of the Act.

Transportation plants

16. (1) No user shall use or permit the use of a transportation plant unless—

- (a) it complies with a safety standard with respect to the design, construction, installation, operation and inspection thereof incorporated for this purpose into these regulations under section 36 of the Act; and
- (b) he is in possession of written authorisation for the use thereof from an inspector.

(2) Any person who wishes to use a transportation plant shall apply in writing to the divisional inspector for permission for such use and shall, together with such application, submit—

- (a) a complete set of design calculations and drawings of the proposed installation; and
- (b) a certificate issued by a registered professional engineer in which he certifies that he has checked the design of the installation and that such design will ensure the safe operation of the installation under all permitted loadings.

(3) An inspector may, if he is satisfied that the provisions of this regulation have been complied with and that the transportation plant can be safely used, grant permission in writing for the use thereof, subject to such conditions as he may determine.

(4) An inspector may withdraw the permission granted in terms of subregulation (3) if he deems this necessary in the interest of safety.

(5) The user shall cause the whole installation and all working parts of the transportation plant to be thoroughly examined and subjected to a performance test as prescribed by the standard to which the transportation plant was manufactured, by a person who has knowledge and experience of the erection and maintenance of transportation plants or similar machinery and who shall determine the serviceability of the structures, ropes, machinery and safety devices, before they are put into use following every time they are erected and thereafter at intervals not exceeding 12 months: Provided that in the absence of such prescribed performance test the whole installation of the transportation plant shall be subjected to a load of 120 % of the rated mass load, applied over the complete operation range of such plant and in such a manner that every part of the installation is stressed accordingly.

(6) Notwithstanding the provisions of subregulation (5), the user shall cause every hoisting rope and every hook or other load-attaching device which forms part of the transportation plant to be thoroughly examined by a person contemplated in subregulation (5) at intervals not exceeding six months.

(7) Die gebruiker moet toesien dat die uitslag van die ondersoek en toetse voorgeskryf by subregulasies (5) en (6), deur die persoon wat sodanige ondersoek en toetse uitvoer, ingeskryf en onderteken word in 'n rekordboek wat te alle tye op die perseel gehou moet word.

Goederehysmasjien

17. (1) Die gebruiker van 'n goederehysmasjien moet sorg dat—

- (a) die luikgang ingesluit is deur middel van mure, doeltreffende afskortings of roosterwerk tot 'n hoogte van minstens 2 100 mm, en met 'n ruimte van uitsers 38 mm tussen dele van die afskortings of roosterwerk, oral waar die luikgang toeganklik is vanaf aangrensende trappe, platforms of vloere wat nie gemagtigde uittreeplekke is nie: Met dien verstande dat die ruimte bokant die uittreeure van die luikgang desgelyks ingesluit moet wees;
- (b) elke ingang van 'n luikganguitreeplek voorsien is van 'n sterk deur of hek waarin geen opening wyer as 38 mm is nie en wat toegerus is met—
 - (i) 'n meganiese slot wat so ingerig is dat die deur of hek nie oopgemaak kan word nie tensy die vervoermiddel by daardie uitreeplek is; en
 - (ii) 'n stroombreker wat so ingerig is dat die vervoermiddel nie deur krag beweeg kan word nie tensy die deur of hek toe is;
- (c) elke goederehysmasjien voorsien is van 'n outomatiese toestel wat so ingerig is dat die krag afgesluit sal word voordat die vervoermiddel 300 mm verby die boonste uitreeplek of 300 mm verby die onderste uitreeplek beweeg het;
- (d) 'n middel verskaf word wat die vervoermiddel met sy maksimum las in enige posisie in die luikgang sal vashou wanneer krag nie aan die hysmasjinerie voorsien word nie;
- (e) die vervoermiddel aan alle kante ingesluit is, uitgesonderd aan die toegangsy, tot 'n hoogte van minstens 1 350 mm bokant die vloer van die vervoermiddel en waar die hoogte van die vervoermiddel minder as 1 350 mm is, dat die sye, uitgesonderd die toegangsy, geheel en al ingesluit is;
- (f) die vervoermiddel en die teengewig gedra word deur kettings of staaldraadtoue waarvan die totale breekklas minstens ses keer die aangeslane las van die hysmasjien is; en
- (g) die hysmasjien alleenlik van die uitreeplekke beheer kan word en dat geen beheermiddele binne die vervoermiddel voorsien word nie en ook dat die beheermiddele nie van binne die vervoermiddel bereik kan word nie.

(2) Die gebruiker van 'n goederehysmasjien moet sorg dat die hysmasjien minstens een keer elke drie maande ondersoek word deur 'n persoon wat kennis en ondervinding het van die oprigting en instandhouding van goederehysmasjiene of soortgelyke masjinerie om die diensbaarheid van die hele hysmasjien, met inbegrip van die leispore, toue en hul verbindings, tromme, katrolwiele of katrolle en alle veiligheidstoestelle te bepaal, en moet sorg dat sodanige persoon die uitslag van elke sodanige ondersoek inskryf en onderteken in 'n rekordboek wat vir daardie doel op die perseel gehou moet word.

(3) Die gebruiker moet sorg dat 'n kennisgewing waarin die maksimum massalas aangedui word wat op 'n enkele keer vervoer mag word en waarin persone verbied word om op die goederehysmasjien te ry, by elke uitreeplek aangebring word.

(7) The user shall cause the results of the examinations and tests prescribed in subregulations (5) and (6) to be entered and signed by the person carrying out such examinations and tests, in a record book which shall be kept on the premises at all times.

Goods hoists

17. (1) The user of a goods hoist shall cause—

- (a) the hatchway to be enclosed by means of walls, effective bratticing or grill work to a height of at least 2 100 mm and with a space between members of the bratticing or grill work of not more than 38 mm, wherever the hatchway is accessible from adjacent stairways, platforms or floors which are not authorised landings: Provided that the space above the hatchway landing doors shall be similarly enclosed;
- (b) every hatchway landing entrance to be provided with a substantial door or gate, any opening in which shall not be more than 38 mm wide and which shall be furnished with—
 - (i) a mechanical lock so arranged that the door or gate cannot be opened unless the conveyance is at that landing; and
 - (ii) a circuit breaker so arranged that the conveyance cannot be moved by power unless the door or gate is closed;
- (c) every goods hoist to be provided with an automatic device which shall be so arranged that the power will be cut off before the conveyance has travelled 300 mm past the top landing or 300 mm past the bottom landing;
- (d) a means to be provided which will hold the conveyance with its maximum load in any position in the hatchway when power is not being supplied to the hoisting machinery;
- (e) the conveyance to be enclosed on all sides, except the access side, to a height of at least 1350 mm above the floor of the conveyance and, where the height of the conveyance is less than 1350 mm, the sides except the access side to be completely enclosed;
- (f) the conveyance and counterweight to be carried by chains or steel-wire ropes of which the aggregate breaking load shall be at least six times the rated load of the hoist; and
- (g) the hoist to be controllable from the landings only and no means of control shall be provided inside the conveyance, nor shall the means of control be accessible from inside the conveyance.

(2) The user of a goods hoist shall cause the hoist to be inspected at least once every three months by a person who has knowledge and experience of the erection and maintenance of goods hoists or similar machinery, in order to determine the serviceability of the entire hoist including guides, ropes and their connections, drums, sheaves or pulleys and all safety devices, and shall cause such person to enter and sign the result of each such inspection in a record book which shall be kept on the premises for that purpose.

(3) The user shall cause a notice indicating the maximum mass load which may be carried at any one time and prohibiting persons from riding on the goods hoist, to be affixed at each landing.

(4) Geen gebruiker mag vereis of toelaat dat enige persoon op 'n goederehysmasjien ry nie en geen persoon mag op so 'n goederehysmasjien ry nie.

Hystoestelle en hystakel

18. (1) Geen gebruiker mag 'n hystoestel gebruik of toelaat dat dit gebruik word nie tensy—

- (a) dit ontwerp en vervaardig is ooreenkomstig 'n algemeen aanvaarde tegniese standaard; en
- (b) dit opvallend en duidelik gemerk is met die maksimum massalas waarvoor dit ontwerp is om met veiligheid gedra te word: Met dien verstande dat wanneer hierdie massalas na gelang van die gebruikstoestand wissel, 'n tabel wat die maksimum massalas ten opsigte van elke veranderlike toestand toon, op 'n opvallende plek wat vir die operateur maklik sigbaar is, deur die gebruiker aangebring moet word.

(2) Die gebruiker moet, waar doenlik, elke kragaangedrewe hystoestel voorsien van—

- (a) 'n rem of ander toestel wat in staat is om die maksimum massalas te hou indien die kragvoorsiening onderbreek word of wat sodanig is dat dit outomaties die onbeheerde afwaartse beweging van die las verhoed wanneer die hyskrag onderbreek word; en
- (b) 'n beperkende toestel wat outomaties die hyskrag stuit wanneer enigeen van die volgende toestande voorkom:
 - (i) Wanneer die las die hoogste en laagste veilige posisie bereik; of
 - (ii) wanneer die las groter is as die aangeslane massalas van die hystoestel.

(3) Die gebruiker moet toesien dat elke ketting of tou wat 'n integrerende deel van 'n hystoestel vorm, 'n veiligheidsfaktor het soos voorgeskrif by die standaard waarvolgens sodanige hystoestel vervaardig is: Met dien verstande dat by afwesigheid van sodanige voorgeskrye veiligheidsfaktor kettings, staaldraadoue en veseltoue 'n veiligheidsfaktor van onderskeidelik minstens vier, vyf en tien ten opsigte van die aangeslane dravermoe van die hystoestel moet hê.

(4) Die gebruiker moet toesien dat elke haak of enige ander lasaanhystoestel wat 'n integrerende deel van 'n hystoestel vorm, so ontwerp of geproportioneer is dat toevallige ontkoppeling van die las in werkstoestande nie kan plaasvind nie.

(5) Die gebruiker moet toesien dat die hele installasie en alle werkende dele van elke hystoestel deeglik ondersoek word en aan 'n prestasietoets soos voorgeskrif by die standaard waarvolgens die hystoestel vervaardig is, onderwerp word deur 'n persoon wat kennis en ondervinding het van die oprigting en instandhouding van die betrokke soort hystoestel of soortgelyke masjinerie en wat die diensbaarheid van die strukture, toue, masjinerie en veiligheidstoestelle, voordat dit in gebruik gestel word, moet bepaal elke keer na die oprigting daarvan en daarna by tussenpose van uiters 12 maande: Met dien verstande dat, by afwesigheid van sodanige voorgeskrye prestasietoets, die hele installasie van die hystoestel getoets moet word met 110% van die aangeslane massalas aangewend oor die volle hysbereik van sodanige hystoestel en op so 'n wyse dat elke gedeelte van die installasie dnooreenkomstig belas word.

(6) Ondanks die bepalings van subregulasie (5), moet die gebruiker toesien dat alle toue, kettings, hake of ander aanhystoestelle, katrolwiele, remme en veiligheidstoestelle wat 'n integrerende deel van 'n hystoestel vorm, met tussenpose van uiters ses maande deeglik ondersoek word deur 'n persoon bedoel in subregulasie (5).

(4) No user shall require or permit any person to ride on a goods hoist and no person shall ride on such a goods hoist.

Lifting machines and lifting tackle

18. (1) No user shall use or permit the use of a lifting machine unless—

- (a) it has been designed and constructed in accordance with a generally accepted technical standard; and
- (b) it is conspicuously and clearly marked with the maximum mass load which it is designed to carry with safety: Provided that when this mass load varies with the conditions of use a table showing the maximum mass load with respect to every variable condition shall be posted up by the user in a conspicuous place easily visible to the operator.

(2) The user shall, where practicable, provide every power-driven lifting machine with—

- (a) a brake or other device capable of holding the maximum mass load should the power supply fail, or which is such that it will automatically prevent the uncontrolled downward movement of the load when the raising effort is interrupted; and
- (b) a limiting device which will automatically arrest the driving effort whenever any one of the following conditions occurs:
 - (i) When the load reaches the highest and lowest safe position; or
 - (ii) when the load is greater than the rated mass load of the machine.

(3) The user shall cause every chain or rope which forms an integral part of a lifting machine to have a factor of safety as prescribed by the standard to which such machine was manufactured: Provided that in the absence of such prescribed factor of safety, chains, steel-wire ropes and fibre ropes shall have a factor of safety of at least four, five and ten, respectively, with respect to the rated carrying capacity of the lifting machine.

(4) The user shall cause every hook or any other load-attaching device which forms an integral part of a lifting machine to be so designed or proportioned that accidental disconnection of the load under working conditions cannot take place.

(5) The user shall cause the whole installation and all working parts of every lifting machine to be thoroughly examined and subjected to a performance test, as prescribed by the standard to which the lifting machine was manufactured, by a person who has knowledge and experience of the erection and maintenance of the type of lifting machine involved or similar machinery and who shall determine the serviceability of the structures, ropes, machinery and safety devices, before they are put into use following every time they are erected, and thereafter at intervals not exceeding 12 months: Provided that in the absence of such prescribed performance test the whole installation of the lifting machine shall be tested with 110% of the rated mass load, applied over the complete lifting range of such machine and in such a manner that every part of the installation is stressed accordingly.

(6) Notwithstanding the provisions of subregulation (5), the user shall cause all ropes, chains, hooks or other attaching devices, sheaves, brakes and safety devices forming an integral part of a lifting machine to be thoroughly examined by a person contemplated in subregulation (5) at intervals not exceeding six months.

(7) Die gebruiker moet toesien dat die uitslag van die ondersoek en toetse voorgeskryf by subregulasies (5) en (6), deur die persoon wat sodanige ondersoek en toetse uitvoer, ingeskryf en onderteken word in 'n rekordboek wat te alle tye op die perseel gehou moet word.

(8) Geen gebruiker mag toelaat of vereis dat persone deur middel van 'n hystoestel opgelig of neergelaat word nie tensy die skriftelike toestemming van 'n inspekteur verkry word.

(9) Geen gebruiker mag 'n swaaiarmkraan met 'n hysvermoë van 5 ton of meer gebruik of enige persoon toelaat om dit te gebruik nie tensy dit toegerus is met 'n toestel wat outomaties vir die operateur aandui dat die las wat in enige posisie gehys word, binne die draervermoë van die kraan is.

(10) Geen gebruiker mag enige hystakel gebruik of toelaat dat dit gebruik word nie tensy aan die volgende voorwaardes voldoen word, naamlik dat—

- (a) elke hystakelitem goed en van duursame materiaal gemaak is, sterk genoeg is en vry is van sigbare gebreke en in die algemeen gemaak is volgens 'n algemeen aanvaarde tegniese standaard;
- (b) elke hysstelsel bestaande uit verskillende hystakelitems opvallend en duidelik gemerk is met identifikaasiebesonderhede asook die maksimum massalas waarvoor dit ontwerp is om met veiligheid te hys;
- (c) toue of kettings 'n veiligheidsfaktor ten opsigte van die maksimum massalas waarvoor dit ontwerp is om met veiligheid te hys, het van—
 - (i) tien vir natuurveseltoue;
 - (ii) ses vir kunsveseltoue of geweefde webbande;
 - (iii) ses vir staaldraadtoue behalwe in die geval van dubbele gesplitslaste entlose stropbene en dubbele entlose touoogstropbene gemaak van staaldraad, in welke geval die veiligheidsfaktor minstens agt is;
 - (iv) vyf vir staalkettings; en
 - (v) vier vir hoëtreksterkte- of legeringstaalkettings.

Met dien verstande dat wanneer die las gelykop verdeel word tussen twee of meer toue of kettings, die veiligheidsfaktor bereken kan word ooreenkomstig die som van die breeksterktes met inagneming van die belastingshoek;

- (d) staaldraadtoue afgedank en nie meer vir hysdoeleindes gebruik word nie as die tou tekens van buitensporige slytasie, te veel gebreke drade, korrosie of ander gebreke toon wat die gebruik daarvan op watter wyse ook al gevaarlik maak;
- (e) sodanige hystakel by tussenpose van hoogstens drie maande ondersoek word deur 'n persoon bedoel in subregulasie (5), wat die uitslag van elke sodanige ondersoek in 'n boek wat vir dié doel bygehou word, moet inskryf en onderteken; en
- (f) sodanige hystakel gebêre of beskerm word op 'n wyse wat beskadiging of verslegting sal verhoed wanneer dit nie in gebruik is nie.

Bouershyshysmasjiene

19. (1) Die gebruiker moet toesien dat elke bouershyshysmasjiene en sy toring goed en van duursame materiaal gemaak is, sterk genoeg is en vry is van sigbare gebreke en in die algemeen gemaak is volgens algemeen aanvaarde tegniese standaarde.

(2) Die gebruiker moet toesien dat die toring van elke bouershyshysmasjiene—

- (a) aan die struktuur bevestig is of met staaldraadanker-toue verspan is en so ver bokant die hoogste uittreplek strek dat 'n vry en onversperde ruimte van minstens 900 mm vir oorhysing toegelaat word;

(7) The user shall cause the results of the examinations and tests prescribed in subregulations (5) and (6) to be entered and signed by the person carrying out such examinations and tests, in a record book which shall be kept on the premises at all times.

(8) No user shall permit or require persons to be raised or lowered by means of a lifting machine unless the permission of an inspector is obtained in writing.

(9) No user shall use or permit any person to use a jib crane with a hoisting capacity of 5 tons or more unless it is fitted with a device which will automatically indicate to the operator that the load being lifted in any position is within the capacity of the crane.

(10) No user shall use or allow the use of any lifting tackle unless the following conditions are complied with, namely that—

- (a) every item of lifting tackle is well constructed of sound material, is strong enough and is free from patent defects and is in general constructed in accordance with a generally accepted technical standard;
- (b) every lifting assembly consisting of different items of lifting tackle is conspicuously and clearly marked with identification particulars and the maximum mass load which it is designed to lift with safety;
- (c) ropes of chains have a factor of safety with respect to the maximum mass load they are designed to lift with safety of—
 - (i) ten for natural-fibre ropes;
 - (ii) six for man-made fibre ropes or woven webbing;
 - (iii) six for steel-wire ropes except for double part spliced endless sling legs and double part endless grommet sling legs made from steel-wire rope, in which case the factor of safety shall be at least eight;
 - (iv) five for steel chains; and
 - (v) four for high-tensile or alloy steel chains:

Provided that when the load is equally shared by two or more ropes or chains the factor of safety may be calculated in accordance with the sum of the breaking strengths taking into consideration the angle of loading;

- (d) steel-wire ropes are discarded and not used again for lifting purposes if the rope shows signs of excessive wear, too many broken wires, corrosion or other defects that have made its use in any way dangerous;
- (e) such lifting tackle is examined at intervals not exceeding three months by a person contemplated in subregulation (5) who shall enter and sign the result of each such inspection in a book kept for this purpose; and
- (f) such lifting tackle is stored or protected so as to prevent damage or deterioration when not in use.

Builder's hoists

19. (1) The user shall ensure that every builder's hoist and its tower are well constructed of sound material, are strong enough and free from patent defects and in general are constructed in accordance with generally accepted technical standards.

(2) The user shall cause the tower of every builder's hoist—

- (a) to be secured to the structure or to be braced by steel-wire guy ropes and to extend to such a distance above the highest landing as to allow a clear and unobstructed space of at least 900 mm for overtravel;

(b) aan alle sye aan die onderkant en by alle vloere waar persone deur bewegende dele van die hysmasjiën getref kan word, behalwe aan die kant of kante wat toegang tot die vervoermiddel verleen, ingesluit is deur mure of ander doeltreffende middele tot 'n hoogte van minstens 2 100 mm vanaf die grond- of vloervlak; en

(c) by elke uitreeplek van 'n deur of hek, minstens 1 800 mm hoog, voorsien is, en sodanige deur of hek moet toegehou word, behalwe wanneer die vervoermiddel by so 'n uitreeplek stilstaan.

(3) Die gebruiker moet toesien dat—

(a) die vervoermiddel van 'n bouershysmasjiën gedra word deur 'n staaldraadtoe waarvan die breeksterkte minstens ses keer die maksimum massalas is wat dit moet dra;

(b) elke bouershysmasjiën voorsien is van 'n doeltreffende rem wat in staat is om die vervoermiddel met sy maksimum las in enige posisie te hou wanneer krag nie aan die hysmasjinerie voorsien word nie; en

(c) doeltreffende reëlins getref word dat duidelike seine vir die werking van die hysmasjiën gegee word vanaf elke uitreeplek waar die bouershysmasjiën gebruik word.

(4) Geen gebruiker mag vereis of toelaat dat stootwaens, kruitwaens of materiaal in of op die vervoermiddel van 'n bouershysmasjiën vervoer word nie en geen persoon mag stootwaens, kruitwaens of materiaal aldus vervoer nie, tensy bedoelde stootwaens, kruitwaens of materiaal so vasgemaak of ingesluit is dat verskuiwing daarvan nie gedurende vervoer kan plaasvind nie.

(5) Geen gebruiker mag vereis of toelaat dat enige persoon op 'n bouershysmasjiën ry nie, en geen persoon mag op 'n bouershysmasjiën ry nie.

(6) Die gebruiker moet toesien dat elke bouershysmasjiën minstens een keer elke week ondersoek word deur 'n persoon wat ondervinding het van die oprigting en instandhouding van bouershysmasjiëne of soortgelyke masjinerie, welke persoon die diensbaarheid van die hele bouershysmasjiën, insluitende die leispore, toue en hul verbindings, tromme, katrolwiele of katrolle en alle veiligheidstoestelle, moet bepaal en welke persoon die uitslag van elke sodanige ondersoek moet inskryf en onderteken in 'n rekordboek wat vir daardie doel op die perseel gehou moet word.

Skiethamers

20. (1) Geen gebruiker mag 'n skiethamer gebruik of toelaat dat enige persoon dit gebruik nie tensy—

(a) dit rondom die bek daarvan voorsien is van 'n skerm wat enige vlieënde stukkie of deeltjies doeltreffend inperk;

(b) die vuurmeganisme so ontwerp is dat die skiethamer nie sal werk nie tensy—

(i) dit teen die oppervlak gehou word met 'n krag van minstens twee maal die gewig van die skiet-hamer; en

(ii) die hellingshoek van die loop tot die werkvlak nie meer as 15 grade van 'n reghoek is nie:

Met dien verstande dat die bepalings van hierdie subregulasie nie van toepassing is nie op skiethamers ten opsigte waarvan die energie van die patroon na die boue, spykers of soortgelyke tersaaklike voorwerpe oorgedra word deur middel van 'n tussengangsuier wat 'n beperkte beweegafstand het.

(b) to be enclosed on all sides at the bottom, and at all floors where persons are liable to be struck by moving parts of the hoist except on the side or sides giving access to the conveyance, with walls or other effective means to a height of at least 2 100 mm from the ground or floor level; and

(c) to be provided with a door or gate at least 1 800 mm high at each landing, and such door or gate shall be kept closed except when the conveyance is at rest at such a landing.

(3) The user shall cause—

(a) the conveyance of a builder's hoist to be carried by a steel-wire rope of which the breaking strength shall be at least six times the maximum mass load it is required to carry;

(b) every builder's hoist to be provided with an efficient brake capable of holding the conveyance with its maximum load in any position when the power is not being supplied to the hoisting machinery; and

(c) effective arrangements to be made for clear signals for the operation of the hoist to be given from each landing from which the builder's hoist is being used.

(4) No user shall require or permit trucks, barrows or material to be conveyed on or in the conveyance of a builder's hoist and no person shall so convey trucks, barrows or material unless such articles are so secured or contained that displacement thereof cannot take place during conveyance.

(5) No user shall require or permit any person to ride on, and no person shall ride on, a builder's hoist.

(6) The user shall cause every builder's hoist to be inspected at least once every week by a person who has experience of the erection and maintenance of builder's hoists or similar machinery, who shall determine the serviceability of the entire builder's hoist including guides, ropes and their connections, drums, sheaves or pulleys and all safety devices, and who shall enter and sign the result of each such inspection in a record book which shall be kept on the premises for that purpose.

Explosive powered tools

20. (1) No user shall use or permit any person to use an explosive powered tool unless—

(a) it is provided with a protective guard around the muzzle end which effectively confines any flying fragments or particles;

(b) the firing mechanism is so designed that the explosive powered tool will not function unless—

(i) it is held against the surface with a force of at least twice its weight; and

(ii) the angle of inclination of the barrel to the work surface is not more than 15 degrees from a right angle:

Provided that the provisions of this subregulation shall not apply to explosive powered tools in which the energy of the cartridge is transmitted to the bolts, nails or similar relevant objects by means of an intermediate piston which has a limited distance of travel.

(2) Die gebruiker van 'n skiethamer moet toesien dat—

- (a) slegs patrone gebruik word wat geskik is vir die skiet-hamer en die werk wat verrig moet word;
- (b) die skiethamer by gereelde tussenpose, soos wat nodig mag wees vir die veilige gebruik daarvan, skoongemaak en ondersoek word;
- (c) die skiethamer en patrone in 'n veilige plek wat nie vir ongemagtigde persone toeganklik is nie, gebêre word wanneer dit nie gebruik word nie;
- (d) die skiethamer nie gebêre word as dit gelaai is nie; en
- (e) 'n waarskuwingskennisgewing aangebring word waar die skiethamer ook al gebruik word.

(3) Geen gebruiker mag toegelaat of vereis dat enige persoon 'n skiethamer gebruik nie tensy sodanige persoon—

- (a) voorsien is van en gebruik maak van geskikte oogbeskerming; en
- (b) ten volle onderrig is in die bediening, instandhouding en gebruik van 'n skiethamer.

Misdrywe en strawwe

21. Enige persoon wat 'n bepaling van regulasie 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 (1), 16 (2), 16 (5), 16 (6), 16 (7), 17, 18, 19 of 20 oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of met gevangenisstraf vir 'n tydperk van hoogstens ses maande en, in die geval van 'n voortdurende misdryf, met 'n addisionele boete van R5 vir elke dag waarop die misdryf voortduur of met addisionele gevangenisstraf van een dag vir elke dag waarop die misdryf voortduur. Met dien verstande dat die tydperk van sodanige addisionele gevangenisstraf in geen geval 90 dae mag oorskry nie.

Herroeping van regulasies

22. Die volgende regulasies word hierby herroep:

- (a) Regulasies C15, C29, C30, C31, C32, C33, C34, C35, C36, C37, C38, C39, C40, C41, C42, C43, C44, C45, C46 en C49, afgekondig by Goewermentskennisgewing R. 929 van 28 Junie 1963;
- (b) regulasie D15, afgekondig by Goewermentskennisgewing R. 1934 van 13 Desember 1963.

Kort titel

23. Hierdie Regulasies heet die Aangedrewe Masjinerieregulasies, 1988.

No. R. 296

26 Februarie 1988

WET OP MASJINERIE EN BEROEPSVEILIGHEID,
1983

AANGEDREWE MASJINERIE REGULASIES

INLYWING VAN VEILIGHEIDSTANDAARDE

Kragtens die bevoegdheid my verleen by artikel 36 (1) van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet 6 van 1983), lyf ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, hiermee die veiligheidsstandaarde gespesifiseer in die Bylae hierby in by die Aangedrewe Masjinerie Regulasies.

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

(2) The user of an explosive powered tool shall ensure that—

- (a) only cartridges suited to the explosive powered tool and the work to be performed are used;
- (b) the explosive powered tool is cleaned and examined at regular intervals as may be necessary for its safe operation;
- (c) when not in use, the explosive powered tool and the cartridges are stored in a safe place which is inaccessible to unauthorised persons;
- (d) the explosive powered tool is not stored in a loaded condition; and
- (e) a warning notice is posted wherever the explosive powered tool is used.

(3) No user shall permit or require any person to use an explosive powered tool unless such person has been—

- (a) provided with and uses suitable eye protection; and
- (b) has been fully instructed in the operation, maintenance and use of such tool.

Offences and penalties

21. Any person who contravenes or fails to comply with a provision of regulation 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16 (1), 16 (2), 16 (5), 16 (6), 16 (7), 17, 18, 19 or 20 shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or to imprisonment for a period not exceeding six months and, in the case of a continuous offence, to an additional fine of R5 for each day on which the offence continues or to additional imprisonment of one day for each day on which the offence continues: Provided that the period of such additional imprisonment shall in no case exceed 90 days.

Withdrawal of regulations

22. The following regulations are hereby withdrawn:

- (a) Regulations C15, C29, C30, C31, C32, C33, C34, C35, C36, C37, C38, C39, C40, C41, C42, C43, C44, C45, C46 and C49, published by Government Notice R. 929 of 28 June 1963;
- (b) regulation D15, published by Government Notice R. 1934 of 13 December 1963.

Short title

23. These regulations shall be called the Driven Machinery Regulations, 1988.

No. R. 296

26 February 1988

MACHINERY AND OCCUPATIONAL SAFETY ACT,
1983

DRIVEN MACHINERY REGULATIONS

INCORPORATION OF SAFETY STANDARDS

Under the powers vested in me by section 36 (1) of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby incorporate into the Driven Machinery Regulations, the safety standard specified in the Schedule hereto.

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

BYLAE

1. Regulasie 15.

Suid-Afrikaanse Buro vir Standaarde, gebruikskode
SABS 0147: Koel- en lugversorgingsinstallasies.

2. Regulasie 16 (1) (a).

Suid-Afrikaanse Buro vir Standaarde, gebruikskode
SABS 0148: Die installering en bediening van kabel-
krane en kabelsweefbane.

No. R. 318

26 Februarie 1988

WET OP ARBEIDSVERHOUDINGE, 1956**MOTORVERVOERONDERNEMING (GOEDERE).—
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 1989 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1989 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 MOTORVERVOER-
ONDERNEMING (GOEDERE)****OOREENKOMS**

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

Motor Transport Owners' Association of South Africa

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

Motor Transport Workers' Union (South Africa),
die

South African Transport Worker's Union
die

Transport Workers' Union of South Africa,
en die

Transport and General Workers' Union

(hierna die "werknemers" of die "vakverenigings" genoem), aan die
ander kant,
wat die partye is by die Nywerheidsraad vir die Motorvervoeronderneming
(goedere),

SCHEDULE

1. Regulation 15.

South African Bureau of Standards, code of practice
SABS 0147: Refrigeration and air-conditioning instal-
lations.

2. Regulation 16 (1) (a).

South African Bureau of Standards, code of practice
SABS 0148: The installation and operation of cable
cranes and aerial rope-ways.

No. R. 318

26 February 1988

LABOUR RELATIONS ACT, 1956**MOTOR TRANSPORT UNDERTAKING (GOODS).—
AMENDMENT OF MAIN AGREEMENT**

I, Pieter Theunis Christiaan du Plessis, Minister of Man-
power, 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 1989, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or unions; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1989, 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 MOTOR TRANSPORT
UNDERTAKING (GOODS)****AGREEMENT**

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

Motor Transport Owners' Association of South Africa

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

Motor Transport Workers' Union (South Africa)
the

South African Transport Workers' Union
the

Transport Workers' Union of South Africa
and the

Transport and General Workers' Union

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

being the parties to the Industrial Council for the Motor Transport Under-
taking (Goods),

om die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 2253 van 14 Oktober 1983, soos hernieu en gewysig deur Goewermentskennisgewings R. 1131 van 8 Junie 1984, R. 2788 en R. 2789 van 20 Desember 1985, R. 578 van 27 Maart 1986, R. 2266 van 31 Oktober 1986, R. 2638 van 12 Desember 1986, R. 66 van 9 Januarie 1987 en R. 1138 van 29 Mei 1987, te wysig.

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet in die Motorvervoeronderneming (Goedere) nagekom word—

- (a) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakverenigings is, wat onderskeidelik by bogenoemde Onderneming betrokke of daarin werksaam is;
- (b) in die landdrostrikte Alberton, Benoni, Boksburg, Brakpan [uitgesonderd daardie gedeeltes van die landdrostrikte Boksburg en Brakpan wat voor die publikasie van Goewermentskennisgewing 1779 van 6 November 1964 binne die landdrostrik Heidelberg geval het, en uitgesonderd daardie gedeeltes van die landdrostrik Brakpan wat voor 1 April 1966 en 1 Julie 1972 (Goewermentskennisgewings 498 en 871 van onderskeidelik 1 April 1966 en 26 Mei 1972) binne die landdrostrik Nigel geval het], Delmas, Germiston, Johannesburg, Kempton Park [uitgesonderd daardie gedeeltes wat voor 29 Maart 1956 en 1 November 1970 (Goewermentskennisgewings 556 en 1618 van onderskeidelik 29 Maart 1956 en 2 Oktober 1970) binne die landdrostrik Pretoria geval het], Krugersdorp [met inbegrip van daardie gedeeltes van die landdrostrikte Koster en Brits wat voor onderskeidelik 26 Julie 1963 en 1 Junie 1972 (Goewermentskennisgewings 1105 van 26 Julie 1963 en 872 van 26 Mei 1972) binne die landdrostrik Krugersdorp geval het], Oberholzer (uitgesonderd daardie gedeelte van die landdrostrik Oberholzer wat voor die publikasie van Goewermentskennisgewing 1745 van 1 September 1978 binne die landdrostrik Potchefstroom geval het), Randburg (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing 2152 van 22 November 1974 binne die landdrostrik Pretoria geval het), Randfontein (met inbegrip van daardie gedeelte van die landdrostrik Koster wat voor die publikasie van Goewermentskennisgewing 1105 van 26 Julie 1963 binne die landdrostrik Randfontein geval het, maar uitgesonderd die plase Moadowns 1, Holfontein 17, Leeuwpan 18, Ireton 19, Pahtiki 20, Bospan 21 en Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging en Westonaria.
- (2) Ondanks subklousule (1) is hierdie Ooreenkoms slegs van toepassing op werknemers vir wie minimum lone in hierdie Ooreenkoms voorgeskryf word en op die werkgewers van sodanige werknemers.
- (3) Ondanks subklousule (1) is hierdie Ooreenkoms nie van toepassing nie op—
- (a) 'n eienaar wat sy eie voertuig dryf en die werknemers wat in verband met die gebruik van sodanige voertuig in diens is; en
- (b) 'n werkgewer met een vragmotor en een drywer en die werknemers van sodanige werkgewer.

2. KLOUSULE 4.—LONE

In subklousule (1), vervang die bestaande weeklikse loontabelle (a) en (b) deur die volgende tabelle:

to amend the Agreement published under Government Notice R. 2253 of 14 October 1983, as renewed and amended by Government Notices R. 1131 of 8 June 1984, R. 2788 and R. 2789 of 20 December 1985, R. 578 of 27 March 1986, R. 2266 of 31 October 1986, R. 2638 of 12 December 1986, R. 66 of 9 January 1987 and R. 1138 of 29 May 1987.

1. SCOPE OF APPLICATION

(1) The terms in this Agreement shall be observed in the Motor Transport Undertaking (Goods)—

- (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions, who are engaged or employed therein, respectively;
- (b) in the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan [excluding those portions of the Magisterial Districts of Boksburg and Brakpan which, prior to the publication of Government Notice 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg, and excluding those portions of the Magisterial District of Brakpan which, prior to 1 April 1966 and 1 July 1972 (Government Notices 498 and 871 of 1 April 1966 and 26 May 1972, respectively), fell within the Magisterial District of Nigel], Delmas, Germiston, Johannesburg, Kempton Park [excluding those portions which, prior to 29 March 1956 and 1 November 1970 (Government Notices 556 and 1618 of 29 March 1956 and 2 October 1970, respectively), fell within the Magisterial District of Pretoria], Krugersdorp [including those portions of the Magisterial Districts of Koster and Brits which, prior to 26 July 1963 and 1 June 1972, respectively (Government Notices 1105 of 26 July 1963 and 872 of 26 May 1972), fell within the Magisterial District of Krugersdorp], Oberholzer (excluding that portion of the Magisterial District of Oberholzer which prior to the publication of Government Notice 1745 of 1 September 1978, fell within the Magisterial District of Potchefstroom), Randburg (excluding that portion which, prior to the publication of Government Notice 2152 of 22 November 1974, fell within the Magisterial District of Pretoria), Randfontein (including that portion of the Magisterial District of Koster which, prior to the publication of Government Notice 1105 of 26 July 1963, fell within the Magisterial District of Randfontein, but excluding the farms Moadowns 1, Holfontein 17, Leeuwpan 18, Ireton 19, Pahtiki 20, Bospan 21 and Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging and Westonaria.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall only apply to employees for whom minimum wages are prescribed in this Agreement and to employers of such employees.
- (3) Notwithstanding the provisions of subclause (1), the provisions of this Agreement shall not apply to—
- (a) an owner who drives his own vehicle and the employees employed in connection with such a vehicle; and
- (b) an employer who operates one truck with one driver and the employees employed by such an employer.

2. CLAUSE 4.—WAGES

In subclause (1), substitute the following for wage tables (a) and (b):

“(a) Weeklikse lone	Werknemers met minder as een jaar diens by dieselfde werkgewer	Werknemers met meer as een jaar maar minder as vyf jaar diens by dieselfde werkgewer	Werknemers met vyf jaar of langer diens by dieselfde werkgewer
	R	R	R
Drywer van 'n—			
motorfiets/motordriewiel	90,16	92,92	96,60
ligte motorvoertuig	90,16	92,92	96,60
medium motorvoertuig (gelede)	117,76	120,52	124,66
medium motorvoertuig (nie-gelede)	113,16	115,92	119,60
interne motorvoertuig	113,16	115,92	119,60
swaar motorvoertuig (gelede)	133,40	136,16	139,84
swaar motorvoertuig (nie-gelede)	127,42	130,18	133,86
ekstra-swaar motorvoertuig (gelede)	149,50	152,26	155,94
ekstra-swaar motorvoertuig (nie-gelede)	143,98	146,74	150,88
ultra-swaar motorvoertuig	154,56	157,32	161,00
algemene werker	83,72	84,64	86,94
veiligheidsbeampte graad A	259,44	262,20	264,96
veiligheidsbeampte graad B	248,86	251,62	255,30

(b) Weeklikse lone vir—	R
Ambagsman	201,94
Onderbaas	95,22
Chauffeur	90,16
Nasiener	95,22
In die sesde jaar diens by dieselfde werkgewer	98,44
Versendingsklerk	149,04
Bediener van 'n bokkraan graad I	117,76
Bediener van 'n bokkraan graad II	113,16
Bediener van 'n laaigraaf graad I	131,56
Bediener van 'n laaigraaf graad II	125,58
Bediener van 'n mobiele hystoestel of 'n vurkhyswa:	
Graad I	105,34
Graad II	95,22
Verpakker/Laaier	95,22
In die sesde jaar diens by dieselfde werkgewer	98,44
Herstelwinkelassistent:	
In die eerste jaar diens by dieselfde werkgewer	92,00
In die tweede jaar diens by dieselfde werkgewer	102,12
Daarna	113,16
Magasynman	149,04
Magasynman (werkwinkel)	113,16
Wag	89,40 (60 ure)''.

“(a) Weekly wages	Employees with less than one year's service with the same employer	Employees with more than one year's service but less than five years' service with the same employer	Employees with five years' service or more with the same employer
	R	R	R
Driver of—			
a motor cycle/motor tricycle	90,16	92,92	96,60
a light motor vehicle	90,16	92,92	96,60
a medium motor vehicle (articulated)	117,76	120,52	124,66
a medium motor vehicle (rigid)	113,16	115,92	119,60
an internal motor vehicle	113,16	115,92	119,60
a heavy motor vehicle (articulated)	133,40	136,16	139,84
a heavy motor vehicle (rigid)	127,42	130,18	133,86
an extra-heavy motor vehicle (articulated)	149,50	152,26	155,94
an extra-heavy vehicle (rigid)	143,98	146,74	150,88
an ultra-heavy motor vehicle	154,56	157,32	161,00
general worker	83,72	84,64	86,94
security officer, Grade A	259,44	262,20	264,96
security officer, Grade B	248,86	251,62	255,30

(b) Weekly wages for—	R
Artisan	201,94
Chargehand	95,22
Chauffeur	90,16
Checker	95,22
In the sixth year of service with the same employer	98,44
Despatch clerk	149,04
Gantry crane operator, Grade I	117,76
Gantry crane operator, Grade II	113,16
Loader operator, Grade I	131,56
Loader Operator, Grade II	125,58
Mobile hoist operator or Fork-lift truck operator:	
Grade I	105,34
Grade II	95,22
Packer/Loader	95,22
In the sixth year of service with the same employer	98,44
Repair shop assistant:	
In the first year of service with the same employer	92,00
In the second year of service with the same employer	102,12
Thereafter	113,16
Storeman	149,04
Storeman (workshop)	113,16
Watchman	89,40 (60 hours)''.

3. KLOUSULE 6.—VERBLYFTOELAE

(1) In sub-klausule (1) (a) (i), vervang die syfer "R5,00" deur die syfer "R6,00".

(2) In sub-klausule (1) (a) (ii), vervang die syfer "R2,00" deur die syfer "R2,50".

(3) In sub-klausule (1) (b) (i), vervang die syfer "R2,50" deur die syfer "R3,20".

In sub-klausule (1) (b) (ii), vervang die syfer "R2,00" deur die syfer "R2,50".

4. KLOUSULE 14.—VAKANSIESOLDYBONUSFONDS

In subklausule (1) (a), vervang die bestaande tabel deur die volgende tabel:

"Bydraetabel vir 'n drywer van 'n—	R
motorfiets/motordriewiel	10,80
ligte motorvoertuig	10,80
medium motorvoertuig (gelede)	11,50
medium motorvoertuig (nie-gelede)	11,50
interne motorvoertuig	11,50
swaar motorvoertuig (gelede)	13,60
swaar motorvoertuig (nie-gelede)	13,60
ekstra-swaar motorvoertuig (gelede)	13,80
ekstra-swaar motorvoertuig (nie-gelede)	13,80
ultra-swaar motorvoertuig	13,80"

5. KLOUSULE 15.—SIEKTEFONDS

In subklausule 1 (a) vervang die bestaande tabel deur die volgende tabel:

"Bydraetabel vir 'n—	R
(i) drywer vir 'n—	
motorfiets/motordriewiel	18,00
ligte motorvoertuig	18,00
medium motorvoertuig (gelede)	23,50
medium motorvoertuig (nie-gelede)	22,60
interne motorvoertuig	22,60
swaar motorvoertuig (gelede)	26,60
swaar motorvoertuig (nie-gelede)	25,50
ekstra-swaar motorvoertuig (gelede)	29,90
ekstra-swaar motorvoertuig (nie-gelede)	28,80
ultra-swaar motorvoertuig	30,90
(ii) nasiener	19,00
(iii) algemene werker	16,70
(iv) verpakker/laaier	19,00
(v) herstelwinklassistent	18,40
(vi) veiligheidsbeampte graad A	51,90
(vii) veiligheidsbeampte graad B	49,80"

Namens die partye by die Raad op hede 3de dag van Desember 1987 te Johannesburg onderteken.

G. H. VAN DER WALT,
Voorsitter van die Raad.

A. M. SERRANO,
Ondervoorsitter van die Raad.

E. NEL,
Sekretaris van die Raad.

No. R. 319

26 Februarie 1988

WET OP ARBEIDSVERHOUDINGE, 1956

LEERNYWERHEID, REPUBLIEK VAN SUID-AFRIKA.—WYSIGING VAN ADMINISTRASIE FONDS-OOREENKOMS

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

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalinge 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

3. CLAUSE 6.—SUBSISTENCE ALLOWANCE

(1) In subclause (1) (a) (i), substitute the figure "R6,00" for the figure "R5,00".

(2) In subclause (1) (a) (ii), substitute the figure "R2,50" for the figure "R2,00".

(3) In subclause (1) (b) (i), substitute the figure "R3,20" for the figure "R2,50".

(4) In subclause (1) (b) (ii), substitute the figure "R2,50" for the figure "R2,00".

4. CLAUSE 14.—HOLIDAY PAY BONUS FUND

In subclause 1 (a), substitute the following for the existing table:

"Contribution table for a driver of—	R
a motor cycle/motor tricycle	10,80
a light motor vehicle	10,80
a medium motor vehicle (articulated)	11,50
a medium motor vehicle (rigid)	11,50
an internal motor vehicle	11,50
a heavy motor vehicle (articulated)	13,60
a heavy motor vehicle (rigid)	13,60
an extra-heavy motor vehicle (articulated)	13,80
an extra-heavy motor vehicle (rigid)	13,80
an ultra-heavy motor vehicle	13,80"

5. CLAUSE 15.—SICK FUND

In subclause 1 (a), substitute the following for the existing table:

"Contribution table for a—	R
(i) driver of—	
a motor cycle/motor tricycle	18,00
a light motor vehicle	18,00
a medium motor vehicle (articulated)	23,50
a medium motor vehicle (rigid)	22,60
an internal motor vehicle	22,60
a heavy motor vehicle (articulated)	26,60
a heavy motor vehicle (rigid)	25,50
an extra-heavy motor vehicle (articulated)	29,90
an extra-heavy motor vehicle (rigid)	28,80
an ultra-heavy motor vehicle	30,90
(ii) checker	19,00
(iii) general worker	16,70
(iv) packer/loader	19,00
(v) repair shop assistant	18,40
(vi) security officer Grade A	51,90
(vii) security officer Grade B	49,80"

Signed at Johannesburg for and on behalf of the parties to the Council, this 3rd day of December 1987.

G. H. VAN DER WALT,
Chairman of the Council.

A. M. SERRANO,
Vice-Chairman of the Council.

E. NEL,
Secretary of the Council.

No. R. 319

26 February 1988

LABOUR RELATIONS ACT, 1956

LEATHER INDUSTRY, REPUBLIC OF SOUTH AFRICA.—AMENDMENT OF ADMINISTRATION 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 30 April 1992 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en

- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 April 1992 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

NASIONALE NYWERHEIDSRaad VIR DIE LEERNYWERHEID VAN SUID-AFRIKA

OOREENKOMS

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

- (a) Midland and Border Leather Industry Manufacturer's Association;
 - (b) Western Cape Leather Industries Association;
 - (c) Transvaal Footwear, Tanning and Leather Trades Association;
 - (d) Natal Footwear, Tanning and General Leather Manufacturers' Association;
 - (e) South African Tanning Employers' Organisation;
 - (f) Footwear Manufacturers' Federation of South Africa
- en
- (g) Association of Transvaal Manufacturers of Luggage, Handbags and General Goods

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

- (h) National Union of Leather Workers;

en

- (i) Transvaal Leather and Allied Trades Industrial Union

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

wat die partye is by die Nasionale nywerheidsraad vir die Leernywerheid van Suid-Afrika,

om die Ooreenkoms vir die Administrasiefonds, gepubliseer by Goewermentskennisgewing R. 1789 van 3 September 1982, soos gewysig deur Goewermentskennisgewings R. 87 van 14 Januarie 1983, R. 2443 van 4 November 1983, R. 1669 van 26 Julie 1985, R. 1759 van 22 Augustus 1986 en verleng deur Goewermentskennisgewing R. 306 van 13 Februarie 1987, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

- (1) Hierdie Ooreenkoms moet in die Leernywerheid nagekom word—

- (a) deur alle werkgewers wat lede van die werkgewersorganisasies is en deur alle werknemers wat lede van die vakverenigings is en wat onderskeidelik by die Nywerheid betrokke of daarin werksaam is (uitgesonderd persone wat uitsluitlik herstelwerk doen);
- (b) in die Republiek van Suid-Afrika, uitgesonderd die hawe en nederstelling van Walvisbaai:

Met dien verstande dat in verband met die werksaamhede uiteengesit in paragraaf (6) van die omskrywing van "Nywerheid" of "Leernywerheid" in klousule 3 van die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 1789 van 3 September 1982 dit net in die landdrostdistrikte Bellville, ingesluit daardie gedeelte van die Magistraatsdistrik van Bellville wat opvolgend van die publikasie van Goewermentskennisgewing 1683 van 7 Augustus 1987 binne die Magistraatsdistrik van Kuilsrivier, Die Kaap, Goodwood, Durban geval het, met inbegrip van daardie gedeelte van die landdrostdistrik Chatsworth wat voor die publikasie van Goewermentskennisgewing 501 van 8 Maart 1985 binne die landdrostdistrik Durban geval het, maar uitgesluit daardie gedeeltes van die Magistraatsdistrik van Durban wat voor die publikasie van

shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 April 1992, upon the employers' organisations and the trade unions 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 30 April 1992, 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

NATIONAL INDUSTRIAL COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA

AGREEMENT

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

- (a) Midland and Border Leather Industry Manufacturers' Association;
 - (b) Western Cape Leather Industries Association;
 - (c) Transvaal Footwear, Tanning and Leather Trades Association;
 - (d) Natal Footwear, Tanning and General Leather Manufacturers' Association;
 - (e) South African Tanning Employers' Organisation;
 - (f) Footwear Manufacturers' Federation of South Africa
- and
- (g) Association of Transvaal Manufacturers of Luggage, Handbags and General Goods

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

- (h) National Union of Leather Workers;

and

- (i) Transvaal Leather and Allied Trades Industrial Union

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

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

to amend the Administration Fund Agreement published under Government Notice R. 1789 of 3 September 1982, as amended by Government Notices R. 87 of 14 January 1983, R. 2443 of 4 November 1983, R. 1669 of 26 July 1985, R. 1759 of 22 August 1986 and extended by Government Notice R. 306 of 13 February 1987.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Leather Industry—

- (a) by all employers who are members of the employer's organisations and by all employees who are members of the trade unions who are engaged or employed therein respectively (other than persons engaged exclusively on repair work);
- (b) in the Republic of South Africa, excluding the port and settlement of Walvis Bay:

Provided that on the operations set forth in paragraph (6) of the definition of "Industry" or "Leather Industry" in clause 3 of the Agreement published under Government Notice R. 1789 of 3 September 1982 it shall be observed only in the Magisterial Districts of Bellville, including that portion of the Magisterial District of Bellville, which subsequent to the publication of Government Notice 1683 of 7 August 1987, falls within the Magisterial District of Kuils River, The Cape, Goodwood, Durban, including that portion of the Magisterial District of Chatsworth which, prior to the publication of Government Notice 501 of 8 March 1985, fell within the Magisterial District of Durban, but excluding those portions of the Magisterial District of Durban which prior to the publication of

Goewermentskennisgewings 1939 en 2067 van 10 September 1982 en 1 Oktober 1982 onderskeidelik binne die Magistraatsdistrik van Inanda en Johannesburg nagekom moet word: Voorts met dien verstande dat in verband met die werksaamhede uiteengesit in paragraaf (7) van die omskrywing van "Nywerheid" of "Leernywerheid" in klousule 3 van genoemde Ooreenkoms dit net in die landdrosdistrikte Bellville, ingesluit daardie gedeelte van die Magistraatsdistrik van Bellville wat opvolgend van die publikasie van Goewermentskennisgewing 1683 van 7 Augustus 1987 binne die Magistraatsdistrik van Kuilsrivier, Goodwood en Durban, geval het, met inbegrip van daardie gedeelte van die landdrosdistrik Chatsworth wat voor die publikasie van Goewermentskennisgewing 501 van 8 Maart 1985 binne die landdrosdistrik Durban geval het, nagekom moet word: maar uitgesluit daardie gedeeltes van die Magistraatsdistrik van Durban wat voor die publikasie van Goewermentskennisgewings 1939 en 2067 van 10 September 1982 en 1 Oktober 1982 onderskeidelik binne die Magistraatsdistrik van Inanda geval het. Voorts met dien verstande dat in verband met die werksaamhede uiteengesit in paragraaf (8) van die omskrywing van "Nywerheid" of "Leernywerheid" in klousule 3 van genoemde Ooreenkoms, dit net in die landdrosdistrikte Bellville, ingesluit daardie gedeelte van die Magistraatsdistrik van Bellville wat opvolgend van die publikasie van Goewermentskennisgewing 1683 van 7 Augustus 1987 binne die Magistraatsdistrik van Kuilsrivier, Germiston, Goodwood, Johannesburg, Middelburg (Transvaal), Pretoria, Roodepoort en Die Kaap geval het nagekom moet word.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms egter van toepassing slegs op dié werknemers vir wie lone in enigen van die Hoof-ooreenkoms van die Raad voorgeskryf word.

2. KLOUSULE 5.—FONDSE VAN DIE RAAD

(1) In subklousule (1), vervang die syfer "11c" deur die syfer "12c".

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

"(2) Indien 'n bedrag wat ingevolge hierdie klousule verskuldig is nie deur die Raad ontvang word teen die 15de dag van die maand wat volg op die maand ten opsigte waarvan dit betaalbaar is nie, moet die werkgewer op sodanige bedrag of sodanige kleiner bedrag wat nie betaal is nie, rente betaal teen 'n koers wat deur die Raad van tyd tot tyd bepaal word, onderworpe volgens die Wet op vasgestelde rentekoerse 1975, en bereken vanaf die eerste dag van die maand waarop betaling verskuldig geword het tot die dag waarop betaling werklik deur die Raad ontvang word: Met dien verstande dat die Raad na goeddunke betaling van sodanige rente of gedeelte daarvan kan kwytsteld."

Namens die partye op hede die 18de dag van November 1987 te Port Elizabeth onderteken.

O. J. FOURIE,
Voorsitter van die Raad.

D. J. F. LINDE,
Lid van die Raad.

L. M. VAN LOGGERENBERG,
Hoofsekretaris van die Raad.

Government Notices 1939 and 2067 of 10 September 1982 and 1 October 1982 respectively, fell within the Magisterial District of Inanda, and Johannesburg: Provided further that on the operations set forth in paragraph (7) of the definition of "Industry" or "Leather Industry" in clause 3 of the said Agreement it shall be observed only in the Magisterial Districts of Bellville, including that portion of the Magisterial District of Bellville, which subsequent to the publication of Government Notice 1683 of 7 August 1987, falls within the Magisterial District of Kuils River, Goodwood and Durban, including that portion of the Magisterial District of Chatsworth which, prior to the publication of Government Notice 501 of 8 March 1985, fell within the Magisterial District of Durban, but excluding those portions of the Magisterial District of Durban which prior to the publication of Government Notices 1939 and 2067 of 10 September 1982 and 1 October 1982 respectively fell within the Magisterial District of Inanda. Provided further that on the operations set forth in paragraph (8) of the definition of "Industry" or "Leather Industry" in clause 3 of the said Agreement it shall be observed only in the Magisterial Districts of Bellville, including that portion of the Magisterial District of Bellville, which subsequent to the publication of Government Notice 1683 of 7 August 1987, falls within the Magisterial District of Kuils River, Germiston, Goodwood, Johannesburg, Middelburg (Transvaal), Pretoria, Roodepoort and The Cape.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall, however, apply only to those employees for whom wages are prescribed in any of the Main Agreements of the Council.

2. CLAUSE 5.—COUNCIL FUNDS

(1) In subclause (1), substitute the figure "12c" for the figure "11c".

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

"(2) Should any amount due in terms of this clause not be received by the Council by the 15th day of the month following the month in respect of which it is payable, the employer shall pay interest on such amount or on such lesser amount as remains unpaid, at a rate of interest determined by the Council from time to time, subject to the prescribed Rate of Interest Act, 1975, and calculated from the first day of the month in which payment became due until the day upon which payment is actually received by the Council: Provided that the Council shall be entitled in its absolute discretion to waive the payment of such interest or part thereof."

This Agreement signed at Port Elizabeth, on behalf of the parties, this 18th day of November 1987.

O. J. FOURIE,
Chairman of the Council.

D. J. F. LINDE,
Member of the Council.

L. M. VAN LOGGERENBERG,
General Secretary of the Council.

No. R. 320

26 Februarie 1988

WET OP ARBEIDSVERHOUDINGE, 1956

KLERASIENYWERHEID, OOSTELIKE PROVINSIE.— WYSIGING VAN HOOFOOREENKOMS

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

- (a) kragtens artikel 48 (1) (a) van Wet op Arbeidsverhoudinge, 1956, dat die bepalinge 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 30 April 1988 eindig, bindend is, vir die werkgewersorganisasie, die werkgewers en hul werknemers en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en

No. R. 320

26 February 1988

LABOUR RELATIONS ACT, 1956

CLOTHING INDUSTRY, EASTERN PROVINCE.— AMENDMENT OF MAIN AGREEMENT

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

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 April 1988, upon the employers' organisation, the employers and their employees and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or unions; and

- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkom, uitgesonderd die vervat in klousules 1 (1) (a) en (c), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 April 1988 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 (1) (b) van die Wysigingsooreenkom gespesifiseer.

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

BYLAE

NYWERHEIDSRaad VIR DIE KLERASIENYWERHEID, OOSTELIKE PROVINSIE

OOREENKOMS

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

**Eastern Province Clothing Manufacturer's Association;
Hi Speed Clothing Manufacturers (Pty) Ltd;
East London Textiles (Pty) Ltd;
Berkshire International (SA) Ltd;**

en

Franco Textiles (Pty) Ltd;

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

Garment Workers Union of the Western Province—Port Elizabeth Branch
en die

National Union of Garment Workers

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

wat die partye is by die Nywerheidsraad vir die Klerasienywerheid, Oostelike Provinsie,

om die Hofooreenkom, gepubliseer by Goewermetskennisgewing R. 2005 van 14 September 1979, soos gewysig en hernieu deur Goewermetskennisgewings R. 671 van 27 Maart 1981, R. 2271 van 23 Oktober 1981, R. 1742 en R. 1743 van 20 Augustus 1982, R. 242 en R. 243 van 4 Februarie 1983, R. 2419 en R. 2420 van 4 November 1983, R. 511 van 16 Maart 1984, R. 1053 van 25 Mei 1984, R. 2571 en R. 2572 van 23 November 1984, R. 2818 van 20 Desember 1985, R. 839 van 16 April 1987 en R. 2495 van 6 November 1987, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkom moet, behoudens subklousule (2) hiervan, in die Klerasienywerheid nagekom word—

(a) deur alle werkgewers wat lede van die werkgewersorganisasies is en deur alle werknemers wat lede van die vakverenigings is;

(b) in die landdrostdistrik Port Elizabeth (met inbegrip van daardie gedeelte wat ingevolge Goewermetskennisgewing 1515 van 4 Oktober 1963 na die landdrostdistrik Hankey oorgeplaas is), en in die gedeelte van die landdrostdistrik Uitenhage wat ingevolge Goewermetskennisgewing 1687 van 5 September 1975 van die landdrostdistrik Port Elizabeth oorgeplaas is;

(c) deur Hi Speed Clothing Manufacturers (Pty) Ltd, East London Textiles (Pty) Ltd, Berkshire International (SA) Ltd en Franco Textiles (Pty) Ltd in die landdrostdistrik Oos-Londen.

(2) Ondanks subklousule (1) (a), is hierdie Ooreenkom van toepassing slegs ten opsigte van werknemers vir wie lone in hierdie Ooreenkom voorgeskryf word.

(3) Hierdie Ooreenkom is nie van toepassing nie op 'n ontwerper, voorman, fabrieksklerk en toesighouer wat maandeliks besoldig word teen 'n hoër koers as die weekloon wat in hierdie Ooreenkom vir sodanige werknemer voorgeskryf word, vermenigvuldig met vier en 'n derde, en wie se diensvoorwaardes onderstaande bepalings insluit:

(a) Dat sy dienskontrak slegs met 'n maand kennisgewing beëindig mag word;

- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clauses 1 (1) (a) and (c), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 April 1988, upon 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 (1) (b) of the Amending Agreement.

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

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CLOTHING INDUSTRY, EASTERN PROVINCE

AGREEMENT

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

**Eastern Province Clothing Manufacturer's Association;
Hi Speed Clothing Manufacturers (Pty) Ltd;
East London Textiles (Pty) Ltd;
Berkshire International (SA) Ltd;**

and

Franco Textiles (Pty) Ltd;

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

Garment Workers Union of the Western Province—Port Elizabeth Branch
and the

National Union of Garment Workers

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

being the parties to the Industrial Council for the Clothing Industry, Eastern Province,

to amend the Main Agreement published under Government Notice R. 2005 of 14 September 1979, as amended and renewed by Government Notices R. 671 of 27 March 1981, R. 2271 of 23 October 1981, R. 1742 and R. 1743 of 20 August 1982, R. 242 and R. 243 of 4 February 1983, R. 2419 and R. 2420 of 4 November 1983, R. 511 of 16 March 1984, R. 1053 of 25 May 1984, R. 2571 and R. 2572 of 23 November 1984, R. 2818 of 20 December 1985, R. 839 of 16 April 1987 and R. 2495 of 6 November 1987.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) Subject to the provisions of subclause (2) hereof, the terms of this Agreement shall be observed in the Clothing Industry—

(a) by all employers who are members of the employers organisations, and by all employees who are members of the trade unions;

(b) in the Magisterial District of Port Elizabeth (including that portion which was, in terms of Government Notice 1515 of 4 October 1963, transferred to the Magisterial District of Hankey), and in that portion of the Magisterial District of Uitenhage which was, in terms of Government Notice 1687 of 5 September 1975, transferred from the Magisterial District of Port Elizabeth;

(c) by Hi Speed Clothing Manufacturers (Pty) Ltd, East London Textiles (Pty) Ltd, Berkshire International (SA) Ltd, and Franco Textiles (Pty) Ltd in the Magisterial District of East London.

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

(3) The terms of this Agreement shall not apply to a designer, foreman, factory clerk and supervisor who is remunerated monthly at a rate in excess of the weekly wage prescribed in this Agreement for such employee, multiplied by four and a third, and whose conditions of employment include the following provisions:

(a) That his contract of service may not be terminated without a month's notice;

- (b) dat sy maandelikse besoldiging nie verminder mag word nie as gevolg van korttydwerk, openbare vakansiedae sonder besoldiging of tydperke van afwesigheid weens siekte van hoogstens 10 werkdag in 'n bepaalde jaar diens en behoudens die indiening van 'n mediese sertifikaat indien die werkgever dit

2. KLOUSULE 4.—LONE

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

“(1) Die minimum loon wat 'n werkgever aan elke lid van ondervermelde klasse van sy werknemers moet betaal, is soos volg:

	Vir die tydperk wat op 29 Februarie 1988 eindig	Daarna
	Loon per week	Loon per week
	R	R
(a) Voorman	207,98	212,10
(b) Ontwerper:		
Gekwalifiseer	292,32	298,20
Leerlinge—		
eerste 26 weke	44,31	45,15
tweede 26 weke	65,94	67,20
derde 26 weke	87,57	89,25
vierde 26 weke	108,36	110,46
vyfde 26 weke	131,25	133,98
sesde 26 weke	151,41	154,35
sewende 26 weke	173,04	176,40
agste 26 weke	195,30	199,29
negende 26 weke	212,73	216,93
tiende 26 weke	238,14	242,97
(c) Gradeerder:		
Gekwalifiseer	181,86	185,43
Leerlinge—		
eerste 26 weke	43,05	43,89
tweede 26 weke	55,02	56,07
derde 26 weke	67,20	68,46
vierde 26 weke	78,75	80,43
vyfde 26 weke	90,51	92,40
sesde 26 weke	103,95	106,05
sewende 26 weke	115,92	118,23
agste 26 weke	126,84	129,36
negende 26 weke	140,49	143,22
tiende 26 weke	150,99	153,93
(d) Merker:		
Gekwalifiseer	115,92	118,23
Leerlinge—		
eerste 26 weke	43,05	43,89
tweede 26 weke	52,92	53,97
derde 26 weke	61,74	63,00
vierde 26 weke	71,82	73,29
vyfde 26 weke	81,48	83,16
sesde 26 weke	89,88	91,98
(e) Bandmessnyer:		
Gekwalifiseer	115,92	118,23
Leerlinge—		
eerste 26 weke	43,05	43,89
tweede 26 weke	52,92	53,97
derde 26 weke	61,74	63,00
vierde 26 weke	71,82	73,29
vyfde 26 weke	81,48	83,16
sesde 26 weke	89,88	91,98

- (b) that his montly remuneration may not be reduced as a result of short-time working, unpaid public holidays or periods of absence through illness not exceeding 10 working days in any one year of employment and subject to the production of a medical certificate if required by the employer.

2. CLAUSE 4.—WAGES

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

“(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:

	For the period ending 29 February 1988	Thereafter
	Wages per week	Wages per week
	R	R
(a) Foreman	207,98	212,10
(b) Designer:		
Qualified	292,32	298,20
Learners—		
first 26 weeks	44,31	45,15
second 26 weeks	65,94	67,20
third 26 weeks	87,57	89,25
fourth 26 weeks	108,36	110,46
fifth 26 weeks	131,25	133,98
sixth 26 weeks	151,41	154,35
seventh 26 weeks	173,04	176,40
eighth 26 weeks	195,30	199,29
ninth 26 weeks	212,73	216,93
tenth 26 weeks	238,14	242,97
(c) Grader:		
Qualified	181,86	185,43
Learners—		
first 26 weeks	43,05	43,89
second 26 weeks	55,02	56,07
third 26 weeks	67,20	68,46
fourth 26 weeks	78,75	80,43
fifth 26 weeks	90,51	92,40
sixth 26 weeks	103,95	106,05
seventh 26 weeks	115,92	118,23
eighth 26 weeks	126,84	129,36
ninth 26 weeks	140,49	143,22
tenth 26 weeks	150,99	153,93
(d) Marker-in:		
Qualified	115,92	118,23
Learners—		
first 26 weeks	43,05	43,89
second 26 weeks	52,92	53,97
third 26 weeks	61,74	63,00
fourth 26 weeks	71,82	73,29
fifth 26 weeks	81,48	83,16
sixth 26 weeks	89,88	91,98
(e) Band-knife cutter:		
Qualified	115,92	118,23
Learners—		
first 26 weeks	43,05	43,89
second 26 weeks	52,92	53,97
third 26 weeks	61,74	63,00
fourth 26 weeks	71,82	73,29
fifth 26 weeks	81,48	83,16
sixth 26 weeks	89,88	91,98

	Vir die tydperk wat op 29 Februarie 1988 eindig	Daarna		For the period ending 29 February 1988	Thereafter
	Loon per week	Loon per week		Wages per week	Wages per week
	R	R		R	R
(f) Snyer:			(f) Cutter-out:		
Gekwalifiseer.....	89,88	91,98	Qualified	89,88	91,98
Leerlinge—			Learners—		
eerste 26 weke	43,05	43,89	first 26 weeks	43,05	43,89
tweede 26 weke	48,51	50,61	second 26 weeks	48,51	50,61
derde 26 weke	54,18	55,23	third 26 weeks	54,18	55,23
vierde 26 weke	59,22	60,48	fourth 26 weeks	59,22	60,48
vyfde 26 weke	65,52	66,78	fifth 26 weeks	65,52	66,78
sesde 26 weke	69,72	71,19	sixth 26 weeks	69,72	71,19
(g) Laagmaker:			(g) Layer-up:		
Gekwalifiseer.....	59,64	60,90	Qualified	59,64	60,90
Leerlinge—			Learners—		
eerste 26 weke	43,05	43,89	first 26 weeks	43,05	43,89
tweede 26 weke	45,99	46,83	second 26 weeks	45,99	46,83
derde 26 weke	48,51	49,56	third 26 weeks	48,51	49,56
vierde 26 weke	51,03	52,08	fourth 26 weeks	51,03	52,08
vyfde 26 weke	53,76	54,81	fifth 26 weeks	53,76	54,81
(h) Gespesialiseerde parser:			(h) Specialised presser:		
Gekwalifiseer.....	107,52	109,62	Qualified	107,52	109,62
Leerlinge—			Learners—		
eerste 26 weke	43,05	43,89	first 26 weeks	43,05	43,89
tweede 26 weke	48,30	50,40	second 26 weeks	48,30	50,40
derde 26 weke	53,76	54,81	third 26 weeks	53,76	54,81
vierde 26 weke	59,22	60,48	fourth 26 weeks	59,22	60,48
vyfde 26 weke	64,89	66,15	fifth 26 weeks	64,89	66,15
sesde 26 weke	69,93	71,40	sixth 26 weeks	69,93	71,40
sewende 26 weke	75,81	77,28	seventh 26 weeks	75,81	77,28
agte 26 weke	81,90	83,58	eighth 26 weeks	81,90	83,58
negende 26 weke	86,10	87,78	ninth 26 weeks	86,10	87,78
tiende 26 weke	91,77	93,66	tenth 26 weeks	91,77	93,66
(i) Ondersoeker:			(i) Examiner:		
Gekwalifiseer.....	78,12	79,59	Qualified	78,12	79,59
Leerlinge—			Learners—		
eerste 26 weke	59,22	60,48	first 26 weeks	59,22	60,48
tweede 26 weke	69,93	71,40	second 26 weeks	69,93	71,40
(j) Masjienwerker, parser, afwerker, fabrieksklerk, borduurmasjienwerker en kleedkamerversorger:			(j) Machinist, presser, trimmer, factory clerk, embroidery machinist and cloak-room attendant:		
Gekwalifiseer.....	74,76	76,23	Qualified	74,76	76,23
Leerlinge—			Learners—		
eerste 26 weke	43,05	43,89	first 26 weeks	43,05	43,89
tweede 26 weke	46,20	47,04	second 26 weeks	46,20	47,04
derde 26 weke	50,40	51,45	third 26 weeks	50,40	51,45
vierde 26 weke	54,18	56,28	fourth 26 weeks	54,18	56,28
vyfde 26 weke	58,80	60,06	fifth 26 weeks	58,80	60,06
sesde 26 weke	61,74	63,00	sixth 26 weeks	61,74	63,00
(k) Vorderingsondersoeker:			(k) Progress examiner:		
Gekwalifiseer.....	76,65	78,12	Qualified	76,65	78,12
Leerlinge—			Learners—		
eerste 26 weke	49,77	50,82	first 26 weeks	49,77	50,82
tweede 26 weke	63,42	64,68	second 26 weeks	63,42	64,68
(l) Versender:			(l) Despatcher:		
Gekwalifiseer.....	74,55	76,02	Qualified	74,55	76,02
Leerlinge—			Learners—		
eerste 26 weke	51,03	52,08	first 26 weeks	51,03	52,08
tweede 26 weke	63,63	65,73	second 26 weeks	63,63	65,73

	Vir die tydperk wat op 29 Februarie 1988 eindig	Daarna		For the period ending 29 February 1988	Thereafter
	Loon per week	Loon per week		Wages per week	Wages per week
	R	R		R	R
(m) Nasiener van die breiseksie:			(m) Checker in knitting section:		
Gekwalifiseer.....	58,59	59,85	Qualified.....	58,59	59,85
Leerlinge—			Learners—		
eerste 26 weke.....	43,05	43,89	first 26 weeks.....	43,05	43,89
tweede 26 weke.....	45,99	46,83	second 26 weeks.....	45,99	46,83
derde 26 weke.....	48,51	50,61	third 26 weeks.....	48,51	50,61
vierde 26 weke.....	53,76	54,81	fourth 26 weeks.....	53,76	54,81
(n) Algemene werker:			(n) General worker:		
Gekwalifiseer.....	54,39	55,44	Qualified.....	54,39	55,44
Leerlinge—			Learners—		
eerste 26 weke.....	43,05	43,89	first 26 weeks.....	43,05	43,89
tweede 26 weke.....	45,99	46,83	second 26 weeks.....	45,99	46,83
derde 26 weke.....	48,51	49,56	third 26 weeks.....	48,51	49,56
vierde 26 weke.....	51,45	52,50	fourth 26 weeks.....	51,45	52,50
(o) Stoomkasplooiër:			(o) Steambox pleater:		
Gekwalifiseer.....	78,75	80,43	Qualified.....	78,75	80,43
Leerlinge—			Learners—		
eerste 26 weke.....	43,05	43,89	first 26 weeks.....	43,05	43,89
tweede 26 weke.....	48,30	50,40	second 26 weeks.....	48,30	50,40
derde 26 weke.....	53,76	54,81	third 26 weeks.....	53,76	54,81
vierde 26 weke.....	59,01	60,27	fourth 26 weeks.....	59,01	60,27
vyfde 26 weke.....	64,47	65,73	fifth 26 weeks.....	64,47	65,73
(p) Gewone naaldwerker:			(p) Plain sewer:		
Gekwalifiseer.....	59,22	60,48	Qualified.....	59,22	60,48
Leerlinge—			Learners—		
eerste 26 weke.....	43,05	43,89	first 26 weeks.....	43,05	43,89
tweede 26 weke.....	44,52	45,36	second 26 weeks.....	44,52	45,36
derde 26 weke.....	46,20	47,04	third 26 weeks.....	46,20	47,04
vierde 26 weke.....	48,51	49,56	fourth 26 weeks.....	48,51	49,56
vyfde 26 weke.....	51,03	52,08	fifth 26 weeks.....	51,03	52,08
sesde 26 weke.....	52,92	53,97	sixth 26 weeks.....	52,92	53,97
(q) Algemene assistent.....	72,66	74,13	(q) General Assistant.....	72,66	74,13
(r) Skoonmaker.....	55,23	56,28	(r) Cleaner.....	55,23	56,28
(s) Teemaker.....	55,23	56,28	(s) Tea maker.....	55,23	56,28
(t) Wag.....	76,65	78,12	(t) Watchman.....	76,65	78,12
(u) Motorvoertuigdrywer:			(u) Motor vehicle driver:		
(i) Drywer van 'n motorvoertuig, waarvan die onbelaste massa—			(i) Driver of a motor vehicle, the unladen mass of which—		
(aa) hoogstens 453 kg is.....	75,60	77,49	(aa) does not exceed 453 kg.....	75,60	77,49
(ab) meer as 453 kg maar hoogstens 2 722 kg is.....	88,83	90,51	(ab) exceeds 453 kg but does not exceed 2 722 kg.....	88,83	90,51
(ac) meer as 2 722 kg maar hoogstens 4 536 kg is.....	108,57	110,67	(ac) exceeds 2 722 kg but does not exceed 4 536 kg.....	108,57	110,67
(ad) meer as 4 536 kg is.....	144,27	147,21	(ad) exceeds 4 536 kg.....	144,27	147,21
(ii) Deeltydse motorvoertuigdrywer.....	72,66	74,13	(ii) Part-time motor vehicle driver.....	72,66	74,13
(v) Perssnyer:			(v) Clicker:		
Gekwalifiseer.....	185,01	188,79	Qualified.....	185,01	188,79
Leerlinge—			Learners—		
eerste 26 weke.....	43,05	43,89	first 26 weeks.....	43,05	43,89
tweede 26 weke.....	54,18	55,23	second 26 weeks.....	54,18	55,23
derde 26 weke.....	65,52	66,78	third 26 weeks.....	65,52	66,78
vierde 26 weke.....	76,23	77,70	fourth 26 weeks.....	76,23	77,70
vyfde 26 weke.....	88,83	90,51	fifth 26 weeks.....	88,83	90,51
sesde 26 weke.....	99,33	101,22	sixth 26 weeks.....	99,33	101,22
sewende 26 weke.....	111,30	113,61	seventh 26 weeks.....	111,30	113,61
agtste 26 weke.....	123,06	125,58	eight 26 weeks.....	123,06	125,58
negende 26 weke.....	134,19	136,92	ninth 26 weeks.....	134,19	136,92
tiende 26 weke.....	144,27	147,21	tenth 26 weeks.....	144,27	147,21
(w) Randvormer.....	78,12	79,59	(w) Beader.....	78,12	79,59
(x) Chloreerder.....	62,58	63,84	(x) Chlorinator.....	62,58	63,84
(y) Menger.....	89,04	90,72	(y) Compounder.....	89,04	90,72
(z) Indoper.....	89,04	90,72	(z) Dipper.....	89,04	90,72
(aa) Handskoenomdopper.....	107,52	109,62	(aa) Glove turner.....	107,52	109,62

	Vir die tydperk wat op 29 Februarie 1988 eindig	Daarna
	Loon per week	Loon per week
	R	R
(ab) Vormmaker	82,11	83,79
(ac) Verpakker	62,58	63,84
(ad) Gehalteprodukkooördineerder	139,44	142,17''.

(b) Vervang subklousule (6) deur die volgende:

“(6) Ondanks andersluidende bepalings hierin, moet die loon van 'n werknemer wat—

(a) onmiddellik voor die datum waarop hierdie Ooreenkoms in werking tree 'n hoër loon ontvang as dié wat voorgeskryf word vir die klas werk waarin hy werksaam is, met ingang van die datum waarop hierdie Ooreenkoms in werking tree, verhoog word met 'n bedrag wat gelyk is aan die verskil tussen die loon voorgeskryf in die Ooreenkoms wat by Goewermentskennisgewing R. 2495 van 6 November 1987 gepubliseer is en die loon wat in hierdie Ooreenkoms vir die klas werk waarin hy werksaam is, voorgeskryf word:

(b) op 29 Februarie 1988 'n hoër loon ontvang as dié wat op daardie datum vir die klas werk waarin hy werksaam is, voorgeskryf word, met ingang van 1 Maart 1988 verhoog word met 'n bedrag wat gelyk is aan die verskil tussen die loon soos voorgeskryf op 29 Februarie 1988 en die loon soos voorgeskryf op 1 Maart 1988 vir die klas werk waarin hy werksaam is.”

Hierdie Ooreenkoms is namens die partye op hede die 14de dag van Desember 1987 te Port Elizabeth onderteken.

M. N. WOODS,
Voorsitter.

C. PETERSEN,
Ondervoorsitter.

B. J. WILSON,
Sekretaris.

No. R. 321

26 Februarie 1988

WET OP ARBEIDSVERHOUDINGE, 1956

BREINYWERHEID, TRANSVAAL.—HERNUWING VAN HOOFOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings R. 544 van 18 Maart 1983, R. 271 van 8 Februarie 1985 en R. 504 van 21 Maart 1986 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1988 eindig.

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

	For the period ending 29 February 1988	Thereafter
	Wages per week	Wages per week
	R	R
(ab) Mouldmaker	82,11	83,79
(ac) Packer	62,58	63,84
(ad) Quality product co-ordinator	139,44	142,17''.

(b) Substitute the following for subclause (6):

“(6) Notwithstanding anything to the contrary contained herein, the wage of an employee, who:

(a) immediately prior to the date on which this Agreement comes into operation, is in receipt of a wage higher than that prescribed for the class of work on which he is engaged shall, with effect from the date on which this Agreement comes into operation, be increased by an amount equal to the difference between the wage prescribed in the Agreement published under Government Notice R. 2495 of 6 November 1987 and the wage prescribed in this Agreement for the class of work on which he is engaged;

(b) on 29 February 1988 is in receipt of wages higher than that prescribed as at that date for the class of work on which he is engaged, shall, with effect from 1 March 1988, be increased by an amount equal to the difference between the wage prescribed as at 29 February 1988 and the wage prescribed as at 1 March 1988 for the class of work on which he is employed.”

This Agreement at Port Elizabeth, signed on behalf of the parties, this 14th day of December 1987.

M. N. WOODS,
Chairman.

C. PETERSEN,
Vice-Chairman.

B. J. WILSON,
Secretary.

No. R. 321

26 February 1988

LABOUR RELATIONS ACT, 1956

KNITTING INDUSTRY, TRANSVAAL.—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. 544 of 18 March 1983, R. 271 of 8 February 1985 and R. 504 of 21 March 1986 to be effective from the date of publication of this notice and for the period ending 30 June 1988.

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

No. R. 331

26 Februarie 1988

WET OP ARBEIDSVERHOUDINGE, 1956

TEEKAMER-, RESTOORANT- EN SPYSENIERS-BEDRYF, WITWATERSRAND.—VERLENGING VAN HOOFOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewermentskennisgewings R. 397 van 22 Februarie 1985 en R. 385 van 28 Februarie 1986, met 'n verdere tydperk wat op 31 Mei 1988 eindig.

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

No. R. 331

26 February 1988

LABOUR RELATIONS ACT, 1956

TEAROOM, RESTAURANT AND CATERING TRADE, WITWATERSRAND.—EXTENSION 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) (i) of the Labour Relations Act, 1956, extend the periods fixed in Government Notices R. 397 of 22 February 1985 and R. 385 of 28 February 1986, by a further period ending 31 May 1988.

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

No. R. 332

26 Februarie 1988

WET OP ARBEIDSVERHOUDINGE, 1956

KLEINHANDEL VLEISBEDRYF (WITWATERSRAND).—HERNUWING VAN HOOFOOREENKOMS

Ek, Mattheus Willem Johannes le Roux, Direkteur: Mannekrag, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings R. 1880 van 31 Augustus 1984 en R. 930 van 26 April 1985, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1988 eindig.

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

No. R. 332

26 February 1988

LABOUR RELATIONS ACT, 1956

RETAIL MEAT TRADE (WITWATERSRAND).—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. 1880 of 31 August 1984 and R. 930 of 26 April 1985, to be effective from the date of publication of this notice and for the period ending 31 December 1988.

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

No. R. 333

26 Februarie 1988

WET OP ARBEIDSVERHOUDINGE, 1956

DRANK- EN SPYSENIERINGSBEDRYF (WITWATERSRAND EN VEREENIGING).—HERBEKRAGTING 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 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 1 Maart 1988 en vir die tydperk wat op 30 September 1988 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a), 2, 3 en 18, met ingang van 1 Maart 1988 en vir die tydperk wat op 30 September 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 genoemde Ooreenkoms gespesifiseer.

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

No. R. 333

26 February 1988

LABOUR RELATIONS ACT, 1956

LIQUOR AND CATERING TRADE (WITWATERSRAND AND VEREENIGING).—RE-ENACTMENT 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 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 1 March 1988 and for the period ending 30 September 1988, upon the employers' organisation and the trade union which entered into the said 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 said Agreement, excluding those contained in clauses 1 (1) (a), 2, 3 and 18, shall be binding, with effect from 1 March 1988 and for the period ending 30 September 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 said Agreement.

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

BYLAE**NYWERHEIDSRAAD VIR DIE DRANK- EN SPYSENIERINGSBEDRYF (WITWATERSRAND EN VEREENIGING)****HOOFOOREENKOMS**

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

Federated Hotel, Liquor and Catering Association of South Africa, Transvaal

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

Hotel and Restaurant Worker's Union

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

wat die partye is by die Nywerheidsraad vir die Drank- en Spysenieringsbedryf (Witwatersrand en Vereeniging).

1. TOEPASSINGSBESTEK VAN OOREENKOMS

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

- (a) deur alle werkgewers wat lede van die werkgewersorganisasie is en alle werknemers wat lede van die vakvereniging is;
- (b) in die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan (uitgesonderd daardie gedeeltes van laasgenoemde twee landdrosdistrikte wat voor die publikasie van Goewermentskennissgewing 1779 van 6 November 1964 binne die landdrosdistrik Heidelberg geval het), Germiston, Johannesburg, Kempton Park (uitgesonderd daardie gedeeltes wat ingevolge Goewermentskennissgewings 556 van 29 Maart 1956 en 1618 van 2 Oktober 1970 vanaf die landdrosdistrik Pretoria oorgeplaas is), Krugersdorp, Nigel (uitgesonderd daardie gedeelte wat ingevolge Goewermentskennissgewing 871 van 26 Mei 1972 vanaf die landdrosdistrik Balfour oorgeplaas is), Randburg (uitgesonderd daardie gedeelte wat voor 1 Januarie 1975 (Goewermentskennissgewing 2152 van 22 November 1974) binne die landdrosdistrik Pretoria geval het en uitgesonderd enige gedeelte wat voor 1 Januarie 1975 (Goewermentskennissgewing 2152 van 22 November 1974) binne die landdrosdistrik Kempton Park geval het maar wat voor 29 Maart 1956 (Goewermentskennissgewing 556 van 29 Maart 1956) en 1 November 1970 (Goewermentskennissgewing 1618 van 2 Oktober 1970) binne die landdrosdistrik Pretoria geval het), Randfontein (uitgesonderd die plase Moadowns 1, Leeuwpans 18, Ireton 19, Pahtiki 20, Bospan 21, Goudvlakte Oost 37, Rooipoort 38, Oog van Wonderfontein 39 en Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging en Westonaria.
- (2) Ondanks subklousule (1) is hierdie Ooreenkoms slegs van toepassing op werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word.
- (3) Klousules 4 tot en met 24 is nie van toepassing nie op—
 - (a) 'n bestuurder of op sy vrou indien sy saam met hom werk, en ook nie op 'n werkgever ten opsigte van sodanige bestuurder of bestuurder en vrou nie: Met dien verstande dat die aanstelling van genoemde bestuurder, met of sonder sy vrou, skriftelik gedoen en aanvaar is en die voorwaardes betreffende besoldiging, jaarlikse verloop (met inbegrip van pro rata-verloop) en diensopsegging minstens ewe gunstig is as dié wat in hierdie Ooreenkoms voorgeskryf word;
 - (b) 'n buitewerkooppbestuurder of op 'n werkgever van sodanige buitewerkooppbestuurder: Met dien verstande dat die aanstelling van genoemde buitewerkooppbestuurder skriftelik gedoen en aanvaar is en die voorwaardes betreffende besoldiging, jaarlikse verloop (met inbegrip van pro rata-verloop) en diensopsegging minstens ewe gunstig is as dié wat in hierdie Ooreenkoms voorgeskryf word.

2. GELDIGHEDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister kragtens artikel 48 van die Wet bepaal en bly van krag tot 30 September 1988 of vir dié tydperk wat hy bepaal.

3. SPESIALE BEPALINGS

Klousules 5 (6) (b) en 17 tot en met 20 van die Ooreenkoms gepubliseer by Goewermentskennissgewing R. 179 van 6 Februarie 1981, soos gewysig deur Goewermentskennissgewings 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 (hierna die "Vorige Ooreenkoms" genoem), soos gewysig deur klousule 18 hieronder, is van toepassing op werkgewers en werknemers.

SCHEDULE**INDUSTRIAL COUNCIL FOR THE LIQUOR AND CATERING TRADE (WITWATERSRAND AND VEREENIGING)****MAIN AGREEMENT**

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

Federated Hotel, Liquor and Catering Association of South Africa, Transvaal

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

Hotel and Restaurant Workers' Union

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

being the parties to the Industrial Council for the Liquor and Catering Trade (Witwatersrand and Vereeniging).

1. SCOPE OF APPLICATION OF AGREEMENT

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

- (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union;
- (b) in the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan (excluding those portions of the latter two magisterial districts which, prior to the publication of Government Notice 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg), Germiston, Johannesburg, Kempton Park (excluding those portions which were transferred from the Magisterial District of Pretoria in terms of Government Notices 556 of 29 March 1956 and 1618 of 2 October 1970), Krugersdorp, Nigel (excluding that portion which was transferred from the Magisterial District of Balfour in terms of Government Notice 871 of 26 May 1972), Randburg (excluding that portion which, prior to 1 January 1975 (Government Notice 2152 of 22 November 1974), fell within the Magisterial District of Pretoria and excluding any portion which, prior to 1 January 1975 (Government Notice 2152 of 22 November 1974), fell within the Magisterial District of Kempton Park but which, prior to 29 March 1956 (Government Notice 556 of 29 March 1956) and 1 November 1970 (Government Notice 1618 of 2 October 1970), fell within the Magisterial District of Pretoria), Randfontein (excluding the farms Moadowns 1, Leeuwpans 18, Ireton 19, Pahtiki 20, Bospan 21, Goudvlakte Oost 37, Rooipoort 38, Oog van Wonderfontein 39 and Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging and Westonaria.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall only apply in respect of employees for whom wages are prescribed in this Agreement.
- (3) The provisions of clauses 4 to 24 inclusive shall not apply to—
 - (a) a manager or to his wife if she is jointly employed with him, or to an employer in respect of such manager or manager and wife: Provided that the appointment of the said manager, with or without his wife, setting out conditions not less favourable than those prescribed by this Agreement for remuneration, annual leave (including pro rata leave) and notice of termination of employment has been made and accepted in writing;
 - (b) an off-sales manager or to an employer of such off-sales manager: Provided that the appointment of the said off-sales manager setting out conditions not less favourable than those prescribed by this Agreement for remuneration, annual leave (including pro rata leave) and notice of termination of employment has been made and accepted in writing.

2. PERIOD OF OPERATION OF THE AGREEMENT

This Agreement shall come into operation on such date as may be specified by the Minister in terms of section 48 of the Act and shall remain in force until 30 September 1988 or for such period as may be determined by him.

3. SPECIAL PROVISIONS

The provisions contained in clauses 5 (6) (b) and 17 to 20 inclusive of the Agreement published under Government Notice R. 179 of 6 February 1981, as amended by Government Notices 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 (hereinafter referred to as the "Former Agreement"), as amended by clause 18 hereunder, shall apply to employers and employees.

4. ALGEMENE BEPALINGS

Klousules 3 tot en met 5 (6) (a), 5 (6) (c) tot en met 16 en 21 tot en met 25 (soos gewysig deur klousules 5 tot en met 17 hieronder) en Aanhangsel A van die Vorige Ooreenkoms is van toepassing op werkgewers en werknemers.

5. KLOUSULE 3.—WOORDOMSKRYWING

(1) Vervang die omskrywing van "algemene dienste-werknemer graad I" en "algemene dienste-werknemer graad II" deur die volgende:

"algemene dienste-werknemer" 'n werknemer wie se beroep nie elders in hierdie omskrywings uitdruklik omskryf word nie en wat een of meer van die volgende werksaamhede verrig:

- (a) Omsien na die aanwys en parkering van gaste se motors by hul aankoms en vertrek en wat ook parkeergeld kan invorder;
- (b) die perseel bewaak ten einde oortredings op te spoor of te voorkom en om te verseker dat ongemagtigde persone nie die perseel binnekom nie;
- (c) klerasie en ander artikels van gaste of klante in ontvangs neem vir bewaring in 'n kleedkamer en verantwoordelik daarvoor wees om die kleedkamer in 'n skoon en netjiese toestand te hou;
- (d) drank, goedere, pakkette of boodskappe te voet of per hand- of voervoertuig of 'n motorhulp- of motoraangedrewe fiets of bromponie met 'n enjinkapasiteit van hoogstens 50 cm³ aflewer;
- (e) bottels inpak, uitpak en/of sorteer;
- (f) bottels en dose of ander houers opstapel en/of versit;
- (g) wyn onder toesig bottel;
- (h) etikette en/of doppies of proppe op drankhouers aanbring;
- (i) glase of bottels was;
- (j) onder toesig by 'n toonbank werk waarvandaan of waar nie-alkoholiese verversings en/of voedsel en/of ander goedere aan klante verkoop of bedien word: Met dien verstande dat sodanige werk nie binne die pligte van 'n kroegman of klerk val nie en dat van hom nie vereis word of hy nie toegelaat word om ander betaling as foonitjies van klante te aanvaar nie;
- (k) sleutels, boodskappe, briewe of pakkette in ontvangs neem of aflewer;
- (l) bagasie, werktuie, gereedskap, uitrusting, voedselware of ander artikels dra en/of versit, maar nie etes, drank of verversings na gaste aandra nie;
- (m) boodskappe dra;
- (n) persele, vensters, baddens, wasbakke, toilette, kook-, eet- of drinkgerei, meubels, skoene en/of ander artikels skoonmaak;
- (o) slaapkamers, badkamers, woonkamers en ander woonvertrekke van die perseel afstof en aan die kant maak;
- (p) vloere, toonbanke, rakke of ander los en vaste toebehore skoonvee, poleer en/of skoonmaak;
- (q) vullis, as of vuilwater verwyder;
- (r) vrugte of groente skoonmaak, skil of opsny;
- (s) vleis, vis, pluimvee en ander rou voedselsoorte skoonmaak, sny of berei om dit te kook;
- (t) voedselsoorte massameet en/of afmeet en/of verpak en/of verseël;
- (u) roosterbrood, tee of soortgelyke drankke maak;
- (v) vroeë oggendtee of soortgelyke drankke of warm water aan gaste bedien;
- (w) beddens opmaak;
- (x) linnegoed en komberse in ontvangs neem, berg, hanteer of heelmaak;
- (y) kledingstukke, materiaal of linnegoed wat aan die werkgewer of die gaste behoort, wasbehandel, was, stryk, pars, stoom, droogskoonmaak of heelmaak;
- (z) gaste se bagasie in- of uitpak;
- (aa) blommerangskikkings onder toesig van die huishoudster hanteer en in stand hou;
- (ab) waterbottels, bekere en blompotte vol of leeg maak;
- (ac) persele, hul inhoud, bagasie, pakkette of ander artikels bewaak, maar nie persele, geboue, toegange of ander eiendom snags bewaak nie;

4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 5 (6) (a) inclusive, 5 (6) (c) to 16 inclusive and 21 to 25 inclusive (as amended by clause 5 to 17 inclusive hereunder) and Annexure A of the Former Agreement shall apply to employers and employees.

5. CLAUSE 3.—DEFINITIONS

(1) Substitute the following for the definitions of both "general services employee, Grade I" and "general services employee, Grade II":

"general-services employee" means an employee whose occupation is not specifically defined elsewhere in these definitions and who is employed in one or more of the following occupations:

- (a) Attending to the directing and parking of the cars of guests on arrival and departure and who may also collect parking fees;
- (b) policing the premises for the purpose of detecting or preventing misdemeanours and ensuring that unauthorised persons do not enter the premises;
- (c) receiving clothing or other articles from guests or customers for safekeeping in a cloakroom and being responsible for maintaining the cloakroom in a clean and tidy condition;
- (d) delivering liquor, goods, parcels or messages on foot or by means of a manually or foot-propelled vehicle or by a motor-assisted or motordriven bicycle or scooter with an engine capacity of 50 cm³ or less;
- (e) packing, unpacking and/or sorting bottles;
- (f) stacking and/or removing bottles and boxes or other containers;
- (g) bottling wine under supervision;
- (h) labelling and/or capping or corking containers of liquor;
- (i) washing glasses or bottles;
- (j) working under supervision at a counter from or at which non-alkoholic refreshments and/or food and/or other goods are sold or served to customers: Provided that such work does not fall within the duties of a barman or clerical employee and that he is not required or permitted to accept payment, other than gratuities, from customers;
- (k) receiving or delivering keys, messages, letters or parcels;
- (l) carrying and/or moving baggage, utensils, tools, equipment, foodstuffs and other articles, other than carrying meals, liquor or refreshments to guests;
- (m) running errands;
- (n) cleaning premises, windows, baths, wash-basins, toilets; utensils for cooking, eating or drinking; furniture; footwear; and/or other articles;
- (o) dusting or tidying bedrooms, bathrooms, living-rooms and other residential parts of the premises;
- (p) sweeping, polishing and/or cleaning floors, counters, shelves or other fixtures and fittings;
- (q) removing refuse, ashes or slops;
- (r) cleaning, peeling or cutting up fruit or vegetables;
- (s) cleaning, cutting or preparing meat, fish, poultry and other raw foodstuffs for cooking;
- (t) mass-measuring and/or measuring and/or packing and/or sealing foodstuffs;
- (u) making toast, tea or similar beverages;
- (v) serving early morning tea or similar beverages, or hot water, to guests;
- (w) making beds;
- (x) receiving, storing, handling or repairing linen and blankets;
- (y) laundering, washing, ironing, pressing, steaming, dry-cleaning or mending articles of clothing, fabric or linen belonging to the employer or guests;
- (z) packing or unpacking guests' luggage;
- (aa) handling and maintaining flower displays under the supervision of the housekeeper;
- (ab) filling or emptying water bottles, jugs and vases;
- (ac) guarding premises, their contents, baggage, parcels or other articles other than guarding premises, buildings, entrances or other property by night;

- (ad) die klokkes of telefoonoproep beantwoord;
 (ae) handvoertuie stoot of trek;
 (af) 'n motorvoertuigdrywer vergesel ten einde hom te help om bagasie, drank of ander goedere te hanteer;
 (ag) 'n hysbak bedien;
 (ah) vure maak of in stand hou;
 (ai) diere of pluimvee versorg;
 (aj) tuinmaak, d.w.s. onder toesig plant, spit, hark, gras sny, snoei, spreid, meng, natmaak, vervoer;
 (ak) tennisebane, rolbalbane of ander sportterreine vir die gebruik van gaste regmaak;
 (al) tuinmeubels uitsit en weer wegsit;
 (am) swem- of sierbaddens skoonmaak en versien;

en wat die pligte van 'n nagwag kan uitvoer wanneer laasgenoemde weekliks diensvry is ingevolge klousule 6 (3), en/of wat bagasie en persoonlike besittings in ontvangs kan neem en/of oppas as die portier ingevolge klousule 6 (3) afwesig is, en/of 'n skakelbordoperateur kan aflos as hy tydelik altesaam hoogstens vier uur op 'n dag afwesig is;"

(2) Vervang die omskrywing "deeltidse werknemer" deur die volgende:

"'deeltidse werknemer' 'n werknemer wie se dienskontrak daarvoor voorsiening maak dat hy een week of langer en altesaam hoogstens vier uur op 'n dag in diens geneem word;"

6. KLOUSULE 4.—LONE

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

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

<i>Klas werknemer</i>	<i>Per maand</i>
	<i>R</i>
Bestuurder	1 500
Assistent-bestuurder	900
Afdelingsbestuurder	900
Buiteverkoopbestuurder	900
Klerk—	
gedurende eerste jaar ondervinding	356
gedurende tweede jaar ondervinding	436
daarna	549
Portier—	
gedurende eerste jaar ondervinding	350
daarna	400
Motorvoertuigdrywer—	
as die onbelaste massa van die voertuig hoogstens 450 kg is	360
as die onbelaste massa van die voertuig meer as 450 kg is	390
Buiteverkoopassistent—	
gedurende eerste jaar ondervinding	394
gedurende tweede jaar ondervinding	425
gedurende derde jaar ondervinding	477
daarna	543
Kroegman—	
gedurende eerste jaar ondervinding	572
gedurende tweede jaar ondervinding	602
daarna	637
Hoofkroegman	757
Kelner/Wynkelner—	
gedurende eerste jaar ondervinding	360
gedurende tweede jaar ondervinding	375
daarna	385
Hoofkelner/Hoofwynkelner	411
Kok/Sjef—	
gedurende eerste jaar ondervinding	370
gedurende tweede jaar ondervinding	390
gedurende derde jaar ondervinding	410
daarna	430
Hoofkok/Hoofsjef	500
Faktotum	400
Huishoudster	415

- (ad) answering bells or telephone calls;
 (ae) pushing or pulling any manually propelled vehicle;
 (af) accompanying a motor vehicle driver for the purpose of assisting him in the handling of baggage, liquor or other goods;
 (ag) operating a lift;
 (ah) making or maintaining fires;
 (ai) tending animals or poultry;
 (aj) gardening i.e. planting under supervision, digging, raking, mowing, trimming, spreading, mixing, watering, transporting;
 (ak) preparing tennis courts, bowling greens and other games areas for the use of guests;
 (al) setting out or gathering in garden furniture;
 (am) cleaning and servicing swimming or ornamental pools;

and who may perform the duties of a night-watchman during the latter's weekly time-off in terms of clause 6 (3) and/or who may receive and or attend to baggage and personal effects when the porter is absent in terms of clause 6 (3) and/or who may relieve a switchboard operator during temporary absences not exceeding four hours in the aggregate in any one day;"

(2) Substitute the following for the definition "part-time employee":

"'part-time employee' means an employee whose contract of employment provides for his being employed for one week or more and for not more than four hours in the aggregate in any days;"

6. CLAUSE 4.—WAGES

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

"(a) *Employees, other than part-time and casual employees:*

<i>Class of employee</i>	<i>Per month</i>
	<i>R</i>
Manager	1 500
Assistant manager	900
Department manager	900
Off-sales manager	900
Clerical employee—	
during first year of experience	356
during second year of experience	436
thereafter	549
Porter—	
during first year of experience	350
thereafter	400
Motor vehicle driver—	
if unladen mass of vehicle does not exceed 450 kg	360
if unladen mass of vehicle exceeds 450 kg	390
Off-sales assistant—	
during first year of experience	394
during second year of experience	425
during third year of experience	477
thereafter	543
Barman—	
during first year of experience	572
during second year of experience	602
thereafter	637
Head barman	757
Waiter/Wine steward—	
during first year of experience	360
during second year of experience	375
thereafter	385
Head waiter/Head wine steward	411
Cook/Chef—	
during first year of experience	370
during second year of experience	390
during third year of experience	410
thereafter	430
Head cook/Head chef	500
Handyman	400
Housekeeper	415

<i>Klas werknemer</i>	<i>Per maand</i> R
Bestuurskwekeling—	
gedurende eerste jaar ondervinding.....	400
gedurende tweede jaar ondervinding	425
daarna.....	450
Nagwag—	
gedurende eerste ses maande diens by dieselfde werk- gewer	334
daarna.....	344
Kombuisassistent/Algemene dienswerknemer.....	330."

7. KLOUSULE 5.—BETALING VAN BESOLDIGING

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

"(1) *Werknemers uitgesonderd los werknemers.*—Behoudens klousule 7 (5) moet alle bedrae wat aan 'n werknemer verskuldig is maandeliks, of weekliks as die werkgever en die werknemer skriftelik so ooreengekom het, in kontant aan hom betaal word gedurende die werkure op die gewone betaaldag van die bedryfsinrigting en wel, in die geval van maandelikse betaling, voor of om 14h00 op die laaste werkdag van die maand ten opsigte waarvan die bedrag betaalbaar is, en vir die klas kroegman voor of om 14h00 op die derde werkdag van die volgende maand, of by diensbe-eindiging as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n koevert of ander omslag wees en vergesel gaan van 'n staat wat wesenlik in die vorm van Aanhangsel A is, en waarop aangedui word hoe die betaalde bedrag bereken is."

(2) Vervang subklousule (5) deur die volgende:

"(5) *Kos en inwoning.*—'n Werkgever mag nie van sy werknemer vereis om van hom of enigemand of op 'n plek deur hom aangewys kos en/of inwoning aan te neem nie."

(3) Skrap subklousule (6) (f).

(4) Vervang subklousule (7) deur die volgende:

"(7) *Aftrekking vir etes en/of inwoning.*—Waar 'n werknemer (uitgesonderd 'n los werknemer) toestem of daar ingevolge sy kontrak van indiens-neming van hom vereis word om etes en/of inwoning van sy werkgever te aanvaar, kan 'n aftrekking van hoogstens die bedrae hieronder aangedui van sy besoldiging gemaak word:

	<i>Nagwag, kombuis- assistent, algemene diens-werknemer</i> <i>Per maand</i>		<i>Alle ander werknemers</i> <i>Per maand</i>
	<i>Gedurende eerste ses maande diens by dieselfde werkgever</i>	<i>Daarna</i>	
	R	R	R
(a) Inwoning	15,00	15,50	37,50
(b) Etes terwyl op diens	30,50	31,50	37,50

Met dien verstande dat—

- die werkgever geen verdere aftrekkings mag maak as 'n werknemer ekstra etes by sy etes ontvang terwyl hy op diens is nie;
- geen aftrekking vir etes gemaak mag word wanneer die bedrag betaalbaar vir, of in plaas van, jaarlikse verlof (klousule 7), siekte-verlof (klousule 8) en in plaas van kennisgewing van diensopseg-ging (klousule 13) geraam word nie;
- dit nie so uitgelê moet word dat 'n aftrekking nie gemaak mag word as 'n werknemer toestem om etes en/of inwoning te aanvaar maar nie daarvan gebruik maak nie."

8. KLOUSULE 6.—WERKURE, GEWONE EN OORTYDURE, EN BESOLDIGING VIR OORTYDWERK

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

"(1) (a) Die gewone werkure van 'n werknemer, uitgesonderd 'n los werknemer en 'n nagwag, mag in een week hoogstens die volgende be-loop:

Buiteverkoopassistent	46 uur
Alle ander werknemers.....	50 uur."

<i>Class of employee</i>	<i>Per month</i> R
Management trainee—	
during first year of experience.....	400
during second year of experience	425
thereafter	450
Night-watchman—	
during first six months' service with the same employer	334
thereafter	344
Kitchen assistant/General services employee	330."

7. CLAUSE 5.—PAYMENT OF REMUNERATION

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

"(1) *An employee other than a casual employee.*—Save as provided in clause 7 (5), any amount due to an employee shall be paid in cash monthly, or, if the employer and the employee have agreed thereto, in writing, weekly, during the hours of work on the usual pay-day of the establishment which in the case of monthly payments shall be not later than 14h00 on the last working day of the month in respect of which the amount is payable and for the class of barman not later than 14h00 on the third working day of the following month, or on termination of employment if this takes place before the usual pay-day; and shall be contained in an envelope or other container and accompanied by a statement substantially in the form of Annexure A showing how the amount paid has been calculated."

(2) Substitute the following for subclause (5):

"(5) *Board and lodging.*—An employer shall not require his employee to board and/or lodge with him or with any person or at any place nominated by him."

(3) Delete subclause (6) (f).

(4) Substitute the following for subclause (7):

"(7) *Deductions for meals and/or lodging.*—Where an employee (other than a casual employee) agrees or is required in terms of his contract of employment to accept meals and/or lodging from his employer a deduction may be made from his remuneration not exceeding the amounts specified hereunder:

	<i>Night-watchman, kitchen assistant, general services employee</i> <i>Per month</i>		<i>All other employees</i> <i>Per month</i>
	<i>During first six months' service with the same employer</i>	<i>Thereafter</i>	
	R	R	R
(a) Lodging	15,00	15,50	37,50
(b) Meals whilst on duty ...	30,50	31,50	37,50

Provided that—

- no further deduction shall be made by the employer when an employee receives meals in addition to his meals whilst on duty;
- no deduction for meals shall be made when assessing the amount payable for, or in lieu of, annual leave (clause 7), sick leave (clause 8) and in lieu of notice to terminate employment (clause 13);
- it shall not be construed that a deduction may not be made when an employee agrees to accept meals and/or lodging and does not avail himself thereof."

8. CLAUSE 6.—HOURS OF WORK, ORDINARY AND OVERTIME AND PAYMENT FOR OVERTIME

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

"(1) (a) The ordinary hours of work of an employee, other than a casual employee and night-watchman, shall not in any week exceed:

Off-sales assistant.....	46 hours
All other employees	50 hours."

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

“(2) *Etenspouse*.—Wanneer ’n werknemer gedurende die etenspouse van ’n bedryfsinrigting op diens is, moet sy werkgever hom gedurende sodanige etenspouse of binne ’n halfuur voor of na sodanige etenspouse ’n pouse toestaan van minstens 30 minute, waarin hy nie van sodanige werknemer mag vereis of hom mag toelaat om te werk nie, en sodanige etenspouse moet nie geag word deel van die gewone werkure of oortydure uit te maak nie: Met dien verstande dat die werktyd tussen twee sodanige etes hoogstens vyf agtereenvolgende ure mag wees, tensy ’n teepouse van minstens 15 minute toegelaat word tussen sodanige twee etes, in welke geval die werktyd tussen sodanige etes hoogstens ses agtereenvolgende ure mag wees: Voorts met dien verstande dat werktydperke wat deur ’n pouse van minder as 30 minute onderbreek word, geag moet word aaneenlopend te wees.”

(3) Vervang subklousule (5) deur die volgende:

“(5) *Beperking van oortydwerk*.—’n Werkgever mag nie van sy werknemer vereis of hom toelaat om meer as nege uur in een week oortydwerk te verrig nie: Met dien verstande dat oortydwerk onderworpe aan die werknemer se instemming daartoe is: Voorts met dien verstande dat sodanige instemming nie onredelik weerhou word nie.”

(4) Vervang subklousule (6) deur die volgende:

“(6) *Besoldiging vir oortydwerk en noodwerk*.—’n Werkgever moet sy werknemer vir alle oortydwerk deur hom verrig teen minstens een en ’n half maal sy gewone loon besoldig en vir alle noodwerk deur hom verrig, teen minstens twee maal sy gewone loon.

’n Eis vir oortydwerkbesoldiging of vir noodwerkbesoldiging verjaar na ’n tydperk van drie jaar, gereken vanaf die jongste datum waarop sodanige oortydwerk of noodwerk na bewering verrig is.”

(5) Vervang subklousule (8) deur die volgende:

“(8) *Noodwerk*.—Ondanks andersluidende bepalings in subklousules (2), (3), (5) en (7), is geen beperkings wat deur hierdie subklousules opgelê word op ’n werknemer van toepassing terwyl hy werk verrig wat weens onvoorsiene omstandighede soos storms, brand, ’n ongeluk, geweld daad of epidemiese siekte en ter wille van die onderhoud van noodsaaklike dienste sonder versuim gedoen moet word nie.”

(6) Vervang subklousule (9) deur die volgende:

“(9) *Voorbehoudsbepalings*.—(a) Hierdie klousule is nie op ’n bestuurder of werknemer van toepassing nie.

(b) Subklousule (2) is nie op ’n nagwag van toepassing nie: Met dien verstande dat ’n nagwag binne ses agtereenvolgende werkure ’n etenspouse by sy werkplek toegelaat moet word, en sodanige etenspouse moet as deel van sy gewone werkure geag word.”

9. KLOUSULE 7.—JAARLIKSE VERLOF

Vervang klousule 7 deur die volgende:

“7. JAARLIKSE VERLOF

(1) Behoudens subklousules (2) en (4), moet ’n werkgever aan sy werknemers vir elke voltooidde jaar diens jaarlikse verlof soos volg toestaan:

	Algemene dienste-werk- nemers graad II	Alle ander werknemers
Eerste voltooidde jaar diens	3 weke	3 weke
Tweede voltooidde jaar diens	3 weke	3 weke
Derde voltooidde jaar diens in elke daarop- volgende jaar	3 weke	4 weke

(2) Die verlof in subklousules (1) en (2) bedoel, moet toegestaan word met volle besoldiging, bereken teen die loon wat die werknemer ontvang het onmiddellik voor die datum waarop hy op verlof geregtig geword het. Alle verlof moet aaneenlopend wees, tensy die werknemer anders daartoe toestem.

(3) Die verlof in subklousules (1) en (2) bedoel, moet toegestaan word op ’n tyd wat deur die werkgever bepaal word: Met dien verstande dat—

- as sodanige verlof nie vroeër toegestaan is nie; dit toegestaan moet word binne twee maande na voltooiing van die jaar diens waarop dit betrekking het;
- sodanige verlof nie met siekteverlof kragtens klousule 8 toegestaan, of met ’n diensopseggingstydperk, of met ’n tydperk van militêre diens wat gedurende daardie jaar ingevolge die Verdedigingswet, 1957, verrig word, mag saamval nie;

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

“(2) *Meal intervals*.—When an employee is on duty during the meal interval of an establishment, his employer shall grant to him during such meal interval or within half an hour before or after such meal interval an interval of not less than 30 minutes during which such employer shall not require or permit his employee to work, and such meal interval shall not be deemed to be part of the ordinary hours of work or overtime: Provided that the period of work between any two such meals shall not be longer than five consecutive hours unless a tea interval of at least 15 minutes be allowed between such two meals, in which case the period of work between such meals shall not be longer than six consecutive hours: Provided further that periods of work interrupted by an interval of less than 30 minutes shall be deemed to be continuous.”

(3) Substitute the following for subclause (5):

“(5) *Limitation of overtime*.—An employer shall not require or permit his employee to work overtime for more than nine hours in any week: Provided that the working of any overtime shall be subject to the employee’s consent thereto: Provided further that such consent shall not be unreasonably withheld.”

(4) Substitute the following for subclause (6):

“(6) *Payment for overtime and emergency work*.—An employer shall pay to his employee in respect of all overtime worked by him remuneration at a rate of not less than one and a half his ordinary wage and in respect of all emergency work worked by him remuneration at a rate of not less than twice his ordinary wage.

Any claim for the payment of overtime or of emergency work shall become prescribed after a period of three years calculated from the latest date such overtime or emergency work is claimed to have been worked.”

(5) Substitute the following for subclause (8):

“(8) *Emergency work*.—Notwithstanding anything to the contrary in subclauses (2), (3), (5) and (7), no restrictions imposed by these subclauses shall apply to any employee whilst employed on any work which, owing to unforeseen circumstances such as storms, fire, accident, act of violence or epidemic illness and which, for the maintenance of essential services, must be done without delay.”

(6) Substitute the following for subclause (9):

“(9) *Savings*.—(a) The provisions of this clause shall not apply to a management employee.

(b) The provisions of subclause (2) shall not apply to a night-watchman: Provided that a night-watchman shall, within six continuous hours of work, be afforded a meal interval at his work station, and such meal interval shall be deemed to be part of his ordinary hours of work.”

9. CLAUSE 7.—ANNUAL LEAVE

Substitute the following for clause 7:

“7. ANNUAL LEAVE

(1) Subject to the provisions of subclauses (2) and (4), an employer shall in respect of each completed year of employment grant annual leave of not less than the period specified hereunder:

	General services employees, Grade II	All other employees
First completed year of service	3 weeks	3 weeks
Second completed year of service	3 weeks	3 weeks
Third completed year of service and each subsequent year	3 weeks	4 weeks

(2) The leave referred to in subclauses (1) and (2) shall be granted on full pay at a rate of wage which the employee was receiving immediately before the date of leave becoming due. All leave shall run consecutively unless the employee agrees otherwise.

(3) The leave referred to in subclauses (1) and (2) shall be granted at a time to be fixed by the employer: Provided that—

- if such leave has not been granted earlier it shall be granted within two months of the completion of the year of employment to which it relates;
- the period of such leave shall not be concurrent with sick leave granted in terms of clause 8, nor with a period of notice of termination of employment nor with any period of military service, rendered in that year in pursuance of the Defence Act, 1957;

- (iii) as Nuwejaarsdag, Goeie Vrydag, die eerste Vrydag van Mei (Werkersdag), Hemelvaartsdag, Geloftedag, Kersdag of Welwillendheidsdag, of, in die geval van 'n werknemer wat uitsluitlik in die buitewerkooppafdeling van 'n bedryfsinrigting in diens is, 'n statutêre vakansiedag binne die tydperk van verlof val, daar in plaas van elke sodanige dag nog 'n dag by genoemde tydperk gevoeg moet word as 'n verdere verloftydperk met volle besoldiging teen die loon wat die werknemer ontvang het onmiddellik voor die datum waarop hy op die verlof geregtig geword het;
- (iv) 'n dag geleentheidsverlof met volle besoldiging wat op die skriftelike versoek van die werknemer aan hom toegestaan is gedurende die jaar diens waarop die tydperk van jaarlikse verlof betrekking het, deur 'n werkgever van sodanige verloftydperk afgetrek kan word;
- (v) 'n werkgever 'n werknemer op die skriftelike versoek van laasgenoemde, onderworpe aan die goedkeuring van die Raad, kan toelaat om sy verlof te laat ooploop oor 'n dienstermyn van hoogstens twee agtereenvolgende jare, of die werknemer in elke twee agtereenvolgende jare vir een jaar se verlof kan uitbetaal.
- (4) Die besoldiging ten opsigte van jaarlikse verlof in subklousule (1) bedoel, moet betaal word voor of op die laaste werkdag voor die datum waarop sodanige verlof begin.
- (5) 'n Werknemer wie se dienskontrak by 'n bedryfsinrigting in die eerste of 'n daaropvolgende jaar diens by daardie bedryfsinrigting eindig voordat die verloftydperk in subklousule (1) bedoel, opgeloop het, moet, behoudens die vierde voorbehoudsbepaling van subklousule (3) en behoudens klousule 13 (2), en indien sodanige diensbeëindiging geskied, weens ontslag of weens bedanking, nadat hy minstens drie agtereenvolgende maande by dieselfde bedryfsinrigting in diens was, besoldig word in plaas van verlof te ontvang, en moet hy vir elke voltooide maand van sodanige tydperk van minder as een jaar minstens soos volg besoldig word:
- In die geval van 'n werknemer wat geregtig is op drie weke verlof per jaar—een kwart; en
- in die geval van 'n werknemer wat geregtig is op vier weke verlof per jaar—een derde;
- van die weekloon wat hy onmiddellik voor die datum van sodanige diensbeëindiging ontvang het, of, indien hy maandeliks besoldig word, van die maandloon, gedeel deur vier en 'n derde.
- (6) 'n Werknemer wat kragtens subklousule (1) op 'n tydperk van verlof geregtig geword het en wie se dienskontrak eindig voordat sodanige verlof aan hom toegestaan is, moet by sodanige diensbeëindiging ten opsigte van verlof die bedrae betaal word wat in subklousule (5) bedoel word.
- (7) Indien 'n werkgever sy sakeonderneming van die hand sit, moet sodanige werkgever elke werknemer wat langer as een maand by hom in diens was, vir elke voltooide maand diens minstens die volgende betaal:
- In die geval van 'n werknemer wat geregtig is op drie weke verlof per jaar—een kwart; en
- in die geval van 'n werknemer wat geregtig is op vier weke verlof per jaar—een derde;
- van die weekloon wat hy ontvang het onmiddellik voor die datum waarop sodanige onderneming van die hand gesit word, of, indien betaling van besoldiging maandeliks geskied, van die maandloon, gedeel deur vier en 'n derde.
- (8) Vir die toepassing van hierdie klousule word die uitdrukking "dieselfde bedryfsinrigting" geag alle ander bedryfsinrigtings in te sluit wat onder dieselfde eienaar funksioneer of onder dieselfde beheer staan, en word die uitdrukking "diens" geag 'n tydperk of tydperke in te sluit waarin 'n werknemer—
- (a) afwesig is met verlof kragtens subklousule (1);
- (b) militêre diens verrig ingevolge die Verdedigingswet, 1957;
- (c) op las of op versoek van sy werkgever van sy werk afwesig is;
- (d) afwesig is met siekteverlof kragtens klousule 8;
- en wat in een jaar altesaam hoogstens 10 weke beloop ten opsigte van (a), (c) en (d), plus tot vier maande van 'n tydperk van militêre diens wat in daardie jaar verrig is, en word diens geag te begin—
- (i) in die geval van 'n werknemer wat voor die inwerkingtreding van hierdie Ooreenkoms kragtens Goewermenskennisgewing R. 179 van 6 Februarie 1981, soos hernieu, verleng en gewysig, op verlof geregtig geword het, op die datum waarop sodanige werknemer kragtens sodanige Ooreenkoms op verlof geregtig geword het;
- (ii) in die geval van alle ander werknemers wat voor die datum van inwerkingtreding van hierdie Ooreenkoms in diens was en op wie Goewermenskennisgewing R. 179 van 6 Februarie 1981, soos hernieu, verleng en gewysig, van toepassing was, maar wat nog nie daarkragtens op verlof geregtig geword het nie, op die datum waarop sodanige diens begin het;

- (iii) if New Year's Day, Good Friday, the First Friday of May (Workers' Day), Ascension Day, Day of the Vow, Christmas Day, Day of Goodwill or, in the case of an employee employed wholly in the off-sales department, any statutory public holiday, falls within the period of such leave another day shall, in substitution for each such day, be added to the said period as a further period of leave on full pay at the rate of wage which the employee was receiving immediately before the date of leave becoming due;
- (iv) an employer may set off against such period of leave any day of occasional leave granted on full pay to his employee at his employee's request made, in writing, during the year of employment to which the period of annual leave relates;
- (v) upon the request of an employee, made in writing, his employer may, subject to the approval of the Council, allow the employee's leave to be accumulated over a period of employment of not more than two consecutive years or may pay the employee in lieu of one year's leave in every two consecutive years.
- (4) The remuneration in respect of annual leave referred to in subclause (1) shall be paid not later than on the last work-day before the date of commencement of such leave.
- (5) An employee whose contract of employment in an establishment terminates in the first or any subsequent year of employment in that establishment before the period of leave referred to in subclause (1) has accrued shall, save as provided in the fourth proviso to subclause (3) and in clause 13 (2) and if such termination occurs, whether because of dismissal or resignation after having been in employment at the same establishment for a period of not less than three consecutive months, be paid in lieu of leave and in respect of each completed month of such period of less than one year not less than—
- in the case of an employee entitled to three weeks' annual leave—one fourth; and
- in the case of an employee entitled to four weeks' annual leave—one third;
- of the weekly wage he was receiving immediately before the date of such termination, or if paid monthly, of the monthly wage, divided by four and one third.
- (6) An employee who has become entitled to a period of leave in terms of subclause (1) and whose contract of employment terminates before such leave has been granted, shall upon such termination be paid in respect of leave the amounts referred to in subclause (5).
- (7) In the event of an employer disposing of his business, that employer shall pay to each employee with more than one month's service in respect of each completed month of service not less than—
- in the case of an employee entitled to three weeks' annual leave—one fourth; and
- in the case of an employee entitled to four weeks' annual leave—one third;
- of the weekly wage he was receiving immediately before the date of such disposal of the business, or if paid monthly, of the monthly wage, divided by four and one third.
- (8) For the purposes of this clause, the expression "same establishment" shall be deemed to include any other establishment under the same ownership or control, and the expression "employment" shall be deemed to include any period or periods during which an employee is—
- (a) absent on leave in terms of subclause (1);
- (b) performing military service in pursuance of the Defence Act, 1957;
- (c) absent from work on the instructions of or at the request of his employer;
- (d) absent on sick leave in terms of clause 8;
- amounting in the aggregate in any year to not more than 10 weeks in respect of items (a), (c) and (d), plus up to four months of any period of military service performed in that year, and employment shall be deemed to commence—
- (i) in the case of an employee who had, before the coming into force of this Agreement, become entitled to leave in terms of Government Notice R. 179 of 6 February 1981, as renewed, extended and amended, from the date on which such employee became entitled to such leave under such Agreement;
- (ii) in the case of any other employee who was in employment before the date of commencement of this Agreement and to whom Government Notice R. 179 of 6 February 1981, as renewed, extended and amended, applied, but who had not become entitled to leave in terms thereof, from the date on which such employment commenced;

(iii) in die geval van alle ander werknemers, op die datum waarop die betrokke werknemer by sy werkgever in diens getree het, of op die datum van inwerkingtreding van hierdie Ooreenkoms, naamlik die jongste datum.

(9) 'n Werknemer wat afwesig is met jaarlikse verlof wat kragtens subklousule (1) aan hom toegestaan is, mag vir geen ander werkgever werk nie, en 'n ander werkgever mag sodanige werknemer nie in diens neem nie behalwe om dienste by geleentheid te lewer of indien die toestemming van die Raad vooraf verkry is.

(10) Voorbehoudsbepaling.—Hierdie klousule is nie op los werknemers van toepassing nie."

10. KLOUSULE 8.—SIEKTEVERLOF

(1) Vervang subklousule (3) deur die volgende:

"(3) Indien 'n werknemer meer as twee agtereenvolgende kalenderdae van sy werk afwesig is, kan 'n werkgever, as 'n opskortende voorwaarde vir die betaling deur hom ingevolge hierdie klousule van 'n bedrag wat 'n werknemer ten opsigte van sodanige afwesigheid eis, van die werknemer vereis om 'n sertifikaat voor te lê wat deur 'n geregistreerde mediese praktisyn onderteken is en waarin die aard en duur van die werknemer se ongesteldheid ten opsigte van sodanige tydperk van afwesigheid vermeld word: Met dien verstande dat indien 'n werknemer ingevolge hierdie klousule betaal is vir meer as agt werkdade ten opsigte van enige jaar diens, die werkgever die voorlegging van 'n sertifikaat kan vereis ten opsigte van elke daaropvolgende tydperk van afwesigheid weens ongesteldheid waarvoor betaling ingevolge hierdie klousule in daardie diensjaar geëis word."

(2) In subklousule (5), vervang die uitdrukking "klousule 7 (9)" deur die uitdrukking "klousule 7 (8)".

11. Voeg die volgende nuwe klousule in na klousule 8:

"8bis. KRAAMVERLOF

'n Werknemer (uitgesonderd 'n los werknemer en 'n deeltydse werknemer) van wie ooreenkomstig artikel 17 van die Wet op Basiese Diensvoorwaardes, 1983, vereis word om op te hou om werk vir haar werkgever te verrig vanweë haar naderende bevalling, moet, tensy die werknemer en die werkgever skriftelik tot die teendeel ooreengekom het, geag word steeds in die diens van daardie werkgever te wees: Met dien verstande dat sodanige aanspraak geldig is vir 'n maksimum tydperk van ses maande vanaf die datum waarop sy om sodanige rede opgehou het om te werk: Voorts met dien verstande dat so 'n werknemer nie daarop geregtig is om vergoeding ten opsigte van sodanige tydperk van afwesigheid te ontvang nie."

12. Voeg die volgende nuwe klousule in na klousule 8bis:

"8ter. DEERNISVERLOF

'n Werknemer, uitgesonderd 'n los werknemer en 'n deeltydse werknemer, is geregtig op en kan afwesigheidsverlof met volle besoldiging tot 'n maksimum van drie werkdade in elke diensjaar toegestaan word ingeval van 'n sterfgeval in sy onmiddellike familie wat geag word sy wetlike voog in te sluit."

13. KLOUSULE 9.—OPENBARE VAKANSIEDAE

(1) Vervang klousule 9 deur die volgende:

"9. OPENBARE VAKANSIEDAE

"(1) 'n Werknemer, uitgesonderd 'n los werknemer en 'n deeltydse werknemer, is geregtig op verlof met volle besoldiging op Nuwejaarsdag, Goeie Vrydag, die eerste Vrydag van Mei (Werkersdag), Hemelvaartsdag, Geloftedag, Kersdag en Welwillendheidsdag, en sodanige verlof moet aan hom toegestaan word: Met dien verstande dat van 'n werknemer vereis kan word om op enigeen van hierdie dae te werk.

(2) Indien 'n werknemer, uitgesonderd 'n los werknemer of 'n deeltydse werknemer, op Nuwejaarsdag, Goeie Vrydag, die eerste Vrydag van Mei (Werkersdag), Hemelvaartsdag, Geloftedag, Kersdag of Welwillendheidsdag werk of op so 'n dag die weeklikse vrye tyd toegestaan word soos in klousule 6 (3) voorgeskryf, moet sy werkgever hom vir werk op sodanige dag verrig 'n ekstra dag se loon betaal, bereken ooreenkomstig die loon wat hy op daardie tydstop ontvang.

(3) Vir die toepassing van hierdie klousule en klousule 7 (3) (iii), word 'n openbare vakansiedag wat op 'n Sondag val, geag op die daaropvolgende Maandag te val."

14. KLOUSULE 11.—SPESIALE KLERE

(1) In subklousule (2), vervang die uitdrukking "R1,50 per dag" deur die uitdrukking "R2,00 per dag".

(iii) in the case of any other employee, from the date on which such employee entered his employer's service or from the date of coming into force of this Agreement, whichever is the later.

(9) An employee who is absent on annual leave granted in terms of subclause (1) shall not work for any other employer nor shall any other employer engage such employee except for duties at a casual function or with the prior permission of the Council.

(10) Savings.—The provisions of this clause shall not apply to a casual employee."

10. CLAUSE 8.—SICK LEAVE

(1) Substitute the following for subclause (3):

"(3) If an employee absents himself from work for more than two consecutive calendar days, an employer may, as a condition precedent to the payment by him in terms of this clause of any amount in respect of such absence and for which payment is claimed, require the production of a certificate signed by a registered medical practitioner showing the nature and duration of the employee's illness in respect of such period of absence: Provided that if an employee has been paid in terms of this clause in respect of any one year of employment for more than eight work-days, then the employer may require the production of such a certificate in respect of every subsequent period of absence due to illness for which payment is claimed in terms of this clause in that year of employment."

(2) In subclause (5), substitute the expression "clause 7 (8)" for the expression "clause 7 (9)".

11. Insert the following new clause after clause 8:

"8bis MATERNITY LEAVE

An employee (other than a casual employee and a part-time employee) who, in accordance with the provisions of section 17 of the Basic Conditions of Employment Act, 1983, is required to cease carrying out work for her employer for the reason of her impending confinement, shall, unless agreed in writing between the employee and the employer to the contrary, be deemed to continue to be in the employment of that employer: Provided that such entitlement shall be valid for up to a maximum of six months from the date on which she ceased to carry out work for such reason: Provided further that such employee shall not be entitled to receive any remuneration in respect of such period of absence."

12. Insert the following new clause after clause 8bis.

"8ter COMPASSIONATE LEAVE

An employee, other than a casual and part-time employee, shall be entitled to and be granted leave of absence on full pay for up to a maximum of three work-days in each year of employment for reason of bereavement in his immediate family, which shall be deemed to be inclusive of his legal guardian."

13. CLAUSE 9.—PUBLIC HOLIDAYS

(1) Substitute the following for clause 9:

"9. PUBLIC HOLIDAYS

(1) An employee, other than a casual employee and a part-time employee, shall be entitled to and be granted leave on full pay on New Year's Day, Good Friday, the first Friday of May (Workers' Day), Ascension Day, Day of the Vow, Christmas Day and Day of Goodwill: Provided that an employee may be required to work on any such day.

(2) Whenever an employee, other than a casual or a part-time employee, works or is granted the weekly time off duty prescribed in clause 6 (3) on New Year's Day, Good Friday, the first Friday of May (Workers' Day), Ascension Day, Day of the Vow, Christmas Day or Day of Goodwill, his employer shall pay him in respect of any work performed on such day an extra day's pay at the rate of wage currently being received by him.

(3) For the purposes of this clause and clause 7 (3) (iii), a public holiday falling on a Sunday shall be deemed to fall on the following Monday."

14. CLAUSE 11.—SPECIAL CLOTHING

(1) In subclause (2), substitute the expression "R2,00 per day" for the expression "R1,50 per day".

(2) Vervang subklousule (3) deur die volgende:

“(3) Vir die toepassing van hierdie klousule beteken “spesiale klere” ’n aandpak, wit pak, swart, wit of anderkleurige baadjie en/of broek, pet, voorskoot, oorpak of ander onderskeidende of beskermende klere, maar beteken dit nie die volgende nie, naamlik, bruin of swart skoene, bruin of swart kouse en ’n gewone wit hemp, van die werknemer kan verwag word om laasgenoemde items self aan te skaf ooreenkomstig die werkgever se redelike minimum vereistes.”

15. KLOUSULE 13.—BEEÏNDIGING VAN DIENSKONTRAK

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

“(1) ’n Werkgever of sy werknemer kan hul dienskontrak beëindig, onderworpe daaraan dat sodanige beëindiging skriftelik of in die teenwoordigheid van ’n wedersyds aanvaarbare derde persoon geskied, deur kennis van sodanige diensbeëindiging te gee—

(a) ten opsigte van werknemers wie se gewone pligte die verkoop of bediening van drank aan klante insluit—

(i) in die geval van ’n werknemer met minder as een maand diens—24 uur;

(ii) in die geval van ’n werknemer met minstens een maand diens maar minder as twee maande diens—48 uur;

(iii) in die geval van ’n werknemer met twee of meer maande diens—72 uur; en

(b) ten opsigte van alle ander werknemers—

(i) in die geval van ’n werknemer met minder as een maand diens—24 uur;

(ii) in die geval van ’n werknemer met een of meer maande diens—sewe dae;

of ’n werkgever of sy werknemer kan hul dienskontrak sonder kennisgewing beëindig mits hy aan die werkgever of die werknemer, na gelang van die geval, ’n bedrag betaal wat nie minder is nie as die toepaslike loon wat andersins aan die werknemer betaal sou moes word ingevolge subklousule (a) (i), (ii) of (iii) of (b) (i) of (ii) indien die kontrak met die vereiste kennisgewing beëindig is:

Met dien verstande dat hierdie bepaling nie die volgende raak nie:

(i) Die reg van ’n werkgever of ’n werknemer om die dienskontrak sonder kennisgewing om ’n regsgeldige rede te beëindig;

(ii) ’n skriftelike ooreenkoms tussen ’n werkgever en sy werknemer wat voorsiening maak vir ’n kennisgewingstermyn wat vir albei partye ewe lank is en langer is as dié hierin bepaal:

Voorts met dien verstande dat u werkgever nie sy werknemer mag ontslaan of afdank sonder om alle regsvereistes en beginsels van wesenlike en prosedurebillikheid met betrekking daartoe na te kom nie soos vasgestel deur die Nywerheidshof saamgestel kragtens die Wet op Arbeidsverhoudinge, 1956.”

(2) In die subklousule (2), vervang die uitdrukking “klousule 7 (6)” deur die uitdrukking “klousule 7 (5)” en die uitdrukking “subklousule (1) (c), (d) of (e)” deur die uitdrukking “subklousule (1)”.

(3) Voeg die volgende nuwe subklousule in na subklousule (5):
“(6) Hierdie klousule is nie op los werknemers van toepassing nie.”

16. KLOUSULE 14.—DIENSREKORD

(1) Skrap subklousule (4).

17. KLOUSULE 16.—REGISTERS, OPGAWES EN BYDRAES

(1) In subklousule (1), vervang die uitdrukking “Wet op Nywerheidsversoening, Wet 28 van 1956” deur die uitdrukking “Wet op Arbeidsverhoudinge 1956”.

18. KLOUSULE 20.—LEDEGELD VIR VAKVERENIGING EN WERKGEWERSORGANISASIE

(1) In subklousule (1), skrap die uitdrukking “en bydraes ingevolge die sterftesbystandskema”.

Namens die partye op hede die 5de dag van November 1987 in Johannesburg onderteken.

J. J. HOFFMANN,
Voorsitter.

A. K. HORWITZ,
Ondervoorsitter.

M. B. SPOWART,
Sekretaris.

(2) Substitute the following for subclause (3):

“(3) For the purposes of this clause, “special clothing” shall mean a dress suit, white suit, black, white or other coloured jacket and/or trousers, cap, apron, overall or other distinctive or protective clothing, but shall not mean the following, namely, brown or black shoes, brown or black socks and a plain white shirt, each of which an employee may be required to provide himself in accordance with the employer’s reasonable minimum requirements.”

15. CLAUSE 13.—TERMINATION OF CONTRACT OF EMPLOYMENT

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

“(1) An employer or his employee may terminate their contract of employment, subject to such termination being given in writing or in the presence of a mutually acceptable third person, by giving notice of such termination—

(a) in respect of employees whose regular duties include the selling or serving of liquor to customers—

(i) in the case of an employee with less than one month’s service—24 hours;

(ii) in the case of an employee with from one month’s service to less than two months’ service—48 hours;

(iii) in the case of an employee with two or more months’ service—72 hours; and

(b) in respect of all other employees—

(i) in the case of an employee with less than one month’s service—24 hours;

(ii) in the case of an employee with one or more months’ service—seven days;

or an employer or his employee may terminate their contract of employment without giving notice, provided he pays to the employer or the employee, as the case may be, an amount which is not less than the appropriate wage which would otherwise have been required to be paid to the employee in terms of subclause (a) (i), (ii) or (iii) or (b) (i) or (ii) had the contract been terminated with the required notice:

Provided that this shall not affect—

(i) the right of an employer or an employee to terminate their contract of employment without notice for any cause recognised by law as sufficient;

(ii) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than herein specified:

Provided further that no employer may dismiss or retrench his employee without observing all legal requirements and principles of substantive and procedural fairness in regard thereto as established by the Industrial Court constituted in terms of the Labour Relations Act, 1956.”

(2) In subclause (2), substitute the expression “clause 7 (5)” for the expression “clause 7 (6)” and the expression “subclause (1)” for the expression “subclause (1) (c), (d) or (e)”.

(3) Insert the following new subclause after subclause (5):

“(6) The provisions of this clause shall not apply in respect of a casual employee.”

16. CLAUSE 14.—RECORD OF SERVICE

(1) Delete subclause (4).

17. CLAUSE 16.—RECORDS, RETURNS AND CONTRIBUTIONS

(1) In subclause (1), substitute the expression “Labour Relations Act, 1956,” for the expression “Industrial Conciliation Act (Act 28 of 1956)”.

18. CLAUSE 20.—TRADE UNION AND EMPLOYERS’ ORGANISATION SUBSCRIPTIONS

(1) In subclause (1), delete the expression “and contributions under the death benefit scheme”.

Signed at Johannesburg on behalf of the parties this 5th day of November 1987.

J. J. HOFFMANN,
Chairman.

A. K. HORWITZ,
Vice-Chairman.

M. B. SPOWART,
Secretary.

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS- ONTWIKKELING

No. R. 310

26 Februarie 1988

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN
TANDHEELKUNDIGE RAAD

REGULASIES WAT DIE OMVANG VAN DIE BEROEP
GENEESKUNDIGE FISIKUS OMSKRYF

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het kragtens artikel 33 (1) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), op aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, die regulasies in die Bylae hiervan uiteengesit, uitgevaardig.

BYLAE

1. In hierdie regulasies beteken "die Wet" die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), en het 'n uitdrukking waaraan 'n betekenis in die Wet toegeken is daardie betekenis, tensy uit die samehang anders blyk.

2. Ondergenoemde handelinge word hierby bepaal as handelinge wat by die toepassing van die Wet geag word handelinge te wees wat by die beroep geneeskundige fisikus tuishoort waar sodanige handelinge, behoudens die voorwaardes van Goewermenskennisgewing R. 2410 van 28 November 1980, gepubliseer kragtens die Wet op Atoomkrag, 1967 (Wet 90 van 1967), en Goewermenskennisgewing R. 1332 van 3 Augustus 1973, gepubliseer kragtens die Wet op Gevaarhoudende Stowwe, 1973 (Wet 15 van 1973), verrig word in gebiede waar ioniserende en nie-ioniserende straling in die geneeskunde gebruik word:

(1) STRALINGSBESKERMING

- (a) Die bepaling van stralingsvlakke.
- (b) Die voorskryf en handhawing van veiligheidsprosedures.
- (c) Administratiewe beheer oor die verkryging, verspreiding, berging en wegruiming van radionukliede.

(2) RADIOTERAPIE

- (a) Die aanvaarding, toetsing en meting van die stralingsparameters van nuwe terapietoerusting.
- (b) Die essayering, kalibrering en lekkasietoetsing van bragiterapiebronne.
- (c) Die berekening van stralingsdosisdistribusies en die monitering van dosisse aan pasiënte toegedien.
- (d) Die gehaltebeheer van toerusting en prosedures.
- (e) Die ontwerp van stralingsterapie-installasies, die berekening van afskermvereistes en die verifiëring daarvan.

(3) KERNGENEESKUNDE

- (a) Die kalibrering van radionukliedessaieertoe-rusting.
- (b) Die essayering van radionukliede toegedien.
- (c) Die onderlinge vergelyking en die handhawing van radionukliedessaieer- of -telstandaarde.
- (d) Die gehaltebeheer van radionukliedtel-, -aftas-en -beeldingstoerusting en -prosedures.
- (e) Die ontwerp, ontwikkeling en evaluering van rekenaartegnieke om fisiologiese parameters uit radionukliedmetings te bereken.

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 310

26 February 1988

THE SOUTH AFRICAN MEDICAL AND DENTAL
COUNCIL

REGULATIONS DEFINING THE SCOPE OF THE
PROFESSION OF MEDICAL PHYSICIST

The Minister of National Health and Population Development has, in terms of section 33 (1) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), on the recommendation of the South African Medical and Dental Council, made the regulations set out in the Schedule hereto.

SCHEDULE

1. In these regulations "the Act" shall mean the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), and any expression to which a meaning has been assigned in the Act shall bear such meaning unless the context otherwise indicates.

2. The following acts are hereby specified as acts which shall for the purposes of the Act be deemed to be acts pertaining to the profession of medical physicist where such acts, subject to the conditions of Government Notice R. 2410 of 18 November 1980, published in terms of the Atomic Energy Act, 1967 (Act 90 of 1967), and Government Notice R. 1332 of 3 August 1973, published in terms of the Hazardous Substances Act, 1973 (Act 15 of 1973), are performed in areas where ionising and non-ionising radiation is used in medical practice:

(1) RADIATION PROTECTION

- (a) The determination of radiation levels.
- (b) The laying down and maintenance of safety procedures.
- (c) Administrative control of the acquisition, distribution, storage and disposal of radionuclides.

(2) RADIOTHERAPY

- (a) The acceptance, testing and measuring of the radiation parameters of new therapy equipment.
- (b) The assaying, calibration and leak testing of brachytherapy sources.
- (c) The calculation of radiation dose distributions and the monitoring of doses administered to patients.
- (d) The quality control equipment and procedures.
- (e) The designing of radiation therapy installations, the calculation of shielding requirements and the verification thereof.

(3) NUCLEAR MEDICINE

- (a) The calibration of radionuclide assaying equipment.
- (b) The assaying of radionuclides administered.
- (c) The intercomparison and maintenance of radionuclide assaying or counting standards.
- (d) The quality control of radionuclide counting, scanning and imaging equipment and procedures.
- (e) The designing, development and evaluation of computing techniques to calculate physiological parameters from radionuclide measurements.

(4) RADIOLOGIE

- (a) Die aanvaarding, toetsing en meting van die stralingsparameters van X-straaltoerusting.
- (b) Tegnieke hulp by die evaluering van diagnostiese prosedures.
- (c) Die gehaltebeheer van toerusting en prosedures.
- (d) Die ontwerp van diagnostiese X-straalinstallasies, die berekening van afskermvereistes en die verifiëring daarvan.

(5) TOEGEPASTE ALGEMENE GENEESKUNDIGE FISIKA

- (a) Alle aspekte van vloeistudies.
- (b) Die gehaltebeheer van nie-ioniserende stralingstoerusting en -prosedures.

DEPARTEMENT VAN OMGEWINGSAKE**No. R. 276****26 Februarie 1988****WET OP SEEVISSERYE, 1973 (WET 58 VAN 1973)****HEFFING OP VIS**

Die Minister van Omgewingsake en van Waterwese, het ingevolge artikel 20 van die Wet op Seevisserie, 1973 (Wet 58 van 1973), die heffings op vis opgelê teen die skaal volgens massa, soos in die Bylae uiteengesit.

BYLAE

1. In hierdie Kennisgewing, het enige uitdrukking waaraan daar in die Wet 'n betekenis geheg word, dieselfde betekenis, tensy dit uit die samehang anders blyk, en beteken—

- (i) "ansjovis" enige ansjovis (*Engraulis capensis*);
- (ii) "die Wet", die Wet op Seevisserie, 1973 (Wet 58 van 1973);
- (iii) "koningklip" enige koningklip (*Genypterus capensis*);
- (iv) "ooskus-skaaldiere" enige skaaldier wat in die Natalse waters aangetref en met bodemtreilnette gevang word;
- (v) "perlemoen" enige soort perlemoen of "abalone" (*Haliotis midae*);
- (vi) "pylinkvis" enige pylinkvis of tjokka (*Loligo vulgaris reynaudii*);
- (vii) "sardyn" enige sardyn of pelser (*Sardinops ocellata*);
- (viii) "stokvis" enige stokvis (*Merluccius capensis*, *Merluccius paradoxus* en *Merluccius polli*);
- (ix) "suidkuskreef", enige suidkuskreef (*Palinurus gilchristii*);
- (x) "tongvis" enige tongvis (*Austroglussus pectoralis* en *Trulla capensis*);
- (xi) "weskus-kreef", die Kaapse rots- of stekelrige see-kreef of kreef (*Jasus lalandii*).

2. (1) Die eienaar van 'n pelagiese visverwerkingsfabriek aan wie 'n ansjovis- en sardynkwota toegeken is en ansjovis en sardyn van 'n pelagiese vissersboot ontvang, moet 'n heffing van R3 per metrieke ton of 'n gedeelte daarvan op ansjovis wat by die genoemde fabriek ontvang word en R6 per metrieke ton of 'n gedeelte daarvan op sardyn wat by die genoemde fabriek ontvang word, betaal.

(2) Om die bedrag van die heffing betaalbaar ingevolge subparagraaf (1) te bepaal, is die massa van die ansjovis en sardyn aan land gebring en ontvang, die massa van die hele vis, welke massa op die fabriekspersaal bepaal moet word.

(3) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van ansjovis en sardyn wat gedurende enige maand ontvang is, moet voor die einde van die daaropvolgende maand betaal word.

(4) RADIOLOGY

- (a) The acceptance, testing and measuring of the radiation parameters of X-ray equipment.
- (b) Technical assistance in the evaluation of diagnostic procedures.
- (c) The quality control of equipment and procedures.
- (d) The designing of diagnostic X-ray installations, the calculation of shielding requirements and the verification thereof.

(5) APPLIED GENERAL MEDICAL PHYSICS

- (a) All aspects of flow studies.
- (b) The quality control of non-ionising radiation equipment and procedures.

DEPARTMENT OF ENVIRONMENT AFFAIRS**No. R. 276****26 February 1988****SEA FISHERIES ACT, 1973 (ACT 58 OF 1973)****LEVY ON FISH**

The Minister of Environment Affairs and of Water Affairs, has, in terms of section 20 of the Sea Fisheries Act, 1973 (Act 85 of 1973), imposed on fish a levy at the rate according to mass, as set out in the Schedule.

SCHEDULE

1. In this Notice any expression to which a meaning has been assigned in the Act, shall bear that meaning, and unless the context otherwise indicates—

- (i) "anchovy" means any anchovy (*Engraulis capensis*);
- (ii) "east coast crustaceans" means any crustacean which occurs in Natal waters and which is caught with bottom trawlnets;
- (iii) "hake" means any hake (*Merluccius capensis*, *Merluccius paradoxus* and *Merluccius polli*);
- (iv) "kingklip" means any kingklip (*Genypterus capensis*);
- (v) "perlemoen" means any species of perlemoen or abalone (*Haliotis midae*);
- (vi) "pilchard" means any pilchard (*Sardinops ocellata*);
- (vii) "sole" means any sole (*Austroglossus pectoralis* and *Trulla capensis*);
- (viii) "south coast rock lobster" means any south coast rock lobster (*Palinurus gilchristii*);
- (ix) "squid" means any squid or chokka (*Loligo vulgaris reynaudii*);
- (x) "the Act" means the Sea Fisheries Act, 1973 (Act 58 of 1973);
- (xi) "west coast rock lobster" means the Cape rock or spiny lobster or "kreef" (*Jasus lalandii*).

2. (1) The owner of a pelagic fish processing factory to whom an anchovy and pilchard quota has been granted and who receives anchovy and pilchard from a pelagic fishing boat, shall pay a levy of R3 per metric ton or part thereof on anchovy received at the said factory and R6 per metric ton or part thereof on pilchard received at the said factory.

(2) To determine the amount of the levy payable in terms of subparagraph (1), the mass of anchovy and pilchard landed and received, is the mass of the whole fish, which mass shall be determined on the factory premises.

(3) The levy payable in terms of subparagraph (1) in respect of anchovy and pilchard received during any month, shall be paid before the end of the following month.

(4) Betaling van die bedrag ingevolge subparagraaf (3) moet vergesel wees van gesertifiseerde state waarin die aantal metrieke ton ansjovis en sardyn wat by die fabriek ontvang is, afsonderlik aangetoon word.

3. (1) Die eienaar van 'n pelagiese aasboot aan wie 'n sardynaaskwota toegeken is, moet 'n heffing van R6 per metrieke ton of 'n gedeelte daarvan op die sardyn wat hy met sodanige boot gevang het, betaal.

(2) Om die bedrag van die heffing betaalbaar ingevolge subparagraaf (1) te bepaal, is die massa van die sardyn, die massa van die hele vis en die massa van die vis moet in die teenwoordigheid van 'n visseryebeheerbeampte bepaal word.

(3) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van die sardyn wat gedurende enige maand gevang is, moet voor die einde van die daaropvolgende maand betaal word.

(4) Betaling van die bedrag ingevolge subparagraaf (3) moet vergesel wees van 'n gesertifiseerde staat waarin die aantal metrieke ton sardyn gevang, aangetoon word.

4. (1) 'n Kwotahouer wat heel weskuskeef vir verwerking ontvang, moet 'n heffing van ses sent per kilogram heelmassa betaal.

(2) By die toepassing van subparagraaf (1) beteken "kwotahouer" enige persoon, firma of maatskappy aan wie 'n permit ingevolge artikel 11 (1) (c) (ii) van die Wet uitgereik is.

(3) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van weeskuskeef wat gedurende enige maand ontvang is, moet voor die einde van die daaropvolgende maand betaal word.

(4) Betaling van die bedrag ingevolge subparagraaf (3) moet vergesel wees van 'n gesertifiseerde staat waarin die totale heelmassa weeskuskeef deur die kwotahouer gedurende die betrokke maand ontvang, aangetoon word.

5. (1) 'n Produseerder van suidkuskeefprodukte moet 'n heffing van 5 sent per kilogram stertmassa betaal.

(2) By die toepassing van subparagraaf (1) beteken "produseerder" enige persoon, firma of maatskappy aan wie 'n suidkuskeefkwota toegeken of toestemming verleen is om suidkuskeef te vang en te verwerk.

(3) Om die bedrag van die heffing betaalbaar ingevolge subparagraaf (1) te bepaal, word 10 kilogram heel suidkuskeef as gelykstaande aan 4,65 kilogram suidkuskeefsterte geag.

(4) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van suidkuskeefprodukte wat gedurende enige maand verwerk is, moet voor die einde van die daaropvolgende maand betaal word.

(5) Betaling van die bedrag ingevolge subparagraaf (4) moet vergesel wees van 'n gesertifiseerde staat waarin die totale massa van die suidkuskeef wat gedurende die betrokke maand verwerk is, deur die produseerder aangetoon word.

6. (1) Die eienaar van 'n bodemtreilvissersboot aan wie 'n permit ingevolge artikel 11 (1) (c) (ii) van die Wet uitgereik is, moet 'n heffing van R10 per metrieke ton of 'n gedeelte daarvan op alle stokvis en 'n heffing van R30 per metrieke ton of 'n gedeelte daarvan op alle tongvis wat geland word.

(2) Om die bedrag van die heffing betaalbaar ingevolge subparagraaf (1) te bepaal, moet die gelande massa stokvis en tongvis gevang, na heelmassa omgeskakel en soos volg bereken word:

(a) Stokvis, geland sonder kop en derms $\times 1,46$.

(b) Stokvis, onbewerkte filette $\times 1,49$.

(4) Payment of the amount in terms of subparagraph (3) shall be accompanied by certified statements separately indicating the number of metric tons of anchovy and pilchard received at the factory.

3. (1) The owner of a pelagic bait boat to whom a pilchard bait quota has been granted, shall pay a levy of R6 per metric ton or part thereof on all pilchard caught by him with such boat.

(2) To determine the amount of the levy payable in terms of subparagraph (1), the mass of pilchard is the mass of the whole fish and the mass of the fish shall be determined in the presence of a fishery control officer.

(3) The levy payable in terms of subparagraph (1) in respect of pilchard caught during any month, shall be paid before the end of the following month.

(4) Payment of the amount in terms of subparagraph (3) shall be accompanied by a certified statement indicating the number of metric ton of pilchard caught.

4. (1) A quotaholder who receives whole west coast rock lobster for processing, shall pay a levy of six cents per kilogram whole mass.

(2) For the application of subparagraph (1) "quotaholder" means any person to whom or firm or company to which a permit has been granted in terms of section 11 (1) (c) (ii) of the Act.

(3) The levy payable in terms of subparagraph (1) in respect of west coast rock lobster received during any month, shall be paid before the end of the following month.

(4) Payment of the amount in terms of subparagraph (3) shall be accompanied by a certified statement indicating the total whole mass west coast rock lobster received by the quotaholder during the month concerned.

5. (1) A processor of south coast rock lobster products shall pay a levy of 5 cents per kilogram tail mass.

(2) For the application of subparagraph (1) "processor" means any person to whom or firm or company to which a south coast rock lobster quota has been granted or permission has been given to catch and process south coast rock lobster.

(3) To determine the amount of the levy payable in terms of subparagraph (1), 10 kilogram of whole south coast rock lobster shall be regarded equal to 4,65 kilogram of south coast rock lobster tails.

(4) The levy payable in terms of subparagraph (1) in respect of south coast rock lobster products processed during any month, shall be paid before the end of the following month.

(5) Payment of the amount in terms of subparagraph (4) shall be accompanied by a certified statement by the processor, indicating the total mass of south coast rock lobster processed during the month concerned.

6. (1) The owner of a bottomtrawl fishing boat to whom a permit has been granted in terms of section 11 (1) (c) (ii) of the Act, shall pay a levy of R10 per metric ton or part thereof on all hake and a levy of R30 per metric ton or part thereof on all sole landed.

(2) To determine the amount of the levy payable in terms of subparagraph (1), the landed mass of hake and sole caught shall be converted to whole mass and calculated as follows:

(a) Hake, landed headless and gutted $\times 1,46$.

(b) Hake, untrimmed fillets $\times 1,94$.

(c) Stokvis, bewerk/vellose filette $\times 2,25$.

(d) Stokvis, gebreek en/of suur $\times 1,46$.

(e) Tongvis, sonder derms $\times 1,04$.

(3) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van stokvis en tongvis wat gedurende enige maand geland is, moet voor die einde van die daaropvolgende maand betaal word.

(4) Betaling ingevolge subparagraaf (3) moet vergesel wees van gesertifiseerde state waarin die aantal metrieke ton heelmassa stokvis en tongvis afsonderlik geland deur elke bodemtreilvisserboot gedurende die maand, die totale massa in metrieke ton of 'n gedeelte daarvan ten opsigte waarvan die heffing betaal word en die registrasienommer en naam van die betrokke bodemtreilvisserboot, aangetoon word.

7. (1) 'n Produsent van perlemoenprodukte in die vorm van ingemaakte, bevrore, vars of skoongemaakte perlemoen moet 'n heffing van 6 sent per kilogram heelmassa perlemoen ontvang, betaal.

(2) By die toepassing van subparagraaf (1) beteken "produsent" enige persoon, firma of maatskappy aan wie 'n permit ingevolge artikel 11 (1) (c) (ii) van die Wet uitgereik is.

(3) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van perlemoen wat gedurende enige maand ontvang is, moet voor die einde van die daaropvolgende maand betaal word.

(4) Betaling van die bedrag ingevolge subparagraaf (3) moet vergesel wees van 'n gesertifiseerde staat waarin die totale heelmassa van die perlemoen vir die betrokke maand ontvang, aangetoon word.

8. (1) Die eienaar van 'n bodemlanglynvisserboot aan wie 'n permit ingevolge artikel 11 (1) (c) (ii) van die Wet uitgereik is, moet 'n heffing van 3 sent per kilogram heelmassa op alle koningklip en een sent per kilogram heelmassa op alle stokvis wat geland word, betaal.

(2) Om die bedrag van die heffing betaalbaar ingevolge subparagraaf (1) te bepaal, moet die gelande massa koningklip en stokvis gevang, na heelmassa omgeskakel en soos volg bereken word:

(a) Koningklip, geland sonder kop en derms $\times 1,52$.

(b) Koningklip, onbewerkte filette $\times 2,28$.

(c) Stokvis, geland sonder kop en derms $\times 1,46$.

(3) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van koningklip en stokvis wat gedurende enige maand geland is, moet voor die einde van die daaropvolgende maand betaal word.

(4) Betaling van die bedrag ingevolge subparagraaf (3) moet vergesel wees van gesertifiseerde state waarin die aantal kilogram koningklip en stokvis afsonderlik geland deur elke bodemlanglynvisserboot gedurende die maand, die totale massa in kilogram ten opsigte waarvan die heffing betaal word en die registrasienommer en naam van die betrokke bodemlanglynvisserboot, aangetoon word.

9. (1) Die eienaar van 'n geregistreerde visserboot wat ingevolge die Wet gelisensieer is om pylinkvis vir kommersiële doeleindes te vang, moet 'n heffing van 3 sent per kilogram op alle pylinkvis wat gevang of geland word, betaal.

(2) Om die bedrag van die heffing betaalbaar ingevolge subparagraaf (1) te bepaal, is die massa van die pylinkvis gevang, die massa van die hele vis.

(3) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van pylinkvis wat gedurende enige maand gevang is, moet voor die einde van die daaropvolgende maand betaal word.

(c) Hake, trimmed/skinless fillets $\times 2,25$.

(d) Hake, broken and/or sour $\times 1,46$.

(e) Soles, gutted $\times 1,04$.

(3) The levy payable in terms of subparagraph (1) in respect of hake and sole landed during any month, shall be paid before the end of the following month.

(4) Payment in terms of subparagraph (3) shall be accompanied by certified statements indicating the number of metric ton of whole mass hake and sole separately landed by each bottomtrawl fishing boat during the month; the total mass in metric ton or a part thereof in respect of which the levy is paid and the registration number and name of the bottomtrawl fishing boat concerned.

7. (1) A producer of perlemoen products in the form of canned, frozen, fresh or cleaned perlemoen shall pay a levy of 6 cents per kilogram whole mass of perlemoen received.

(2) For the application of subparagraph (1) "producer" means any person to whom or firm or company to which a permit has been granted in terms of section 11 (1) (c) (ii) of the Act.

(3) The levy payable in terms of subparagraph (1) in respect of the perlemoen received during any month, shall be paid before the end of the following month.

(4) Payment in terms of subparagraph (3) shall be accompanied by a certified statement indicating the total mass of perlemoen received during the month concerned.

8. (1) The owner of a bottom-longline fishing boat to whom a permit has been granted in terms of section 11 (1) (c) (ii) of the Act, shall pay a levy of three cents per kilogram whole mass on all kingklip and one cent per kilogram whole mass on all hake landed.

(2) To determine the levy payable in terms of subparagraph (1), the landed mass of kingklip and hake caught shall be converted to whole mass and calculated as follows:

(a) Kingklip, headless and gutted $\times 1,52$.

(b) Kingklip, untrimmed fillets $\times 2,28$.

(c) Hake, landed headless and gutted $\times 1,46$.

(3) The levy payable in terms of subparagraph (1) in respect of the kingklip and hake landed during any month, shall be paid before the end of the following month.

(4) Payment of the amount in terms of subparagraph (3) shall be accompanied by certified statements indicating the number of kilogram of kingklip and hake separately landed by each bottom-longline fishing boat during the month, the total mass in kilogram in respect of which the levy is paid and the registration number and name of the bottom-longline fishing boat concerned.

9. (1) The owner of a registered fishing boat which is licensed in terms of the Act to catch squid for commercial purposes, shall pay a levy of three cents per kilogram on all squid caught or landed.

(2) To determine the levy payable in terms of subparagraph (1), the mass of squid caught is the mass of the whole fish.

(3) The levy payable in terms of subparagraph (1) in respect of squid caught during any month, shall be paid before the end of the following month.

(4) Betaling van die bedrag ingevolge subparagraaf (3) moet vergesel wees van 'n gesertifiseerde staat waarin die totale heelmassa pylinkvis gedurende die betrokke maand gevang en die persoon of maatskappy aan wie die pylinkvis verkoop of gelever is, aangetoon word.

10. (1) Die eienaar van 'n geregistreerde bodemtreilvis-sersboot aan wie 'n permit om ooskus-skaaldiere in Natalse waters te vang ingevolge die Wet uitgereik is, moet 'n heffing van drie sent per kilogram op alle ooskus-skaaldiere in Natalse waters gevang, betaal.

(2) Om die bedrag van die heffing betaalbaar ingevolge subparagraaf (1) te bepaal, is die massa van die ooskus-skaaldiere gevang, die massa van die hele skaaldier.

(3) Die heffing betaalbaar ingevolge subparagraaf (1) ten opsigte van ooskus-skaaldiere wat gedurende enige maand gevang is, moet voor die einde van die daaropvolgende maand betaal word.

(4) Betaling van die bedrag ingevolge subparagraaf (3) moet vergesel wees van 'n gesertifiseerde staat waarin die heelmassa van die verskillende soorte skaaldiere gedurende die betrokke maand gevang, aangetoon word.

11. Heffings ingevolge hierdie Kennisgewing is betaalbaar vanaf 1 Maart 1988.

12. Rente teen die rentekoers soos van tyd tot tyd deur die Tesourie bepaal, moet gehef word op enige bedrag wat nie op die laaste dag van die betrokke maand betaal is nie en sodanige rente moet bereken word vanaf die eerste dag van die maand wat volg op die maand waarin die vis geland is.

13. Heffings betaalbaar ingevolge hierdie Kennisgewing, moet betaal word aan die Hoofdirekteur: Seevisserij, Priwaatsak X2, Roggebaai, 8012.

14. Goewermenskennisgewing R. 1448 van 1 Julie 1983 soos gewysig by Goewermenskennisgewing R. 406 van 7 Maart 1986 word hierby op 1 Maart 1988 herroep.

(4) Payment of the amount in terms of subparagraph (3) shall be accompanied by a certified statement indicating the total whole mass of squid caught during the month concerned and the person or company to whom or which the squid was sold or delivered.

10. (1) The owner of a registered bottomtrawl fishing boat to whom a permit to catch east coast crustaceans in Natal waters has been issued in terms of the Act, shall pay a levy of three cents per kilogram on all east coast crustaceans caught in Natal waters.

(2) To determine the amount of the levy payable in terms of subparagraph (1), the mass of east coast crustaceans caught is the mass of the whole crustacean.

(3) The levy payable in terms of subparagraph (1) in respect of east coast crustaceans caught during any month, shall be paid before the end of the following month.

(4) Payment of the amount in terms of subparagraph (3) shall be accompanied by a certified statement indicating the whole mass of the different species crustaceans caught during the specific month concerned.

11. Levies in terms of this Notice are payable as from 1 March 1988.

12. Interest at the rate from time to time determined by the Treasury, shall be calculated on any amount not paid on the last day of the month concerned, and such interest shall be calculated from the first day of the month following the month in which the fish is landed.

13. Levies payable in terms of this Notice, shall be paid to the Chief Director: Sea Fishery, Private Bag X2, Rogge Bay, 8012.

14. Government Notice R. 1448 of 1 July 1983 as amended by Government Notice R. 406 of 7 March 1986 is hereby repealed on 1 March 1988.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

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