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PROCLAMATIONS

by the

State President of the Republic of South Africa

No. R. 97, 1989

ASSIGNMENT OF ADMINISTRATION OF CERTAIN LAWS TO THE MINISTER OF LOCAL GOVERNMENT AND HOUSING: HOUSE OF ASSEMBLY

Under subsection (3) of section 98, read with subsection (4) of that section, and section 16, of the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983), I hereby—

- (a) declare, after consultation with the executive committee of the Province of the Transvaal, that the provisions of Part IV of the said Constitution Act, 1983, shall apply to those provisions of a law mentioned in the Schedule as are more fully indicated in relation to that law in the said Schedule, to the extent to which any such provision is applicable within the area of any local area committee contemplated in the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943 (Ordinance No. 20 of 1943) (Transvaal), which has, by the Local Government Areas Ordinance, 1986 (Ordinance No. 24 of 1986) (Transvaal), been declared as a local government area for the White population group, and in so far as such provision entrusts any power, duty or function to the Transvaal Board for the Development of Peri-Urban Areas which has by virtue of section 5 (1) of the Abolition of Development Bodies Act, 1986 (Act No. 75 of 1986), vested in the Administrator of the Transvaal Provincial Administration;
- (b) assign the administration of such provisions to which the provisions of Part IV of the said Constitution Act, 1983, are under paragraph (a) declared to be applicable and to the extent to which the provisions of that Part are so declared to be applicable, to the Minister of Local Government and Housing: House of Assembly;

PROKLAMASIES

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 97, 1989

OPDRA VAN UITVOERING VAN SEKERE WETTE AAN DIE MINISTER VAN PLAASLIKE BESTUUR EN BEHUISING: VOLKSRAAD

Kragtens subartikel (3) van artikel 98, saamgelees met subartikel (4) van daardie artikel, en artikel 16, van die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983)—

- (a) verklaar ek hierby, na raadpleging van die uitvoerende komitee van die provinsie Transvaal, dat die bepalings van Deel IV van vermeldde Grondwet, 1983, van toepassing is op daardie bepalings van 'n wet vermeld in die Bylae en wat meer volledig met betrekking tot daardie wet in die vermelde Bylae aangedui word, in die mate waarin so 'n bepaling van toepassing is binne die gebied van 'n plaaslike gebiedskomitee beoog in die Ordonnansie op die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede, 1943 (Ordonnansie No. 20 van 1943) (Transvaal), wat by die Ordonnansie op Plaaslike Bestuursgebiede, 1986 (Ordonnansie No. 24 van 1986) (Transvaal), verklaar is as 'n plaaslike bestuursgebied vir die Blanke bevolkingsgroep, en vir sover so 'n bepaling 'n bevoegdheid, plig of werksaamheid toevertrou aan die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede wat uit hoofde van artikel 5 (1) van die Wet op die Afskaffing van Ontwikkelingsliggame, 1986 (Wet No. 75 van 1986), op die Administrateur van die Provinsiale Administrasie van Transvaal oorgegaan het;
- (b) dra ek hierby die uitvoering van sodanige bepalings waarop die bepalings van Deel IV van vermeldde Grondwet, 1983, kragtens paragraaf (a) van toepassing verklaar word en in die mate waarin die bepalings van daardie Deel aldus van toepassing verklaar word, aan die Minister van Plaaslike Bestuur en Behuising: Volksraad op;

(c) determine that—

- (i) the Local Government Affairs Council shall for all purposes be deemed to be the successor in law to the Peri-Urban Board in respect of—

(aa) Erf 551, Pretoria, together with the liabilities, rights and obligations, including moneys, if any, pertaining thereto; and

(bb) subject to the provisions of subparagraph (ii), all other assets, liabilities, rights and obligations, including moneys, which relate to any power, duty or function of the Peri-Urban Board under, in terms of or by virtue of any provision of any law assigned under paragraph (b);

- (ii) the Administrator of the Province of the Transvaal shall for all purposes be deemed to be the successor in law to the Peri-Urban Board in respect of the assets, liabilities, rights and obligations, including moneys, which relate to any power, duty or function of the Peri-Urban Board in regard to personal health services under, in terms of or by virtue of any provision of a law assigned under paragraph (b);

- (iii) the Director-General may direct the Local Government Affairs Council to pay a sum of money determined by him to any public authority in order to effect a fair and reasonable adjustment of the proprietary position of that Council, by virtue of this paragraph, in relation to the public authority concerned: Provided that when he so directs or determines the Director-General shall have due regard to—

(aa) the cost, on 1 July 1989, of providing office accommodation necessary before 1 July 1989, in relation to the number of posts on the establishment of the head office of the Peri-Urban Board, for the administration of any law which entrusts any power, duty or function to the Peri-Urban Board, and which is necessary for the continued administration of any such law after the last mentioned date by the public authority concerned;

(bb) any agreement between that Council and the public authority concerned entered into under this subparagraph with a view to such an adjustment;

- (iv) in this paragraph—

“Director-General” means the Director-General of the Department of Finance or any officer in that Department acting on his authority;

(c) bepaal ek hierby dat—

- (i) die Raad op Plaaslike Bestuursangeleenthede vir alle doeleindes geag word die opvolger-in-regte te wees van die Buitestedelike Raad ten opsigte van—

(aa) Erf 551, Pretoria, asook die laste, regte en verpligtings, met inbegrip van geld, indien enige, in verband daarmee; en

(bb) behoudens die bepalings van subparagraaf (ii), alle ander bates, laste, regte en verpligtings, met inbegrip van geld, wat betrekking het op 'n bevoegdheid, plig of werksaamheid van die Buitestedelike Raad kragtens, ingevolge of uit hoofde van 'n bepaling van 'n wet kragtens paragraaf (b) opgedra;

- (ii) die Administrateur van die provinsie Transvaal vir alle doeleindes geag word die opvolger-in-regte te wees van die Buitestedelike Raad ten opsigte van die bates, laste, regte en verpligtings, met inbegrip van geld, wat betrekking het op 'n bevoegdheid, plig of werksaamheid van die Buitestedelike Raad met betrekking tot persoonlike gesondheidsdienste kragtens, ingevolge of uit hoofde van 'n bepaling van 'n wet kragtens paragraaf (b) opgedra;

- (iii) die Direkteur-generaal die Raad op Plaaslike Bestuursangeleenthede kan gelas om aan 'n owerheidsgesag 'n bedrag geld deur hom bepaal, te betaal ten einde 'n billike en redelike aanpassing van die vermoënsposisie van daardie Raad, uit hoofde van hierdie paragraaf, teenoor die betrokke owerheids-gesag te bewerkstellig: Met dien verstande dat die Direkteur-generaal, wanneer hy aldus gelas of bepaal, behoorlik in ag moet neem—

(aa) die koste, op 1 Julie 1989, van die voorsiening van kantoorakkommodasie wat voor 1 Julie 1989 nodig was, met betrekking tot die aantal poste op die diensstaat van die hoofkantoor van die Buitestedelike Raad, vir die uitvoering van 'n wet wat 'n bevoegdheid, plig of werksaamheid aan die Buitestedelike Raad toevertrou en wat nodig is vir die voortgesette uitvoering van so 'n wet na laasgenoemde datum deur die betrokke owerheids-gesag;

(bb) enige ooreenkoms kragtens hierdie subparagraaf aangegaan tussen daardie Raad en die betrokke owerheids-gesag met die oog op so 'n aanpassing;

- (iv) in hierdie paragraaf—

“Buitestedelike Raad” die Administrateur van die Provinsiale Administrasie van Transvaal in die hoedanigheid van tydelike opvolger-in-regte van genoemde Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede soos gereël in genoemde Wet op die Afskaffing van Ontwikkelingsliggame, 1986, beteken;

"Local Government Affairs Council" means the Local Government Affairs Council established by section 2 of the Local Government Affairs Council Act (House of Assembly), 1989;

"Peri-Urban Board" means the Administrator of the Transvaal Provincial Administration in his capacity as successor in law for the time being to the said Transvaal Board for the Development of Peri-Urban Areas as regulated in the said Abolition of Development Bodies Act, 1986;

"public authority" means any public authority as defined in section 1 of the Abolition of Development Bodies Act, 1986, and includes any body which has been or is approved as such under paragraph (e) of the definition of "public authority" in that section;

(d) determine that this Proclamation shall come into operation on 1 July 1989.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Twenty-sixth day of June, One thousand Nine hundred and Eighty-nine.

P. W. BOTHA,
State President.

In relation to paragraphs (a), (c) and (d) of this Proclamation: By Order of the State President-in-Cabinet:

J. C. HEUNIS,
Minister of the Cabinet.

SCHEDULE

In this Schedule—

"Board" means the Transvaal Board for the Development of Peri-Urban Areas referred to in the principal Ordinance;

"principal Ordinance" means the Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943 (Ordinance No. 20 of 1943) (Transvaal).

1. *Local Authorities Roads Ordinance, 1904 (Ordinance No. 44 of 1904) (Transvaal):*

All the provisions thereof in so far as those provisions have by section 36bis of the principal Ordinance been applied to the Board.

2. *Local Government Ordinance, 1939 (Ordinance No. 17 of 1939) (Transvaal):*

The sections mentioned in column (a) in so far as the provisions thereof have by the provisions mentioned in column (b) been applied to the Board:

Column (a)	Column (b)
(i) 33 to 37, inclusive, 50A, 79quin, 80A, 80B, 162, 163, 164A, 166, 167, 168, 171quat;	section 16 (2) of the principal Ordinance;
(ii) 62 (3);	section 18 (9) of the principal Ordinance;

"Direkteur - generaal" die Direkteur-generaal van die Departement van Finansies, of 'n beampete van daardie Departement handelende kragtens sy magtiging, beteken;

"owerheidsgesag" 'n owerheidsgesag soos omskryf in artikel 1 van die Wet op die Afskaffing van Ontwikkelingsliggame, 1986, en ook 'n liggaam wat kragtens paragraaf (e) van die omskrywing van "owerheidsgesag" in daardie artikel as sodanig goedgekeur is of word, beteken;

"Raad op Plaaslike Bestuursaangeleenthede" die Raad op Plaaslike Bestuursaangeleenthede ingestel by artikel 2 van die Wet op die Raad op Plaaslike Bestuursaangeleenthede (Volksraad), 1989, beteken;

(d) bepaal ek hierby dat hierdie Proklamasie op 1 Julie 1989 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Ses-en-twintigste dag van Junie Eenduisend Negehoonderd Nege-en-tagtig.

P. W. BOTHA,
Staatspresident.

Met betrekking tot paragrawe (a), (c) en (d), van hierdie Proklamasie: Op las van die Staatspresident-in-Cabinet:

J. C. HEUNIS,
Minister van die Kabinet.

BYLAE

In hierdie Bylae beteken—

"Hoofordonnansie" die Ordonnansie op die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede, 1943 (Ordonnansie No. 20 van 1943) (Transvaal);

"Raad" die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede bedoel in die Hoofordonnansie.

1. *Local Authorities Roads Ordinance, 1904 (Ordonnansie No. 44 van 1904) (Transvaal):*

Al die bepalings daarvan vir sover daardie bepalings by artikel 36bis van die Hoofordonnansie op die Raad van toepassing gemaak is.

2. *Ordonnansie op Plaaslike Bestuur, 1939 (Ordonnansie No. 17 van 1939) (Transvaal):*

Die artikels vermeld in kolom (a) vir sover die bepalings daarvan by die bepalings vermeld in kolom (b) op die Raad van toepassing gemaak word:

Kolom (a)	Kolom (b)
(i) 33 tot en met 37, 50A, 79quin, 80A, 80B, 162, 163, 164A, 166, 167, 168, 171quat;	artikel 16 (2) van die Hoofordonnansie;
(ii) 62 (3);	artikel 18 (9) van die Hoofordonnansie;

Column (a)	Column (b)	Kolom (a)	Kolom (b)
(iii) 45 (in so far as it relates to an officer or servant), 46, 47 (in so far as it relates to an officer or servant), 47A;	section 19 of the principal Ordinance;	(iii) 45 (vir sover dit betrekking het op 'n beampte of dienaar), 46, 47 (vir sover dit betrekking het op 'n beampte of dienaar), 47A;	artikel 19 van die Hoofordonnansie;
(iv) 50;	section 26bis of the principal Ordinance;	(iv) 50;	artikel 26bis van die Hoofordonnansie;
(v) 49;	section 30 of the principal Ordinance;	(v) 49;	artikel 30 van die Hoofordonnansie;
(vi) 79 (18) and (24);	section 31 of the principal Ordinance;	(vi) 79 (18) en (24);	artikel 31 van die Hoofordonnansie;
(vii) 55;	section 32 of the principal Ordinance;	(vii) 55;	artikel 32 van die Hoofordonnansie;
(viii) 63;	section 36 of the principal Ordinance;	(viii) 63;	artikel 36 van die Hoofordonnansie;
(ix) 64 to 69, inclusive, 71 to 76, inclusive, 79 (1) to (14), inclusive, (16), (17), (19) to (23), inclusive, (25) to (32), inclusive, (33), (33)ter, (33)quat (in so far as it relates to any person other than an employee), (33)quin, (33)sext, (33)sept, (35), (36) to (53A), inclusive, 80 [excluding subsections (1)bis, (2), (28) (b), (79) and (80)], 81 [excluding subsection (1) (d)], 82 to 88, inclusive, 96 to 113, inclusive, 130 to 136, inclusive, 140 to 143, inclusive;	Administrator's Proclamation No. 6 of 14 February 1945, (Transvaal);	(ix) 64 tot en met 69, 71 tot en met 76, 79 (1) tot en met (14), (16), (17), (19) tot en met (23), (25) tot en met (32), (33), (33)ter, (33)quat (vir sover dit betrekking het op enige persoon behalwe 'n werknemer), (33)quin, (33)sext, (33)sept, (35), (36) tot en met (53A), 80 [uitgesonderd subartikels (1)bis, (2), (28) (b), (79) en (80)], 81 [uitgesonderd subartikel (1) (d)], 82 tot en met 88, 96 tot en met 113, 130 tot en met 136, 140 tot en met 143;	Administrateursproklamasie No. 6 van 14 Februarie 1945 (Transvaal);
(x) 79ter (3);	Administrator's Proclamation No. 153 of 1 July 1970 (Transvaal);	(x) 79ter (3);	Administrateursproklamasie No. 153 van 1 Julie 1970 (Transvaal);
(xi) 65bis, 79bis (3) and (5), 80A, 96bis, 104bis.	Administrator's Proclamation No. 54 of 8 March 1972 (Transvaal).	(xi) 65bis, 79bis (3) en (5), 80A, 96bis, 104bis.	Administrateursproklamasie No. 54 van 8 Maart 1972 (Transvaal).
3. <i>Transvaal Board for the Development of Peri-Urban Areas Ordinance, 1943 (Ordinance No. 20 of 1943) (Transvaal):</i>		3. <i>Ordonnansie op die Transvaalse Raad vir die Ontwikkeling van Buitestedelike Gebiede, 1943 (Ordonnansie No. 20 van 1943) (Transvaal):</i>	
The whole, excluding sections 13, 16bis (4), 30bis, 41, 43 and 45.		Die geheel, uitgesonderd artikels 13, 16bis (4), 30bis, 41, 43 en 45.	
4. <i>Public Bodies (Language) Ordinance, 1958 (Ordinance No. 13 of 1958) (Transvaal):</i>		4. <i>Ordonnansie op Openbare Liggame (Taal), 1958 (Ordonnansie No. 13 van 1958) (Transvaal):</i>	
The whole.		Die geheel.	
5. <i>Local Government (Administration and Elections) Ordinance, 1960 (Ordinance No. 40 of 1960) (Transvaal):</i>		5. <i>Ordonnansie op Plaaslike Bestuur (Administrasie en Verkiegings), 1960 (Ordonnansie No. 40 van 1960) (Transvaal):</i>	
Section 58 (4), (5), (6) and (7) in so far as the provisions thereof have by section 21A (2) of the principal Ordinance been applied to a delegation contemplated in section 21A (1) of the principal Ordinance.		Artikel 58 (4), (5), (6) en (7) vir sover die bepalings daarvan by artikel 21A (2) van die Hoofordonnansie op 'n delegasie beoog in artikel 21A (1) van die Hoofordonnansie van toepassing gemaak is.	
6. <i>Local Authorities Rating Ordinance, 1977 (Ordinance No. 11 of 1977) (Transvaal):</i>		6. <i>Ordonnansie op Eiendomsbelasting van Plaaslike Besture, 1977 (Ordonnansie No. 11 van 1977) (Transvaal):</i>	
The whole, in so far as the provisions thereof have by section 29 (1) of the principal Ordinance been applied to the Board, but subject to the provisions of subsections (2) to (9), inclusive, of that section.		Die geheel, vir sover die bepalings daarvan by artikel 29 (1) van die Hoofordonnansie op die Raad van toepassing gemaak is, maar behoudens die bepalings van subartikels (2) tot en met (9) van daardie artikel.	

7. Local Authorities Capital Development Fund Ordinance, 1978 (Ordinance No. 9 of 1978) (Transvaal):

The whole, excluding section 9.

8. Town-planning and Townships Ordinance, 1986 (Ordinance No. 15 of 1986) (Transvaal):

The whole, except in so far as the Ordinance relates to the Townships Board or a services appeal board.

9. Division of Land Ordinance, 1986 (Ordinance No. 20 of 1986) (Transvaal):

The whole, except in so far as the Ordinance relates to the Townships Board or a services appeal board.

7. Ordonnansie op die Kapitaalontwikkelingsfonds van Plaaslike Besture, 1978 (Ordonnansie No. 9 van 1978):

Die geheel, uitgesonderd artikel 9.

8. Ordonnansie op Dorpsbeplanning en Dorpe, 1986 (Ordonnansie No. 15 van 1986) (Transvaal):

Die geheel, behalwe vir sover die Ordonnansie op die Dorperaad of 'n dienste-appelraad betrekking het.

9. Ordonnansie op die Verdeling van Grond, 1986 (Ordonnansie No. 20 van 1986) (Transvaal):

Die geheel, behalwe vir sover die Ordonnansie op die Dorperaad of 'n dienste-appelraad betrekking het.

No. R. 98, 1989

PASSING OF CERTAIN LAND IN THE DISTRICT OF VRYBURG IN THE PROVINCE OF THE CAPE OF GOOD HOPE, IN THE DISTRICTS OF WARMBATHS, RUSTENBURG, PRETORIA, BRITS, DELAREYVILLE, MARICO AND LICHTENBURG IN THE PROVINCE OF THE TRANSVAAL AND IN THE DISTRICTS OF EXCELSIOR AND BLOEMFONTEIN IN THE PROVINCE OF THE ORANGE FREE STATE TO THE REPUBLIC OF BOPHUTHATSWANA

Under the powers vested in me by section 1 of the Borders of Particular States Extension Act, 1980 (Act No. 2 of 1980), I hereby determine that the land mentioned in the accompanying Schedule, situated in the District of Vryburg in the Province of the Cape of Good Hope, in the Districts of Warmbaths, Rustenburg, Pretoria, Brits, Delareyville, Marico and Lichtenburg in the Province of the Transvaal and in the Districts of Excelsior and Bloemfontein in the Province of the Orange Free State, shall, with effect from 30 June 1989 cease to be part of the Republic of South Africa and shall become part of the Republic of Bophuthatswana.

Given under my Hand and the Seal of the Republic of South Africa at Wilderness this Twenty-second day of June, One thousand Nine hundred and Eighty-nine.

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

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

SCHEDULE

PROVINCE OF THE CAPE OF GOOD HOPE

District of Vryburg

The area comprising of the following:

- (i) The farm Thurso 310.
The farm Frome 317.
The farm Shepton 322.
The farm Rockley 332.
- (ii) From the beacon which is situated on the international boundary between the Republic of South Africa and the Republic of Bophuthatswana, where the north-western boundary of the farm Doorn Bult 552, Administrative District of Vryburg, intersects the north-western boundary of the farm Railway Strip D355; thence north-eastwards and south-eastwards along the said

No. R. 98, 1989

OORGAAN VAN SEKERE GROND IN DIE DISTRIK VRYBURG IN DIE PROVINSIE DIE KAAP DIE GOEIE HOOP, IN DIE DISTRIKTE WARMBAD, RUSTENBURG, PRETORIA, BRITS, DELAREYVILLE, MARICO EN LICHTENBURG IN DIE PROVINSIE TRANSVAAL EN IN DIE DISTRIKTE EXCELSIOR EN BLOEMFONTEIN IN DIE PROVINSIE DIE ORANJE-VRYSTAAT NA DIE REPUBLIEK VAN BOPHUTHATSWANA

Kragtens die bevoegdheid my verleen by artikel 1 van die Wet op die Uitbreiding van die Grense van Bepaalde State, 1980 (Wet No. 2 van 1980), bepaal ek hierby dat die grond in bygaande Bylae vermeld, geleë in die distrik Vryburg in die Provinsie die Kaap die Goeie Hoop, in die distrikte Warmbad, Rustenburg, Pretoria, Brits, Delareyville, Marico en Lichtenburg in die provinsie Transvaal en in die distrikte Excelsior en Bloemfontein in die provinsie die Oranje-Vrystaat, met ingang van 30 Junie 1989 ophou om deel van die Republiek van Suid-Afrika te wees en deel word van die Republiek van Bophuthatswana.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Wilderness, op hede die Twee-entwintigste dag van Junie Eenduisend Negehoonderd Nege-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

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

BYLAE

PROVINSIE DIE KAAP DIE GOEIE HOOP

Distrik Vryburg

Die gebied bestaande uit die volgende:

- (i) Die plaas Thurso 310.
Die plaas Frome 317.
Die plaas Shepton 322.
Die plaas Rockley 332.
- (ii) Van die baken geleë op die internasionale grens tussen die Republiek van Suid-Afrika en die Republiek van Bophuthatswana, waar die noordwestelike grens van die plaas Doorn Bult 522, administratiewe distrik Vryburg, die noordwestelike grens van die plaas Railway Strip D355 kruis; daarvandaan noordooswaarts en suidooswaarts met genoemde internasionale grens langs tot by

international boundary to beacon lettered R on SG Diagram for Proclamation purposes No. 1647/1977 which is also situated on the provincial boundary between the Province of the Cape of Good Hope and the Province of the Transvaal; thence south-westwards along the said provincial boundary to the north-eastern beacon of the farm Boschrandt 705, Administrative District of Vryburg; thence westwards along the boundaries of the following farms so as to exclude them from this area: The said Boschrandt 705, Boschrandt 706, Zuurbult 551 and Doorn Bult 552, all situated in the Administrative District of Vryburg, to the beacon where the north-western boundaries of the said Doorn Bult 552 and the farm Railway Strip D355 intersect, the point of beginning.

PROVINCE OF TRANSVAAL

(a) *District of Warmbaths*

The farm Worcester 481 KR, excluding Portion 1 called Fairview.

The farm Tower 480 KR.

The farm Lochness 478 KR.

(b) *District of Rustenburg 2*

Remainder of Portion 3, measuring 631,2955 ha, Portion 4, Portion 6, Portion 7 and Remainder of Portion 9, measuring 1027,1295 ha, of the farm Zandfontein 124 JQ.

Remainder of the farm Bultfontein 126 JQ, measuring 917,3025 ha.

(c) *District of Pretoria*

Portion 266 of the farm Rietgat 105 JR.

Portion 3 of the farm Rietgat 611 JR.

(d) *District of Brits*

(i) Remainder of Portion 4, measuring 286,0683 ha, of the farm Border 187 JQ.

(ii) The farm Goldreef 70 JQ.

The farm Zandsloot 71 JQ.

The farm Legkraal 68 JQ.

Remainder of Portion 1, measuring 273,3201 ha, Portion 10, Portion 11, Portion 12 and Portion 13 of the farm Palmietfontein 72 JQ.

The farm Zeekoegat 67 JQ.

Remainder of the farm Evergreen 73 JQ, measuring 55,2591 ha.

The farm Witklip 78 JQ.

Portion 4, Remainder of Portion 5, measuring 302,9762 ha, Remainder of Portion 10, measuring 260,0497 ha, Portion 11, Portion 12, Portion 13, Portion 16, Portion 18 and Remainder, measuring 359,2203 ha, of the farm Klipplaat 77 JQ.

(iii) Portion 21 of the farm Krelingspost 425 JQ.

(e) *District of Delareyville*

Remainder of Portion 9, measuring 79,8625 ha, Portion 12 and Remainder, measuring 23,4086 ha, of the farm Maribogo 10 IO.

Remainder of the farm Mooiplaats 9 IO, measuring 533,6314 ha.

Portion 1, Remainder of Portion 3, measuring 106,5253 ha, Remainder of Portion 4, measuring 168,9242, and Remainder, measuring 428,2660 ha, of the farm Lynplaats 8 IO.

baken geletter R op LG Kaart No. 1647/1977 vir Proklamasiedoeleindes wat ook op die provinsiale grens tussen die provinsie Kaap die Goeie Hoop en die provinsie Transvaal geleë is; daarvandaan suidweswaarts met genoemde provinsiale grens langs tot by die noordoostelike baken van die plaas Boschrandt 705, administratiewe distrik Vryburg; daarvandaan weswaarts met die grense van die volgende plase langs, sodat hulle uit hierdie gebied uitgesluit word: Genoemde Boschrandt 705, Boschrandt 706, Zuurbult 551 en Doorn Bult 552, almal geleë in die administratiewe distrik Vryburg, tot by die baken waar die noordwestelike grense van genoemde Doorn Bult 552 en die plaas Railway Strip D355 mekaar kruis, die beginpunt.

PROVINSIE TRANSVAAL

(a) *Distrik Warmbad*

Die plaas Worcester 481 KR, uitgesonderd Gedeelte 1 genoem Fairview.

Die plaas Tower 480 KR.

Die plaas Lochness 478 KR.

(b) *Distrik Rustenburg 2*

Restant van Gedeelte 3, groot 631,2955 ha, Gedeelte 4, Gedeelte 6, Gedeelte 7 en Restant van Gedeelte 9, groot 1027,1295 ha, van die plaas Zandfontein 124 JQ.

Restant van die plaas Bultfontein 126 JQ, groot 917,3025 ha.

(c) *Distrik Pretoria*

Gedeelte 266 van die plaas Rietgat 105 JR.

Gedeelte 3 van die plaas Rietgat 611 JR.

(d) *Distrik Brits*

(i) Restant van Gedeelte 4, groot 286,0683 ha, van die plaas Border 187 JQ.

(ii) Die plaas Goldreef 70 JQ.

Die plaas Zandsloot 71 JQ.

Die plaas Legkraal 68 JQ.

Restant van Gedeelte 1, groot 273,3201 ha, Gedeelte 10, Gedeelte 11, Gedeelte 12 en Gedeelte 13 van die plaas Palmietfontein 72 JQ.

Die plaas Zeekoegat 67 JQ.

Restant van die plaas Evergreen 73 JQ, groot 55,2591 ha.

Die plaas Witklip 78 JQ.

Gedeelte 4, Restant van Gedeelte 5, groot 302,9762 ha, Restant van gedeelte 10, groot 260,0497 ha, Gedeelte 11, Gedeelte 12, Gedeelte 13, Gedeelte 16, Gedeelte 18 en Restant, groot 359,2203 ha, van die plaas Klipplaat 77 JQ.

(iii) Gedeelte 21 van die plaas Krelingspost 425 JQ.

(e) *Distrik Delareyville*

Restant van Gedeelte 9, groot 79,8625 ha, Gedeelte 12 en Restant, groot 23,4086 ha, van die plaas Maribogo 10 IO.

Restant van die plaas Mooiplaats 9 IO, groot 533,6314 ha.

Gedeelte 1, Restant van Gedeelte 3, groot 106,5253 ha, Restant van Gedeelte 4, groot 168,9242 ha, en Restant, groot 428,2660 ha, van die plaas Lynplaats 8 IO.

Remainder of Portion 1, measuring 342,6171 ha, Remainder of Portion 2, measuring 212,5277 ha, Remainder of Portion 3, measuring 85,6571 ha, Remainder of Portion 4, measuring 126,9277 ha, Remainder of Portion 5, measuring 42,8266 ha, Portion 6 and Remainder, measuring 372,3702 ha, of the farm Hendriksdal 7 IO.

Remainder of Portion 1, measuring 337,7780 ha, Portion 2 and Remainder, measuring 313,6042 ha, of the farm Drieangle 165 IO.

Portion 2, Portion 4 and Remainder, measuring 186,9320 ha, of the farm Schuinsvlakte 166 IO.

Remainder of Portion 1, measuring 350,1284 ha, and Portion 4 of the farm Marotzi 167 IO.

(f) *District of Marico*

The farm Kopfontein 78 KP.

The farm Naauwpoort 80 KP.

Remainder of the farm Turfsloot 81 KP, measuring 1496,2316 ha.

The farm Turfsloot 79 KP.

The farm Slalaagte 100 KP.

The farm Wonderboom 98 KP.

The farm Mooifontein 97 KP.

The farm Lekkerdorst 104 KP.

The farm Vleifontein 105 KP.

The farm Uitval 106 KP.

The farm Abjaterskop 107 KP.

Portion 1, Remainder of Portion 2, measuring 728,0522 ha, Portion 3 and Portion 4 of the farm Boschrand 109 KP.

Portion 1 of the farm Brandwacht 118 KP.

Remainder of Portion 1 of the farm Tweedepoort 113 KP, measuring 856,5320 ha.

Remainder of Portion 2 of the farm Genadendal 116 KP, measuring 1603,2307 ha.

The farm Doornhoek 134 KP.

The farm Lotteringskop 115 KP.

The farm Eerste Poort 136 KP.

The farm Welgevonden 140 KP.

The farm Nooitgedacht 146 KP.

The farm Wolwehoek 135 KP.

The farm Schoonlaagte 141 KP.

The farm Leeuwkopje 145 KP.

The farm Bedford 142 KP.

The farm Barboonrandjies 144 KP.

The farm Alewynspoort 29 JP.

The farm Knapdaar 26 JP.

Portion 1 and Remainder, measuring 893,5941 ha, of the farm Klipbult 25 JP.

Remainder of Portion 1, measuring 642,4050 ha, Remainder of Portion 2, measuring 443,8637 ha, Remainder of Portion 10, measuring 862,0000 ha, Portion 16, Portion 17, Remainder of Portion 18, measuring 1674,9821 ha, and Remainder, measuring 859,2089 ha, of the farm Rooderand 41 JP.

Portion 13 of the farm Doornlaagte 51 JP.

The farm Klippan 44 JO.

Restant van Gedeelte 1, groot 342,6171 ha, Restant van Gedeelte 2, groot 212,5277 ha, Restant van Gedeelte 3, groot 85,6571 ha, Restant van Gedeelte 4, groot 126,9277 ha, Restant van Gedeelte 5, groot 42,8266 ha, Gedeelte 6 en Restant, groot 372,3702 ha, van die plaas Hendriksdal 7 IO.

Restant van Gedeelte 1, groot 337,7780 ha, Gedeelte 2 en Restant, groot 313,6042 ha, van die plaas Drieangle 165 IO.

Gedeelte 2, Gedeelte 4 en Restant, groot 186,9320 ha, van die plaas Schuinsvlakte 166 IO.

Restant van Gedeelte 1, groot 350,1284 ha, en Gedeelte 4 van die plaas Marotzi 167 IO.

(f) *Distrik Marico*

Die plaas Kopfontein 78 KP.

Die plaas Naauwpoort 80 KP.

Restant van die plaas Turfsloot 81 KP, groot 1496,2316 ha.

Die plaas Turfsloot 79 KP.

Die plaas Slalaagte 100 KP.

Die plaas Wonderboom 98 KP.

Die plaas Mooifontein 97 KP.

Die plaas Lekkerdorst 104 KP.

Die plaas Vleifontein 105 KP.

Die plaas Uitval 106 KP.

Die plaas Abjaterskop 107 KP.

Gedeelte 1, Restant van Gedeelte 2, groot 728,0522 ha, Gedeelte 3 en Gedeelte 4 van die plaas Boschrand 109 KP.

Gedeelte 1 van die plaas Brandwacht 118 KP.

Restant van Gedeelte 1 van die plaas Tweedepoort 113 KP, groot 856,5320 ha.

Restant van Gedeelte 2 van die plaas Genadendal 116 KP, groot 1603,2307 ha.

Die plaas Doornhoek 134 KP.

Die plaas Lotteringskop 115 KP.

Die plaas Eerste Poort 136 KP.

Die plaas Welgevonden 140 KP.

Die plaas Nooitgedacht 146 KP.

Die plaas Wolwehoek 135 KP.

Die plaas Schoonlaagte 141 KP.

Die plaas Leeuwkopje 145 KP.

Die plaas Bedford 142 KP.

Die plaas Barboonrandjies 144 KP.

Die plaas Alewynspoort 29 JP.

Die plaas Knapdaar 26 JP.

Gedeelte 1 en Restant, groot 893,5941 ha, van die plaas Klipbult 25 JP.

Restant van Gedeelte 1, groot 642,4050 ha, Restant van Gedeelte 2, groot 443,8637 ha, Restant van Gedeelte 10, groot 862,0000 ha, Gedeelte 16, Gedeelte 17, Restant van Gedeelte 18, groot 1674,9821 ha, en Restant, groot 859,2089 ha, van die plaas Rooderand 41 JP.

Gedeelte 13 van die plaas Doornlaagte 51 JP.

Die plaas Klippan 44 JO.

Portion 3 (Goede Geluk) of the farm Lanric 59 JO (previously known as Lanric 116 and situated in the District of Vryburg 2).

(g) *District of Lichtenburg 2*

(previously District of Vryburg 3)

The farm Devondale 134 JO (previously No. 132).

The farm Colga 132 JO (previously No. 130) excluding Portion 1.

PROVINCE OF THE ORANGE FREE STATE

(a) *District of Excelsior*

Subdivision 1, Subdivision 2 and Subdivision 3 of the farm Rakhoi 5.

The farm Khumo 24.

The farm Khumo Flats 288.

The farm Hayfield 260.

The farm The Ridge 407.

The farm Sheppardvale 23.

Remainder of the farm Chubani 9, measuring 1284,7980 ha.

Cathkin Braes 691, portion of the farm Chubani 9.

The farm Midland 325.

The farm North End 345.

The farm Vlakspruit 139.

(b) *District of Bloemfontein*

The farm Thipa 400.

The farm Justice 478.

The farm Sepani Siding 447.

Remainder of the farm Boichoko 6, measuring 1540,9646 ha.

The farm Gangers Cottage 250.

Remainder of the farm Zonderhout 439, measuring 513,8222 ha.

The farm Zonderhout A 468.

The farm Ballast Pit 178.

The farm Ballast Pit 173.

Subdivision 3 of the farm Ramahutse 47.

Remainder of the farm Israelspoort 14, measuring 490,3896 ha.

Subdivision 1 of the farm Vaalkraal 30.

Subdivision 3 of the farm Parana 45.

Remainder of the farm Sebata 134, measuring 488,3785 ha.

Subdivision 1 of the farm Gunst 765.

Subdivision 2 of the farm Bonolo 52.

Gedeelte 3 (Goede Geluk) van die plaas Lanric 59 JO (voorheen bekend as Lanric 116 en geleë in distrik Vryburg 2).

(g) *Distrik Lichtenburg 2*

(voorheen distrik Vryburg 3)

Die plaas Devondale 134 JO (voorheen No. 132).

Die plaas Colga 132 JO (voorheen No. 130) uitgesonderd Gedeelte 1.

PROVINSIE DIE ORANJE-VRYSTAAT

(a) *Distrik Excelsior*

Onderverdeling 1, Onderverdeling 2 en Onderverdeling 3 van die plaas Rakhoi 5.

Die plaas Khumo 24.

Die plaas Khumo Flats 288.

Die plaas Hayfield 260.

Die plaas The Ridge 407.

Die plaas Sheppardvale 23.

Restant van die plaas Chubani 9, groot 1284,7980 ha.

Cathkin Braes 691, gedeelte van die plaas Chubani 9.

Die plaas Midland 325.

Die plaas North End 345.

Die plaas Vlakspruit 139.

(b) *Distrik Bloemfontein*

Die plaas Thipa 400.

Die plaas Justice 478.

Die plaas Sepani Siding 447.

Restant van die plaas Boichoko 6, groot 1540,9646 ha.

Die plaas Gangers Cottage 250.

Restant van die plaas Zonderhout 439, groot 513,8222 ha.

Die plaas Zonderhout A 468.

Die plaas Ballast Pit 178.

Die plaas Ballast Pit 173.

Onderverdeling 3 van die plaas Ramahutse 47.

Restant van die plaas Israelspoort 14, groot 490,3896 ha.

Onderverdeling 1 van die plaas Vaalkraal 30.

Onderverdeling 3 van die plaas Parana 45.

Restant van die plaas Sebata 134, groot 488,3785 ha.

Onderverdeling 1 van die plaas Gunst 765.

Onderverdeling 2 van die plaas Bonolo 52.

No. R. 100, 1989 *Repealed by Act 56/193 s33*

REGULATIONS UNDER OF THE ABOLITION OF DEVELOPMENT BODIES ACT, 1986

Under section 5 (4) of the Abolition of Development Bodies Act, 1986 (Act No. 75 of 1986), I hereby make the regulations set forth in the Schedule, in order to remove administrative problems and conflict between laws.

No. R. 100, 1989

REGULASIES KRAGTENS DIE WET OP DIE AFSKAFFING VAN ONTWIKKELINGSLIGGAME, 1986

Kragtens artikel 5 (4) van die Wet op die Afskaffing van Ontwikkelingsliggame, 1986 (Wet No. 75 van 1986), maak ek hierby die regulasies in die Bylae uiteengesit ten einde administratiewe probleme en strydigheid tussen wette uit die weg te ruim.

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

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

J. C. HEUNIS,
Minister of the Cabinet.

SCHEDULE

The administration of the provisions indicated below, which on 30 June 1989 confer a power or right or impose a duty on the divisional councils of Bredasdorp-Swellendam, Caledon, Kamdeboo, Little Karoo-Langkloof, Koup, Langeberg, Matroosberg, Outeniqua, Central Karoo, Winterhoek, Witzenberg and Wynland as contemplated in the Divisional Councils Ordinance, 1976 (Ordinance No. 18 of 1976, Cape of Good Hope), in relation to an area declared to be a local area under section 8 (1) (g) of the said Ordinance, or the area of a management committee situated in a rural area of those divisions, as defined in section 2 of the said Ordinance and established in terms of section 2 of the Local Authorities (Development according to Community) Ordinance, 1963 (Ordinance No. 6 of 1963, Cape of Good Hope), is hereby assigned as from 1 July 1989 to the respective Ministers of Local Government and Housing of the House of Assembly or House of Representatives, depending on the population group for which the local area or area of the management committee concerned is deemed to have been declared in terms of the Declaration of Local Government Areas Ordinance, 1986 (Ordinance No. 18 of 1986, Cape of Good Hope):

(a) Section 20 (1) (a), (b), (c) and (d) of the Health Act, 1977 (Act No. 63 of 1977), in relation to health services;

(b) any legal provision in relation to housing as contemplated in item 5 of Schedule 1 to the Republic of South Africa Constitution Act, 1983 (Act No. 110 of 1983); and

(c) Part 2 (sections 76-96) of Chapter VIII of the Divisional Councils Ordinance, 1976, in relation to the rating of immovable property and Chapter IX (sections 121-128) of the said Ordinance, in relation to immovable property.

No. R. 105, 1989

ASSIGNMENT TO THE ADMINISTRATOR OF THE PROVINCE OF THE TRANSVAAL OF CERTAIN POWERS, DUTIES OR FUNCTIONS ENTRUSTED BY SECTION 35 OF THE MEDICAL UNIVERSITY OF SOUTHERN AFRICA ACT, 1976 (ACT No. 78 OF 1976)

Under section 15 (1) of the Provincial Government Act, 1986 (Act No. 69 of 1986) —

(a) I hereby assign, with effect from 1 July 1989, the administration of subsections (1) and (5) of section 35 of the Medical University of Southern Africa Act, 1976 (Act No. 78 of 1976), which entrusts a power, duty or function to the Minister of Education and Development Aid, to the Administrator of the Province of the Transvaal, in so far as such power, duty or function is to be exercised or performed in respect of dental hospital services and facilities and is assigned to the Minister of National Health and Population Development;

436—B

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Ses-en-twintigste dag van Junie Eenduisend Negehoonderd Nege-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

J. C. HEUNIS,
Minister van die Kabinet.

BYLAE

Die uitvoering van die bepalings hieronder aangedui, wat op 30 Junie 1989 aan die afdelingsrade van Bredasdorp-Swellendam, Caledon, Kamdeboo, Klein Karoo-Langkloof, Koup, Langeberg, Matroosberg, Outeniqua, Sentrale Karoo, Winterhoek, Witzenberg en Wynland soos beoog in die Ordonnansie op Afdelingsrade, 1976 (Ordonnansie No. 18 van 1976, Kaap die Goeie Hoop) 'n bevoegdheid of reg verleen of 'n plig opdra met betrekking tot 'n gebied wat tot 'n plaaslike gebied verklaar is kragtens artikel 8 (1) (g) van genoemde Ordonnansie of die gebied van 'n bestuurskomitee geleë in 'n landelike gebied van daardie afdelings, soos omskryf in artikel 2 van genoemde Ordonnansie en ingestel kragtens artikel 2 van die Ordonnansie op Plaaslike Owerhede (Ontwikkeling volgens Gemeenskap), 1963 (Ordonnansie No. 6 van 1963, Kaap die Goeie Hoop), word hierby vanaf 1 Julie 1989 opgedra aan die onderskeie Ministers van Plaaslike Bestuur en Behuising van die Ministersraad van die Volksraad of die Raad van Verteenwoordigers na gelang van die bevolkingsgroep waarvoor die betrokke plaaslike gebied of gebied van die bestuurskomitee ingevolge die Ordonnansie op die Verklaring van Plaaslike Bestuursgebiede, 1986 (Ordonnansie No. 18 van 1986, Kaap die Goeie Hoop), geag word verklaar te wees:

(a) Artikel 20 (1) (a), (b), (c) en (d) van die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), met betrekking tot gesondheidsdienste;

(b) enige wetsbepaling met betrekking tot behuising bedoel in item 5 van Bylae 1 by die Grondwet van die Republiek van Suid-Afrika, 1983 (Wet No. 110 van 1983); en

(c) Deel 2 (artikels 76-96) van Hoofstuk VIII van die Ordonnansie op Afdelingsrade, 1976, met betrekking tot die belasting van onroerende goed en Hoofstuk IX (artikels 121-128) van genoemde Ordonnansie met betrekking tot onroerende goed.

No. R. 105, 1989

OPDRAG AAN DIE ADMINISTRATEUR VAN DIE PROVINSIE TRANSVAAL VAN SEKERE BEVOEGDHEDE, PLIGTE OF WERKSAAMHEDE TOEGEWYS BY ARTIKEL 35 VAN DIE WET OP DIE MEDIESE UNIVERSITEIT VAN SUIDER-AFRIKA, 1976 (WET No. 78 VAN 1976)

Kragtens artikel 15 (1) van die Wet op Provinsiale Regering, 1986 (Wet No. 69 van 1986) —

(a) dra ek hierby, met ingang van 1 Julie 1989, die uitvoering van subartikels (1) en (5) van artikel 35 van die Wet op die Mediese Universiteit van Suider-Afrika, 1976 (Wet No. 78 van 1976), wat 'n bevoegdheid, plig of werksaamheid aan die Minister van Onderwys en Ontwikkelingshulp toewys, op aan die Administrateur van die provinsie Transvaal vir sover sodanige bevoegdheid, plig of werksaamheid uitgeoefen of verrig staan te word met betrekking tot tandheelkundige hospitaaldienste en -geriewe en aan die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling opgedra is;

(b) I hereby, with effect from 1 July 1989, amend the said section 35—

(i) by the substitution for subsection (1) of the following subsection:

“(1) The Administrator of the Province of the Transvaal (in this section referred to as the Administrator) may in respect of Blacks provide hospital services and facilities on the land on which the hospital is situated.”;

(ii) by the deletion of subsection (2);

(iii) by the substitution for subsection (3) of the following subsection:

“(3) The Administrator may, after consultation with the council, establish a hospital council for the hospital and may, by notice in the *Official Gazette*, prescribe the constitution, duties and powers of the said hospital council.”;

(iv) by the deletion of subsection (4);

(v) by the substitution for subsection (5) of the following subsection:

“(5) The Administrator shall, subject to such conditions as he may determine, make the hospital or any part thereof available to the University for training purposes.”; and

(vi) by, in subsection (6)—

(aa) the substitution for the words preceding paragraph (a) of the following words: “The Administrator may—”;

(bb) the substitution in paragraph (a) for the word “*Gazette*” of the words “*Official Gazette*”;

(cc) the substitution in paragraph (b) (iv) for the words “Department of National Health and Population Development” of the words “Transvaal Provincial Administration”; and

(dd) the substitution in paragraph (b) (vii) for the word “Minister” of the word “Administrator”;

(c) I hereby amend, with effect from 1 July 1989, Proclamation No. R. 61 of 1988 by the deletion of paragraph (2); and

(d) I hereby amend, with effect from 1 July 1989, Proclamation No. R. 34 of 1989 by the addition of the following section:

“7. The provisions of this Proclamation shall not apply in respect of any hospital services and facilities provided under section 35 (1) of the Medical University of Southern Africa Act, 1976 (Act No. 78 of 1976).”.

Given under my Hand and the Seal of the Republic of South Africa at Wilderness this Twenty-second day of June, One thousand Nine hundred and Eighty-nine.

P. W. BOTHA,
State President.

By Order of the State President-in-Cabinet:

W. A. VAN NIEKERK,
Minister of the Cabinet.

(b) wysig ek hierby, met ingang van 1 Julie 1989, genoemde artikel 35—

(i) deur subartikel (1) deur die volgende subartikel te vervang:

“(1) Die Administrateur van die provinsie Transvaal (in hierdie artikel die Administrateur genoem) kan ten opsigte van Swartes hospitaaldienste en -geriewe voorsien op die grond waarop die hospitaal geleë is.”;

(ii) deur subartikel (2) te skrap;

(iii) deur subartikel (3) deur die volgende subartikel te vervang:

“(3) Die Administrateur kan, na oorlegpleging met die raad, 'n hospitaalraad vir die hospitaal instel en kan, by kennisgewing in die *Offisiële Koerant*, die samestelling, pligte en bevoegdhede van genoemde hospitaalraad voorskryf.”;

(iv) deur subartikel (4) te skrap;

(v) deur subartikel (5) deur die volgende subartikel te vervang:

“(5) Die Administrateur moet, onderworpe aan die voorwaardes wat hy bepaal, die hospitaal of 'n gedeelte daarvan ter beskikking van die Universiteit vir opleidingsdoeleindes stel.”; en

(vi) deur in subartikel (6)—

(aa) die woorde wat paragraaf (a) voorafgaan, deur die volgende woorde te vervang: “Die Administrateur kan—”;

(bb) in paragraaf (a) die woord “*Staatskoerant*” deur die woorde “*Offisiële Koerant*” te vervang;

(cc) in paragraaf (b) (iv) die woorde “Departement van Nasionale Gesondheid en Bevolkingsontwikkeling” deur die woorde “Transvaalse Provinsiale Administrasie” te vervang; en

(dd) in paragraaf (b) (vii) die woord “Minister” deur die woord “Administrateur” te vervang;

(c) wysig ek hierby, met ingang van 1 Julie 1989, Proklamasie No. R. 61 van 1988 deur paragraaf (2) te skrap; en

(d) wysig ek hierby, met ingang van 1 Julie 1989, Proklamasie No. R. 34 van 1989 deur die volgende artikel by te voeg:

“7. Die bepalings van hierdie Proklamasie is nie van toepassing nie ten opsigte van enige hospitaaldienste en -geriewe voorsien kragtens artikel 35 (1) van die Wet op die Mediese Universiteit van Suider-Afrika, 1976 (Wet No. 78 van 1976).”.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Wilderness, op hede die Twee-entwintigste dag van Junie Eenduisend Nege-honderd Nege-en-tagtig.

P. W. BOTHA,
Staatspresident.

Op las van die Staatspresident-in-Kabinet:

W. A. VAN NIEKERK,
Minister van die Kabinet.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 1353

30 June 1989

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

POTATO SCHEME.—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, acting under section 14, as applied by section 15 (3), of the Marketing Act, 1968 (Act No. 59 of 1968), hereby—

(a) publish the amendments set out in the Schedule, of the Potato Scheme published by Government Notice No. R. 2400 of 25 November 1988; and

(b) declare that the said amendments shall come into operation on the date of publication hereof.

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

SCHEDULE

Definition

1. In this Schedule "the Scheme" means the Potato Scheme published by Government Notice No. R. 2400 of 25 November 1988, as corrected by Government Notice No. R. 304 of 24 February 1989.

Amendment of section 1 of the Scheme

2. Section 1 of the Scheme is hereby amended by the substitution for the definition of "seed potatoes" of the following definition:

" 'seed potatoes' means potatoes which—

(a) have been grown by a producer recognised by the chief executive officer of the Board as a seed potato grower;

(b) are intended for sale for cultivation purposes; and

(c) are approved by an official of the Board for cultivation purposes at any stage after the harvesting thereof;".

Amendment of section 40 of the Scheme

3. Section 40 of the Scheme is hereby amended by the substitution for subparagraph (ii) of paragraph (f) of the following subparagraph:

"(ii) multiply or improve such plant material, either through the application of the South African Plant Certification Scheme for Seed Potatoes or otherwise, or sell such plant material to producers of potatoes or to persons who, in the course of their business, sell such plant material to such producers; and".

No. R. 1376

30 June 1989

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

MEAT SCHEME.—REGISTRATION OF BUTCHERS AND MANUFACTURERS OF FACTORY MEAT PRODUCTS—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

(a) the Meat Board referred to in section 6 of the Meat Scheme published by Government Notice No. R. 2641 of 30 December 1988, as amended, has under section 40 of the said Scheme further amended Government Notice No. R. 1428 of 28 June 1985, as amended, to the extent set out in the Schedule here-to; and

DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 1353

30 Junie 1989

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

AARTAPPELSKEMA.—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, handelende kragtens artikel 14, soos toegepas by artikel 15 (3), van die Bemarkingswet, 1968 (Wet No. 59 van 1968)—

(a) publiseer hierby die wysigings in die Bylae uiteengesit, van die Aartappelskema gepubliseer by Goewermentskennisgewing No. R. 2400 van 25 November 1988; en

(b) verklaar hierby dat genoemde wysigings op datum van publikasie hiervan in werking tree.

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

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Skema" die Aartappelskema gepubliseer by Goewermentskennisgewing No. R. 2400 van 1988, soos verbeter deur Goewermentskennisgewing No. R. 304 van 24 Februarie 1989.

Wysiging van artikel 1 van die Skema

2. Artikel 1 van die Skema word hierby gewysig deur die omskrywing van "aartappelmoere" deur die volgende omskrywing te vervang:

" 'aartappelmoere' aartappels wat—

(a) geproduseer is deur 'n produsent wat deur die hoof-uitvoerende beampte van die Raad as 'n aartappelmoerkweker erken word;

(b) bestem is vir verkoop vir verbouingsdoeleindes; en

(c) op enige stadium na die oes daarvan, deur 'n beampte van die Raad vir verbouingsdoeleindes goedgekeur is;".

Wysiging van artikel 40 van die Skema

3. Artikel 40 van die Skema word hierby gewysig deur subparagraaf (ii) van paragraaf (f) deur die volgende te vervang:

"(ii) sodanige plantmateriaal vermeerder of verbeter, hetsy deur die toepassing van die Suid-Afrikaanse Plantsertifiseringskema vir Aartappelmoere of andersins, of sodanige plantmateriaal verkoop aan produsente van aartappels of aan persone wat in die loop van hul besigheid sodanige plantmateriaal aan bedoelde produsente verkoop; en".

No. R. 1376

30 Junie 1989

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

VLEISSKEMA.—REGISTRASIE VAN SLAGTERS EN VERVAARDIGERS VAN FABRIEKSVLEIS-PRODUKTE—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968) bekend dat—

(a) die Vleisraad bedoel in artikel 6 van die Vleisskema gepubliseer by Goewermentskennisgewing No. R. 2641 van 30 Desember 1988, soos gewysig, kragtens artikel 40 van genoemde Skema Goewermentskennisgewing No. R. 1428 van 28 Junie 1985, soos gewysig, verder gewysig het in die mate in die Bylae hierby uiteengesit; en

(b) the said amendment has been approved by me and shall come into operation on the date of publication hereof,

J. J. G. WENTZEL,

Minister of Agriculture.

SCHEDULE

The Schedule to Government Notice No. R. 1428 of 28 June 1985, as amended by Government Notices Nos. R. 126 of 24 January 1986, R. 109 of 16 January 1987, R. 711 of 3 April 1987 and R. 6 of 8 January 1988, is hereby further amended by the substitution for the Table there-in of the following Table:

"TABLE"

Last date on which applications will be accepted	Month during which applications will be considered
21 July 1989	August 1989.
24 October 1989	November 1989".

No. R. 1388

30 June 1989

PLANT IMPROVEMENT ACT, 1976 (ACT No. 53 OF 1976)

SOUTH AFRICAN SEED CERTIFICATION SCHEME.—AMENDMENT

I, André Isak van Niekerk, Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture under section 23 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), hereby—

(a) further amend the South African Seed Certification Scheme published by Government Notice No. R. 2566 of 25 November 1983, as amended by Government Notices Nos. R. 1196 of 30 May 1985, R. 1160 of 26 July 1985, R. 2352 of 14 November 1986 and R. 16 of 8 January 1988—

(i) by the substitution for the Schedule (excluding the Tables and Annexures thereof) of the Schedule hereto;

(ii) by the substitution for Table 1 of the Table hereto; and

(iii) by the substitution for the expression "the registrar" where it occurs in paragraph 5.4.1 of Annexure 2, paragraph 5.2 of Annexure 4, paragraph 5.3.1 of Annexure 16, paragraph 5.2.1 of Annexure 21, paragraph 5.2 of Annexure 26, paragraph 4.5 of Annexure 31, paragraph 5.2.1 of Annexure 35, paragraphs 2.3.2, 5.2, 5.3.3, 5.4.3, 6.1.4 and 6.1.6 of Annexure 38 and paragraphs 5.4 and 6.1.4 of Annexure 39, of the expression "the authority"; and

(b) hereby declare that the said amendments shall come into operation on 1 July 1989.

A. I. VAN NIEKERK,

Deputy Minister of Agriculture.

SCHEDULE

Definitions

1. In this Scheme, unless the context otherwise indicates—

"basic seed" means seed which has been certified in terms of this Scheme as basic seed;

(b) genoemde wysiging deur my goedgekeur is en op die datum van publikasie hiervan in werking tree.

J. J. G. WENTZEL,

Minister van Landbou.

BYLAE

Die Bylae by Goewermentskennisgewing No. R. 1428 van 28 Junie 1985, soos gewysig deur Goewermentskennisgewings Nos. R. 126 van 24 Januarie 1986, R. 109 van 16 Januarie 1987, R. 711 van 3 April 1987 en R. 6 van 8 Januarie 1988, word hierby verder gewysig deur die Tabel daarin deur die volgende Tabel te vervang:

"TABEL"

Laaste datum waarop aansoeke aanvaar sal word	Maand waartydens aansoeke oorweeg sal word
21 Julie 1989.....	Augustus 1989.
24 Oktober 1989.....	November 1989".

No. R. 1388

30 Junie 1989

PLANTVERBETERINGSWET, 1976 (WET No. 53 VAN 1976)

SUID-AFRIKAANSE SAADCERTIFISERING- SKEMA.—WYSIGING

Ek, André Isak van Niekerk, Adjunk-minister van Landbou, handelende namens die Minister van Landbou kragtens artikel 23 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976)—

(a) wysig hierby die Suid-Afrikaanse Saadsertifiseringskema gepubliseer by Goewermentskennisgewing No. R. 2566 van 25 November 1983, soos gewysig by Goewermentskennisgewings Nos. R. 1196 van 30 Mei 1985, R. 1660 van 26 Julie 1985, R. 2352 van 14 November 1986 en R. 16 van 8 Januarie 1988 verder—

(i) deur die Bylae (uitgesonderd die Tabele en Aanhangsels daarvan) deur die Bylae hierby te vervang;

(ii) deur Tabel 1 deur die Tabel hierby te vervang; en

(iii) deur die uitdrukking "die registrateur" waar dit in paragraaf 5.4.1 van Aanhangsel 2, paragraaf 5.2 van Aanhangsel 4, paragraaf 5.3.1 van Aanhangsel 16, paragraaf 5.2.1 van Aanhangsel 21, paragraaf 5.2 van Aanhangsel 26, paragraaf 4.5 van Aanhangsel 31, paragraaf 5.2.1 van Aanhangsel 35, paragrafe 2.3.2, 5.2, 5.3.3, 5.4.3, 6.1.4 en 6.1.6 van Aanhangsel 38 en paragrafe 5.4 en 6.1.4 van Aanhangsel 39 voorkom, deur die uitdrukking "die gesag" te vervang; en

(b) verklaar hierby dat genoemde wysigings op 1 Julie 1989 in werking tree.

A. I. VAN NIEKERK,

Adjunk-minister van Landbou.

BYLAE

Woordskrywing

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

"afwykende plant", met betrekking tot 'n bepaalde variëteit, 'n plant van sodanige variëteit wat nie met die erkende beskrywing van 'n tipiese plant van daardie variëteit ooreenstem nie;

"breeder seed" means seed of a particular generation of an inbred line or a variety which has been produced under the supervision of the breeder thereof, the person to whom the rights therein have been transferred, or another person who maintains the generation concerned;

"certificate of registration", in relation to a unit, means the certificate of registration which was issued in terms of section 6 of this Scheme in respect of the unit concerned;

"certified seed" means seed which has been certified in terms of this Scheme as certified seed;

"cross" means the first generation of seed which has been obtained by controlled pollination between plants of—

- (a) an inbred line and another inbred line;
- (b) an inbred line and a cross;
- (c) an inbred line and a variety;
- (d) a cross and another cross;
- (e) a cross and a variety; or
- (f) a variety and another variety,

of the same kind of plant;

"deviating plant", with regard to a particular variety, means a plant of such variety which does not correspond to the recognised description of a typical plant of that variety;

"establishment" means an establishment which has been registered in terms of the Act;

"inbred line" means a breeding line which has become homozygotic through inbreeding and selection;

"piece of land" means a specified portion of a farm which is intended for registration as a unit, and also, in the case of two or more portions of the same farm on which seed of the same variety will be produced, those portions;

"seed" means seed intended for cultivation purposes;

"seed grower" means a person to whom the certificate of registration in respect of a unit has been issued;

"the Act" means the Plant Improvement Act, 1976 (Act No. 53 of 1976), and the regulations made thereunder;

"the authority" means the authority designated in section 3 of this Scheme;

"true to variety", in relation to seed of a particular variety, means that all plants cultivated from the seed concerned correspond to the description of a plant of the variety concerned, and are clearly distinguishable from plants of any other variety of the same kind of plant;

"unit" means a piece of land which is registered in terms of this Scheme, and on which seed of plants of the kinds specified in column 1 of Table 2 is multiplied in terms of this Scheme;

"varietal list" means the varietal list kept in terms of section 15 of the Act; and

"visually free", in relation to the occurrence of disease-infected plants on a unit, or of pathogens on a plant or seed, means that—

- (a) the authority has, without using a microscope or magnifying glass, found that the unit concerned is free of disease-infected plants, or that the plant or seed concerned is free of pathogens; or

"basissaad" saad wat ingevolge hierdie Skema as basissaad gesertifiseer is;

"die gesag" die gesag in artikel 3 van hierdie Skema aangewys;

"die Wet" die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), en die regulasies daarkragtens uitgevaardig;

"eenheid" 'n stuk grond wat ingevolge hierdie skema geregistreer is, en waarop saad van plante van die soorte in kolom 1 van Tabel 2 vermeld, ooreenkomstig die bepalinge van hierdie Skema vermeerder word;

"gesertifiseerde saad" saad wat ingevolge hierdie Skema as gesertifiseerde saad gesertifiseer is;

"ingeteelde lyn" 'n teellyn wat deur teling en seleksie homosigoties geword het;

"kruis" die eerste generasie saad wat verkry is deur beheerde bestuiwing tussen plante van—

- (a) 'n ingeteelde lyn en 'n ander ingeteelde lyn;
- (b) 'n ingeteelde lyn en 'n kruis;
- (c) 'n ingeteelde lyn en 'n variëteit;
- (d) 'n kruis en 'n ander kruis;
- (e) 'n kruis en 'n variëteit; of
- (f) 'n variëteit en 'n ander variëteit,

van dieselfde soort plant;

"onderneming" 'n ondernemeing wat ingevolge die Wet geregistreer is;

"registrasiesertifikaat", met betrekking tot 'n eenheid, die registrasiesertifikaat wat ingevolge artikel 6 van hierdie Skema ten opsigte van die betrokke eenheid uitgereik is;

"saad" saad wat vir verbouingsdoeleindes bestem is;

"saadkweker" iemand aan wie die registrasiesertifikaat ten opsigte van 'n eenheid uitgereik is;

"stuk grond" 'n bepaalde gedeelte van 'n plaas wat vir registrasie as 'n eenheid beoog word, en ook, in die geval van twee of meer gedeeltes van dieselfde plaas waarop saad van dieselfde variëteit geproduseer sal word, daardie gedeeltes;

"telersaad" saad van 'n bepaalde generasie van 'n ingeteelde lyn of 'n variëteit wat onder die toesig van die teler daarvan, die persoon aan wie die regte daarin oorgedra is, of iemand anders wat die betrokke generasie in stand hou, geproduseer is;

"variëteitseg" met betrekking tot saad van 'n bepaalde variëteit, dat alle plante wat van die betrokke saad verbou word, ooreenstem met die beskrywing van 'n plant van die betrokke variëteit, en duidelik onderskeibaar is van plante van 'n ander variëteit van dieselfde soort plant;

"variëteitslys" die variëteitslys wat ingevolge artikel 15 van die Wet gehou word; en

"visueel vry", met betrekking tot die voorkoms van siektebesmette plante op 'n eenheid, of van patogene op 'n plant of saad, dat—

- (a) die gesag, sonder gebruikmaking van 'n mikroskoop of vergrootglas, bevind het dat die betrokke eenheid vry van siektebesmette plante is, of dat die betrokke plant of saad vry van patogene is; of

(b) the results of a laboratory test, examination or analysis by the authority, of a plant or seed which has been visually indentified as a disease-infected plant or a plant or seed on which pathogens occur, does not confirm such visual identification.

Name of Scheme

2. This Scheme shall be known as the South African Seed Certification Scheme.

Designation of the authority

3. The South African National Seed Organisation, a voluntary organisation which is a juristic person by virtue of a provision to this effect in its statute, is hereby designated to exercise the powers, perform the functions and carry out the duties conferred upon, assigned to or imposed upon the authority under this Scheme.

Application of Scheme

4. (1) This Scheme shall apply to seed of—

(a) those varieties of the kinds of plants specified in column 1 of Table 2, the denominations of which are entered in the varietal list;

(b) those inbred lines and crosses which are used in the production of seed of the varieties referred to in paragraph (a); and

(c) other varieties of the kinds of plants referred to in paragraph (a), which will not be cultivated in the Republic for agricultural or industrial purposes.

(2) As from the date of registration of a unit the provisions of this Scheme shall be binding on the unit concerned and the seed grower to whom the certificate of registration in respect thereof has been issued.

Conditions for certification

5. Seed may be certified in terms of this Scheme if—

(a) the piece of land on which it was produced, is registered by the authority in terms of section 6 of this Scheme as a unit;

(b) it has, subject to the provisions of sections 8 and 16 of this Scheme, been produced by the seed grower to whom the certificate of registration in respect of the unit concerned has been issued;

(c) the seed which was used to establish the plants from which it has been produced, complies with the requirements referred to in section 11 of this Scheme, and was planted in accordance with the establishment requirements referred to in that section;

(d) the unit on which it was produced has been isolated in accordance with the isolation requirements referred to in section 12 of this Scheme;

(e) the plants from which it was produced, comply with the requirements referred to in section 12 of this Scheme, and have been inspected in accordance with the provisions of section 13 of this Scheme;

(f) it complies with the physical requirements referred to in section 14 of this Scheme;

(g) the containers thereof comply with the requirements set out in section 18 of this Scheme, and are labelled as required in that section;

(b) die uitslag van 'n laboratoriumtoets, -ondersoek of -ontleding deur die gesag, van 'n plant of saad wat visueel geïdentifiseer is as 'n siektebesmette plant of 'n plant of saad waarop patogene voorkom, nie sodanige visuele identifisering bevestig nie.

Naam van Skema

2. Hierdie Skema heet die Suid-Afrikaanse Saadsertifiseringskema.

Aanwysing van die gesag

3. Die Suid-Afrikaanse Nasionale Saadorganisasie, 'n vrywillige organisasie wat 'n regs persoon is uit hoofde van 'n bepaling te dien effekte in sy grondwet, word hierby aangewys om die bevoegdhede uit te oefen, die werksaamhede te verrig en die pligte uit te voer wat kragtens hierdie Skema aan die gesag verleen, toegewys of opgedra is.

Toepassing van Skema

4. (1) Hierdie Skema is van toepassing op saad van—

(a) dié variëteite van die soorte plante in kolom 1 van Tabel 2 vermeld, waarvan die benamings in die variëteitslys aangeteken is;

(b) dié ingeteelde lyne en kruise wat in die produksie van die saad van die variëteite in paragraaf (a) bedoel, gebruik word; en

(c) ander variëteite van die soorte plante in paragraaf (a) bedoel, wat nie vir landbou- of nywerheidsdoeleindes in die Republiek verbou sal word nie.

(2) Vanaf die datum van registrasie van 'n eenheid is die bepalings van hierdie Skema bindend vir die betrokke eenheid en die saadkweker aan wie die registrasiesertifikaat ten opsigte daarvan uitgereik is.

Voorwaardes vir sertifisering

5. Saad kan ingevolge hierdie Skema gesertifiseer word indien—

(a) die stuk grond waarop dit geproduseer is, ingevolge artikel 6 van hierdie Skema deur die gesag as 'n eenheid geregistreer is;

(b) dit, behoudens die bepalings van artikels 8 en 16 van hierdie Skema, geproduseer is deur die saadkweker aan wie die registrasiesertifikaat ten opsigte van die betrokke eenheid uitgereik is;

(c) die saad wat gebruik was om die plante waarvan dit geproduseer is, te vestig, aan die vereistes in artikel 11 van hierdie Skema bedoel, voldoen, en ooreenkomstig die vestigingsvereistes in daardie artikel bedoel, aangeplant is;

(d) die eenheid waarop dit geproduseer is, ooreenkomstig die isolasievereistes in artikel 12 van hierdie Skema bedoel, geïsoleer is;

(e) die plante waarvan dit geproduseer is, aan die vereistes in artikel 12 van hierdie Skema bedoel, voldoen, en ooreenkomstig die bepalings van artikel 13 van hierdie Skema geïnspekteer is;

(f) dit aan die fisiese vereistes in artikel 14 van hierdie Skema bedoel, voldoen;

(g) die houe daarvan aan die vereistes in artikel 18 van hierdie Skema uiteengesit, voldoen, en geëtiketteer is soos in daardie artikel vereis;

(h) it is presented for certification in accordance with the provisions of section 19 of this Scheme; and

(i) all the other provisions of this Scheme with regard to the seed concerned and the processes in connection with the production thereof have been complied with.

Registration of units

6. (1) An application for the registration of a piece of land as a unit shall be made on a form which is obtainable from the authority for this purpose.

(2) Such form shall—

(a) be completed by the person who intends to produce seed for certification in terms of this Scheme on the piece of land concerned;

(b) be lodged with the authority;

(c) in the case of a piece of land on which plants of a perennial crop are established which have also been used for the production of seed for certification in terms of this Scheme during the preceding growing season, be thus lodged after the seed crop of the preceding growing season has been removed therefrom, but not before regrowth of the plants concerned can be observed;

(d) otherwise be thus lodged within 28 days of the date on which the establishment of seed on the piece of land concerned commenced; and

(e) be accompanied by—

(i) a locality map which clearly indicates where the piece of land concerned is situated; and

(ii) the applicable amount specified in item 1 of Table 1.

(3) The authority may, in the case of an application for the registration of a piece of land which is intended for the production of seed of an inbred line or cross referred to in section 4 (1) (b) of this Scheme or a variety referred to in section 4 (1) (c) of this Scheme, require that the recognised description of a typical plant of that inbred line, cross or variety be furnished, and such application shall be considered only if the authority is satisfied that the description concerned is sufficient to determine whether the plants of that inbred line, cross or variety—

(a) are by reason of a conspicuous characteristic clearly distinguishable from the plants of any other inbred line, cross or variety of the same kind of plant;

(b) are sufficiently homogeneous having regard to the particular features of the reproduction thereof;

(c) are stable with regard to the essential characteristics thereof, and remain true to the description thereof after repeated propagation; and

(d) are identified by a denomination which complies with the requirements of section 17 (3) and (4) of the Act.

(4) Separate applications shall be submitted in terms of this section in respect of different pieces of land on the same farm on which seed of different varieties is to be produced.

(5) If the authority approves an application, the piece of land concerned shall be registered as a unit, and the authority shall thereupon issue a certificate of registration in respect thereof to the applicant concerned.

(h) dit ooreenkomstig die bepalings van artikel 19 van hierdie Skema vir sertifisering aangebied is; en

(i) al die ander bepalings van hierdie Skema met betrekking tot die betrokke saad en die prosesse in verband met die produksie daarvan nagekom is.

Registrasie van eenhede

6. (1) 'n Aansoek om die registrasie van 'n stuk grond as 'n eenheid moet op 'n vorm gedoen word wat vir dié doel van die gesag verkrygbaar is.

(2) So 'n vorm moet—

(a) ingevul word deur die persoon wat van voorneme is om saad vir sertifisering ingevolge hierdie Skema op die betrokke stuk grond te produseer;

(b) by die gesag ingedien word;

(c) in die geval van 'n stuk grond waarop plante van 'n meerjarige gewas gevestig is wat ook gedurende die voorafgaande groeiseisoen vir die produksie van saad vir sertifisering ingevolge hierdie Skema gebruik was, aldus ingedien word nadat die saadoes van die voorafgaande groeiseisoen daarvan verwyder is, maar nie voordat hergroei van die betrokke plante waargeneem kan word nie;

(d) andersins aldus ingedien word binne 28 dae na die datum waarop die vestiging van saad op die betrokke stuk grond 'n aanvang geneem het; en

(e) vergesel gaan van—

(i) 'n liggingskaart wat duidelik aantoon waar die betrokke stuk grond geleë is; en

(ii) die toepaslike bedrag in item 1 van Tabel 1 vermeld.

(3) Die gesag kan, in die geval van 'n aansoek om die registrasie van 'n stuk grond wat beoog word vir die produksie van saad van 'n ingeteelde lyn of kruis in artikel 4 (1) (b) van hierdie Skema bedoel, of 'n variëteit in artikel 4 (1) (c) van hierdie Skema bedoel, vereis dat die erkende beskrywing van 'n tipiese plant van daardie ingeteelde lyn, kruis of variëteit verstrek word, en so 'n aansoek word oorweeg slegs indien die gesag oortuig is dat die betrokke beskrywing voldoende is om te bepaal of die plante van daardie ingeteelde lyn, kruis of variëteit—

(a) uit hoofde van 'n opvallende eienskap duidelik onderskeibaar is van die plante van 'n ander ingeteelde lyn, kruis of variëteit van dieselfde soort plant;

(b) genoegsaam homogeen is met inagneming van die besondere kenmerke van die voortplanting daarvan;

(c) standvastig is wat betref die wesenlike eienskappe daarvan, en na herhaalde voortplanting standvastig bly wat die beskrywing daarvan betref; en

(d) deur 'n benaming geïdentifiseer word wat aan die vereistes van artikel 17 (3) en (4) van die Wet voldoen.

(4) Afsonderlike aansoeke moet ingevolge hierdie artikel ingedien word ten opsigte van verskillende stukke grond op dieselfde plaas waarop saad van verskillende variëteite geproduseer sal word.

(5) Indien die gesag 'n aansoek goedkeur, word die betrokke stuk grond as 'n eenheid geregistreer, en die gesag reik daarop 'n registrasiesertifikaat ten opsigte daarvan aan die betrokke aansoeker uit.

(6) A piece of land shall not be registered as a unit if the authority is satisfied that—

(a) the applicant concerned—

(i) will, by reason of a lack in knowledge or facilities at his disposal, probably not be able to produce seed which is suitable for certification in terms of this Scheme; or

(ii) was previously a seed grower in terms of this Scheme, and then failed to comply with the provisions of this Scheme or a condition determined thereunder;

(b) the piece of land concerned—

(i) does not comply with the land requirements referred to in section 10 of this Scheme;

(ii) is situated in an area which does not lend itself to the production of seed of the variety concerned which will be suitable for certification in terms of this Scheme; or

(iii) cannot at all times readily be reached for the purpose of inspection in terms of this Scheme;

(c) the rendering of services in terms of this Scheme on the piece of land concerned or in connection with the seed which is to be produced thereon, is not justified or feasible;

(d) in the case of an application referred to in subsection (3), the description submitted does not comply with the provisions of that subsection; or

(e) the application concerned contains a material misrepresentation.

Term of registration

7. The registration of a unit shall, subject to earlier termination in terms of this Scheme, be valid only from the date of issue of the certificate of registration concerned to the removal from the unit concerned of the seed crop of the growing season to which such registration relates.

Transfer of registration

8. (1) The certificate of registration which has been issued to a seed grower in respect of a unit shall not be transferable to any other person.

(2) If a seed grower transfers his right of disposal in the plants which have been established on a unit, to another person, he shall forthwith notify the authority thereof in writing.

(3) If a person to whom a right of disposal referred to in subsection (2) has been transferred, desires to continue with participation in this Scheme in respect of the unit concerned, he shall, notwithstanding the provisions of section 6 (2) (c) or (d) of this Scheme, forthwith lodge an application in accordance with section 6 of this Scheme for the registration of that unit in his name.

Termination of registration

9. (1) The registration of a unit shall lapse if the seed grower concerned transfers his right of disposal referred to in section 8 (2) of this Scheme, to another person.

(2) The registration of a unit may at any time be withdrawn if the authority is satisfied that—

(a) the applicable provisions of this Scheme with regard to the unit concerned, the plants established thereon or the seed produced thereon, have not been complied with; or

(6) 'n Stuk grond word nie as 'n eenheid geregistreer nie indien die gesag oortuig is dat—

(a) die betrokke aansoeker—

(i) weens 'n gebrek aan kennis of geriewe tot sy beskikking, waarskynlik nie in staat sal wees om saad te produseer wat geskik is vir sertifisering ingevolge hierdie Skema nie; of

(ii) voorheen 'n saadkweker ingevolge hierdie Skema was, en toe versuim het om te voldoen aan die bepalings van hierdie Skema of 'n voorwaarde daarkragtens bepaal;

(b) die betrokke stuk grond—

(i) nie aan die grondvereistes in artikel 10 van hierdie Skema bedoel, voldoen nie;

(ii) in 'n gebied geleë is wat hom nie leen tot die produksie van saad van die betrokke variëteit wat geskik sal wees vir sertifisering ingevolge hierdie Skema nie; of

(iii) nie te alle tye gereedlik vir inspeksiedoeleindes ingevolge hierdie Skema bereik kan word nie;

(c) die lewering van dienste ingevolge hierdie Skema op die betrokke stuk grond of in verband met die saad wat daarop geproduseer sal word, nie geregverdig of doenlik is nie;

(d) in die geval van 'n aansoek in subartikel (3) bedoel, die beskrywing wat ingedien is, nie aan die bepalings van daardie subartikel voldoen nie; of

(e) die betrokke aansoek 'n wesenlike wanvoorstelling bevat.

Termyn van registrasie

7. Die registrasie van 'n eenheid is, behoudens vroeër beëindiging ingevolge hierdie Skema, slegs geldig vanaf die datum van uitreiking van die betrokke registrasiesertifikaat tot die verwydering van die betrokke eenheid van die saadoes van die groeiseisoen waarop sodanige registrasie betrekking het.

Oordrag van registrasie

8. (1) Die registrasiesertifikaat ten opsigte van 'n eenheid wat aan 'n saadkweker uitgereik is, is nie aan iemand anders oordraagbaar nie.

(2) Indien 'n saadkweker sy beskikkingsreg in die plante wat op 'n eenheid gevestig is, aan iemand anders oordra, moet hy die gesag onverwyld skriftelik daarvan in kennis stel.

(3) Indien iemand aan wie 'n beskikkingsreg in subartikel (2) bedoel, oorgedra is, verlang om voort te gaan met deelname aan hierdie Skema ten opsigte van die betrokke eenheid, moet hy, ondanks die bepalings van artikel 6 (2) (c) of (d) van hierdie Skema, ooreenkomstig artikel 6 van hierdie Skema 'n aansoek om die registrasie van daardie eenheid in sy naam indien.

Beëindiging van registrasie

9. (1) Die registrasie van 'n eenheid verval indien die betrokke saadkweker sy beskikkingsreg in artikel 8 (2) van hierdie Skema bedoel, aan iemand anders oordra.

(2) Die registrasie van 'n eenheid kan te eniger tyd ingetrek word indien die gesag oortuig is dat—

(a) die toepaslike bepalings van hierdie Skema met betrekking tot die betrokke eenheid, die plante daarop gevestig of die saad daarop geproduseer, nie nagekom is nie; of

(b) circumstances prevail or information has come to light which, if it had prevailed or come to light earlier, would have resulted in a refusal to register the unit concerned.

(3) The authority shall withdraw the registration of a unit which is intended for the production of certified seed if the seed which was used to establish plants thereon—

(a) was seed in respect of which an approval referred to in section 11 (2) of this Scheme was issued, and such approval has since then been withdrawn; or

(b) was basic seed, and the certification thereof has since then been withdrawn in terms of section 21 of this Scheme.

(4) If the withdrawal of the registration of a unit in terms of subsection (2) arises from a deficiency which could in the opinion of the authority possibly be rectified through the application of a particular treatment, the authority shall advise the seed grower concerned of such deficiency and treatment.

(5) A seed grower who applied a treatment referred to in subsection (4) may request that the authority reinspect the unit concerned with a view to revoke the withdrawal of the registration thereof.

(6) If an application referred to in subsection (5) is approved, the authority may require that the amount specified in item 2 of Table 1 be paid by the seed grower concerned.

Land requirements

10. (1) A piece of land on which plants of a kind specified in column 1 of Table 2 are established, may be registered as a unit if it complies with the land requirements as set out in the Annexure of which the number is specified in column 2 of the said Table opposite the name of the kind of plant concerned.

(2) A unit shall, while the registration thereof remains in force, comply with the requirements referred to in subsection (1).

Seed and planting requirements

11. (1) The seed which is used to establish plants on a unit shall—

(a) in the case of the intended production of basic seed, be breeder seed; and

(b) subject to the provisions of subsection (2), in the case of the intended production of certified seed, be basic seed.

(2) The authority may on application of a seed grower approve in writing that seed other than basic seed may be used to establish plants for the production of certified seed.

(3) An application referred to in subsection (2) shall be submitted in writing to the authority by the seed grower concerned, and shall state the reasons for such application.

(4) An approval referred to in subsection (2)—

(a) shall be granted only if the authority is satisfied that the seed concerned was produced in accordance with a method which renders it suitable for use in terms of this Scheme in the place of basic seed; and

(b) omstandighede heers of inligting aan die lig gekom het wat, indien dit vroeër geheers of aan die lig gekom het, sou gelei het tot 'n weiering om die betrokke eenheid te registreer.

(3) Die gesag moet die registrasie van 'n eenheid wat vir die produksie van gesertifiseerde saad beoog word, intrek indien die saad wat gebruik was om die plante daarop te vestig—

(a) saad was ten opsigte waarvan 'n goedkeuring in artikel 11 (2) van hierdie Skema bedoel, uitgereik was, en sodanige goedkeuring sedertdien ingetrek is; of

(b) basissaad was, en die sertifisering daarvan sedertdien ingevolge artikel 21 van hierdie Skema ingetrek is.

(4) Indien die intrekking van die registrasie van 'n eenheid ingevolge subartikel (2) voortspruit uit 'n tekortkoming wat na die oordeel van die gesag moontlik deur die toepassing van 'n bepaalde behandeling reggestel kan word, moet die gesag die betrokke saadkweker van sodanige tekortkoming en behandeling adviseer.

(5) 'n Saadkweker wat 'n behandeling in subartikel (4) bedoel, toegepas het, kan versoek dat die gesag die betrokke eenheid herinspekteer met die oog daarop om die intrekking van die registrasie daarvan te herroep.

(6) Indien 'n aansoek in subartikel (5) bedoel, goedgekeur word, kan die gesag vereis dat die bedrag in item 2 van Tabel 1 vermeld, deur die betrokke saadkweker betaal word.

Grondvereistes

10. (1) 'n Stuk grond waarop plante van 'n soort in kolom 1 van Tabel 2 vermeld, gevestig is, kan as 'n eenheid geregistreer word indien dit voldoen aan die grondvereistes soos uiteengesit in die Aanhangel waarvan die nommer in kolom 2 van genoemde Tabel teenoor die naam van die betrokke soort plant vermeld is.

(2) 'n Eenheid moet, terwyl die registrasie daarvan van krag is, aan die vereistes in subartikel (1) bedoel, voldoen.

Saad- en aanplantingsvereistes

11. (1) Die saak wat gebruik word om plante op 'n eenheid te vestig, moet—

(a) in die geval van die beoogde produksie van basissaad, telersaad wees; en

(b) behoudens die bepalinge van subartikel (2), in die geval van die beoogde produksie van gesertifiseerde saad, basissaad wees.

(2) Die gesag kan op aansoek van 'n saadkweker skriftelik goedkeur dat ander saad as basissaad gebruik mag word om plante vir die produksie van gesertifiseerde saad te vestig.

(3) 'n Aansoek in subartikel (2) bedoel, moet skriftelik deur die betrokke saadkweker by die gesag ingedien word en moet die redes vir sodanige aansoek verstrekk.

(4) 'n Goedkeuring in subartikel (2) bedoel—

(a) word slegs verleen indien die gesag van oordeel is dat die betrokke saad ooreenkomstig 'n metode geproduseer is wat dit geskik maak om ingevolge hierdie Skema in die plek van basissaad te gebruik; en

(b) may at any time be withdrawn if the authority is satisfied that the plants which have been established from the seed concerned, are not true to variety.

(5) All labels and seals on containers of seed which are planted with a view to the production of seed in terms of this Scheme shall be retained until those labels and seals have on request been produced to the authority, or the seed which was produced from that seed has been certified, whichever may be the earlier.

(6) Seed of plants of a kind specified in column 1 of Table 2 shall be planted in accordance with the planting requirements as set out in the Annexure of which the number is specified in column 2 of the said Table opposite the name of the kind of plant concerned, and shall be thus planted in a manner which will not impede the carrying out of inspections in terms of this Scheme on the unit concerned or the judging of the plants which are established thereon.

Isolation and plant requirements

12. (1) A unit on which plants of a kind specified in column 1 of Table 2 are established shall be isolated in accordance with the isolation requirements as set out in the Annexure of which the number is specified in column 2 of the said Table opposite the name of the kind of plant concerned.

(2) The plants which are established on a unit shall—

(a) be cared for in a manner which is conducive to the production of seed of a high quality;

(b) not be overgrown by weeds; and

(c) comply with the requirements for plants of the kind concerned as set out in the Annexure of which the number is specified in column 2 of Table 2 opposite the name of the kind of plant concerned.

(3) A seed grower shall remove all plants which are or appear to be deviating, or the pollen-shedding or seed-bearing parts of such plants, from the unit on a continuous basis: Provided that the authority may, at the time of inspection in terms of this Scheme, direct a seed grower or a person acting on instructions from a seed grower, to suspend such removal for the duration of inspection concerned.

(4) A seed grower shall notify the authority forthwith in writing of—

(a) the occurrence of any harmful insect pest or pathogen on the plants which are established on a unit; or

(b) any damage to such plants through climatological or other factors.

(5) Subject to the provisions of subsection (6), no person shall—

(a) establish on a unit any plants other than plants of a variety which is intended for the production of seed in terms of this Scheme; or

(b) use any plant or part or yield of a plant which is established on a unit, for any purpose other than the production of seed in terms of this Scheme.

(6) The authority may exempt a seed grower in writing from compliance with the provisions of subsection (5).

(7) An application for an exemption referred to in subsection (6) shall be submitted in writing to the authority by the seed grower concerned, and shall state the reasons for such application.

(b) kan te enige tyd ingetrek word indien die gesag van oordeel is dat die plante wat van die betrokke saad gevestig is, nie variëteitseg is nie.

(5) Alle etikette en seëls aan houters van saad wat geplant word met die oog op die produksie van saad ingevolge hierdie Skema, moet bewaar word totdat daardie etikette en seëls op versoek aan die gesag getoon word, of die saad wat van daardie saad geproduseer is, gesertifiseer is, wat ookal die vroegste is.

(6) Saad van plante van 'n soort in kolom 1 van Tabel 2 vermeld, moet aangeplant word ooreenkomstig die aanplantingsvereistes soos uiteengesit in die Aanhangel waarvan die nommer in kolom 2 van genoemde Tabel teenoor die naam van die betrokke soort plant vermeld is, en moet aldus aangeplant word op 'n wyse wat nie die uitvoering van inspeksies ingevolge hierdie Skema op die betrokke eenheid of die beoordeling van die plante wat daarop gevestig is, sal belemmer nie.

Isolasie- en plantvereistes

12. (1) 'n Eenheid waarop plante van 'n soort in kolom 1 van Tabel 2 vermeld, gevestig is, moet geïsoleer wees ooreenkomstig die isolasievereistes soos uiteengesit in die Aanhangel waarvan die nommer in kolom 2 van genoemde Tabel teenoor die naam van die betrokke soort plant vermeld is.

(2) Die plante wat op 'n eenheid gevestig is, moet—

(a) op 'n wyse versorg word wat bevorderlik is vir die produksie van saad van 'n hoë gehalte;

(b) nie deur onkruid oorgroei word nie; en

(c) voldoen aan die vereistes vir plante van die betrokke soort soos uiteengesit in die Aanhangel waarvan die nommer in kolom 2 van Tabel 2 teenoor die naam van die betrokke soort plant vermeld is.

(3) 'n Saadkweker moet alle plante wat afwykend is of blyk te wees, of die stuifmeelstortende of saad-draende gedeeltes van sodanige plante, op 'n deurlopende grondslag van 'n eenheid verwyder: Met dien verstande dat die gesag 'n saadkweker of iemand wat in opdrag van 'n saadkweker optree, ten tyde van 'n inspeksie ingevolge hierdie Skema kan gelas om sodanige verwydering vir die duur van die betrokke inspeksie op te skort.

(4) 'n Saadkweker moet die gesag onverwyld skriftelik in kennis stel van—

(a) die voorkoms van 'n skadelike insekplaag of patoogeen op die plante wat op 'n eenheid gevestig is; of

(b) enige skade aan sodanige plante weens klimatologiese of ander faktore.

(5) Behoudens die bepalings van subartikel (6), mag niemand—

(a) enige ander plante as plante van 'n variëteit wat vir die produksie van saad ingevolge hierdie Skema beoog word, op 'n eenheid vestig nie; of

(b) enige plant of deel of opbrengs van 'n plant wat op 'n eenheid gevestig is, vir enige ander doel as die produksie van saad ingevolge hierdie Skema gebruik nie.

(6) Die gesag kan 'n saadkweker skriftelik van nakoming van die bepalings van subartikel (5) vrystel.

(7) 'n Aansoek om 'n vrystelling in subartikel (6) bedoel, moet skriftelik deur die betrokke saadkweker by die gesag ingedien word en moet die redes vir sodanige aansoek verstrek.

(8) An exemption referred to in subsection (6) —

(a) shall only be granted if the authority is satisfied that the quality of the seed to be harvested from the plants on the unit concerned will not be detrimentally affected by such exemption; and

(b) shall be subject to such conditions as the authority may in each case determine.

Inspection requirements

13. (1) (a) The plants which are established on a unit shall be inspected by the authority in accordance with the inspection requirements as set out in the Annexure of which the number is specified in column 2 of Table 2 opposite the name of the kind of plant concerned.

(b) The authority may require that the amount specified in item 2 of Table 1 be paid by the seed grower concerned in respect of each inspection referred to in paragraph (a).

(2) The authority may carry out as many additional inspections as may be deemed necessary for the purposes of subsection 1 (a), but the money referred to in subsection (1) (b) shall not be payable in respect of such additional inspections.

(3) If the authority fails to carry out the required inspections referred to in subsection (1) (a) in respect of a unit, the certification of the seed produced thereon shall not be refused solely on account thereof.

Physical requirements for seed

14. (1) Seed of plants of a kind specified in column 1 of Table 2 shall comply with the physical requirements as set out in the Annexure of which the number is specified in column 2 of the said Table opposite the name of the kind of plant concerned.

(2) Notwithstanding the provisions of subsection (1), seed which does not comply with the physical requirements referred to in that subsection may also be certified as basic seed if —

(a) all the other applicable provisions of this Scheme with regard to the seed concerned have been complied with; and

(b) the authority is of the opinion that the genetic value thereof justifies such deviation.

(3) Seed which has been produced on a unit on which plants visually infected with a seed-borne disease have occurred shall only be considered for certification after it has been treated for that disease in accordance with such methods as the authority may determine.

(4) Seed of the same variety which was produced on different units may, prior to the presentation thereof for certification, only be admixed with the written approval of the authority.

Harvesting, threshing and storage

15. (1) Equipment which is used in connection with the harvesting or threshing of seed which has been produced in terms of this Scheme shall be cleaned beforehand in order to prevent the admixing of any other seed with the seed concerned.

(2) Seed which has been produced in terms of this Scheme shall be kept in containers which are sound and clean.

(8) 'n Vrystelling in subartikel (6) bedoel —

(a) word slegs verleen indien die gesag oortuig is dat die gehalte van die saad wat van die plante op die betrokke eenheid geoes sal word, nie deur sodanige vrystelling benadeel sal word nie; en

(b) is onderworpe aan die voorwaardes wat die gesag in elke geval bepaal.

Inspeksievereistes

13. (1) (a) Die plante wat op 'n eenheid gevestig is, moet deur die gesag geïnspekteer word ooreenkomstig die inspeksievereistes soos uiteengesit in die Aanhangsel waarvan die nommer in kolom 2 van Tabel 2 teenoor die naam van die betrokke soort plant vermeld is.

(b) Die gesag kan vereis dat die bedrag in item 2 van Tabel 1 vermeld, deur die betrokke saadkweker betaal word ten opsigte van elke inspeksie in paragraaf (a) bedoel.

(2) Die gesag kan soveel bykomende inspeksies as wat nodig geag word vir die doeleindes van subartikel (1) (a) uitvoer, maar die geld in subartikel (1) (b) bedoel, is nie ten opsigte van sodanige bykomende inspeksies betaalbaar nie.

(3) Indien die gesag nalaat om die vereiste inspeksies in subartikel (1) (a) bedoel, ten opsigte van 'n eenheid uit te voer, word die sertifisering van die saad wat daarop geproduseer is nie slegs uit hoofde daarvan geweier nie.

Fisiese vereistes vir saad

14. (1) Saad van plante van 'n soort in kolom 1 van Tabel 2 vermeld, moet voldoen aan die fisiese vereistes soos uiteengesit in die Aanhangsel waarvan die nommer in kolom 2 van genoemde Tabel teenoor die naam van die betrokke soort plant vermeld is.

(2) Ondanks die bepalings van subartikel (1), kan saad wat nie aan die fisiese vereistes in daardie subartikel bedoel, voldoen nie, ook as basissaad gesertifiseer word indien —

(a) al die ander toepaslike bepalings van hierdie Skema met betrekking tot die betrokke saad nagekom is; en

(b) die gesag van oordeel is dat die genetiese waarde daarvan so 'n afwyking regverdig.

(3) Saad wat op 'n eenheid geproduseer is waarop plante voorgekom het wat visueel met 'n saadoordraagbare siekte besmet was, word slegs vir sertifisering oorweeg nadat dit vir daardie siekte behandel is ooreenkomstig die metodes wat die gesag bepaal.

(4) Saad van dieselfde variëteit wat op verskillende eenhede geproduseer is, mag voor die aanbidding daarvan vir sertifisering slegs met die skriftelike goedkeuring van die gesag vermeng word.

Oes, dors en opberging

15. (1) Toerusting wat gebruik word in verband met die oes of dors van saad wat ingevolge hierdie Skema geproduseer is, moet vooraf skoongemaak word ten einde die vermenging van enige ander saad met die betrokke saad te voorkom.

(2) Saad wat ingevolge hierdie Skema geproduseer is, moet in houters gehou word wat heel en skoon is.

(3) The containers in which seed which has been produced in terms of this Scheme is kept prior to the cleansing thereof shall be marked in clearly legible symbols, letters and figures with, or be provided with labels on which are likewise indicated—

(a) the words “uncleansed seed” or “onskoongemaakte saad”;

(b) the name of the kind of plant to which that seed belongs;

(c) the denomination of the variety of that seed;

(d) the code number which is used by the seed grower concerned for the identification of the unit on which that seed was produced; and

(e) the name and address of the seed grower by whom that seed was produced.

(4) Seed which has been produced in terms of this Scheme shall at all times be stored in such a manner that—

(a) it is protected against damage by insects and rodents;

(b) excessive humidity and high temperatures which may affect it adversely are avoided;

(c) it is kept separately from anything else, including other seed intended for certification, by storing it in a separate store, or by separating it from anything else by means of solid partitions or by means of open spaces of at least one metre wide;

(d) access thereto can readily be obtained; and

(e) the mixing thereof with other seed is prevented.

(5) The provisions of subsection (4) shall *mutatis mutandis* apply to the storage of bulbs which are intended for use in connection with the production of seed in terms of this Scheme.

Movement of seed

16. (1) Subject to the provisions of subsections (2) and (3), seed which has been produced in terms of this Scheme shall not prior to the certification thereof be removed—

(a) from the farm on which the unit is situated on which that seed has been produced; or

(b) from the custody of the seed grower to whom the certificate of registration in respect of the unit concerned has been issued.

(2) A seed grower may prior to the certification of the seed which has been produced by him in terms of this Scheme—

(a) remove such seed to another premises under his control in order to cleanse it there or to present it there for certification;

(b) remove such seed to an establishment where seed is cleansed in order to have it cleansed there; or

(c) subject to the provisions of subsection (5), sell such seed to the owner or occupier of an establishment where seed is cleansed or prepacked for sale, or where seed is sold.

(3) Die houters waarin saad wat ingevolge hierdie Skema geproduseer is, gehou word voordat dit skoonmaak is, moet in duidelik leesbare simbole, letters en syfers gemerk wees met, of van etikette voorsien wees waarop insgelyks aangedui word—

(a) die woorde “onskoongemaakte saad” of “uncleansed seed”;

(b) die naam van die soort plant waartoe daardie saad behoort;

(c) die benaming van die variëteit van daardie saad;

(d) die kodenommer wat deur die betrokke saadkweker gebruik word vir die identifisering van die eenheid waarop daardie saad geproduseer is; en

(e) die naam en adres van die saadkweker deur wie daardie saad geproduseer is.

(4) Saad wat ingevolge hierdie Skema geproduseer is, moet te alle tye op so 'n wyse opgeberg word dat—

(a) dit teen beskadiging deur insekte en knaagdiere beskerm word;

(b) oormatige vogtigheid en hoë temperature wat dit kan benadeel, vermy word;

(c) dit afsonderlik van enigiets anders, met insluiting van ander saad wat vir sertifisering beoog word, gehou word deur dit in 'n afsonderlike pakkamer op te berg of dit deur middel van soliede afskortings of deur middel van oop ruimtes van minstens een meter wyd, van enigiets anders te skei;

(d) toegang daartoe gereedelik verkry kan word; en

(e) die vermenging daarvan met ander saad voorkom word.

(5) Die bepalings van subartikel (4) is *mutatis mutandis* van toepassing op die opberging van bolle wat beoog word vir gebruik in verband met die produksie van saad ingevolge hierdie Skema.

Beweging van saad

16. (1) Behoudens die bepalings van subartikels (2) en (3), mag saad wat ingevolge hierdie Skema geproduseer is, nie voor die sertifisering daarvan verwyder word—

(a) van die plaas waarop die eenheid geleë is waarop daardie saad geproduseer is; of

(b) uit die bewaring van die saadkweker aan wie die registrasiesertifikaat ten opsigte van die betrokke eenheid uitgereik is.

(2) 'n Saadkweker kan voor die sertifisering van die saad wat ingevolge hierdie Skema deur hom geproduseer is—

(a) sodanige saad na 'n ander perseel onder sy beheer verwyder ten einde dit aldaar skoon te maak of aldaar vir sertifisering aan te bied;

(b) sodanige saad na 'n onderneming waar saad skoonmaak word, verwyder ten einde dit aldaar te laat skoonmaak; of

(c) behoudens die bepalings van subartikel (5), sodanige saad aan die eienaar of okkupant van 'n onderneming verkoop waar saad vir verkoop skoonmaak of voorafverpak word of waar saad verkoop word.

(3) If seed which has been produced in terms of this Scheme is removed in terms of subsection (2) (a) or (b), the seed grower concerned shall notify the authority forthwith in writing of—

- (a) the date on which the seed concerned was thus removed;
- (b) the quantity of seed which was thus removed;
- (c) the address of the premises or establishment, as the case may be, to which the seed concerned was thus removed; and
- (d) the date on which, in the case of a removal referred to in subsection (2) (b), the cleansed seed will be returned to him.

(4) The responsibility for complying with the provisions of this Scheme with regard to seed which has been removed in terms of subsection (2) (b) in order to have it cleansed shall at all times remain vested in the seed grower by whom that seed was produced.

(5) Seed may be sold in terms of subsection (2) (c) only if the buyer concerned has furnished an undertaking on a form which is obtainable from the authority for this purpose, to comply, as from the date on which such seed is delivered or sold to him, with the provisions of this Scheme as if he is the seed grower by whom that seed has been produced.

(6) An undertaking referred to in subsection (5)—

- (a) shall be lodged with the authority within 14 days of the sale concerned; and
- (b) shall have the effect that the buyer of the seed concerned shall in the application of this Scheme be deemed to be the seed grower in respect of that seed.

Cleansing of seed

17. (1) Seed which has been produced in terms of this Scheme shall be cleansed before being presented for certification.

(2) Subject to the provisions of section 16 (2) of this Scheme, such seed shall be cleansed by the seed grower by whom it has been produced.

(3) Equipment which is used in connection with the cleansing of seed shall be cleaned beforehand to prevent the admixing of any other seed with the seed which is to be presented for certification.

Containers and labelling of seed

18. (1) The containers in which seed which has been produced in terms of this Scheme, is presented for certification shall—

- (a) be new and not previously have been used for another purpose; and
- (b) be closed up in such a manner that entry to the seed therein can only be obtained by forcible opening or by the removal of the seals which were affixed to such containers in terms of section 19 of this Scheme.

(2) Each such container shall be provided with a label which is obtainable from the authority for this purpose, and in respect of which the amount specified in item 3 of Table 1 shall be payable to the authority.

(3) After a seed grower has entered the applicable particulars on the labels referred to in subsection (2), he shall affix it to or place it in the containers of the seed concerned in such manner as the authority may determine.

(3) Indien saad wat ingevolge hierdie Skema geproduseer is, ingevolge subartikel (2) (a) of (b) verwyder is, moet die betrokke saadkweker die gesag onverwyld skriftelik in kennis stel van—

- (a) die datum waarop die betrokke saad aldus verwyder is;
- (b) die hoeveelheid saad wat aldus verwyder is;
- (c) die adres van die perseel of onderneming, na gelang van die geval, waarheen die betrokke saad aldus verwyder is; en
- (d) die datum waarop, in die geval van 'n verwydering in subartikel (2) (b) bedoel, die skoongemaakte saad aan hom teruggestuur sal word.

(4) Die verantwoordelikheid vir die nakoming van die bepalings van hierdie Skema met betrekking tot saad wat ingevolge subartikel (2) (b) verwyder is ten einde dit te laat skoonmaak, berus te alle tye in die saadkweker deur wie daardie saad geproduseer is.

(5) Saad mag slegs ingevolge subartikel (2) (c) verkoop word indien die betrokke koper 'n onderneming op 'n vorm wat vir dié doel van die gesag verkrygbaar is, verstrekket om vanaf die datum waarop sodanige saad aan hom gelewer of verkoop is, die bepalings van hierdie Skema na te kom asof hy die saadkweker is deur wie daardie saad geproduseer is.

(6) 'n Onderneming in subartikel (5) bedoel—

- (a) moet binne 14 dae na die betrokke verkoping by die gesag ingedien word; en
- (b) het die uitwerking dat die koper van die betrokke saad by die toepassing van hierdie Skema geag word die saadkweker ten opsigte van daardie saad te wees.

Skoonmaak van saad

17. (1) Saad wat ingevolge hierdie Skema geproduseer is, moet skoongemaak word voordat dit vir sertifisering aangebied word.

(2) Behoudens die bepalings van artikel 16 (2) van hierdie Skema, moet sodanige saad deur die saadkweker deur wie dit geproduseer is, skoongemaak word.

(3) Toerusting wat in verband met die skoonmaak van saad gebruik word, moet vooraf skoongemaak word om te voorkom dat enige ander saad met die saad wat vir sertifisering aangebied sal word, vermeng raak.

Houers en etikettering van saad

18. (1) Die houers waarin saad wat ingevolge hierdie Skema geproduseer is, vir sertifisering aangebied word, moet—

- (a) nuut wees en nie voorheen vir enige ander doel gebruik gewees het nie; en
- (b) op so 'n wyse toegemaak word dat toegang tot die saad daarin slegs deur gewelddadige oopbreking of deur die verwydering van die seëls wat ingevolge artikel 19 van hierdie Skema aan sodanige houers geheg is, verkry kan word.

(2) Elke sodanige houer moet van 'n etiket voorsien wees wat vir dié doel van die gesag verkrygbaar is, en ten opsigte waarvan die bedrag in item 3 van Tabel 1 vermeld, aan die gesag betaalbaar is.

(3) Nadat 'n saadkweker die toepaslike besonderhede op die etikette in subartikel (2) bedoel, aangebring het, moet hy dit op die wyse wat die gesag bepaal, aan die houers van die betrokke saad heg of daarin plaas.

(4) The letters and figures which are used to indicate the particulars concerned on such labels shall—

- (a) be of a letter type which can easily be read;
- (b) be of a colour which is clearly contrasting to the colour of the labels on which they appear; and
- (c) be entered indelibly.

(5) No particulars other than those required to be entered on a label referred to in subsection (2) shall appear on such label.

(6) Particulars with regard to seed which has been produced in terms of this Scheme, or the seed grower by whom it was produced, may be furnished on an additional label affixed to a container referred to in subsection (1) or be marked thereon, provided those particulars—

- (a) do not create or could not create a false or misleading impression relating to the possible certification of the seed concerned;
- (b) do not qualify the possible certification of the seed concerned or are not in conflict therewith; or
- (c) are not false, derogatory, inaccurate or vague in relation to any seed or seed grower.

Presentation for certification

19. (1) The total mass of seed which has been produced in terms of this Scheme on a unit during a particular growing season shall be presented for certification within 18 months of being harvested unless the authority, after consideration of a written request by the seed grower concerned, determines otherwise.

(2) A seed grower shall notify the authority at least seven days in advance of the date on which seed which has been produced in terms of this Scheme, will be ready to be presented for certification.

(3) (a) The authority shall on or as soon as possible after the date of which he has been notified as contemplated in subsection (2)—

(i) examine the containers of the seed concerned in order to determine whether the provisions of section 18 of this Scheme have been complied in connection therewith; and

(ii) affix a seal to each such container.

(b) Such seal shall—

(i) be of a type which cannot be removed or reused without becoming damaged; and

(ii) be affixed in such a manner that a label affixed to a container in terms of section 18 (2) of this Scheme can be removed only by removing or damaging the seal concerned at the same time.

(4) (a) The seed grower concerned shall at the commencement of such inspection provide the authority with a certificate of analysis in respect of the seed concerned, failing which the authority shall take a sample of such seed.

(b) A certificate of analysis referred to in paragraph (a) shall be issued by the owner or occupier of an establishment at which the business of a test laboratory for seed is conducted, and shall contain at least the following particulars:

(i) The date on which a sample of the seed concerned was received.

(4) Die letters en syfers wat gebruik word om die betrokke besonderhede op sodanige etikette aan te bring, moet—

- (a) van 'n lettertipe wees wat maklik leesbaar is;
- (b) van 'n kleur wees wat duidelik kontrasterend is met die kleur van die etikette waarop dit verskyn; en
- (c) onuitwisbaar aangebring word.

(5) Geen ander besonderhede as dié wat vereis word om op 'n etiket bedoel in subartikel (2) aangedui te word, mag op so 'n etiket verskyn nie.

(6) Besonderhede met betrekking tot saad wat ingevolge hierdie Skema geproduseer is, of die saadkweker deur wie dit geproduseer is, mag op 'n bykomende etiket verstrekk word wat aan 'n houer in subartikel (1) bedoel, geheg is of daarop gemerk word, mits daardie besonderhede—

(a) nie 'n vals of misleidende indruk met betrekking tot die moontlike sertifisering van die betrokke saad skep of kan skep nie;

(b) nie die moontlike sertifisering van die betrokke saad kwalifiseer of in stryd daarmee is nie; of

(c) nie onwaar, neerhalend, onakkuraat of vaag met betrekking tot enige saad of saadkweker is nie.

Aanbieding vir sertifisering

19. (1) Die totale massa saad wat gedurende 'n bepaalde groeiseisoen ingevolge hierdie Skema op 'n eenheid geproduseer is, moet binne 18 maande nadat dit geoes is, vir sertifisering aangebied word tensy die gesag na oorweging van 'n skriftelike versoek deur die betrokke saadkweker, anders bepaal.

(2) 'n Saadkweker moet die gesag minstens sewe dae vooraf in kennis stel van die datum waarop saad wat ingevolge hierdie Skema geproduseer is, gereed sal wees om vir sertifisering aangebied te word.

(3) (a) Die gesag moet op of so spoedig moontlik na die datum waarvan hy in kennis gestel is soos in subartikel (2) beoog—

(i) die houer van die betrokke saad ondersoek ten einde te bepaal of die bepalinge van artikel 18 van hierdie Skema in verband daarmee nagekom is; en

(ii) 'n seël aan elke sodanige houer heg.

(b) So 'n seël moet—

(i) van 'n tipe wees wat nie verwyder of hergebruik kan word sonder dat dit beskadig raak nie; en

(ii) op so 'n wyse aangeheg word dat 'n etiket wat ingevolge artikel 18 (2) van hierdie Skema aan 'n houer geheg is, slegs verwyder kan word deur die betrokke seël terselfdertyd te verwyder of te beskadig.

(4) (a) Die betrokke saadkweker moet die gesag by die aanvang van so 'n ondersoek van 'n ontledingssertifikaat ten opsigte van die betrokke saad voorsien, by gebreke waarvan die gesag 'n monster van daardie saad moet neem.

(b) 'n Ontledingssertifikaat in paragraaf (a) bedoel, moet uitgereik word deur die eienaar of okkupant van 'n onderneming waar die besigheid van 'n toetslaboratorium vir saad voortgesit word, en moet minstens die volgende besonderhede bevat:

(i) Die datum waarop 'n monster van die betrokke saad ontvang is.

(ii) The kind of seed of the sample concerned as indicated by the person by whom it was submitted.

(iii) The name and address of the person by whom the sample concerned was submitted for testing, examination or analysis.

(iv) The reference numbers respectively allocated to the sample concerned by the person referred to in subparagraph (iii) and the owner or occupier of the establishment concerned.

(v) The respective dates on which the testing, examination or analysis of the sample concerned commenced and was completed.

(vi) The result of the testing, examination or analysis of the sample concerned in which the applicable particulars are indicated.

(5) Notwithstanding the provisions of subsection (3) (a) (ii), seals shall only be affixed to the containers of seed which has been produced in terms of this Scheme if—

(a) each container can readily be reached for this purpose and, if applicable, the purposes of sampling in terms of subsection (4) (a), without it being necessary to move any of those containers; and

(b) the height of those containers, if stacked, is not more than 3,0 metres above ground level.

(6) (a) The authority may require that the amount specified in item 4 of Table 1 shall be payable by the seed grower concerned to the authority in respect of the examination of containers and the affixing of seals as contemplated in subsection (3) (a) and, if applicable, the taking of a sample as contemplated in subsection (4) (a).

(b) The amount specified in item 5 of Table 1 shall be payable by the seed grower concerned to the authority in respect of seals attached to the containers of seed as contemplated in subsection (3) (a).

(c) The authority may require that the applicable amount specified in item 6 of Table 1 shall be payable by the seed grower concerned to the authority in respect of the testing, examination or analysis of a sample taken in terms of subsection (4) (a).

Certification of seed

20. (1) A quantity of seed may be certified if the authority is satisfied that—

(a) the applicable certificate of analysis referred to in section 19 (4) (a) of this Scheme, or the result of the testing, examination or analysis of a sample taken in terms of that section, confirms that the seed concerned complies with the applicable seed requirements referred to in section 14 of this Scheme; and

(b) all the other applicable provisions of this Scheme have been complied with in relation to that seed.

(2) The certification of seed in terms of this Scheme shall be confirmed by a certificate in which such particulars as the authority may deem necessary are indicated, as well as whether that seed is certified as basic seed or certified seed.

(3) Such certificate shall only be issued after the seed grower concerned has paid to the authority all amounts due by him in terms of this Scheme.

(4) If the authority refuses to certify seed which has been presented for certification in terms of this Scheme, that seed may be sold in terms of section 13 (1) of the Act for purposes of cultivation only after the seed grower concerned has removed the labels referred to in section 18 (2) of this Scheme and the seals referred to in section 19 (3) (a) of this Scheme from the containers of that seed.

(ii) Die soort saad van die betrokke monster soos aangedui deur die persoon deur wie dit ingedien is.

(iii) Die naam en adres van die persoon deur wie die betrokke monster vir toets, ondersoek of ontleding ingedien is.

(iv) Die verwysingsnommer wat onderskeidelik deur die persoon in subparagraaf (iii) bedoel, en die eienaar of okkupant van die betrokke onderneming aan die betrokke monster toegeken is.

(v) Die onderskeie datums waarop die toets, ondersoek of ontleding van die betrokke monster 'n aanvang geneem het en voltooi is.

(vi) Die uitslag van die toets, ondersoek of ontleding van die betrokke monster waarin die toepaslike besonderhede aangedui word.

(5) Ondanks die bepalinge van subartikel (3) (a) (ii), word seëls slegs aan die houters van saad wat ingevolge hierdie Skema geproduseer is, geheg indien—

(a) elke houer geredelik vir hierdie doel en, indien van toepassing, die doeleindes van monsterneming ingevolge subartikel (4) (a), bereik kan word sonder dat dit nodig is om enigeen van daardie houters te verskuif; en

(b) die hoogte van daardie houters, indien gestapel, nie meer as 3,0 meter bo grondvlak is nie.

(6) (a) Die gesag kan vereis dat die bedrag in item 4 van Tabel 1 vermeld, deur die betrokke saadkweker aan die gesag betaal word ten opsigte van die ondersoek van houters en die aanheg van seëls soos in subartikel (3) (a) beoog en, indien van toepassing, die neem van 'n monster soos in subartikel (4) (a) beoog.

(b) Die bedrag in item 5 van Tabel 1 vermeld, is deur die betrokke saadkweker aan die gesag betaalbaar ten opsigte van seëls wat aan die houters van saad geheg word soos in subartikel (3) (a) beoog.

(c) Die gesag kan vereis dat die toepaslike bedrag in item 6 van Tabel 1 vermeld, deur die betrokke saadkweker aan die gesag betaal word ten opsigte van die toets, ondersoek of ontleding van 'n monster wat ingevolge subartikel (4) (a) geneem is.

Sertifisering van saad

20. (1) 'n Hoeveelheid saad kan gesertifiseer word indien die gesag oortuig is dat—

(a) die toepaslike ontledingsertifikaat in artikel 19 (4) (a) van hierdie Skema bedoel, of die uitslag van die toets, ondersoek of ontleding van 'n monster ingevolge daardie artikel geneem, bevestig dat die betrokke saad aan die toepaslike saadvereistes in artikel 14 van hierdie Skema bedoel, voldoen; en

(b) al die ander toepaslike bepalinge van hierdie Skema in verband met daardie saad nagekom is.

(2) Die sertifisering van saad ingevolge hierdie Skema word bevestig deur 'n sertifikaat waarin sodanige besonderhede as wat die gesag nodig ag, aangedui word, asook of daardie saad as basissaad of gesertifiseerde saad gesertifiseer is.

(3) So 'n sertifikaat word slegs uitgereik nadat die betrokke saadkweker alle bedrae wat ingevolge hierdie Skema deur hom verskuldig is, aan die gesag betaal het.

(4) Indien die gesag weier om saad wat vir sertifisering ingevolge hierdie Skema aangebied is, te sertifiseer, mag daardie saad slegs ingevolge artikel 13 (1) van die Wet vir doeleindes van verbouing verkoop word nadat die betrokke saadkweker die etikette in artikel 18 (2) van hierdie Skema bedoel, en die seëls in artikel 19 (3) (a) van hierdie Skema bedoel, van die houters van daardie saad verwyder het.

(5) If a refusal to certify seed arises from a deficiency, which could in the opinion of the authority possibly be rectified through the application of a particular treatment, the authority shall advise the seed grower concerned of such deficiency and treatment.

(6) A seed grower who applied a treatment referred to in subsection (5) may request that the authority re-examine the seed concerned with a view to revoke the refusal to certify that seed.

(7) If the authority approves an application referred to in subsection (6), the provisions of sections 18 and 19 of this Scheme shall *mutatis mutandis* apply to the representation of the seed concerned for certification.

Withdrawal of certification

21. (1) The certification of seed in terms of this Scheme may at any time be withdrawn if the authority is satisfied that—

- (a) the seed concerned is not true to variety;
- (b) the seed concerned no longer complies with the applicable physical requirements referred to in section 14 of this Scheme; or
- (c) any other provision of this Scheme with regard to the seed concerned has not been complied with.

(2) The authority shall notify a seed grower of the withdrawal of the certification of seed, and such seed grower shall thereupon forthwith—

- (a) remove the labels referred to in section 18 (2) of this Scheme and the seals referred to in section 19 (3) (a) of this Scheme from the containers of the seed concerned which is still in his custody;
- (b) notify each person to whom one or more containers of the seed concerned have been delivered, in writing of the withdrawal of the certification thereof and request such persons to remove the labels and seals specified in paragraph (a) from the containers of that seed; and
- (c) furnish the authority with a copy of each such notice issued by him.

(3) The authority may publish a notice in the *Gazette* in which the relevant particulars of the withdrawal of the certification of seed and the name of the seed grower affected thereby, are indicated.

Powers of inspection

22. (1) The powers of inspection specified in section 25 (1) of the Act are hereby for the purpose of the application of this Scheme, granted to the authority any person authorized in writing by the authority to enforce any provision of this Scheme.

(2) An inspection in terms of this Scheme shall be carried out in accordance with the methods determined by the authority.

(3) The number of plants which are inspected on a unit and the quantity of seed which is taken as a sample shall for the purpose of the application of this Scheme respectively be deemed to be representative of all the plants which have been established on the unit concerned, and of all the seed from which the sample concerned has been taken.

(4) The authority and a person authorized as contemplated in subsection (1) may require that a seed grower or his employee, agent or manager shall render to him all reasonable assistance which he may require to enable him to carry out an inspection in terms of this Scheme.

(5) Indien 'n weiering om saad te sertifiseer, voortspuit uit 'n tekortkoming wat na die oordeel van die gesag moontlik deur die toepassing van 'n bepaalde behandeling reggestel kan word, moet die gesag die betrokke saadkweker van sodanige tekortkoming en behandeling adviseer.

(6) 'n Saadkweker wat 'n behandeling in subartikel (5) bedoel, toegepas het, kan versoek dat die gesag die betrokke saad herondersoek met die oog daarop om die weiering om daardie saad te sertifiseer te herroep.

(7) Indien die gesag 'n aansoek in subartikel (6) bedoel, goedkeur, is die bepaling van artikels 18 en 19 van hierdie Skema *mutatis mutandis* van toepassing op die heraanbieding van die betrokke saad vir sertifisering.

Intrekking van sertifisering

21. (1) Die sertifisering van saad ingevolge hierdie Skema kan te enigietyd ingetrek word indien die gesag oortuig is dat—

- (a) die betrokke saad nie variëteitseg is nie;
- (b) die betrokke saad nie meer aan die toepaslike fisiese vereistes in artikel 14 van hierdie Skema bedoel, voldoen nie; of
- (c) enige ander bepaling van hierdie Skema met betrekking tot die betrokke saad nie nagekom is nie.

(2) Die gesag moet 'n saadkweker van die intrekking van die sertifisering van saad in kennis stel, en so 'n saadkweker moet daarop onverwyld—

- (a) die etikette in artikel 18 (2) van hierdie Skema bedoel, en die seëls in artikel 19 (3) (a) van hierdie Skema bedoel, van die houters van die betrokke saad wat nog in sy bewaring is, verwyder;
- (b) elke persoon aan wie een of meer houters van die betrokke saad gelewer is, skriftelik van die intrekking van die sertifisering daarvan in kennis stel en sodanige persone versoek om die etikette en seëls in paragraaf (a) vermeld, van die houters van daardie saad te verwyder; en
- (c) 'n afskrif van elke sodanige kennisgewing deur hom uitgereik, aan die gesag voorsien.

(3) Die gesag kan 'n kennisgewing in die *Staatskoerant* publiseer waarin die tersaaklike besonderhede van die intrekking van die sertifisering van saad en die naam van die saadkweker wat daardeur geraak word, aangedui word.

Ondersoekbevoegdhede

22. (1) Die ondersoekbevoegdhede in artikel 25 (1) van die Wet vermeld, word hierby vir die doeleindes van die toepassing van hierdie Skema verleen aan die gesag en iemand wat skriftelik deur die gesag gemagtig is om enige voorskrif van hierdie Skema af te dwing.

(2) 'n Ondersoek ingevolge hierdie Skema word gedoen ooreenkomstig die metodes wat die gesag bepaal.

(3) Die getal plante wat op 'n eenheid ondersoek word en die hoeveelheid saad wat as monster geneem word, word onderskeidelik vir die doeleindes van die toepassing van hierdie Skema geag verteenwoordigend te wees van al die plante wat op die betrokke eenheid gevestig is, en van al die saad waaruit die betrokke monster geneem is.

(4) Die gesag en iemand wat gemagtig is soos in subartikel (1) beoog, kan vereis dat 'n saadkweker of sy werknemer, agent of bestuurder alle redelike hulp wat hy mag verlang, aan hom verleen ten einde hom in staat te stel om 'n ondersoek ingevolge hierdie Skema uit te voer.

(5) No compensation shall be payable in respect of assistance rendered in terms of subsection (4).

Discretionary power of the authority

23. (1) The authority may consider any application or request made in terms of this Scheme, and may make any investigation or enquiry in connection therewith which he may deem necessary, and may for the purposes of such investigation or enquiry require that the applicant concerned submit to him such other documents or evidence as he may require.

(2) A permission or an approval or authority by the authority in terms of this Scheme may—

(a) be made subject to such conditions as the authority may in each case determine in writing; and

(b) in a particular case be amended or withdrawn by the authority in writing if he deems it necessary.

(3) If the authority by virtue of a discretionary power vested in him by this Scheme—

(a) refuses to approve an application or a request which has been submitted to him in writing;

(b) amends or withdraws a permission or an approval or authority;

(c) withdraws the registration of a unit; or

(d) refuses to certify seed which has been presented for certification in terms of section 19 of this Scheme,

he shall notify the applicant or person concerned in writing of his decision and of the grounds on which it is based.

Appeals

24. The provisions of section 32 of the Act shall *mutatis mutandis* apply with regard to any person who feels aggrieved by any decision or action taken by the authority in terms of this Scheme.

Determination of travelling costs

25. Travelling costs referred to in items 2 and 4 of Table 1 shall be—

(a) the actual expenditure of the authority for a return journey between the headquarters of the person who carries out the inspection, re-inspection, examination or re-examination concerned, and the place at which he carries out such inspection, re-inspection, examination or re-examination; or

(b) calculated at the applicable rate determined from time to time by the authority for this purpose.

Payment of fees

26. (1) Postage on and delivery costs of any application, notice, appeal or other document which is submitted in terms of this Scheme, as well as on or of anything else pertaining thereto, shall be prepaid by the sender thereof.

(2) Any amount which is payable in terms of this Scheme to the authority shall be paid by cheque, postal order or money order made out in favour of the South African National Seed Organisation.

(3) Subject to the provisions of section 32 (11) of the Act, an amount paid in terms of this Scheme shall not be repayable.

(5) Geen vergoeding is ten opsigte van hulp wat ingevolge subartikel (4) verleen is, betaalbaar nie.

Diskresionêre bevoegdheid van die gesag

23. (1) Die gesag kan enige aansoek of versoek wat ingevolge hierdie Skema gedoen is, oorweeg, en kan enige ondersoek of navraag in verband daarmee doen wat hy nodig ag, en kan vir die doeleindes van sodanige ondersoek of navraag vereis dat die betrokke applikant die ander dokumente of bewys wat hy nodig het, aan hom voorlê.

(2) 'n Toestemming, goedkeuring of magtiging deur die gesag ingevolge hierdie Skema kan—

(a) onderworpe gemaak word aan die voorwaardes wat die gesag in elke geval skriftelik bepaal; en

(b) in 'n bepaalde geval skriftelik deur die gesag gewysig of ingetrek word indien hy dit nodig ag.

(3) Indien die gesag uit hoofde van 'n diskresionêre bevoegdheid hom by hierdie Skema verleen—

(a) weier om 'n aansoek of versoek wat skriftelik aan hom voorgelê is, goed te keur;

(b) 'n toestemming, goedkeuring of magtiging wysig of intrek;

(c) die registrasie van 'n eenheid intrek; of

(d) weier om saad wat ingevolge artikel 19 van hierdie Skema vir sertifisering aangebied is, te sertifiseer,

moet hy die betrokke aansoeker of persoon skriftelik van sy beslissing en van die gronde waarop dit gebaseer is, in kennis stel.

Appêle

24. Die bepalinge van artikel 32 van die Wet is *mutatis mutandis* van toepassing met betrekking tot iemand wat verontreg voel deur 'n beslissing van of stappe gedoen deur die gesag ingevolge hierdie Skema.

Bepaling van reiskoste

25. Reiskoste in items 2 en 4 van Tabel 1 bedoel—

(a) is die werklike uitgawe van die gesag vir 'n retoerreis tussen die hoofkwartier van die persoon wat die betrokke inspeksie, herinspeksie, ondersoek of herondersoek doen, en die plek waar hy sodanige inspeksie, herinspeksie, ondersoek of herondersoek doen; of

(b) word bereken teen die toepaslike tarief wat van tyd tot tyd vir dié doel deur die gesag bepaal word.

Betaling van gelde

26. (1) Posgeld op en afleweringskoste van enige aansoek, kennisgewing, appêl of ander stuk wat ingevolge hierdie Skema ingedien word, asook op of van enigiets anders in verband daarmee, is vooruitbetaalbaar deur die afsender daarvan.

(2) Enige bedrag wat ingevolge hierdie Skema aan die gesag betaalbaar is, moet per tjek, posorder of poswissel betaal word wat ten gunste van die Suid-Afrikaanse Nasionale Saadorganisasie uitgemaak is.

(3) Behoudens die bepalinge van artikel 32 (11) van die Wet, is 'n bedrag wat ingevolge hierdie Skema betaal is, nie terugbetaalbaar nie.

Addresses for the submission of documents and payment of fees

27. (1) Any application, notice or other document, as well as anything else pertaining thereto, which in terms of this Scheme is required to be submitted to the authority, and any fees which are payable to the authority in terms of this Scheme shall—

(a) when forwarded by post, be addressed to the Executive Director, South African National Seed Organisation, P.O. Box 72981, Lynnwood Ridge, 0040; and

(b) when submitted by hand, be delivered at the office of the Executive Director, South African National Seed Organisation, First Floor (East), Argo Building, 184 Erasmus Street, Meyerspark, Pretoria.

(2) The document by means whereof an appeal referred to in section 24 is lodged shall—

(a) when forwarded by post, be addressed to the Director-General: Agricultural Economics and Marketing, Private Bag X250, Pretoria, 0001; and

(b) when submitted by hand, be delivered at the office of the Director-General: Agricultural Economics and Marketing, Dirk Uys Building, Hamilton Street, Pretoria.

Adresse vir die indiening van dokumente en betaling van gelde

27. (1) Enige aansoek, kennisgewing of ander stuk, asook enigiets anders in verband daarmee, wat ingevolge hierdie Skema by die gesag ingedien moet word, en enige gelde wat ingevolge hierdie Skema aan die gesag betaal moet word, moet—

(a) wanneer per pos gestuur, geadresseer wees aan die Uitvoerende Direkteur, Suid-Afrikaanse Nasionale Saadorganisasie, Posbus 72981, Lynnwoodrif, 0040; en

(b) wanneer per hand ingedien, afgelewer word by die kantoor van die Uitvoerende Direkteur, Suid-Afrikaanse Nasionale Saadorganisasie, Eerste Vloer (Oos), Argogebou, Erasmusstraat 184, Meyerspark, Pretoria.

(2) Die stuk waarby 'n appèl in artikel 24 bedoel, aangeteken word, moet—

(a) wanneer per pos gestuur, geadresseer wees aan die Direkteur-generaal: Landbou-ekonomie en -bemarking, Privaatsak X250, Pretoria, 0001; en

(b) wanneer per hand ingedien, afgelewer word by die kantoor van die Direkteur-generaal: Landbou-ekonomie en -bemarking, Dirk Uysgebou, Hamiltonstraat, Pretoria.

TABLE 1

Purpose	Amount
1	2
1. Application for the registration of a piece of land as a unit—	
(a) if intended for the production of seed of a field crop or beans, including garden beans;	R30 per unit plus R3 per hectare or part thereof
(b) if intended for the production of seed of a vegetable crop, excluding garden beans;	R40 per unit plus R20 per hectare or part thereof
(c) if intended for the production of seed of a forage crop [Section 6 (2) (c) (ii)]	R20 per unit plus R3 per hectare or part thereof
2. Re-inspection of an unit with a view to the possible repeal of the withdrawal of the registration thereof, and the inspection of a unit [Section 9 (6); 13 (1) (b)]	R60 per hour or portion of an hour (travelling time included), devoted by each person to this function, plus travelling costs as determined in accordance with section 25 of this Scheme
3. Labels to be attached to containers in which seed is presented or re-presented for certification [Section 18 (2); 20 (7)]	4 cents per label
4. Examination of containers and the affixing of seals to containers and, if applicable, the taking of samples of seed presented or re-presented for certification [Section 19 (6) (a); 20 (7)]	R60 per hour or portion of an hour (travelling time included), devoted by each person to this function, plus travelling costs as determined in accordance with section 25 of this Scheme
5. Seals attached to containers in which seed is presented or re-presented for certification [Section 19 (6) (b); 20 (7)]	2 cents per seal
6. Testing, examination or analysis of a sample of seed—	
(a) in order to determine germination percentage:	
(i) In the case of <i>Cenchrus ciliaris</i> , <i>Digitaria eriantha</i> , <i>Chloris gayana</i> , <i>Panicum spp.</i> and <i>Paspalum spp.</i>	R72 per sample
(ii) In the case of seed of plants other than those specified in subparagraph (i)	R24 per sample
(b) in order to determine purity:	
(i) In the case of <i>Digitaria eriantha</i>	R96 per sample
(ii) In the case of <i>Sorghum aimum</i> and <i>Panicum spp.</i>	R72 per sample
(iii) In the case of <i>Dactylis glomerata</i> , <i>Festuca arundinacea</i> , <i>Paspalum spp.</i> , <i>Lolium spp.</i> , <i>Bromus willdenowii</i> and <i>Chloris gayana</i>	R48 per sample
(iv) In the case of seed of forage crops other than those specified in subparagraphs (i), (ii) and (iii)	R36 per sample
(v) In the case of seed of plants other than that specified in subparagraphs (i), (ii), (iii) and (iv)	R24 per sample
(c) in order to determine varietal purity of <i>Phaseolus acutifolius</i> A. Grey, <i>Phaseolus coccineus</i> L. and <i>Phaseolus vulgaris</i> L. [Section 19 (6) (c)]	R24 per sample.

TABEL 1

Doel	Bedrag
1	2
1. Aansoek om die registrasie van 'n stuk grond as 'n eenheid— (a) indien bestem vir die produksie van saad van 'n akkerbougewas of bone, insluitende tuinbone; (b) indien bestem vir die produksie van saad van 'n groentegewas, uitgesonderd tuinbone; (c) indien bestem vir die produksie van saad van 'n voergewas. [Artikel 6 (2) (e) (ii)]	R30 per eenheid plus R3 per hektaar of 'n gedeelte daarvan R40 per eenheid plus R20 per hektaar of 'n gedeelte daarvan R20 per eenheid plus R3 per hektaar of 'n gedeelte daarvan
2. Herinspeksie van 'n eenheid met die oog op die moontlike opheffing van die intrekking van die registrasie daarvan, en die inspeksie van 'n eenheid [Artikel 9 (6); 13 (1) (b)]	R60 per uur of 'n gedeelte van 'n uur (reistyd ingesluit), deur elke persoon aan dié werksaamheid gewy, plus reiskoste soos bepaal ooreenkomstig artikel 25 van hierdie Skema
3. Etikette wat aan houters geheg moet word waarin saad vir sertifisering aangebied of heraanbied word [Artikel 18 (2); 20 (7)]	4 sent per etiket
4. Ondersoek van houters en aanhegting van seëls aan houters en, indien van toepassing, neem van monsters van saad wat vir sertifisering aangebied of heraanbied word [Artikel 19 (6) (a); 20 (7)]	R60 per uur of 'n gedeelte van 'n uur (reistyd ingesluit), deur elke persoon aan dié werksaamheid gewy, plus reiskoste soos bepaal ooreenkomstig artikel 25 van hierdie Skema
5. Seëls wat aan houters geheg word waarin saad vir sertifisering aangebied of heraanbied word [Artikel 19 (6) (b); 20 (7)]	2 sent per seël
6. Toets, ondersoek of ontleding van 'n monster saad— (a) ten einde ontkiemingspersentasie te bepaal: (i) In die geval van <i>Cenchrus ciliaris</i> , <i>Digitaria eriantha</i> , <i>Chloris gayana</i> , <i>Panicum spp.</i> en <i>Paspalum spp.</i> (ii) In die geval van saad van plante anders as dié in subparagraaf (i) vermeld (b) ten einde suiwerheid te bepaal: (i) In die geval van <i>Digitaria eriantha</i> (ii) In die geval van <i>Sorghum alnum</i> en <i>Panicum spp.</i> (iii) In die geval van <i>Dactylis glomerata</i> , <i>Festuca arundinacea</i> , <i>Paspalum spp.</i> , <i>Lolium spp.</i> , <i>Bromus willdenowii</i> en <i>Chloris gayana</i> (iv) In die geval van saad van voergewasse anders as dié in subparagrafe (i), (ii) en (iii) vermeld (v) In die geval van saad van plante anders as dié in subparagrafe (i), (ii), (iii) en (iv) vermeld (c) ten einde variëteitsegtheid van <i>Phaseolus acutifolius</i> A. Grey, <i>Phaseolus coccineus</i> L. en <i>Phaseolus vulgaris</i> L. te bevestig, [Artikel 19 (6) (c)]	R72 per monster R24 per monster R96 per monster R72 per monster R48 per monster R36 per monster R24 per monster R24 per monster.

No. R. 1393

30 June 1989

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

WINTER CEREAL SCHEME.—SELLING PRICES OF MEAL—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

(a) the Wheat Board referred to in section 6 of the Winter Cereal Scheme published by Proclamation No. R. 162 of 1974, as amended, has under section 37 of the said Scheme further amended, the Schedule to Government Notice No. R. 2212 of 30 September 1987, as amended, to the extent set out in the Schedule hereto; and

(b) the said amendment has been approved by me and shall come into operation on 1 July 1989.

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

No. R. 1393

30 Junie 1989

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

WINTERGRAANSKEMA.—VERKOOPPRYSE VAN MEEL—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemakingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Koringraad bedoel in artikel 6 van die Wintergraanskema gepubliseer by Proklamasie No. R. 162 van 1974, soos gewysig, kragtens artikel 37 van genoemde Skema die Bylae by Goewermentskennisgewing No. R. 2212 van 30 September 1987, soos gewysig, verder gewysig het in die mate in die Bylae hierby uiteengesit; en

(b) genoemde wysiging deur my goedgekeur is en op 1 Julie 1989 in werking tree.

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

SCHEDULE

Definition

1. In this Schedule "the Schedule" means the Schedule to Government Notice No. R. 2212 of 30 September 1987, as corrected by Government Notice No. R. 2838 of 24 December 1987 and amended by Government Notices Nos. R. 2211 of 28 October 1988 and R. 603 of 31 March 1989.

Substitution of the Table in the Schedule

2. The following Table is hereby substituted for the Table in the Schedule:

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Bylae" die Bylae by Goewermentskennisgewing No. R. 2212 van 30 September 1987, soos verbeter by Goewermentskennisgewing No. R. 2838 van 24 Desember 1987 en gewysig by Goewermentskennisgewings Nos. R. 2211 van 28 Oktober 1988 en R. 603 van 31 Maart 1989.

Vervanging van die Tabel in die Bylae

2. Die Tabel in die Bylae word hierby deur die volgende Tabel vervang:

"TABLE/TABEL

SELLING PRICES OF MEAL/VERKOOPPRYSE VAN MEEL

Quantity delivered Hoeveelheid gelewer	Format in which meal is sold Formaat waarin meel verkoop word	Selling price of/Verkoopprijs van					
		Cake flour Koekmeelblom	White bread flour Witbroodmeelblom	Brown bread meal Bruinbroodmeel	Whole-wheat meal Volkoringmeel	Semolina Semolina	Self-raising flour Bruismeel
1	2			3			
		Fixed/Vas (per ton)	Fixed/Vas (per ton)	Fixed/Vas (per ton)	Fixed/Vas (per ton)	Fixed/Vas (per ton)	Fixed/Vas (per ton)
1. Three tons and more and, in the case of semolina and self-raising flour, 250 kg and more jointly/Drie ton en meer en, in die geval van semolina en bruismeel, 250 kg en meer gesamentlik	In bulk/in losmaat	R926,60	R857,76	R761,50	R675,03	R926,60	*
	65 kg jute bags, or containers other than those specified here-under/65 kg jutehouers, of ander houers as dié hieronder vermeld	R948,61	R879,77	R783,51	R697,04	R948,61	*
	50 kg cotton containers/50 kg katoenhouers	R970,13	R901,29	R805,03	R718,56	R970,13	R1190,50
	50 kg paper containers/50 kg papierhouers	R957,48	R888,64	R792,38	R705,91	R957,48	*
	50 kg polypropylene containers/50 kg polipropileenhouders	R953,07	R884,23	R787,97	R701,50	R953,07	*
	25 kg cotton containers/25 kg katoenhouers	R981,19	R912,35	R816,09	R729,62	R981,19	*
	12,5 kg cotton containers/12,5 kg katoenhouers	R1019,81	R950,97	R854,71	R768,24	R1019,81	*
	12,5 kg paper containers/12,5 kg papierhouers	R993,70	R924,86	R828,60	R742,13	R993,70	*
	5 kg paper containers/5 kg papierhouers	R1024,65	R955,81	R809,55	R723,08	R1024,65	*
	2,5 kg paper containers/2,5 kg papierhouers	R1096,03	R1027,19	R880,93	R794,46	R1096,03	*
	1 kg paper containers/1 kg papierhouers	R1111,61	R1042,77	R896,51	R810,04	R1111,61	R1327,30
	500 g paper containers/500 g papierhouers	*	*	*	*	*	R1378,05
	500 g carton containers/500 g kartonhouers	*	*	*	*	R1261,41	*

Quantity delivered Hoeveelheid gelewer	Format in which meal is sold Formaat waarin meel verkoop word	Selling price of/Verkoopprijs van					
		Cake flour Koekmeelblom	White bread flour Witbroodmeelblom	Brown bread meal Bruinbroodmeel	Whole-wheat meal Volkoringmeel	Semolina Semolina	Self-raising flour Bruismeel
1	2	3					
		Fixed/Vas (per ton)	Fixed/Vas (per ton)	Fixed/Vas (per ton)	Fixed/Vas (per ton)	Fixed/Vas (per ton)	Fixed/Vas (per ton)
2. 250 kg and more but less than three tons, and in the case of semolina and self-raising flour, 50 kg and more but less than 250 kg jointly/250 kg en meer maar minder as drie ton en in die geval van semolina en bruismeel, 50 kg en meer maar minder as 250 kg gesamentlik	In bulk/In losmaat.....	R963,66	R892,07	R791,96	R702,03	R963,66	*
	65 kg jute bags or containers other than those specified here-under/65 kg jutehouers of ander houers as dié hieronder vermeld	R986,55	R914,96	R814,85	R724,92	R986,55	*
	50 kg cotton containers/50 kg katoenhouers	R1008,94	R937,34	R837,23	R747,30	R1008,94	R1238,12
	50 kg paper containers/50 kg papierhouers	R995,78	R924,19	R824,08	R734,15	R995,78	*
	50 kg polypropylene containers/50 kg polipropileenhouers	R991,19	R919,60	R819,49	R729,56	R991,19	*
	25 kg cotton containers/25 kg katoenhouers	R1020,44	R948,84	R848,73	R758,80	R1020,44	*
	12,5 kg cotton containers/12,5 kg katoenhouers	R1060,60	R989,01	R888,90	R798,97	R1060,60	*
	12,5 kg paper containers/12,5 kg papierhouers	R1033,45	R961,85	R861,74	R771,82	R1033,45	*
	5 kg paper containers/5 kg papierhouers	R1065,64	R994,04	R841,93	R752,00	R1065,64	*
	2,5 kg paper containers/2,5 kg papierhouers	R1139,87	R1068,28	R916,17	R826,24	R1139,87	*
	1 kg paper containers/1 kg papierhouers	R1156,07	R1084,48	R932,37	R842,44	R1156,07	R1380,39
	500 g paper containers/500 g papierhouers	*	*	*	*	*	R1433,17
	500 g carton containers/500 g kartonhouers	*	*	*	*	R1311,86	*

"TABLE/TABEL

SELLING PRICES OF MEAL/VERKOOPPRYSE VAN MEEL

Quantity delivered Hoeveelheid gelewer	Format in which meal is sold Formaat waarin meel verkoop word	Selling price of/Verkooppryse van					
		Cake flour Koekmeelblom	White bread flour Witbroodmeelblom	Brown bread meal Bruinbroodmeel	Whole-wheat meal Volkoringmeel	Semolina Semolina	Self-raising flour Bruismeel
1	2	3					
		Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer
3. Less than 250 kg, and in case of semolina and self-raising flour, less than 50 kg jointly/Minder as 250 kg en, in geval van semolina en bruismeel, minder as 50 kg gesamentlik	65 kg jute bags/65 kg jutehouers ...	R66,28	R62,90	R57,04	R50,74	R66,28	*
	50 kg cotton containers/50 kg katoenhouers	R53,36	R50,47	R45,89	R40,96	R53,36	*
	50 kg paper containers/50 kg papierhouers	R52,66	R49,76	R45,17	R40,24	R52,66	*
	50 kg polypropylene containers/50 kg polipropileenhouers	R52,42	R49,52	R44,91	R39,99	R52,42	*
	25 kg cotton containers/25 kg katoenhouers	R28,21	R26,57	R24,48	R21,89	R28,21	*
	12,5 kg cotton containers/12,5 kg katoenhouers	R14,66	R13,85	R12,82	R11,52	R14,66	*
	12,5 kg paper containers/12,5 kg papierhouers	R14,28	R13,47	R12,43	R11,13	R14,28	*
	5 kg paper containers/5 kg papierhouers	R5,97	R5,62	R4,96	R4,43	R5,97	*
	2,5 kg paper containers/2,5 kg papierhouers	R3,29	R3,13	R2,81	R2,53	R3,29	*

Quantity delivered Hoeveelheid gelewer	Format in which meal is sold Formaat waarin meel verkoop word	Selling price of/Verkoopprijs van					
		Cake flour Koekmeelblom	White bread flour Witbroodmeelblom	Brown bread meal Bruinbroodmeel	Whole-wheat meal Volkoringmeel	Semolina Semolina	Self-raising flour Bruismeel
1	2	3					
		Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer	Maximum per container/Maksimum per houer
	1 kg paper containers/1 kg papierhouers	R1,33	R1,27	R1,14	R1,03	R1,33	R1,56
	500 g paper containers/500 g papierhouers	*	*	*	*	*	R0,81
	500 g carton containers/500 g kartonhouers	*	*	*	*	R0,74	*
	In containers other than those specified above, in quantities of/In ander houers as dié hierbo vermeld, in hoeveelhede van—						
	(a) at least 25 kg/minstens 25 kg	R66,28 (per 65 kg)	R62,90 (per 65 kg)	R57,29 (per 65 kg)	R50,97 (per 65 kg)	R66,28 (per 65 kg)	*
	(b) at least 12,5 kg but less than 25 kg/minstens 12,5 kg maar minder as 25 kg	R13,64 (per 12,5 kg)	R13,20 (per 12,5 kg)	R12,24 (per 12,5 kg)	R10,89 (per 12,5 kg)	R13,64 (per 12,5 kg)	*
	(c) at least 5 kg but less than 12,5 kg/minstens 5 kg maar minder as 12,5 kg	R5,55 (per 5 kg)	R5,50 (per 5 kg)	R5,09 (per 5 kg)	R4,53 (per 5 kg)	R5,55 (per 5 kg)	*
	(d) at least 2,5 kg but less than 5 kg/minstens 2,5 kg maar minder as 5 kg	R2,85 (per 2,5 kg)	R2,80 (per 2,5 kg)	R2,64 (per 2,5 kg)	R2,35 (per 2,5 kg)	R2,85 (per 2,5 kg)	*
	(e) less than 2,5 kg/minder as 2,5 kg	R1,14 (per kg)	R1,12 (per kg)	R1,08 (per kg)	R0,96 (per kg)	R1,14 (per kg)	*

*Not specified/Nie vermeld.

No. R. 1394

30 June 1989

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

WINTER CEREAL SCHEME.—SELLING PRICES OF WHEATEN BRAN—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968) that—

(a) the Wheat Board referred to in section 6 of the Winter Cereal Scheme published by Proclamation No. R. 162 of 1974, as amended, has under section 37 of the said Scheme further amended the Schedule to Government Notice No. R. 2801 of 26 September 1986, as amended, to the extent set out in the Schedule hereto; and

(b) the said amendment has been approved by me and shall come into operation on 1 July 1989.

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

SCHEDULE

The Schedule to Government Notice No. R. 2801 of 26 September 1986, as amended by Government Notices Nos. R. 1407 of 26 June 1987 and R. 1312 of 1 July 1988, is hereby further amended by the substitution for the Table therein of the following Table:

"TABLE/TABEL"

Class of winter cereal product Klas wintergraanprodukt	Maximum selling price per ton net mass if sold by the producer thereof/Maksimum verkoopprijs per ton netto massa indien deur die produsent daarvan verkoop		Maximum selling price per ton net mass if sold by a person other than the producer thereof/ Maksimum verkoopprijs per ton netto massa indien deur iemand anders as die produsent daarvan verkoop	
	In quantities of one ton or more/In hoe- veelhede van een ton of meer	In at least one container in quantities of less than one ton/In minstens een houer in hoeveelhede van minder as een ton	In quantities of one ton or more/In hoe- veelhede van een ton of meer	In at least one container in quantities of less than one ton/In minstens een houer in hoeveelhede van minder as een ton
1	2	3	4	5
Wheaten bran/Koringsemels.....	R240,00	R264,00	R264,00	R290,40
Pollard/Fynsemels.....	R243,00	R267,30	R267,30	R294,03
Digestive bran/Spysverteringsemels.....	R260,00	R286,00	R286,00	R314,60".

No. R. 1395

30 June 1989

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

WINTER CEREAL SCHEME.—LEVIES AND SPECIAL LEVIES—AMENDMENT

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

(a) the Wheat Board referred to in section 6 of the Winter Cereal Scheme published by Proclamation No. R. 162 of 1974, as amended, has under section 25 of the said Scheme amended the Schedule to Government Notice No. R. 2209 of 28 October 1988 to the extent set out in the Schedule hereto; and

No. R. 1394

30 Junie 1989

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

WINTERGRAANSKEMA.—VERKOOPPRYSE VAN KORINGSEMELS—WYSIGING

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Koringraad bedoel in artikel 6 van die Wintergraanskema gepubliseer by Proklamasie No. R. 162 van 1974, soos gewysig, kragtens artikel 37 van genoemde Skema die Bylae by Goewermmentskennisgewing No. R. 2801 van 26 September 1986, soos gewysig, verder gewysig het in die mate in die Bylae hierby uiteengesit; en

(b) genoemde wysiging deur my goedgekeur is en op 1 Julie 1989 in werking tree.

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

BYLAE

Die Bylae by Goewermmentskennisgewing No. R. 2801 van 26 September 1986, soos gewysig by Goewermmentskennisgewings Nos. R. 1407 van 26 Junie 1987 en R. 1312 van 1 Julie 1988, word hierby verder gewysig deur die Tabel daarin deur die volgende Tabel te vervang:

No. R. 1395

30 Junie 1989

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

WINTERGRAANSKEMA.—HEFFINGS EN SPECIALE HEFFINGS—WYSIGINGS

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Koringraad bedoel in artikel 6 van die Wintergraanskema gepubliseer by Proklamasie No. R. 162 van 1974, soos gewysig, kragtens artikel 25 van genoemde Skema die Bylae by Goewermmentskennisgewing No. R. 2209 van 28 Oktober 1988 gewysig het in die mate in die Bylae hierby uiteengesit; en

(b) the said amendment has been approved by me and shall come into operation on 1 July 1989.

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

SCHEDULE

The Schedule to Government Notice No. R. 2209 of 28 October 1988 is hereby amended by the substitution for Table 2 therein of the following Table:

TABLE 2/TABEL 2

SPECIAL LEVIES ON WINTER CEREAL PRODUCTS/SPEZIALE HEFFINGS OP WINTERGRAANPRODUKTE

Kind of winter cereal product/Soort wintergraanprodukt	Special levy Spesiale heffing
1	2
1. Pollard/Fynsemels.....	R146,00/t
2. Wheaten bran/Koringsemels.....	R146,00/t
3. Digestive bran/Spysverteringsemels.....	R146,00/t

No. R. 1396

30 June 1989

MARKETING ACT, 1968 (ACT No. 59 OF 1968)

WINTER CEREAL SCHEME.—SPECIAL LEVY ON WHITE BREAD FLOUR, BROWN BREAD MEAL AND WHOLE-WHEAT MEAL IN STOCK AT COMMERCIAL BREAD BAKERS ON 30 JUNE 1989

I, Jacob Johannes Greyling Wentzel, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

(a) the Wheat Board referred to in section 6 of the Winter Cereal Scheme published by Proclamation No. R. 162 of 1974, as amended, has under section 25 of the said Scheme imposed the special levy set out in the Schedule;

(b) the said special levy has been approved by me and shall come into operation on 1 July 1989; and

(c) Government Notice No. R. 604 of 31 March 1989 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, unless the context otherwise indicates—

“brown bread meal”, “white bread flour” and “whole-wheat meal” shall have the meanings assigned thereto in the regulations published by Government Notice No. R. 1981 of 30 September 1977, as amended;

“commercial bread baker” means a person registered by the Board under section 36 of the Scheme to deal in the course of trade with white bread, brown bread or whole-wheat bread; and

“the Scheme” means the Winter Cereal Scheme published by Proclamation No. R. 162 of 1974, as amended.

(b) genoemde wysiging deur my goedgekeur is en op 1 Julie 1989 in werking tree.

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

BYLAE

Die Bylae by Goewermentskennisgewing No. R. 2209 van 28 Oktober 1988 word hierby gewysig deur Tabel 2 daarin deur die volgende Tabel te vervang:

No. R. 1396

30 Junie 1989

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

WINTERGRAANSKEMA.—SPEZIALE HEFFING OP WITBROODMEELBLOM, BRUINBROODMEEL EN VOLKORINGMEEL IN VOORRAAD BY KOMMERSIËLE BROODBAKKERS OP 30 JUNIE 1989

Ek, Jacob Johannes Greyling Wentzel, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Koringraad bedoel in artikel 6 van die Wintergraanskema gepubliseer by Proklamasie No. R. 162 van 1974, soos gewysig, kragtens artikel 25 van genoemde Skema die spesiale heffing in die Bylae uiteengesit, opgelê het;

(b) genoemde spesiale heffing deur my goeagekeur is en op 1 Julie 1989 in werking tree; en

(c) Goewermentskennisgewing No. R. 604 van 31 Maart 1989 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 waaraan 'n betekenis in die Skema geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“bruinbroodmeel”, “volkoringmeel” en “witbroodmeelblom” dieselfde as in die regulasies gepubliseer by Goewermentskennisgewing No. R. 1981 van 30 September 1977, soos gewysig;

“die Skema” die Wintergraanskema gepubliseer by Proklamasie No. R. 162 van 1974, soos gewysig;

“kommersiële broodbakker” iemand wat kragtens artikel 36 van genoemde Skema deur die Raad geregistreer is om met witbrood, bruinbrood of volkoringbrood as 'n besigheid te handel.

Special levy

2. (1) A special levy is hereby imposed on—

- (a) the quantity, less 1,5 ton, of white bread flour;
- (b) the quantity, less 3,5 ton, of brown bread meal; and
- (c) the quantity of whole-wheat meal,

which a commercial bread baker has in stock at the date referred to in subclause (2) (d), including any quantity of such white bread flour, brown bread meal and whole-wheat meal purchased by him at the prices applicable before the said date and delivered to him after the said date.

(2) Such special levy shall—

- (a) in the case of white bread flour, amount to R3,03 per ton;
- (b) in the case of brown bread meal, amount to R2,71 per ton;
- (c) in the case of whole-wheat meal, amount to R2,42 per ton;
- (d) apply to the quantities referred to in subclause (1), which a commercial bread baker has in stock immediately after 30 June 1989.

Spesiale heffing

2. (1) 'n Spesiale heffing word hierby opgelê op—

- (a) die hoeveelheid, minus 1,5 ton, witbroodmeelblom;
- (b) die hoeveelheid, minus 3,5 ton, bruinbroodmeel;
- (c) die hoeveelheid volkoringmeel,

wat 'n kommersiële broodbakker op die datum in subklousule (2) (d) bedoel, in voorraad het, met inbegrip van enige hoeveelheid van sodanige witbroodmeelblom, bruinbroodmeel of volkoringmeel deur hom aangekoop teen die pryse van toepassing voor genoemde datum en na genoemde datum aan hom gelever.

(2) Sodanige spesiale heffing—

- (a) bedra in die geval van witbroodmeelblom, R3,03 per ton;
- (b) bedra in die geval van bruinbroodmeel, R2,71 per ton;
- (c) bedra in die geval van volkoringmeel, R2,42 per ton; en
- (d) is van toepassing op die hoeveelhede in subklousule (1) bedoel, wat 'n kommersiële broodbakker onmiddellik na 30 Junie 1989 in voorraad het.

DEPARTMENT OF FINANCE

No. R. 1329

30 June 1989

CUSTOMS AND EXCISE ACT, 1964**AMENDMENT OF SCHEDULE 1 (No. 1/1/155)**

Under section 48 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.

G. MARAIS,

Deputy Minister of Finance.

DEPARTEMENT VAN FINANSIES

No. R. 1329

30 Junie 1989

DOEANE- EN AKSYNSWET, 1964**WYSIGING VAN BYLAE 1 (No. 1/1/155)**

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

G. MARAIS,

Adjunk-minister van Finansies.

SCHEDULE

Head- ing	Sub- heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
85.28			By the insertion after subheading No. 8528.10.10 of the following:			
	“.15	2	Video projectors, of a value for duty purposes exceeding R800	no.	free	
	“.15	7	By the insertion after subheading No. 8528.20.10 of the following:			
	“.15	7	Video projectors, of a value for duty purposes exceeding R800	no.	free	

Note.—The effect of this amendment is that the rate of duty on video projectors of a value for duty purposes exceeding R800 is reduced from 60% to free with retrospective effect to 1 January 1988.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
85.28			Deur na subpos No. 8528.10.10 die volgende in te voeg:			
	“.15	2	Video-projektors, met 'n waarde vir belastingdoeleindes van meer as R800	getal	vry	
	“.15	7	Deur na subpos No. 8528.20.10 die volgende in te voeg:			
	“.15	7	Video-projektors, met 'n waarde vir belastingdoeleindes van meer as R800	getal	vry	

Opmerking.—Die uitwerking van hierdie wysiging is dat die skaal van reg op video-projektors met 'n waarde vir belastingdoeleindes van meer as R800 van 60% na vry verlaag word met terugwerkende krag tot 1 Januarie 1988.

No. R. 1330

30 June 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/154)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended, with retrospective effect to 10 May 1989, to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

No. R. 1330

30 Junie 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/154)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 10 Mei 1989, in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

Head- ing	Sub- heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
84.33			By the substitution for subheading No. 8433.59 of the following:			
	"8433.59		Other:			
	.10	4	Cotton pickers	no.	free	
	.90	8	Other	no.	free	
84.36			By the substitution for subheading No. 8436.21 of the following:			
	"8436.21		Poultry incubators and brooders:			
	.10	6	Poultry incubators	kg	free	
	.20	3	Poultry brooders	kg	free	
94.02			By the substitution for subheading No. 9402.90.10 of the following:			
	"10	7	Chiropractic tables, hospital beds with mechanical fittings and obstetrical chairs	no.	free	
	.15	8	Operating tables	no.	free	

Note.—The amendment is consequential to the amendment of Part 4 of Schedule 1. The amendment has retrospective effect to 10 May 1989.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
84.33			Deur subpos No. 8433.59 deur die volgende te vervang:			
	"8433.59		Ander:			
	.10	4	Katoenplukkers	getal	vry	
	.90	8	Ander	getal	vry	
84.36			Deur subpos No. 8436.21 deur die volgende te vervang:			
	"8436.21		Pluimveebroeiemasjiene en kunsmoeders:			
	.10	6	Pluimveebroeiemasjiene	kg	vry	
	.20	3	Pluimveekunsmoeders	kg	vry	
94.02			Deur subpos No. 9402.90.10 deur die volgende te vervang:			
	"10	7	Chiropraktiese tafels, hospitaalbeddens met meganiese toerusting en verloskundige stoele	getal	vry	
	.15	8	Operasietafels	getal	vry	

Opmerking.—Die wysiging spruit voort uit die wysiging van Deel 4 van Bylae 1. Die wysiging het terugwerkende krag tot 10 Mei 1989.

No. R. 1331

30 June 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/4/55)

Under section 48 of the Customs and Excise Act, 1964, Part 4 of Schedule 1 to the said Act is hereby amended, with retrospective effect to 10 May 1989, to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

No. R. 1331

30 Junie 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/4/55)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 4 van Bylae 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 10 Mei 1989, in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I Surcharge Item	II		III Rate of Surcharge	Annotations
	Tariff Heading	Surcharge Code		
Notes				
				By the substitution for Notes 7 (h) and (ij) of the following: “(h) which are components imported in such quantities as the Director-General: Trade and Industry, on the recommendation of the Board of Trade and Industry, may allow by specific permit for the manufacture of goods which may be imported under rebate of duty in terms of Schedule No. 3 to this Act, (ij) imported by a body nominated by a recognised substantial religious group, in such quantities, at such times and subject to such conditions as the Director-General: Trade and Industry, on the recommendation of and subject to such conditions and procedures as published by the Board of Trade and Industry, may allow by specific permit, or (k) imported in such quantities as the Director-General: Trade and Industry, on the recommendation of the Board of Trade and Industry, may allow by specific permit, applied for after 5 May 1989, after proof has been furnished that— (i) they are capital goods or components thereof of subheading Nos. 8208.40.10, 8409.91.15, 8409.99.15, 8421.11, 8423.81.10, 8424.90.10, 8424.90.15, 8424.90.20, 8424.90.30, 8433.20, 8433.30, 8433.40, 8433.51, 8433.59.10, 8434.10, 8434.20, 8434.90, 8436.21.10, 8436.80, 8483.10.15, 8483.40.25, 8483.50.30, 8483.90.35, 8708.31.30, 8708.39.50, 8708.40.10, 8708.50.30, 8708.70.10, 8716.20, 9018.1, 9018.20, 9018.4, 9018.90, 90.19, 90.20, 9021.1, 9021.30, 9021.40, 9021.50, 9021.90, 9022.11, 9022.21, 9022.30, 9402.10.10, 9402.10.30, 9402.90.10, 9402.90.40, 9405.40.40 or 9405.99.35; (ii) they are not available locally; and (iii) they are entered for home consumption on or before 30 June 1989.”

Note. — A new Note 7 (k) is inserted.

BYLAE

I Bobelastingitem	II		III Skaal van Bobelasting	Annotations
	Tariefpos	Bobelastingkode		
Opmerkings				
				Deur Opmerkings 7 (h) en (ij) deur die volgende te vervang: “(h) wat komponente is wat ingevoer word in die hoeveelhede, op die tye en onderworpe aan die voorwaardes wat die Direkteur-generaal: Handel en Nywerheid, by bepaalde permit toelaat vir die vervaardiging van goedere wat kragtens Bylae No. 3 by hierdie Wet met korting op reg ingevoer kan word, (ij) ingevoer deur 'n liggaam benoem deur 'n erkende beduidende godsdienstige groep, in die hoeveelhede, op die tye en onderworpe aan die voorwaardes wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van en onderworpe aan die voorwaardes en prosedures soos deur die Raad van Handel en Nywerheid gepubliseer, by bepaalde permit toelaat, of

I Bobelastingitem	II			III Skaal van Bobelasting	Annotasies
	Tariefpos	Bobelastingkode	Beskrywing		
			(k) ingevoer in die hoeveelhede wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad van Handel en Nywerheid, by bepaalde permit, waarvoor die aansoek na 5 Mei 1989 deur die Raad ontvang is, toelaat nadat bewys voorgelê is dat— (i) hulle kapitaalgoedere of komponente daarvoor is van subposte Nos. 8208.40.10, 8409.91.15, 8409.99.15, 8421.11, 8423.81.10, 8424.90.10, 8424.90.15, 8424.90.20, 8424.90.30, 8433.20, 8433.30, 8433.40, 8433.51, 8433.59.10, 8434.10, 8434.20, 8434.90, 8436.21.10, 8436.80, 8483.10.15, 8483.40.25, 8483.50.30, 8483.90.35, 8708.31.30, 8708.39.50, 8708.40.10, 8708.50.30, 8708.70.10, 8716.20, 9018.1, 9018.20, 9018.4, 9018.90, 90.19, 90.20, 9021.1, 9021.30, 9021.40, 9021.50, 9021.90, 9022.11, 9022.21, 9022.30, 9402.10.10, 9402.10.30, 9402.90.10, 9402.90.40, 9405.40.40 of 9405.99.35; (ii) hulle nie plaaslik beskikbaar is nie; en (iii) hulle ingevoer word vir plaaslike verbruik voor of op 30 Junie 1989.”		

Opmerking. — 'n Nuwe Opmerking 7(k) is bygevoeg.

No. R. 1332

30 June 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/4/56)

Under section 48 of the Customs and Excise Act, 1964, Part 4 of Schedule 1 to the said Act is hereby amended, with retrospective effect to 10 May 1989, to the extent set out in the Schedule hereto.

G. MARAIS,

Deputy Minister of Finance.

No. R. 1332

30 Junie 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/4/56)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 4 van Bylae 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 10 Mei 1989, in die mate in die Bylae hiervan aangetoon.

G. MARAIS,

Adjunk-minister van Finansies.

SCHEDULE

I Surcharge Item	II			III Rate of Surcharge	Annotations
	Tariff Heading	Surcharge Code	Description		
175.00	82.00	“03.00	By the substitution for surcharge code 03.00 to tariff heading No. 82.00 of the following: Goods of headings and subheadings Nos. 8201.20, 8201.40, 8201.90, 82.02, 82.03, 82.04, 82.05, 82.06, 82.07, 82.08 (excluding subheading No. 8208.40.10), 82.09, 8211.10, 8211.92, 8211.93, 8211.94, 82.12, 82.13 and 8214.90	15%”	
176.00	84.00	“02.00	By the substitution for surcharge code 02.00 to tariff heading No. 84.00 of the following: Goods of headings and subheadings Nos. 84.01, 84.02, 84.03, 84.04, 84.05, 84.06, 84.07, 84.08, 84.09 (excluding subheadings Nos. 8409.91.15 and 8409.99.15), 84.10, 84.11, 84.12, 84.13, 84.14, 84.15, 84.16, 84.17, 84.18.50, 8418.61.90, 8418.69.90, 8418.91.20, 8418.91.90, 8418.99.10, 8418.99.30, 8418.99.40, 8418.99.90, 8419.11.20, 8419.19.20, 8419.20, 8419.3, 8419.40, 8419.50, 8419.60, 8419.8, 8419.90.20, 8419.90.30, 8419.90.90, 84.20, 8421.12.10, 8421.19, 8421.2, 8421.3, 8421.91.10, 8421.91.30, 8421.91.40, 8421.91.90, 8421.99, 8422.19, 8422.20, 8422.30, 8422.40, 8422.90, 8423.20, 8423.30, 8423.81 (excluding subheading No. 8423.81.10), 8423.82, 8423.89,	15%”	

I Surcharge Item	II		III Rate of Surcharge	Annotations
Tariff Heading	Surcharge Code	Description		
177.00	87.00	8423.90, 84.24 (excluding subheadings Nos. 8424.90.10, 8424.90.15, 8424.90.20 and 8424.90.30), 84.25, 84.26, 84.27, 84.28, 84.29, 84.30, 84.31, 84.32, 84.33 (excluding subheadings Nos. 8433.20, 8433.30, 8433.40, 8433.51 and 8433.59.10), 84.34, (excluding subheadings Nos. 8434.10, 8434.20 and 8434.90), 84.35, 84.36 (excluding subheadings Nos. 8436.21.10 and 8436.80), 84.37, 84.38, 84.39, 84.40, 84.41, 84.42, 84.43, 84.44, 84.45, 84.46, 84.47, 84.48, 84.49, 8450.11.90, 8450.12.90, 8450.19.90, 8450.20, 8450.90.90, 8451.10, 8451.21.30, 8451.21.40, 8451.21.90, 8451.29, 8451.30.90, 8451.40, 8451.50, 8451.80, 8451.90.90, 8452.2, 8452.30, 8452.40.90, 8452.90.90, 84.53, 84.54, 84.55, 84.56, 84.57, 84.58, 84.59, 84.60, 84.61, 84.62, 84.63, 84.64, 84.65, 84.66, 84.67, 84.68, 84.69, 84.70, 84.71, 84.72, 84.73, 84.74, 84.75, 84.76, 84.77, 84.78, 84.79, 84.80, 84.81, 84.82, 84.83 (excluding subheadings Nos. 8483.10.15, 8483.40.25, 8483.50.30 and 8483.90.35), 84.84 and 84.85 By the substitution for surcharge code 02.00 to tariff heading No. 87.00 of the following: "02.00 Goods of headings and subheadings Nos. 87.01, 87.02, 8703.21.25, 8703.22.25, 8703.23.25, 8703.24.25, 8703.31.25, 8703.31.50, 8703.32.25, 8703.32.50, 8703.33.25, 8703.33.50, 8703.90.25, 8703.90.50, 87.04, 8705, 87.06, 87.07, 87.08 (excluding subheadings Nos. 8708.31.30, 8708.39.50, 8708.40.10, 8708.50.30 and 8708.70.10), 87.09, 87.10, 8716.3, 8716.40, 8716.80.10, 8716.80.90 and 8716.90	15%"	
178.00	90.00	By the substitution for surcharge code 02.00 to tariff heading No. 90.00 of the following: "02.00 Goods of headings and subheadings Nos. 9001.10, 9005.80, 9005.90, 9006.10, 9006.20, 9006.30, 9006.51.10, 9006.52.10, 9006.59.10, 9006.91.10, 9007.19, 9007.29, 9007.9, 9008.20, 9008.40.10, 9008.90.20, 90.09, 9010.20, 9010.90.10, 9010.90.20, 90.11, 90.12, 9013.20, 90.14, 19.15, 90.16, 90.17, 9021.2, 9022.19, 9022.29, 9022.90, 90.24, 90.25, 90.26, 90.27, 90.28, 90.29, 90.30, 90.31, 90.32 and 90.33	15%"	
180.00	94.00	By the substitution for surcharge code 02.00 to tariff heading No. 94.00 of the following: "02.00 Goods of headings and subheadings Nos. 9401.10, 9401.20, 9401.30, 9401.90, 9402.10.20, 9402.10.40, 9402.90.15, 9402.90.20, 9402.90.30, 9402.90.90, 9403.10, 9403.30, 9403.90.10, 9403.90.90, 9404.90.10, 9405.10, 9405.40.10, 9405.91.10, 9405.99.30, and 94.06	15%"	

Note.—The effect of this amendment is that certain agricultural- and medical equipment are exempted from the payment of surcharge with retrospective effect to 10 May 1989.

BYLAE

I Bobelastingitem	II			III	Annotasies
	Tariefpos	Bobelastingkode	Beskrywing	Skaal van Bobelasting	
175.00	82.00	"03.00	Deur bobelastingkode 03.00 by tariefpos No. 82.00 deur die volgende te vervang: Goedere van poste en subposte Nos. 8201.20, 8201.40, 8201.90, 82.02, 82.03, 82.04, 82.05, 82.06, 82.07, 82.08 (uitgesonderd subpos No. 8208.40.10), 82.09, 8211.10, 8211.92, 8211.93, 8211.94, 82.12, 82.13 en 8214.90	15%"	
176.00	84.00	"02.00	Deur bobelastingkode 02.00 by tariefpos No. 84.00 deur die volgende te vervang: Goedere van poste en subposte Nos. 84.01, 84.02, 84.03, 84.04, 84.05, 84.06, 84.07, 84.08, 84.09 (uitgesonderd subposte Nos. 8409.91.15 en 8409.99.15), 84.10, 84.11, 84.12, 84.13, 84.14, 84.15, 84.16, 84.17,	15%"	

I Bobelastingitem	II		III Skaal van Bobelasting	Annotasies
	Tariefpos	Bobelastingkode		
177.00	87.00	84.18.50, 8418.61.90, 8418.69.90, 8418.91.20, 8418.91.90, 8418.99.10, 8418.99.30, 8418.99.40, 8418.99.90, 8419.11.20, 8419.19.20, 8419.20, 8419.3, 8419.40, 8419.50, 8419.60, 8419.8, 8419.90.20, 8419.90.30, 8419.90.90, 84.20, 8421.12.10, 8421.19, 8421.2, 8421.3, 8421.91.10, 8421.91.30, 8421.91.40, 8421.91.90, 8421.99, 8422.19, 8422.20, 8422.30, 8422.40, 8422.90, 8423.20, 8423.30, 8423.81 (uitgesonderd subpos No. 8423.81.10), 8423.82, 8423.89, 8423.90, 84.24 (uitgesonderd subposte Nos. 8424.90.10, 8424.90.15, 8424.90.20 en 8424.90.30), 84.25, 84.26, 84.27, 84.28, 84.29, 84.30, 84.31, 84.32, 84.33 (uitgesonderd subposte Nos. 8433.20, 8433.30, 8433.40, 8433.51 en 8433.59.10), 84.34, (uitgesonderd subposte Nos. 8434.10, 8434.20 en 8434.90), 84.35, 84.36 (uitgesonderd subposte Nos. 8436.21.10 en 8436.80), 84.37, 84.38, 84.39, 84.40, 84.41, 84.42, 84.43, 84.44, 84.45, 84.46, 84.47, 84.48, 84.49, 8450.11.90, 8450.12.90, 8450.19.90, 8450.20, 8450.90.90, 8451.10, 8451.21.30, 8451.21.40, 8451.21.90, 8451.29, 8451.30.90, 8451.40, 8451.50, 8451.80, 8451.90.90, 8452.2, 8452.30, 8452.40.90, 8452.90.90, 84.53, 84.54, 84.55, 84.56, 84.57, 84.58, 84.59, 84.60, 84.61, 84.62, 84.63, 84.64, 84.65, 84.66, 84.67, 84.68, 84.69, 84.70, 84.71, 84.72, 84.73, 84.74, 84.75, 84.76, 84.77, 84.78, 84.79, 84.80, 84.81, 84.82, 84.83 (uitgesonderd subposte Nos. 8483.10.15, 8483.40.25, 8483.50.30 en 8483.90.35), 84.84 en 84.85	15%''	
		Deur bobelastingkode 02.00 by tariefpos No. 87.00 deur die volgende te vervang:		
		''02.00 Goedere van poste en subposte Nos. 87.01, 87.02, 8703.21.25, 8703.22.25, 8703.23.25, 8703.24.25, 8703.31.25, 8703.31.50, 8703.32.25, 8703.32.50, 8703.33.25, 8703.33.50, 8703.90.25, 8703.90.50, 87.04, 8705, 87.06, 87.07, 87.08 (uitgesonderd subposte Nos. 8708.31.30, 8708.39.50, 8708.40.10, 8708.50.30 en 8708.70.10), 87.09, 87.10, 8716.3, 8716.40, 8716.80.10, 8716.80.90 en 8716.90		
178.00	90.00	Deur bobelastingkode 02.00 by tariefpos No. 90.00 deur die volgende te vervang:	15%''	
		''02.00 Goedere van poste en subposte Nos. 9001.10, 9005.80, 9005.90, 9006.10, 9006.20, 9006.30, 9006.51.10, 9006.52.10, 9006.59.10, 9006.91.10, 9007.19, 9007.29, 9007.9, 9008.20, 9008.40.10, 9008.90.20, 90.09, 9010.20, 9010.90.10, 9010.90.20, 90.11, 90.12, 9013.20, 90.14, 19.15, 90.16, 90.17, 9021.2, 9022.19, 9022.29, 9022.90, 90.24, 90.25, 90.26, 90.27, 90.28, 90.29, 90.30, 90.31, 90.32 en 90.33		
180.00	94.00	Deur bobelastingkode 02.00 by tariefpos No. 94.00 deur die volgende te vervang:	15%''	
		''02.00 Goedere van poste en subposte Nos. 9401.10, 9401.20, 9401.30, 9401.90, 9402.10.20, 9402.10.40, 9402.90.15, 9402.90.20, 9402.90.30, 9402.90.90, 9403.10, 9403.30, 9403.90.10, 9403.90.90, 9404.90.10, 9405.10, 9405.40.10, 9405.91.10, 9405.99.30, en 94.06		

Opmerking.—Die uitwerking van hierdie wysiging is dat sekere landbou- en mediese toerusting vrygestel word van die betaling van bobelasting met terugwerkende krag tot 10 Mei 1989.

No. R. 1333

30 June 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/69)

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

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

No. R. 1333

30 Junie 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/69)

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

1. word Bylae 3 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon; en

2. this amendment, in so far as it relates to rebate item 317.02, shall be deemed to have come into operation on 1 March 1989.

G. MARAIS,
Deputy Minister of Finance.

2. word hierdie wysiging, vir sover dit betrekking het op kortingitem 317.02, geag op 1 Maart 1989 in werking te getree het.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I Rebate Item	II			III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.		
317.02	"00.00	01.00	03	Full duty"	
	"87.06	01.04	47	Full duty less 5%"	
317.03					

Note.—Provision is made for a rebate of the duty on components for the manufacture of cabs and chassis for the manufacture of dumpers designed for off-highway use, with retrospective effect to 1 March 1989.

BYLAE

I Korting- item	II			III Mate van Korting	Anno- tations
	Tariefpos	Korting- kode	T. S.		
317.02	"00.00	01.00	03	Volle reg"	
	"87.06	01.04	47	Volle reg min 5%"	
317.03					

Opmerking.—Voorsiening word gemaak vir 'n korting op reg op komponente vir die vervaardiging van kajuïte en onderstelle vir die vervaardiging van storters ontwerp vir gebruik op rowwe terrein, met terugwerkende krag tot 1 Maart 1989.

No. R. 1334

30 June 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/34)

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.

G. MARAIS,
Deputy Minister of Finance.

No. R. 1334

30 Junie 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/34)

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.

G. MARAIS,
Adjunk-minister van Finansies.

SCHEDULE

I Rebate Item	II			III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.		
460.16	"8462.10	01.00	63	Full duty"	

Note.—Provision is made for a rebate of the full duty on certain non-hydraulic presses, subject to certain conditions.

BYLAE

I Korting- item	II			III Mate van Korting	Anno- taties
	Tariefpos	Korting- kode	T. S.		
460.16	"8462.10	01.00	63	Volle reg"	

Opmerking.—Voorsiening word gemaak vir 'n volle korting op reg op sekere nie-hidrouliese perse, onderhewig aan sekere voorwaardes.

No. R. 1345

30 June 1989

AMENDMENT OF REGULATIONS UNDER THE INSURANCE ACT, 1943 (ACT No. 27 OF 1943)

The Minister of Finance has, under section 76, read with section 23A, of the Insurance Act, 1943 (Act No. 27 of 1943), made the regulations in the Schedule.

SCHEDULE

Definition

1. In this Schedule the expression "the Regulations" means the regulations published under Government Notice No. R. 1285 of 27 August 1965, as amended by Government Notices Nos. R. 252 of 23 February 1968, R. 2036 of 2 November 1973, R. 2489 of 28 December 1973, R. 1442 of 20 August 1976, R. 333 of 1 March 1977, R. 838 of 20 May 1977, R. 1249 of 8 July 1977, R. 2274 of 4 November 1977, R. 947 of 12 May 1978, R. 1631 of 11 August 1978, R. 120 of 26 January 1979, R. 353 of 20 February 1981, R. 396 of 27 February 1981, R. 905 of 24 April 1981, R. 2064 of 2 October 1981, R. 446 of 4 March 1983, R. 2145 of 28 September 1984, R. 81 of 18 January 1985, R. 2117 of 20 September 1985, R. 2324 of 18 October 1985, R. 431 of 14 March 1986, R. 949 of 16 May 1986, R. 2584 and R. 2628 of 12 December 1986, R. 2288 of 16 October 1987 and R. 2501 of 9 December 1988.

Amendment of Schedule to regulation 28

2. Item 2 *Pension and group schemes* of the Schedule to regulation 28 of the Regulations is hereby amended—

(a) by the substitution for paragraph (1) of the following paragraph:

"(1) In any one scheme year in respect of any one scheme, $\frac{m}{12}$ of the aggregate commission, calculated as follows:

(a) For the first R50 000 of the annualised contributions, seven and a half per cent of such contributions.

(b) For that portion of the annualised contributions in excess of R50 000, but not exceeding R90 000, five per cent of such contributions.

No. R. 1345

30 Junie 1989

WYSIGING VAN REGULASIES KRAGTENS DIE VERSEKERINGSWET, 1943 (WET No. 27 VAN 1943)

Die Minister van Finansies het kragtens artikel 76, geles met artikel 23A, van die Versekeringswet, 1943 (Wet No. 27 van 1943), die regulasies in die Bylae uitgevaardig.

BYLAE

Omskrywing

1. In hierdie Bylae beteken die uitdrukking "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1285 van 27 Augustus 1965, soos gewysig by Goewermentskennisgewings Nos. R. 252 van 23 Februarie 1968, R. 2036 van 2 November 1973, R. 2489 van 28 Desember 1973, R. 1442 van 20 Augustus 1976, R. 333 van 1 Maart 1977, R. 838 van 20 Mei 1977, R. 1249 van 8 Julie 1977, R. 2274 van 4 November 1977, R. 947 van 12 Mei 1978, R. 1631 van 11 Augustus 1978, R. 120 van 26 Januarie 1979, R. 353 van 20 Februarie 1981, R. 396 van 27 Februarie 1981, R. 905 van 24 April 1981, R. 2064 van 2 Oktober 1981, R. 446 van 4 Maart 1983, R. 2145 van 28 September 1984, R. 81 van 18 Januarie 1985, R. 2117 van 20 September 1985, R. 2324 van 18 Oktober 1985, R. 431 van 14 Maart 1986, R. 949 van 16 Mei 1986, R. 2584 en R. 2628 van 12 Desember 1986, R. 2288 van 16 Oktober 1987 en R. 2501 van 9 Desember 1988.

Wysiging van Bylae by regulasie 28

2. Item 2 *Pensioen- en groepskemas* van die Bylae by regulasie 28 van die Regulasies word hierby gewysig—

(a) deur paragraaf (1) deur die volgende paragraaf te vervang:

"(1) In enige enkele skamajaar ten opsigte van enige enkele skema $\frac{m}{12}$ van die totale kommissie, soos volg bereken:

(a) Vir die eerste R50 000 van die geannualiseerde bydraes, sewe-en-'n-half persent van sodanige bydraes.

(b) Vir daardie gedeelte van die geannualiseerde bydraes wat R50 000 maar nie R90 000 nie te bowe gaan, vyf persent van sodanige bydraes.

(c) For that portion of the annualised contributions in excess of R90 000, but not exceeding R190 000, three per cent of such contributions.

(d) For that portion of the annualised contributions in excess of R190 000, but not exceeding R590 000, two per cent of such contributions.

(e) For that portion of the annualised contributions in excess of R590 000, one per cent of such contributions.”; and

(b) by the substitution in paragraph (2) for the expression “R2 300 or 7,50” of the expression “R2 650 or seven and a half”.

No. R. 1383

30 June 1989

REGIONAL SERVICES COUNCILS ACT, 1985
(ACT No. 109 OF 1985)

PUBLICATION OF RATE.—OVERBERG REGIONAL SERVICES COUNCIL

I, Barend Jacobus du Plessis, Minister of Finance, hereby make known, under the powers vested in me in the definition of “regional services levy” and “regional establishment levy”, respectively, in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), that the Overberg Regional Services Council has, with my concurrence, determined the rate for the calculation of—

(a) the regional services levy in its region, at 0,25 per cent of the amount on which such regional services levy is to be calculated in terms of the notice referred to in section 12 (1) (b) of the said Act; and

(b) the regional establishment levy in its region, at 0,1 per cent of the amount on which such regional establishment levy is to be so calculated. Both levies are payable with effect from 1 July 1989.

B. J. DU PLESSIS,
Minister of Finance.

No. R. 1384

30 June 1989

REGIONAL SERVICES COUNCILS ACT, 1985
(ACT No. 109 OF 1985)

PUBLICATION OF RATE.—OUTENIQUA REGIONAL SERVICES COUNCIL

I, Barend Jacobus du Plessis, Minister of Finance, hereby make known, under the powers vested in me in the definition of “regional services levy” and “regional establishment levy”, respectively, in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), that the Outeniqua Regional Services Council has, with my concurrence, determined the rate for the calculation of—

(a) the regional services levy in its region, at 0,25 per cent of the amount on which such regional services levy is to be calculated in terms of the notice referred to in section 12 (1) (b) of the said Act; and

(b) the regional establishment levy in its region, at 0,1 per cent of the amount on which such regional establishment levy is to be so calculated. Both levies are payable with effect from 1 July 1989.

B. J. DU PLESSIS,
Minister of Finance.

(c) Vir daardie gedeelte van die geannualiseerde bydraes wat R90 000 maar nie R190 000 nie te bowe gaan, drie persent van sodanige bydraes.

(d) Vir daardie gedeelte van die geannualiseerde bydraes wat R190 000 maar nie R590 000 nie te bowe gaan, twee persent van sodanige bydraes.

(e) Vir daardie gedeelte van die geannualiseerde bydraes wat R590 000 te bowe gaan, een persent van sodanige bydraes.”; en

(b) deur in paragraaf (2) die uitdrukking “R2 300 of 7,50” deur die uitdrukking “R2 650 of sewe-en-n-half” te vervang.

No. R. 1383

30 Junie 1989

WET OP STREEKSDIENSTERADE, 1985
(WET No. 109 VAN 1985)

BEKENDMAKING VAN TARIEF.—OVERBERG STREEKSDIENSTERAAD

Ek, Barend Jacobus du Plessis, Minister van Finansies, maak, kragtens die bevoegdheid my verleen in die omskrywing van onderskeidelik, “streeksdiensteheffing” en “streeksvestigingsheffing” in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), hierby bekend dat die Overberg Streeksdiensteraad met my instemming die tarief vir die berekening van—

(a) die streeksdiensteheffing in sy streek, op 0,25 persent van die bedrag waarop sodanige streeksdiensteheffing ingevolge die kennisgewing bedoel in artikel 12 (1) (b) van genoemde Wet bereken moet word; en

(b) die streeksvestigingsheffing in sy streek, op 0,1 persent van die bedrag waarop sodanige streeksvestigingsheffing aldus bereken moet word, bepaal het. Beide heffings is betaalbaar met ingang 1 Julie 1989.

B. J. DU PLESSIS,
Minister van Finansies.

No. R. 1384

30 Junie 1989

WET OP STREEKSDIENSTERADE, 1985
(WET No. 109 VAN 1985)

BEKENDMAKING VAN TARIEF.—OUTENIQUA STREEKSDIENSTERAAD

Ek, Barend Jacobus du Plessis, Minister van Finansies, maak, kragtens die bevoegdheid my verleen in die omskrywing van, onderskeidelik, “streeksdiensteheffing” en “streeksvestigingsheffing” in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), hierby bekend dat die Outeniqua Streeksdiensteraad met my instemming die tarief vir die berekening van—

(a) die streeksdiensteheffing in sy streek, op 0,25 persent van die bedrag waarop sodanige streeksdiensteheffing ingevolge die kennisgewing bedoel in artikel 12 (1) (b) van genoemde Wet bereken moet word; en

(b) die streeksvestigingsheffing in sy streek, op 0,1 persent van die bedrag waarop sodanige streeksvestigingsheffing aldus bereken moet word, bepaal het. Beide heffings is betaalbaar met ingang 1 Julie 1989.

B. J. DU PLESSIS,
Minister van Finansies.

No. R. 1385

30 June 1989

REGIONAL SERVICES COUNCILS ACT, 1985
(ACT No. 109 OF 1985)PUBLICATION OF RATE.—BREËRIVIER
REGIONAL SERVICES COUNCIL

I, Barend Jacobus du Plessis, Minister of Finance, hereby make known, under the powers vested in me in the definition of "regional services levy" and "regional establishment levy", respectively, in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), that the Breërivier Regional Services Council has, with my concurrence, determined the rate for the calculation of—

(a) the regional services levy in its region, at 0,25 per cent of the amount on which such regional services levy is to be calculated in terms of the notice referred to in section 12 (1) (b) of the said Act; and

(b) the regional establishment levy in its region, at 0,1 per cent of the amount on which such regional establishment levy is to be so calculated. Both levies are payable with effect from 1 July 1989.

B. J. DU PLESSIS,
Minister of Finance.

No. R. 1386

30 June 1989

REGIONAL SERVICES COUNCILS ACT, 1985
(ACT No. 109 OF 1985)PUBLICATION OF RATE.—REGIONAL
SERVICES COUNCIL OF KLEIN-KAROO

I, Barend Jacobus du Plessis, Minister of Finance, hereby make known, under the powers vested in me in the definition of "regional services levy" and "regional establishment levy", respectively, in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), that the Regional Services Council established under Provincial Notice No. 334 dated 31 March 1989 for the Klein-Karoo region has, with my concurrence, determined the rate for the calculation of—

(a) the regional services levy in its region, at 0,25 per cent of the amount on which such regional services levy is to be calculated in terms of the notice referred to in section 12 (1) (b) of the said Act; and

(b) the regional establishment levy in its region, at 0,1 per cent of the amount on which such regional establishment levy is to be so calculated.

Provided that where any such amount relates to an employee employed in a farming enterprise, or to a farming enterprise, as the case may be, the relevant rate shall be reduced by 25 per cent thereof.

This notice shall come into operation on 1 July 1989.

B. J. DU PLESSIS,
Minister of Finance.

No. R. 1385

30 Junie 1989

WET OP STREEKSDIENSTERADE, 1985
(WET No. 109 VAN 1985)BEKENDMAKING VAN TARIEF.—BREË-
RIVIER STREEKSDIENSTERAAD

Ek, Barend Jacobus du Plessis, Minister van Finansies, maak, kragtens die bevoegdheid my verleen in die omskrywing van, onderskeidelik, "streeksdiensteheffing" en "streeksvestigingsheffing" in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), hierby bekend dat die Breërivier Streeksdiensteraad met my instemming die tarief vir die berekening van—

(a) die streeksdiensteheffing in sy streek, op 0,25 persent van die bedrag waarop sodanige streeksdiensteheffing ingevolge die kennisgewing bedoel in artikel 12 (1) (b) van genoemde Wet bereken moet word; en

(b) die streeksvestigingsheffing in sy streek, op 0,1 persent van die bedrag waarop sodanige streeksvestigingsheffing aldus bereken moet word,

bepaal het. Beide heffings is betaalbaar met ingang 1 Julie 1989.

B. J. DU PLESSIS,
Minister van Finansies.

No. R. 1386

30 Junie 1989

WET OP STREEKSDIENSTERADE, 1985
(WET No. 109 VAN 1985)BEKENDMAKING VAN TARIEF.—STREEKS-
DIENSTERAAD VAN KLEIN-KAROO

Ek, Barend Jacobus du Plessis, Minister van Finansies, maak, kragtens die bevoegdheid my verleen in die omskrywing van, onderskeidelik, "streeksdiensteheffing" en "streeksvestigingsheffing" in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), hierby bekend dat die Streeksdiensteraad ingestel kragtens Provinsiale Kennisgewing No. 334 van 31 Maart 1989 vir die Klein-Karoo streek met my instemming die tarief vir die berekening van—

(a) die streeksdiensteheffing in sy streek, op 0,25 persent van die bedrag waarop sodanige streeksdiensteheffing ingevolge die kennisgewing bedoel in artikel 12 (1) (b) van genoemde Wet bereken moet word; en

(b) die streeksvestigingsheffing in sy streek, op 0,1 persent van die bedrag waarop sodanige streeksvestigingsheffing aldus bereken moet word, bepaal het.

Met dien verstande dat waar so 'n bedrag betrekking het op 'n werknemer wat in diens is van 'n boerdery-onderneming, of op 'n boerdery-onderneming, na gelang van die geval, die betrokke tarief met 25 persent daarvan verminder word.

Hierdie kennisgewing tree op 1 Julie 1989 in werking.

B. J. DU PLESSIS,
Minister van Finansies.

DEPARTMENT OF JUSTICE**No. R. 1342****30 June 1989****PRESCRIBED RATE OF INTEREST (SECTION 1 OF THE PRESCRIBED RATE OF INTEREST ACT, 1975)**

By virtue of the powers vested in me by section 1 (2) of the Prescribed Rate of Interest Act, 1975 (Act No. 55 of 1975), and after consultation with the Minister of Finance, I, Hendrik Jacobus Coetsee, Minister of Justice, hereby prescribe a rate of interest of 18,5 per cent per annum as from 1 July 1989 for the purposes of section 1 (1) of the said Act.

Government Notice No. R. 1876 of 1 September 1987 is hereby withdrawn.

H. J. COETSEE,
Minister of Justice.

No. R. 1350**30 June 1989****REGULATIONS UNDER SECTION 81 (1) OF THE ATTORNEYS ACT, 1979 (ACT No. 53 OF 1979)**

The Minister of Justice has, after consultation with the Chief Justice of South Africa and after consultation with the presidents of the various law societies, under section 81 (1) of the Attorneys Act, 1979 (Act No. 53 of 1979), made the regulations in the Schedule.

SCHEDULE

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 638 of 23 April 1937, as amended by Government Notices Nos. R. 1065 of 4 June 1982, R. 872 of 24 April 1987, R. 1708 of 7 August 1987 and R. 1936 of 23 September 1988.

Substitution of regulation 1B of the Regulations

2. The following regulation is hereby substituted for regulation 1B of the Regulations:

"1B. The following countries are approved for the purposes of section 17 of the Attorneys Act, 1979 (Act No. 53 of 1979):

- (a) The Republic of Transkei.
- (b) The Republic of Bophuthatswana.
- (c) The Republic of Ciskei.
- (d) The Republic of Venda."

DEPARTMENT OF MANPOWER**No. R. 1338****30 June 1989****LABOUR RELATIONS ACT, 1956****MOTOR INDUSTRY.—AMENDMENT OF MOTOR INDUSTRY SICK AND ACCIDENT PAY FUND AGREEMENT**

I, Eli van der Merwe Louw, Acting Minister of Manpower, hereby, 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

DEPARTEMENT VAN JUSTISIE**No. R. 1342****30 Junie 1989****VOORGESKREWE RENTEKOERS (ARTIKEL 1 VAN DIE WET OP DIE VOORGESKREWE RENTEKOERS, 1975)**

Kragtens die bevoegdheid my verleen by artikel 1 (2) van die Wet op die Voorgeskrewe Rentekoers, 1975 (Wet No. 55 van 1975), en na oorlegpleging met die Minister van Finansies, skryf ek, Hendrik Jacobus Coetsee, Minister van Justisie, hierby met ingang van 1 Julie 1989 vir doeleindes van artikel 1 (1) van genoemde Wet 'n rentekoers van 18,5 persent per jaar voor.

Goewermmentskennisgewing No. R. 1876 van 1 September 1987 word hierby ingetrek.

H. J. COETSEE,
Minister van Justisie.

No. R. 1350**30 Junie 1989****REGULASIES KRAGTENS ARTIKEL 81 (1) VAN DIE WET OP PROKUREURS, 1979 (WET No. 53 VAN 1979)**

Die Minister van Justisie het, na raadpleging met die Hoofregter van Suid-Afrika en na oorlegpleging met die presidente van die verskillende prokureursordes, kragtens artikel 81 (1) van die Wet op Prokureurs, 1979 (Wet No. 53 van 1979), die regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermmentskennisgewing No. R. 638 van 23 April 1937, soos gewysig by Goewermmentskennisgewings Nos. R. 1065 van 4 Junie 1982, R. 872 van 24 April 1987, R. 1708 van 7 Augustus 1987 en R. 1936 van 23 September 1988.

Vervanging van regulasie 1B van die Regulasies

2. Regulasie 1B van die Regulasies word hierby deur die volgende regulasie vervang:

"1B. Die volgende lande word goedgekeur vir die doeleindes van artikel 17 van die Wet op Prokureurs, 1979 (Wet No. 53 van 1979):

- (a) Die Republiek Transkei.
- (b) Die Republiek van Bophuthatswana.
- (c) Die Republiek Ciskei.
- (d) Die Republiek van Venda."

DEPARTEMENT VAN MANNEKRAG**No. R. 1338****30 Junie 1989****WET OP ARBEIDSVERHOUDINGE, 1956****MOTORNRYWERHEID.—WYSIGING VAN SIEKTE- EN ONGEVALLEBYSTANDFONDS-OOREENKOMS VIR DIE MOTORNRYWERHEID**

Ek, Eli van der Merwe Louw, Waarnemende Minister van Mannekrag, verklaar hierby, 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, Nrywerheid, Bedryf of Beroep in die opskrif by hierdie

notice, shall be binding, with effect from 3 July 1989 and for the period ending 30 June 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.

E. VANDER M. LOUW,
Acting Minister of Manpower.

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 1389

30 June 1989

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

REGULATIONS RELATING TO THE CONSTITUTION, FUNCTIONS, POWERS AND DUTIES OF THE PROFESSIONAL BOARD FOR PSYCHOLOGY.—AMENDMENT

The Minister of National Health and Population Development has, in terms of section 61 of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974), and on the recommendation of the South African Medical and Dental Council, made the regulations contained in the Schedule hereto.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published under Government Notice No. R. 2327 of 3 December 1976, as amended.

Amendment of regulation 2 of the Regulations

2. Regulation 2 of the Regulations is hereby amended by the addition of the following proviso in subregulation (2):

"Provided that where a psychologist is registered in more than one category he shall represent the category on the board in which he is primarily active;"

3. This amendment shall come into operation on 1 July 1989.

DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

No. R. 1349

30 June 1989

AMENDMENT OF THE RADIO REGULATIONS

The Minister of Home Affairs and of Communications has under section 18 (1) of the Radio Act, 1952 (No. 3 of 1952), made the Regulations in the Schedule.

SCHEDULE

1. In this Schedule, unless the context indicates otherwise, "the Regulations" means the Radio Regulations published by Government Notice No. R. 2862 of 28 December 1979, as amended by Government Notices Nos. R. 148 of 25 January 1980, R. 2661 of 4 December 1981, R. 366 of 26 February 1982, R. 855 of 30 April 1982, R. 1945 of 10 September 1982, R. 181 of 31 January 1986, R. 587 of 27 March 1986, R. 624 of 4 April 1986, R. 2633 of 12 December 1986, R. 1145 of 29 May 1987 and R. 712 of 15 April 1988.

kennisgewing vermeld, met ingang van 3 Julie 1989 en vir die tydperk wat op 30 Junie 1992 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkomst aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is.

E. VANDER M. LOUW,
Waarnemende Minister van Mannekrag.

DEPARTEMENT NASIONALE GESONDHEID EN BEVOLKINGS- ONTWIKKELING

No. R. 1389

30 Junie 1989

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD

REGULASIES BETREFFENDE DIE SAMESTELLING, WERKSAAMHEDE, BEVOEGHEDE EN PLIGTE VAN DIE BEROEPSRAAD VIR SIELKUNDE.—WYSIGING

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het kragtens artikel 61 van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet No. 56 van 1974), op aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad die regulasies in die Bylae hiervan uiteengesit, uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R. 2327 van 3 Desember 1976, soos gewysig.

Wysiging van regulasie 2 van die Regulasies

2. Regulasie 2 van die regulasies word hierby gewysig deur die byvoeging by subregulasie (2) van die volgende voorbehoudsbepaling:

"Met dien verstande dat waar 'n sielkundige in meer as een kategorie geregistreer is, hy die kategorie waarin hy hoofsaaklik werksaam is, in die beroepsraad moet verteenwoordig;"

3. Hierdie wysiging tree op 1 Julie 1989 in werking.

DEPARTEMENT VAN POS- EN TELEKOMMUNIKASIEWESE

No. R. 1349

30 Junie 1989

WYSIGING VAN DIE RADIOREGULASIES

Die Minister van Binnelandse Sake en van Kommunikasie het kragtens artikel 18 (1) van die Radiowet, 1952 (No. 3 van 1952), die Regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken "die Regulasies" die Radioregulasies afgekondig by Goewermentskennisgewing No. R. 2862 van 28 Desember 1979, soos gewysig deur Goewermentskennisgewings Nos. R. 148 van 25 Januarie 1980, R. 2661 van 4 Desember 1981, R. 366 van 26 Februarie 1982, R. 855 van 30 April 1982, R. 1945 van 10 September 1982, R. 181 van 31 Januarie 1986, R. 587 van 27 Maart 1986, R. 624 van 4 April 1986, R. 2633 van 12 Desember 1986, R. 1145 van 29 Mei 1987 en R. 712 van 15 April 1988.

2. Chapter 1 of the Regulations is hereby amended by the insertion after the definition of "licensee", of the following definition:

(xvA) *licence year* in relation to a licence or a certificate, means the period of 12 months of each year from 1 January to 31 December, both dates inclusive;

3. Regulation B2 of the Regulations is hereby amended by the addition of the following subsection:

(3) An amateur radio listener's licence authorizes the holder thereof to acquire and be in possession of radio apparatus for the reception only of amateur radio signals.

4. Regulation B4 of the Regulations is hereby amended by the substitution for the words preceding paragraph (i) of the following words:

Except when operating a station in the VHF and UHF bands, the licensee shall, regarding the activities of the amateur radio station used by him, keep a log book in which shall be accurately recorded—

5. Regulation B5 of the Regulations is hereby amended—

(a) by the insertion in each of the paragraphs (k) to (y) of subregulation (1) in the column "Mode" after the expression "F1B" of the expression "F1D";

(b) by the addition to the "Remarks" of subregulation (1) of the following subparagraph:

(x) Band (1): For digital-repeater interlinking at 9 600 baud the frequencies of 438,650–439,100 MHz may be used.; and

(c) by the insertion in subregulation (2) after the expression "F1B" in the column "Mode" of the expression "F1D", and by the insertion there against in the column "Explanation" of the following words:

Data transmission by means of frequency-shift keying without the use of a modulating audio frequency, one of two frequencies being emitted at any instant.

6. The following regulation is hereby inserted in the Regulations after regulation B7:

B7A *Spread-spectrum communications*

(1) The Postmaster General may, subject to the condition that interference is not caused to other users of the same frequency band and such other conditions as he may deem necessary, on application, authorize the holder of an amateur radio station licence to employ spread-spectrum communications.

(2) In an application referred to in paragraph (1) the frequencies and the mode to be used shall be furnished.

7. Regulation B8 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

(1) Teleprinter operation with call-sign identification in teleprinter code between amateur radio stations is permissible without prior approval of the Postmaster General, provided that the maximum operating speed shall be restricted to 300 baud in the HF bands and to 1 200 baud in the VHF and UHF bands.

2. Hoofstuk 1 van die Regulasies word hierby gewysig deur na die omskrywing van "lisensiehouer" die volgende omskrywing in te voeg:

(xiiiA) *lisensiejaar* met betrekking tot 'n lisensie of 'n sertifikaat, die tydperk van 12 maande van elke jaar vanaf 1 Januarie tot 31 Desember beide datums ingesluit;

3. Regulasie B2 van die Regulasies word hierby gewysig deur die volgende subregulasie by te voeg:

(3) 'n Amateurradio-luisteraarslisensie magtig die houer daarvan om radioapparaat te verkry en in besit daarvan te wees slegs vir die ontvangs van amateurradioseine.

4. Regulasie B4 van die Regulasies word hierby gewysig deur die woorde wat paragraaf (i) voorafgaan deur die volgende woorde te vervang:

Behalwe as hy 'n stasie in die BHF- en UHF-bande bedryf, moet die lisensiehouer, betreffende die bedrywighede van die amateurradiostasie wat deur hom gebruik word, 'n logboek hou waarin noukeurige aangetekene word—

5. Regulasie B5 van die Regulasies word hierby gewysig—

(a) deur in elkeen van die paragrawe (k) tot (y) van subregulasie (1) in die kolom "Modus" die uitdrukking "F1D" na die uitdrukking "F1B" in te voeg;

(b) deur die volgende subparagraaf by die "Opmerkings" van subregulasie (1) te voeg:

(x) Band (1): Die frekwensies van 438,650–439,100 MHz mag teen 9 600 baud gebruik word vir digitaleherhalerverbinding.; en

(c) deur in subregulasie (2) na die uitdrukking "F1B" in die kolom "Modus" die uitdrukking "F1D" in te voeg, en daarteenoor in die kolom "Verklaring" die volgende woorde in te voeg:

Datatransmissie deur frekwensieskuifsluiteling sonder die gebruik van 'n moduleeroudiofrekwensie—een van twee frekwensies word op enige oomblik uitgestraal

6. Die volgende regulasie word hierby in die Regulasies na regulasie B7 ingevoeg:

B7A *Verspreidespektrum-kommunikasie*

(1) Die Posmeester-generaal kan, behoudens die voorwaarde dat steurings nie vir ander gebruikers van dieselfde frekwensieband veroorsaak word nie en sodanige ander voorwaardes as wat hy nodig mag ag, op aansoek, die houer van 'n amateurradiostasie-lisensie magtig om verspreidespektrum-kommunikasie te gebruik.

(2) In 'n aansoek bedoel in paragraaf (1) moet die frekwensies en modus wat gebruik gaan word, verstrek word.

7. Regulasie B8 van die Regulasies word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

(1) Teledrukkerwerking met roepseinidentifisering in teledrukkerkode tussen amateurradiostasies is toelaatbaar sonder vooraf goedkeuring deur die Posmeester-generaal, mits die maksimum werkspoed in die HF-bande tot 300 baud en in die BHF- en UHF-bande tot 1 200 baud beperk word.

8. Regulation B9 of the Regulations is hereby amended by the substitution for subregulation (6) of the following subregulation:

- (6) An amateur radio station shall not be erected for use from a public vehicle.

9. Regulation B13 of the Regulations is hereby amended by the addition to subregulation (6) of the following paragraph, the existing subregulation becoming paragraph (a):

- (b) A candidate who passes either of the said parts and passes the remaining part within three successive attempts, with a percentage which gives him an average of at least 50 per cent, shall be exempted from writing the whole examination again.

10. The following regulation is hereby substituted for regulation C1 of the Regulations:

C1 UHF, VHF and HF stations

The licensee is obliged to ensure that parasitic emissions, including harmonic radiations and intermodulation products, do not exceed the following limits at any point in the entire frequency range of 100 kHz to 1 000 MHz:

(1) Below 30 MHz:

- (a) The mean power output of fixed installations may not exceed 50 mW or 17 dB (mW).
- (b) The mean power output for hand-held portable units of less than 5 W may not exceed 5 mW or 7 dB (mW).
- (c) Mobile transmitters may not exceed 200 mW or 23 dB (mW).

(2) 30–235 MHz:

- (a) Transmitters with a mean power output exceeding 25 W may not exceed 1 mW or 0 dB (mW).
- (b) Transmitters with a mean power output of not exceeding 25 W may not exceed 25 μ W or -16 dB (mW).

(3) 235–470 MHz:

Transmitters with a mean power output of not exceeding 25 W may not exceed 25 μ W or -16 dB (mW).

(4) 30–470 MHz:

Hand-held portable equipment with a mean power output of not exceeding 5 W may not exceed 100 μ W or -10 dB (mW).

11. The following regulation is hereby inserted in the Regulations after regulation C1:

C1A Frequency-modulated maritime mobile radio-telephone apparatus

The mean power of any spurious emission falling in any other international maritime mobile channel owing to products of modulation shall not exceed 10 μ W and the mean power of any other spurious emission on any discrete frequency within the international maritime mobile band shall not exceed 2,5 μ W, but if transmitters with a

8. Regulasie B9 van die Regulasies word hierby gewysig deur subregulasie (6) deur die volgende subregulasie te vervang:

- (6) 'n Amateurradiostasie mag nie opgerig word vir die gebruik daarvan vanuit 'n openbare voertuig nie.

9. Regulasie B13 van die Regulasies word hierby gewysig deur die volgende paragraaf by subregulasie (6) te voeg, terwyl die bestaande subregulasie paragraaf (a) word:

- (b) 'n Kandidaat wat slaag in enig een van die vermelde dele en wat binne drie agtereenvolgende probeerslae in die oorblywende deel slaag met 'n persentasie wat hom 'n gemiddelde van minstens 50 persent gee, is daarvan vrygestel om die hele eksamen weer af te lê.

10. Regulasie C1 van die Regulasies word hierby deur die volgende regulasie vervang:

C1 UHF-, BHF- en HF-stasies

Die lisensiehouer is verplig om toe te sien dat parasietstralings, met inbegrip van bofrekwensiestralings en intermodulasieprodukte, nie die volgende perke op enige punt in die volledige frekwensiereeks 100 kHz tot 1000 MHz oorskry nie:

(1) Onder 30 MHz:

- (a) Die gemiddelde vermoë vir vaste installasies mag nie 50 mW of 17dB (mW) oorskry nie.
- (b) Die gemiddelde vermoë vir handdraagbare eenhede van minder as 5 W mag nie 5 mW of 7 dB (mW) oorskry nie.
- (c) Mobiele senders mag nie 200 mW of 23 dB (mW) oorskry nie.

(2) 30–235 MHz:

- (a) Senders met 'n groter gemiddelde vermoë as 25 W mag nie 1 mW of 0 dB (mW) oorskry nie.
- (b) Senders met 'n gemiddelde vermoë van hoogstens 25 W mag nie 25 μ W of -16 dB (mW) oorskry nie.

(3) 235–470 MHz:

Senders met 'n gemiddelde vermoë van hoogstens 25 W mag nie 25 μ W of -16 dB (mW) oorskry nie.

(4) 30–470 MHz:

Handdraagbare eenhede met 'n gemiddelde vermoë van hoogstens 5 W mag nie 100 μ W of -10 dB (mW) oorskry nie.

11. Die volgende regulasie word hierby in die Regulasies na regulasie C1 ingevoeg:

C1A Frekwensie-gemoduleerde mobiele seeradio-telefoon-toerusting

Die gemiddelde vermoë van enige ongewenste straling wat as gevolg van modulasieprodukte binne enige ander internasionale seemobiele dienskanaal val, mag hoogstens 10 μ W wees en die gemiddelde vermoë van enige ander ongewenste straling teen enige afsonderlike frekwensie binne die internasionale seemobiele diensband

mean power exceeding 20 W are used, these limits may be increased in proportion to the mean power of the transmitter.

12. Regulation C2 of the Regulations is hereby amended by the substitution for paragraph (v) of the following paragraph:

- (v) Spurious emissions, including harmonic radiations and intermodulation products: 50 μ W or -13 dB (mW) maximum.

13. Regulation E1 of the Regulations is hereby amended—

- (a) by the substitution for the sub-heading of the column "Fees per year or part thereof" of the following sub-heading:

Prescribed fees per year, but subject to regulation E1A; and

- (b) by the substitution for item (i) of the following item:

(i) Amateur radio station licence—

Restricted	12,00
Unrestricted	12,00
Listener's	12,00.

14. The following regulation is hereby inserted in the Regulations after regulation E1:

E1A Fees payable in respect of licences and certificates issued during the licence year

- (1) If a licence or certificate referred to in regulation E1 is issued during the licence year the fees payable shall, subject to subregulation (2), be—

- in respect of a licence or certificate issued in the first month of a licence year—the full prescribed fee;
- in respect of a licence or certificate issued in the second month of a licence year—eleven twelfths of the prescribed fee;
- in respect of a licence or certificate issued in the third month of a licence year—ten twelfths of the prescribed fee;
- in respect of a licence or certificate issued in the fourth month of a licence year—nine twelfths of the prescribed fee;
- in respect of a licence or certificate issued in the fifth month of a licence year—eight twelfths of the prescribed fee;
- in respect of a licence or certificate issued in the sixth month of a licence year—seven twelfths of the prescribed fee;
- in respect of a licence or certificate issued in the seventh month of a licence year—six twelfths of the prescribed fee;
- in respect of a licence or certificate issued in the eighth month of a licence year—five twelfths of the prescribed fee;

mag hoogstens 2,5 μ W wees, maar indien senders met 'n gemiddelde vermoë van meer as 20 W gebruik word, kan hierdie grense eweredig met die gemiddelde vermoë van die sender verhoog word.

12. Regulasie C2 word hierby gewysig deur paragraaf (v) deur die volgende paragraaf te vervang:

- (v) Ongewenste stralings, met inbegrip van bofrenkwensiestralings en intermodulasieprodukte: Hoogstens 50 μ W of -13 dB (mW).

13. Regulasie E1 van die Regulasies word hierby gewysig—

- (a) deur die subopskrif van die kolom "Geld per jaar of gedeelte daarvan" deur die volgende subopskrif te vervang:

Voorgeskrewe gelde per jaar, maar behoudens regulasie E1A; en

- (b) deur item (i) deur die volgende item te vervang:

(i) Amateurradiostasielisensie—

Beperkte.....	12,00
Onbeperkte	12,00
Luisteraar	12,00.

14. Die volgende regulasie word hierby in die Regulasies na regulasie E1 ingevoeg:

E1A Gelde betaalbaar ten opsigte van lisensies en sertifikate wat gedurende die lisensiejaar uitgereik word

- (1) Indien 'n lisensie of sertifikaat bedoel in regulasie E1 gedurende die lisensiejaar uitgereik word, is die gelde betaalbaar, behoudens subregulasie (2)—

- ten opsigte van 'n lisensie of sertifikaat wat in die eerste maand van 'n lisensiejaar uitgereik word—die volle voorgeskrewe geld;
- ten opsigte van 'n lisensie of sertifikaat wat in die tweede maand van 'n lisensiejaar uitgereik word—elf twaalfdes van die voorgeskrewe geld;
- ten opsigte van 'n lisensie of sertifikaat wat in die derde maand van 'n lisensiejaar uitgereik word—tien twaalfdes van die voorgeskrewe geld;
- ten opsigte van 'n lisensie of sertifikaat wat in die vierde maand van 'n lisensiejaar uitgereik word—nege twaalfdes van die voorgeskrewe geld;
- ten opsigte van 'n lisensie of sertifikaat wat in die vyfde maand van 'n lisensiejaar uitgereik word—agt twaalfdes van die voorgeskrewe geld;
- ten opsigte van 'n lisensie of sertifikaat wat in die sesde maand van 'n lisensiejaar uitgereik word—sewe twaalfdes van die voorgeskrewe geld;
- ten opsigte van 'n lisensie of sertifikaat wat in die sewende maand van 'n lisensiejaar uitgereik word—ses twaalfdes van die voorgeskrewe geld;
- ten opsigte van 'n lisensie of sertifikaat wat in die agtste maand van 'n lisensiejaar uitgereik word—vyf twaalfdes van die voorgeskrewe geld;

- (i) in respect of a licence or certificate issued in the ninth month of a licence year—four twelfths of the prescribed fee;
- (j) in respect of a licence or certificate issued in the tenth month of a licence year—three twelfths of the prescribed fee;
- (k) in respect of a licence or certificate issued in the eleventh month of a licence year—two twelfths of the prescribed fee; and
- (l) in respect of a licence or certificate issued in the twelfth month of a licence year—one twelfth of the prescribed fee.

(2) If the amount of a fee calculated in accordance with subregulation (1) amounts to a fraction of a cent that fraction shall be rounded off to a full cent.

15. Regulation E2 of the Regulations is hereby amended by the substitution for item (i) of the following item:

(i) Amateur Radio Operator's Certificate	As prerequisite for an amateur radio station licence	18,00
Duplicate	Replacement of lost document.....	(10 per repeated subject) (re-marking—5 per subject.) 1,50
(i) Amateurradio-operateursertifikaat.....	As voorvereiste vir 'n amateurradiostasie-lisensie	18,00
Duplikaat	Vervanging van verlore dokument.....	(herhaling 10 per vak) (oormerk 5 per vak) 1,50

16. The following regulation is hereby substituted for regulation G4 of the Regulations:

G4 Interference, condition of station and compliance with requirements of Postmaster General and local authority

- (1) The licensee shall be obliged to maintain all radio apparatus at a station technically in a good condition and to ensure at all times that it satisfies the requirements of the Postmaster General and does not cause interference with the reception and transmissions of other radio users or telecommunication lines.
- (2) The antenna system shall comply with the requirements of the relevant local authority.

17. The following regulation is hereby substituted for regulation G16 of the Regulations:

G16 Operation of station on board ship while it is in harbour

- (1) The master of a ship shall ensure that the radio installation on board is not used for radio-communication while the ship is berthed or anchored in a harbour in the Republic, except for the purposes of type F3 transmissions in the VHF maritime mobile band to communicate with—
 - (i) the nearest coast station in the Republic that is open for public correspondence;
 - (ii) the port operations service; and
 - (iii) a vessel on its way to the harbour or berth provided the communication is limited to navigational safety.

(i) ten opsigte van 'n lisensie of sertifikaat wat in die negende maand van 'n lisensiejaar uitgereik word—vier twaalfdes van die voorgeskrewe geld;

(j) ten opsigte van 'n lisensie of sertifikaat wat in die tiende maand van 'n lisensiejaar uitgereik word—drie twaalfdes van die voorgeskrewe geld;

(k) ten opsigte van 'n lisensie of sertifikaat wat in die elfde maand van 'n lisensiejaar uitgereik word—twee twaalfdes van die voorgeskrewe geld; en

(l) ten opsigte van 'n lisensie of sertifikaat wat in die twaalfde maand van 'n lisensiejaar uitgereik word—een twaalfde van die voorgeskrewe geld.

(2) Indien die bedrag van 'n geld wat ooreenkomstig subregulasie (1) bereken word op 'n breukdeel van 'n sent neerkom, word daardie breukdeel afgerond tot 'n volle sent.

15. Regulasie E2 van die Regulasies word hierby gewysig deur item (i) deur die volgende item te vervang:

16. Regulasie G4 van die Regulasies word hierby deur die volgende regulasie vervang:

G4 Steurings, toestand van stasie en voldoening aan vereistes van Posmeester-generaal en plaaslike owerheid

- (1) Die lisensiehouer is verplig om alle radioapparaat by 'n stasie tegnies in 'n goeie toestand te hou en om te alle tye te verseker dat dit aan die vereistes van die Posmeester-generaal voldoen en nie steurings aan die ontvangs en uitsendings van ander radiogebruikers of telekommunikasielyne veroorsaak nie.
- (2) Die antennestelsel moet aan die vereistes van die betrokke plaaslike owerheid voldoen.

17. Regulasie G16 van die Regulasies word hierby deur die volgende regulasie vervang:

G16 Bediening van stasie aan boord van skip terwyl dit in hawe is

- (1) Die gesagvoerder van 'n skip moet verseker dat die radioinstallasie wat aan boord geïnstalleer is, nie gebruik word vir radio-kommunikasie terwyl die skip in 'n hawe van die Republiek vasgemeer of voor anker is nie, uitgesonder vir die doeleindes van tipe F3-uitsendings in die BHF-maritieme mobiele band om te kommunikeer met—
 - (i) die naaste kusstasie in die Republiek wat vir publieke korrespondensie oop is;
 - (ii) die hawebedieningsdiens; en
 - (iii) 'n vaartuig onderweg na die hawe of vasmeerplek mits die kommunikasie beperk is tot die veiligheid van navigasie.

- (2) The restriction contained in subregulation (1) shall not apply to the apparatus used on board ships for establishing communication via any satellite of the INMARSAT organization.

DEPARTMENT OF TRADE AND INDUSTRY

No. R. 1351

30 June 1989

HOUSING DEVELOPMENT SCHEMES FOR RETIRED PERSONS ACT, 1988

The Minister of Economic Affairs and Technology has, in terms of section 11 of the Housing Development Schemes for Retired Persons Act, 1988 (Act No. 65 of 1988), promulgated the regulations contained in the Schedule.

SCHEDULE

1. In these regulations any word to which a meaning has been assigned in the Act shall have that meaning and unless the context otherwise indicates—

(i) "accommodation" means a section as defined in the Sectional Titles Act, set aside for the exclusive occupation of or use by a purchaser in terms of a housing interest, or otherwise, any building or part of a building or such land set aside for the exclusive occupation of or use by a purchaser in terms of a housing interest;

(ii) "common property" means in relation to a housing development scheme operated pursuant to or in connection with—

(a) a development scheme, common property as defined in the Sectional Titles Act;

(b) otherwise, the land to which the housing development scheme relates, together with all buildings, permanent structures and works erected on or installed upon such land, but excluding any building or part of a building or such land set aside for the exclusive occupation of or use by a purchaser in terms of a housing interest;

(iii) "facilities and services" means the facilities and services referred to in section 4 (1) (o) of the Act including any facility or service or improvement to an existing facility or service provided by virtue of a decision of the management association, or a body corporate as defined in the Sectional Titles Act, or share block company as defined in the Share Blocks Control Act, or a developer, or otherwise, as the case may be;

(iv) "managing agent" means the person appointed by a developer, or in the case of a development scheme by a body corporate as defined in the Sectional Titles Act, or in the case of a share block scheme by a share block company as defined in the Share Blocks Control Act, or a management association, as the case may be, to manage a housing development scheme in terms of a management agreement;

(v) "management agreement" means a signed agreement by which a managing agent is appointed and which prescribes the manner in which a managing agent shall manage the housing development scheme;

(vi) "management association" means an association as provided for in regulation 8;

(vii) "special resolution" means a resolution passed by a majority of not less than three fourths of the votes of all purchasers, at a general meeting of which at least 14 days notice specifying the proposed special resolution has been given; and

- (2) Die beperking vervat in subregulasie (1) is nie van toepassing op die apparaat aan boord van skepe wat gebruik word om kommunikasie via enige satelliet van die INMARSAT-organisasie te bewerkstellig nie.

DEPARTEMENT VAN HANDEL EN NYWERHEID

No. R. 1351

30 Junie 1989

WET OP BEHUISINGSONTWIKKELINGSKEMAS VIR AFGETREDE PERSONE, 1988

Die Minister van Ekonomiese Sake en Tegnologie het, kragtens artikel 11 van die Wet op Behuisingsontwikkelingskemas vir Afgetrede Persone, 1988 (Wet No. 65 van 1988), die regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie regulasies het enige woord waaraan 'n betekenis in die Wet geheg is die betekenis aldus daaraan geheg en tensy 'n ander bedoeling blyk, beteken—

(i) "akkommodasie" 'n deel soos omskryf in die Wet op Deeltitels, wat opsy gesit is vir die uitsluitlike okkupasie of gebruik deur 'n koper ingevolge 'n behuisingsbelang, of andersins enige gebou of gedeelte van 'n gebou of sodanige grond wat opsy gesit is vir die uitsluitlike okkupasie of gebruik deur 'n koper ingevolge 'n behuisingsbelang;

(ii) "bestuursagent" die persoon aangestel deur 'n ontwikkelaar, of in die geval van 'n ontwikkelingskema deur die regspersoon soos omskryf in die Wet op Deeltitels, of in die geval van 'n aandeelblokskema deur 'n aandeelbloksmaatskappy soos omskryf in die Wet op die Beheer van Aandeelblokke, of 'n bestuursvereniging, na gelang van die geval, om 'n behuisingsontwikkelingskema ingevolge 'n bestuurs-ooreenkoms te bestuur;

(iii) "bestuurs-ooreenkoms" 'n getekende ooreenkoms waardeur 'n bestuursagent aangestel word en wat die wyse voorskryf, waarvolgens 'n bestuursagent 'n behuisingsontwikkelingskema moet bestuur;

(iv) "bestuursvereniging" 'n vereniging soos waarvoor in regulasie 8 voorsiening gemaak word;

(v) "die Wet" die Wet op Behuisingsontwikkelingskemas vir Afgetrede Persone, 1988 (Wet No. 65 van 1988);

(vi) "fasiliteite en dienste" die fasiliteite en dienste na verwys in artikel 4 (1) (o) van die Wet, insluitend enige fasiliteit of diens of verbetering aan 'n bestaande fasiliteit of diens wat kragtens 'n besluit van die bestuursvereniging verskaf word, of 'n regspersoon soos omskryf in die Wet op Deeltitels, of 'n aandeelbloksmaatskappy soos omskryf in die Wet op die Beheer van Aandeelblokke, of 'n ontwikkelaar, of andersins, na gelang van die geval;

(vii) "gemeenskaplike eiendom" met betrekking tot 'n behuisingsontwikkelingskema bedryf uit hoofde van of in verband met—

(a) 'n ontwikkelingskema, gemeenskaplike eiendom soos omskryf in die Wet op Deeltitels;

(b) andersins, die grond waarop die behuisingsontwikkelingskema betrekking het, saam met alle geboue, permanente bouwerk en werke opgerig op of geïnstalleer op sulke grond, uitgesonderd enige gebou of deel van 'n gebou of sodanige grond wat opsy gesit is vir die uitsluitlike okkupasie of gebruik deur 'n koper kragtens 'n behuisingsbelang; en

(viii) "the Act" means the Housing Development Schemes for Retired Persons Act, 1988 (Act No. 65 of 1988).

2. Regulations 7 to 14 shall not apply to a housing development scheme operated pursuant to or in connection with a development scheme or a share block scheme.

3. If a housing interest is to be offered for alienation or alienated for the first time, any advertisement relating to such alienation shall contain—

(a) information describing the type or types of accommodation concerned, such as a detached dwelling, semi-detached dwelling, town-house, self-contained apartment, lodging room or similar description adequate to disclose its true nature;

(b) a statement of the legal basis upon which the housing interest concerned is to be alienated;

(c) a statement whether the housing development scheme concerned has been erected or not, and if not, when it will be erected;

(d) the physical address of the housing development scheme; and

(e) a statement whether the scheme, arrangement or undertaking is a housing development scheme as contemplated by the Act.

4. An advertisement referred to in regulation 3, shall not differ materially from the contents of a contract.

5. A developer of a housing development scheme shall, prior to the signing of a contract by a purchaser, have the following written information or documents, as the case may be, readily available for the benefit of or for inspection by an intended purchaser, at all premises from which housing interests in a particular housing development scheme are being alienated—

(a) information as contemplated in regulation 3;

(b) the site development plan, floor lay-out and in the event of the building relating to the particular housing development scheme not being completed, a copy of the building plans approved by the local authority concerned, if any;

(c) a copy of the complete contract to be signed;

(d) a copy of the then in force management agreement;

(e) the floor area in square metres of the accommodation;

(f) a statement specifically as to whether or not the housing interest will convey ownership rights capable of registration in terms of the Deeds Registry Act, 1937 (Act No. 47 of 1937), or the Sectional Titles Act, and if not, then a further statement as to what form of security is provided by the developer to ensure utilisation of the housing interest by the purchaser, and a description of the right in and to the housing interest, and to whom such rights devolve upon the death of a purchaser, who is a natural person, or the dissolution of a purchaser, who is a juristic person, as the case may be;

(g) a statement as to whether the land relating to the housing development scheme is held under ownership or leasehold and if leasehold, the number of years during which the housing interest concerned could be utilised by the purchaser in relation to his particular housing interest;

(viii) "spesiale besluit" 'n besluit geneem deur 'n meerderheid van minstens driekwart van die stemme van alle kopers, op 'n algemene vergadering waarvan minstens veertien dae kennis, waarin die voorgenome spesiale besluit vermeld word, gegee is.

2. Regulasies 7 tot 14 is nie van toepassing op 'n behuisingsontwikkelskema wat bedryf word uit hoofde van of in verband met 'n ontwikkelingskema of 'n aandeelblokskema nie.

3. Indien 'n behuisingsbelang vir die eerste keer vir vervreemding aangebied of vervreem word, moet enige advertensie met betrekking tot sodanige vervreemding die volgende bevat—

(a) inligting wat die tipe of tipes akkommodasie omskryf soos 'n alleenstaande woning, semi-alleenstaande woning, meenthuis, volledig toegeruste woonstel, losieskamer of soortgelyke omskrywing wat voldoende is om die ware aard daarvan bekend te maak;

(b) 'n verklaring met betrekking tot die regsstatus waarvolgens die betrokke behuisingsbelang vervreem staan te word;

(c) 'n verklaring of die betrokke behuisingsontwikkelskema reeds opgerig is en indien nie, die beoogde datum van sodanige oprigting;

(d) die fisiese adres van die behuisingsontwikkelskema; en

(e) 'n verklaring of die skema, reëling of onderneming 'n behuisingsontwikkelskema is soos deur die Wet beoog.

4. 'n Advertensie na verwys in regulasie 3, mag nie wesenlik afwyk van die inhoud van 'n kontrak nie.

5. 'n Ontwikkelaar van 'n behuisingsontwikkelskema moet, voor die ondertekening van 'n kontrak deur 'n koper, die volgende skriftelike inligting of dokumente, na gelang van die geval, by alle persele vanwaar behuisingsbelange in 'n betrokke behuisingsontwikkelskema vervreem word, gereedlik beskikbaar hou tot die voordeel van of vir inspeksie deur 'n voornemende koper—

(a) inligting soos beoog in regulasie 3;

(b) die terreinontwikkelsplan, vloeruitleg en in die geval waar die gebou met betrekking tot 'n spesifieke behuisingsontwikkelskema nog nie voltooi is nie, 'n afskrif van die bouplanne soos deur die betrokke plaaslike owerheid goedgekeur, indien enige;

(c) 'n afskrif van die voltooide kontrak wat geteken moet word;

(d) 'n afskrif van die bestaande bestuursooreenkomste;

(e) die vloerarea in vierkante meter van die akkommodasie;

(f) 'n spesifieke verklaring of die behuisingsbelang eiendomsreg wat vatbaar is vir registrasie ingevolge die Registrasie van Aktes Wet, 1937 (Wet No. 47 van 1937), of die Wet op Deeltitels, oordra of nie en indien nie, 'n verdere verklaring in verband met watter tipe waarborg deur die ontwikkelaar verskaf word ten einde benutting van die behuisingsbelang deur die koper te verseker, en 'n beskrywing van die reg in en verbonde aan die behuisingsbelang, en aan wie sodanige regte toeval na die dood van die koper wat 'n natuurlike persoon is of na die ontbinding van 'n regspersoon, na gelang van die geval;

(g) 'n verklaring of die grond met betrekking tot die behuisingsontwikkelskema ingevolge eiendomsreg of huurpag gehou word en indien ingevolge huurpag, die aantal jare waartydens die betrokke behuisingsbelang deur die koper ten opsigte van sy spesifieke behuisingsbelang, benut mag word;

(h) a description of the land relating to the relevant housing interest;

(i) in the event of the land being held by the seller by virtue of a lease, the name and address of the lessor and a copy of such lease, as well as the duration of the lease and in the event of the land being held by virtue of any right other than a lease, a statement of the right under which the seller holds the land, and the duration of such right;

(j) if the seller is not the owner, the name and address of the registered owner of the land;

(k) a statement as to whether the developer has any direct or indirect interest in the managing agent;

(l) if the land is encumbered by a mortgage bond, the name and address of the person in favour of whom, or, in the case of a participation bond, the name and address of the relevant nominee company referred to in the Participation Bonds Act, 1981 (Act No. 55 of 1981), in favour of which the mortgage bond is registered at the time the contract is concluded as well as the amount or amounts of such bond or bonds, and when the capital and interest due in terms of the mortgage bond is payable;

(m) the amount and nature of the consideration;

(n) the annual rate at which interest, if any, is to be paid on any balance in respect of the relevant consideration;

(o) the amount, or the method of determining the amount, of each instalment which would be payable under the contract in reduction or settlement of the relevant consideration;

(p) the due date, or the method of determining the due date, of each such instalment;

(q) an inventory of the minimum movables, if any, which will be available for use by the purchaser in conjunction with the housing interest concerned;

(r) a detailed projection of the estimated income and expenditure in respect of the operation and maintenance of the housing development scheme for one year in advance including a reasonable provision for future maintenance and repairs, certified as adequate by both the developer and the managing agent;

(s) a statement as to the age of the accommodation;

(t) in the case of a housing development scheme operated pursuant to or in connection with a development scheme, the management and conduct rules in terms of the Sectional Titles Act, or in the case of a housing development scheme operated pursuant to or in connection with a share block scheme, the use agreement as defined in the Share Blocks Control Act or any rules, regulations or otherwise, in accordance with which the housing interest concerned is to be utilised, or otherwise, the rules referred to in regulation 9 (1) (o);

(h) 'n beskrywing van die grond met betrekking tot die betrokke behuisingsbelang;

(i) in die geval van grond wat deur die verkoper ooreenkomstig 'n huurooreenkoms gehou word, die naam en adres van die verhuurder asook 'n afskrif van sodanige huurooreenkoms, sowel as die tydskedule van die huurooreenkoms en indien die grond kragtens enige ander reg as 'n huurooreenkoms gehou word, 'n verklaring met betrekking tot die reg waarkragtens die grond deur die verkoper gehou word, en die tydskedule van sodanige reg;

(j) indien die verkoper nie die eienaar is nie, die naam en adres van die geregistreerde eienaar van die grond;

(k) 'n verklaring of die ontwikkelaar enige regstreekse of onregstreekse belang in die bestuursagent het;

(l) indien die grond deur 'n verband beswaar is, die naam en adres van die persoon, ten gunste van wie of in die geval van 'n deelnemingsverband, die naam en adres van die betrokke genomineerde maatskappy soos bedoel in die Wet op Deelnemingsverbande, 1981 (Wet No. 55 van 1981), ten gunste van wie die verband geregistreer is ten tye van die sluiting van die kontrak, asook die bedrag of bedrae van sodanige verband of verbande en wanneer die kapitaal en rente verskuldig ingevolge die verband, betaalbaar is;

(m) die bedrag en aard van die teenprestasie;

(n) die jaarlikse koers waarteen rente, indien enige, op enige balans ten opsigte van die betrokke teenprestasie, betaalbaar is;

(o) die bedrag of die metode waarvolgens die bedrag bepaal word, van elke paaient wat ingevolge die kontrak ter vermindering of vereffening van die betrokke teenprestasie betaalbaar sal wees;

(p) die vervaldatum of die wyse van bepaling van die vervaldatum, van elke sodanige paaient;

(q) 'n inventaris van die minimum roerende goed, indien enige, wat vir gebruik deur die koper tesame met die betrokke behuisingsbelang beskikbaar sal wees;

(r) 'n gedetailleerde vooruitskatting van die verwagte inkomste en uitgawes ten opsigte van die bedryf en instandhouding van die behuisingsontwikkelskema vir een jaar vooruit met insluiting van 'n redelike voorsiening vir toekomstige instandhouding en herstelwerk, wat deur beide die ontwikkelaar en die bestuursagent as voldoende gesertifiseer is;

(s) 'n verklaring met betrekking tot die ouderdom van die akkommodasie;

(t) in die geval van 'n behuisingsontwikkelskema wat uit hoofde van of in verband met 'n ontwikkelingskema bedryf word, die bestuurs- en gedragsreëls ingevolge die Wet op Deeltitels, of in die geval van 'n behuisingsontwikkelskema wat bedryf word uit hoofde van of in verband met 'n aandeelblokskema, die gebruiksooreenkoms soos omskryf in die Wet op die Beheer van Aandeelblokke of enige reëls, regulasie of andersins, in ooreenstemming waarmee die betrokke behuisingsbelang benut sal word, of andersins, die reëls waarna in regulasie 9 (1) (o) verwys word;

(u) particulars of any other housing development scheme in which the developer was directly or indirectly involved in any capacity, including as an architect, developer, estate agent, practitioner, quantity surveyor, or otherwise; and

(v) a statement as to whether or not all residential accommodation on the land relating to the housing development scheme is being utilised for the purposes of that scheme.

6. (a) Subject to paragraph (b), a developer shall, prior to the alienation of any housing interest, appoint a managing agent in terms of a management agreement, which agreement shall specify the management fee and the manner in which the managing agent shall manage the housing development scheme.

(b) A managing agent shall be appointed for a year at a time, and unless the developer or body corporate in the case of a development scheme, or a share block company in the case of a share block scheme, or management association, as the case may be, notifies the managing agent to the contrary, such appointment will be automatically renewed for a year at a time from year to year.

7. (a) With effect from the date on which a developer first alienates a housing interest to a purchaser, there shall be deemed to be established for that housing development scheme, a management association, of which the developer and such purchaser are members, and every person to whom thereafter a housing interest is alienated shall be a member of that management association.

(b) The management association shall be responsible for the enforcement of the rules, referred to in regulation 9 (1) (o), and for the control and administration and management of the housing development scheme, the accommodation, the land, the common property, facilities and services for the benefit of all members.

(c) The provisions of the Companies Act, 1973 (Act No. 61 of 1973), shall not apply in relation to the management association.

(d) The management association shall have perpetual succession and shall be capable of suing and being sued in its corporate name in respect of—

(i) any contract made by it;

(ii) any damage done to the land, the common property or facilities;

(iii) any matter in connection with the housing development scheme, the land, the common property, facilities or services for which the management association is responsible; and

(iv) any matter arising out of the exercise of its powers or the performance or non-performance of its functions under this Act or any rules referred to in regulation 9 (1) (o).

8. (1) Subject to any restriction imposed or direction given at a general meeting of members, it shall be the duty of the management association—

(a) to insure the building or buildings relating to the housing development scheme and keep it insured to its replacement value against fire;

(b) to insure against such other risks as the members may by special resolution determine;

(u) besonderhede van enige ander behuisingsontwikkelingskema waarby die ontwikkelaar regstreeks of onregstreeks in enige hoedanigheid betrokke was, insluitend as argitek, ontwikkelaar, eiendomsagent, praktisyn, bestekopnemer, of andersins; en

(v) 'n verklaring of alle residensiële akkommodasie op die grond met betrekking tot die behuisingsontwikkelingskema benut word vir doeleindes van daardie skema al dan nie.

6. (a) Behoudens die bepalings van paragraaf (b) moet 'n ontwikkelaar, voor die vervreemding van enige behuisingsbelang, 'n bestuursagent kragtens 'n bestuursoreenkoms aanstel, welke ooreenkoms die bestuursfooï en die wyse waarop die bestuursagent die behuisingsontwikkelingskema moet bestuur, moet spesifiseer.

(b) 'n Bestuursagent moet vir 'n tydperk van 'n jaar aangestel word, en tensy die ontwikkelaar of die regspersoon in die geval van 'n ontwikkelingskema, of 'n aandeelblokmaatskappy in die geval van 'n aandeelblokskema, of 'n bestuursvereniging, na gelang van die geval, die bestuursagent tot die teendeel verwittig, word sodanige aanstelling outomaties van jaar tot jaar vir 'n tydperk van 'n jaar verleng.

7. (a) Met effek vanaf die datum waarop 'n ontwikkelaar vir die eerste keer 'n behuisingsbelang aan 'n koper vervreem, word dit geag dat daar vir die behuisingsontwikkelingskema 'n bestuursvereniging tot stand gekom het, waarvan die ontwikkelaar en die koper lede is en elke persoon aan wie 'n behuisingsbelang daarna vervreem word, word 'n lid van daardie bestuursvereniging.

(b) Die bestuursvereniging is verantwoordelik vir die toepassing van die reëls waarna in regulasie 9 (1) (o) verwys word en vir die beheer, administrasie en bestuur van die behuisingsontwikkelingskema, die akkommodasie, die grond, die gemeenskaplike eiendom, fasiliteite en dienste, tot die voordeel van alle lede.

(c) Die bepalings van die Maatskappywet, 1973 (Wet No. 61 van 1973), is nie op die bestuursvereniging van toepassing nie.

(d) Die bestuursvereniging besit permanente opeenvolging en is bevoeg om in die naam van sy regspersoon te dagvaar en om gedagvaar te word ten opsigte van—

(i) enige kontrak deur hom gesluit;

(ii) enige skade veroorsaak aan die grond, gemeenskaplike eiendom of fasiliteite;

(iii) enige aangeleentheid in verband met die behuisingsontwikkelingskema, grond, gemeenskaplike eiendom, fasiliteite of dienste waarvoor die bestuursvereniging verantwoordelik is; en

(iv) enige aangeleentheid wat voortspruit uit die uitoefening van sy bevoegdhede of die nakoming of nie-nakoming van sy funksies ingevolge hierdie Wet of enige reëls na verwys in regulasie 9 (1) (o).

8. (1) Behoudens enige beperkings ingestel of opdragte gegee by 'n algemene vergadering van lede, is dit die plig van die bestuursvereniging—

(a) om die gebou met betrekking tot die behuisingsontwikkelingskema tot die vervangingswaarde daarvan teen brand te verseker en verseker te hou;

(b) om teen sodanige ander risiko's as wat die lede by spesiale besluit bepaal, te verseker;

(c) to maintain the common property and all accommodation and to keep it in a state of good and serviceable repair;

(d) to comply with any notice or order by any competent authority requiring any repairs to or work in respect of the relevant land or buildings;

(e) to ensure compliance with any laws relating to the common property or to any improvement on land comprised in the common property;

(f) control, manage and administer the common property for the benefit of all members;

(g) keep in a state of good and serviceable repair and properly maintain the plant, machinery, fixtures and fittings, including elevators, used in connection with the common property;

(h) subject to the rights of the local authority, maintain and repair, including renewal where reasonably necessary, pipes, wires, cables and ducts existing on the land and capable of being used in connection with the enjoyment of more than one accommodation or of the common property;

(i) on the written request of any member or registered mortgagee, in respect of a housing interest to produce to such member or mortgagee, or any person authorized in writing by such member or mortgagee, the policy or policies of insurance effected by the management association and the receipt or receipts for the last premium or premiums in respect thereof;

(j) to enforce the rules referred to in regulation 9 (1) (o); and

(k) to keep a register of members in such manner as the management association decides.

(2) The management association shall for the purpose of effecting any insurance under subregulation (1) (a), be deemed to have an insurable interest in the replacement value of the building and shall, for the purpose of effecting any other insurance under that subsection, be deemed to have an insurable interest in the subject matter of such insurance.

9. (1) Subject to any restriction imposed or direction given at a general meeting of members, the management association shall have the power—

(a) to establish for administrative expenses a levy fund sufficient in the opinion of the management association for the repair, upkeep, control, management and administration of the housing development scheme, accommodation, land, common property, and the building or buildings relating thereto, including a reasonable provision for future maintenance and repairs, for the payment of rates and taxes, for the supply of electric current, gas, water, fuel and sanitary and other services to the building and land and any premiums of insurance, and for the discharge of any obligation of the management association;

(b) to require from the members whenever necessary, to pay the levy for the purposes of satisfying any claims against the management association;

(c) om die gemeenskaplike eiendom en akkommodasie behoorlik te onderhou en dit in 'n goeie en diensbare toestand in stand te hou;

(d) om aan 'n kennisgewing of bevel van 'n bevoegde gesag te voldoen waarkragtens herstel aan of werk ten opsigte van die betrokke grond of geboue vereis word;

(e) om nakoming van wetsbepalings betreffende die gemeenskaplike eiendom of verbeterings op grond wat deel van die gemeenskaplike eiendom uitmaak, te verseker;

(f) om die gemeenskaplike eiendom tot voordeel van alle lede te beheer, te bestuur en te administreer;

(g) om die aanleg, masjinerie, vaste en ander toebehore met inbegrip van hysers, wat in verband met die gemeenskaplike eiendom gebruik word, in 'n goeie en diensbare toestand te hou en behoorlik in stand te hou;

(h) om, behoudens die regte van die plaaslike owerheid, pype, drade, kables en buise wat op die grond bestaan en in verband met die genot en die gebruik van meer as een akkommodasie of van die gemeenskaplike eiendom gebruik kan word, in stand te hou en te herstel, met inbegrip van hernuwing waar redelikerwys nodig;

(i) om op die skriftelike versoek van 'n lid of geregistreerde verbandhouer ten opsigte van 'n behuisingbelang aan daardie lid of verbandhouer of 'n persoon skriftelik deur daardie lid of verbandhouer gemagtig, die versekeringspolis of -polisse wat deur die bestuursvereniging aangegaan is, en die kwitansie of kwitansies vir die jongste premie of premies ten opsigte daarvan, te voorsien;

(j) om die reëls waarna in regulasie 9 (1) (o) verwys word af te dwing; en

(k) om 'n register van lede op sodanige wyse te hou as waarop die bestuursvereniging mag besluit.

(2) Die bestuursvereniging word, vir die doeleindes van die aangaan van versekering kragtens subregulasie (1) (a), geag 'n versekerbare belang in die vervangingswaarde van die gebou te hê en word vir die doeleindes van die aangaan van enige ander versekering kragtens daardie subregulasie, geag 'n versekerbare belang in die onderwerp van sodanige versekering te hê.

9. (1) Behoudens enige beperkings ingestel of opdragte gegee by 'n algemene vergadering van lede, het die bestuursvereniging die bevoegdheid—

(a) om vir administratiewe uitgawes 'n heffingsfonds in te stel wat na die oordeel van die bestuursvereniging voldoende is vir die herstel, instandhouding, beheer, bestuur en administrasie van die behuisingontwikkelingskema, akkommodasie, grond, gemeenskaplike eiendom en die gebou of geboue met betrekking daartoe, insluitend 'n redelike voorsiening vir toekomstige onderhoud en herstelwerk, vir die betaling van tariewe en belasting, vir die verskaffing van elektriese krag, gas, water, brandstof en sanitêre- en ander dienste aan die gebou en grond en enige versekeringspremies en vir die voldoening aan enige verpligting van die bestuursvereniging;

(b) om van die lede te vereis om, wanneer nodig, vir die doel om aan eise teen die bestuursvereniging te voldoen, die heffing te betaal;

(c) to determine from time to time the amounts to be raised for the purposes aforesaid;

(d) to raise the amounts so determined by requiring the members to pay the levy in terms of regulation 14;

(e) to open and operate a current account and a savings account with a banking institution or a building society;

(f) to appoint employees as it may deem fit;

(g) to purchase, hire or otherwise acquire movable property for purposes of the operation of the housing development scheme;

(h) to expand the facilities and services;

(i) to borrow money required by it in the performance of its duties or the exercise of its powers;

(j) to secure the repayment of money borrowed by any manner permitted in law, including the cession of any unpaid levies whether due and payable or not, or by suretyship or by encumbering any property vested in the management association;

(k) to invest any money of the fund referred to in paragraph (a);

(l) to enter into an agreement with the local authority or any person or body for the supply to any building and the land of electric current, gas, water, fuel and sanitary and other services;

(m) to enter into an agreement with any member for the provision of amenities or services by him to the accommodation relating to such housing interest or to the member or occupier thereof;

(n) to do all things reasonably necessary for the enforcement of the rules referred to in paragraph (o) and the control, management and administration of the common property;

(o) to make rules for the conduct of members, which rules shall not be in conflict with the Act or a regulation, shall be reasonable, and shall apply equally to all members in respect of accommodation put to substantially the same use;

(p) to appoint a committee of the management association, which, subject to the directions of the management association, shall exercise all the powers and perform all the functions conferred upon it by the management association and which committee shall meet and conduct its affairs as the committee may from time to time decide; and

(q) to prohibit the transfer or any alienation of any housing interest unless any levy or other money due to the management association in respect of the housing interest concerned have been paid or provision has been made to the satisfaction of the said management association for the payment thereof.

(2) Any contribution levied under any provision of subregulation (1) shall be due and payable on the passing of a resolution to that effect by the management association and may be recovered by the management association by action in any court including any magistrate's court of competent jurisdiction, from persons who are members at the time such resolution is passed.

(c) om van tyd tot tyd die bedrae te bepaal wat vir voornoemde doeleindes gehef moet word;

(d) om die aldus bepaalde bedrae te verkry deur van lede te vereis om die heffing ingevolge regulasie 14 te betaal;

(e) om 'n lopende en 'n spaarrekening by 'n bank-instelling of 'n bouvereniging te open en te bedryf;

(f) om werknemers na goeddunke aan te stel;

(g) om roerende goed vir doeleindes van die bedryf van die behuisingsontwikkelingskema te koop, te huur of andersins te verkry;

(h) om die fasiliteite en dienste uit te brei;

(i) om geld te leen wat dit nodig het in die uitvoering van sy pligte of die uitoefening van sy bevoegdhede;

(j) om die terugbetaling van geld wat deur hom op enige wyse deur die reg toegelaat, geleen is te verseker, insluitende deur die sessie van enige onbetaalde heffings hetsy opeisbaar en betaalbaar of nie, of by wyse van borgstelling, of deur die beswaring van enige eiendom wat in die bestuursvereniging gesetel is;

(k) om geld van die in paragraaf (a) bedoelde fonds te belê;

(l) om 'n ooreenkoms met die plaaslike owerheid of enige persoon of liggaam aan te gaan vir die verskaffing van elektriese krag, gas, water, brandstof en sanitêre- en ander dienste, aan enige gebou en aan die grond;

(m) om 'n ooreenkoms met enige lid aan te gaan vir die verskaffing van geriewe of dienste deur hom aan die akkommodasie met betrekking tot sodanige behuisingsbelang of aan die lid of okkupeerder daarvan;

(n) om alle dinge te doen wat redelikerwys nodig is vir die toepassing van die reëls na verwys in paragraaf (o) en die beheer, bestuur en administrasie van die gemeenskaplike eiendom;

(o) om reëls te maak vir die gedrag van lede, welke reëls nie in stryd mag wees met die Wet of 'n regulasie nie, redelik moet wees en gelykvormig op alle lede van toepassing moet wees met betrekking tot akkommodasie wat vir dieselfde gebruik benut word;

(p) om 'n komitee van die bestuursvereniging aan te stel wat, onderhewig aan die opdragte van die bestuursvereniging, alle bevoegdhede moet uitoefen en alle pligte moet uitvoer wat die bestuursvereniging hom opleë, welke komitee moet vergader en sy sake op die wyse hanteer soos wat die komitee van tyd tot tyd besluit; en

(q) om die oordrag of enige vervreemding van enige behuisingsbelang te verbied, tensy enige heffing of ander geld wat aan die bestuursvereniging verskuldig is ten opsigte van die betrokke behuisingsbelang, betaal is, of voorsiening gemaak is vir die betaling daarvan tot bevrediging van die gemelde bestuursvereniging.

(2) Enige hydraes wat ingevolge 'n bepaling van subregulasie (1) gehef word, is opeisbaar en betaalbaar wanneer 'n besluit tot dien effekte deur die bestuursvereniging geneem word en kan deur die bestuursvereniging by wyse van 'n geding in enige hof met inbegrip van 'n landdroshof met bevoegde jurisdiksie, van die persone verhaal word wat lede is op die tydstip wanneer so 'n besluit geneem word.

(3) The management association shall on the application of a member or any person authorised by such member certify in writing—

(a) the amount determined as the contribution of that member;

(b) the manner in which such contribution is payable;

(c) the extent to which such contribution has been paid by that member; and

(d) the amount of any rate paid by the management association and not recovered by it.

(4) The management association shall have the right to assign or cede to the managing agent any of its rights and duties in terms of these regulations.

(5) All general meetings other than the annual general meeting of the management association shall be called special general meetings and annual general meetings shall be held once every year: Provided that not more than 15 (fifteen) months shall elapse between the date of one annual general meeting and that of the next.

(6) At all meetings of the management association matters shall be determined by a simple majority vote of those present in person or by proxy and a member shall, on a show of hands have one vote, or on a poll, one vote for each housing interest alienated to such member.

(7) (a) The management association shall determine the matters relating to meetings of members and proceedings at such meetings, and until such determination the following shall apply—

(i) at least 14 (fourteen) days notice of every general meeting, specifying the place, within the magisterial district where the housing development scheme is situated, the date and hour of the meeting, and in the case of special business the general nature of such business shall be given in that notice to all members, the developer and the managing agent;

(ii) the following business shall be transacted at an annual general meeting—

(aa) the approval with or without amendment of the budget referred to in regulation 12 (1);

(bb) the election of the committee referred to in subregulation (1) (p);

(cc) any special business of which due notice has been given; and

(dd) the determination of the *domicilium citandi et executandi* of the management association.

(b) No business shall be transacted at a general meeting unless a quorum of members is present in person or by proxy at the time when the meeting proceeds to commence business, and a quorum shall be at least one member and one representative of the developer, or two members.

(c) The chairman of the committee envisaged in subregulation (1) (p) shall preside at every general meeting of the management association.

(3) Die bestuursvereniging moet op aansoek van enige lid of 'n persoon deur so 'n lid gemagtig, skriftelik—

(a) die bedrag sertifiseer wat as die bydrae van daardie lid bepaal is;

(b) die wyse sertifiseer waarop sodanige bydrae betaalbaar is;

(c) sertifiseer in watter mate sodanige bydrae deur daardie lid betaal is; en

(d) die bedrag belasting sertifiseer wat deur die bestuursvereniging betaal is en nie deur hom teruggevorder is nie.

(4) Die bestuursvereniging is bevoeg om enige van sy regte en verpligtinge kragtens hierdie regulasies aan die bestuursagent oor te dra of te sedgeer.

(5) Alle algemene vergaderings van die bestuursvereniging behalwe die algemene jaarvergadering, word spesiale algemene vergaderings genoem en algemene jaarvergaderings moet eenkeer per jaar gehou word: Met dien verstande dat nie meer as 15 (vyftien) maande mag verloop tussen die datum van een algemene jaarvergadering en die van die volgende nie.

(6) By alle vergaderings van die bestuursvereniging word aangeleenthede deur 'n gewone meerderheidstem van aanwesiges, hetsy persoonlik of by volmag, beslis en 'n lid het met die opsteek van hande een stem, of in die geval van stemming, een stem vir elke behuisingbelang wat aan die lid vervreem is.

(7) (a) Die bestuursvereniging bepaal die aangeleenthede waarop die vergaderings van lede betrekking het asook die verrigtinge op sodanige vergaderings en tot tyd en wyl sodanige bepalinge gemaak is, is die volgende van toepassing—

(i) alle algemene vergaderings word belê by kennisgewing van minstens 14 (veertien) dae en moet die plek aandui binne die landdrostdistrik waar die behuisingontwikkelingskema geleë is, die datum en tyd van die vergadering, en in die geval van 'n spesiale aangeleentheid, moet die algemene aard van sodanige aangeleentheid in daardie kennisgewing aan alle lede, die ontwikkelaar en die bestuursagent verstrekk word;

(ii) die volgende aangeleenthede moet op 'n algemene jaarvergadering hanteer word—

(aa) die goedkeuring met of sonder wysiging van die begroting na verwys in regulasie 12 (1);

(bb) die verkiesing van die komitee na verwys in subregulasie (1) (p);

(cc) enige spesiale aangeleentheid waarvan die nodige kennis gegee is; en

(dd) die bepaling van die *domicilium citandi et executandi* van die bestuursvereniging.

(b) Geen aangeleentheid mag by 'n algemene vergadering hanteer word nie tensy 'n kworum van lede of persoonlik of by wyse van volmag teenwoordig is ten tyde van die aanvang van die vergadering en 'n kworum is minstens een lid en een verteenwoordiger van die ontwikkelaar, of twee lede.

(c) Die voorsitter van die komitee in subregulasie (1) (p) beoog moet voorsit tydens alle algemene vergaderings van die bestuursvereniging.

10. A developer shall convene a meeting of the members of the management association, not later than 60 (sixty) days after the establishment of the management association, at which meeting he shall furnish the members with a certificate from the local authority within whose jurisdiction the land is situated, to the effect that all rates and taxes due in respect of the land up to the date of the establishment of the management association have been paid.

11. As from the date of establishment of the management association the rights and obligations of the developer arising from the management agreement shall be deemed to have been assigned to the management association.

12. (1) The management association shall prepare, or cause to be prepared, for each fiscal year of the management association, a detailed budget of expected income and expenditure of the management association, in connection with the proper control and operation of the relevant housing development scheme, for the following year, including a reasonable provision for future maintenance and repairs, and shall have such budget approved at the management association's annual general meeting.

(2) The budget for each fiscal year shall be made available to all members of housing interests at least 14 (fourteen) days prior to the date of the management association's annual general meeting.

13. The rate of interest for the purposes of section 8 (1) (a) (i) of the Act, shall be the rate of interest prescribed from time to time in terms of the Prescribed Rate of Interest Act, 1975 (Act No. 55 of 1975).

14. (a) Subject to paragraphs (b) and (c), the liability of a member to pay the levy for the purposes of regulation 9 (1) (a), shall be a percentage, expressed to 4 decimal places, and arrived at by dividing the floor area, correct to the nearest square metre, of the accommodation, by the floor area, correct to the nearest square metre, of all the accommodation in the housing development scheme.

(b) A developer shall be entitled to make rules in terms of which the liability of a member to pay the levy, as envisaged in paragraph (a), is changed: Provided that—

(i) such change shall be a percentage expressed to 4 decimal places;

(ii) such change is made by the developer before alienating any housing interest in the housing development scheme for the first time;

(iii) the developer shall disclose the change in the contract; and

(iv) where the developer fails to make such disclosure, levies for the purposes of regulation 9 (1) (a) shall be paid in accordance with paragraph (a).

(c) The developer shall on the basis set out in paragraphs (a) or (b), as the case may be, pay levies from the date of establishment of the management association on all housing interests which are owned by the developer and have not yet been alienated by him.

10. 'n Ontwikkelaar moet 'n vergadering met die lede van die bestuursvereniging belê binne 60 (sestig) dae na die stigting van die bestuursvereniging, by welke vergadering hy 'n sertifikaat van die plaaslike owerheid in wies se jurisdiksie die grond geleë is, dat alle heffings en belasting betaalbaar ten opsigte van die grond, tot op datum van die stigting van die bestuursvereniging, betaal is aan die lede moet verskaf.

11. Dit sal geag word dat die regte en verpligtinge van die ontwikkelaar wat voortspruit uit die bestuurs-ooreenkoms, vanaf datum van die stigting van die bestuursvereniging aan die betrokke vereniging oorge-dra is.

12. (1) Die bestuursvereniging stel vir elke belastingjaar van die bestuursvereniging 'n gedetailleerde begroting op van verwagte inkomste en uitgawe van die bestuursvereniging, of laat vir elke belastingjaar van die bestuursvereniging so 'n begroting opstel, in verband met die behoorlike beheer en bedryf van die betrokke behuisingsontwikkelingskema vir die volgende jaar, met insluiting van 'n redelike voorsiening vir toekomstige onderhoud en herstelwerk, en laat sodanige begroting by die bestuursvereniging se algemene jaarvergadering goedkeur.

(2) Die begroting vir elke belastingjaar word aan alle lede van behuisingsbelange beskikbaar gestel ten minste 14 (veertien) dae voor die datum van die bestuursvereniging se algemene jaarvergadering.

13. Die rentekoers vir doeleindes van artikel 8 (1) (a) (i) van die Wet is die rentekoers wat van tyd tot tyd ingevolge die Wet op Voorgeskrewe Rentekoers, 1975 (Wet No. 55 van 1975), voorgeskryf word.

14. (a) Behoudens die bepalings van paragrafe (b) en (c), word die verpligting van 'n lid om die heffing te betaal vir doeleindes van regulasie 9 (1) (a), bepaal as 'n persentasie, uitgedruk tot 4 desimale punte, en bereken deur die vloerarea van die akkommodasie, korrek tot die naaste vierkante meter, deur die vloerarea, korrek tot die naaste vierkante meter, van al die akkommodasie in die behuisingsontwikkelingskema, te deel.

(b) 'n Ontwikkelaar is by magte om reëls neer te lê ingevolge waarvan die verpligting van 'n lid om die heffing te betaal soos beoog in paragraaf (a), verander word: Met dien verstande dat—

(i) sodanige verandering as 'n persentasie tot 4 desimale plekke uitgedruk moet word;

(ii) sodanige verandering deur die ontwikkelaar gemaak moet word voordat enige behuisingsbelang in die behuisingsontwikkelingskema vir die eerste maal vervreem word;

(iii) die ontwikkelaar die verandering in die kontrak openbaar moet maak; en

(iv) in die geval waar die ontwikkelaar versuim om sodanige openbaarmaking te doen, heffings vir doeleindes van regulasie 9 (1) (a) ingevolge paragraaf (a) betaal moet word.

(c) Die ontwikkelaar moet op die basis soos uiteengesit in paragrafe (a) of (b), na gelang van geval, heffings vanaf datum van die oprigting van die bestuursvereniging betaal op alle behuisingsbelange wat deur die ontwikkelaar besit word en wat nog nie deur hom vervreem is nie.

15. Where a housing development scheme is operated pursuant to or in connection with membership of or participation in any club, association, organisation or other voluntary association, then in such case the constitution or contract or other agreement governing or regulating such club, association, organisation or other voluntary association, shall be drafted in terms of these regulations, as if such club, association, organisation or other voluntary association were the management association.

16. Any person who contravenes any provision of these regulations is liable on conviction to a fine not exceeding R6 000 or to imprisonment for a period not exceeding three years.

17. This notice shall come into operation on 1 July 1989.

No. R. 1392

30 June 1989

CORRECTION NOTICE

CLOSE CORPORATIONS ACT, 1984

AMENDMENT OF THE CLOSE CORPORATIONS ADMINISTRATIVE REGULATIONS

The Schedule to Government Notice No. R. 602 published in *Government Gazette* No. 11792 of 31 March 1989 is hereby corrected by the addition of the following paragraph after paragraph (f):

"(g) by the substitution for the words 'R20,00 payable in respect of changes in particulars in Part A only' where they appear on form CK2 of the words 'R30,00 payable in respect of changes in particulars in Part A only.'"

DEPARTMENT OF MANPOWER

No. R. 1431

30 June 1989

LABOUR RELATIONS ACT, 1956

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY

CORRECTION NOTICE

Government Notice No. R. 1327 appearing in *Government Gazette* No. 11965 of 23 June 1989, is corrected by the substitution therefor of the following:

"No. R. 1327

23 June 1989

LABOUR RELATIONS ACT, 1956

IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY.—AMENDMENT OF MAIN AGREEMENT

I, Eli van der Merwe Louw, Acting 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 date of publication of this notice and for the period ending 30 June 1989, 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

15. Waar 'n behuisingsontwikkelingskema bedryf word uit hoofde van of in verband met lidmaatskap van of deelneming aan enige klub, vereniging, organisasie of ander vrywillige vereniging, moet in sodanige geval, die grondwet of kontrak of ander ooreenkoms wat die betrokke klub, vereniging, organisasie of ander vrywillige vereniging beheer of reguleer, ingevolge hierdie regulasies opgestel word asof die betrokke klub, vereniging, organisasie of ander vrywillige vereniging die bestuursvereniging is.

16. Enige persoon wat enige bepaling van hierdie regulasies oortree, is strafbaar by skuldigbevinding met 'n boete van hoogstens R6 000 of met gevangenisstraf vir 'n tydperk van hoogstens drie jaar.

17. Hierdie kennisgewing tree in werking op 1 Julie 1989.

No. R. 1392

30 Junie 1989

VERBETERINGSKENNISGEWING

WET OP BESLOTE KORPORASIES, 1984

WYSIGING VAN DIE ADMINISTRATIEWE REGULASIES VIR BESLOTE KORPORASIES

Die Bylae tot Goewermementskennisgewing No. R. 602 gepubliseer in *Staatskoerant* No. 11792 van 31 Maart 1989 word hiermee verbeter deur die volgende paragraaf na paragraaf (f) in te voeg:

"(g) deur die woorde 'R20,00 slegs betaalbaar ten opsigte van veranderings van besonderhede in Deel A' waar dit op Vorm CK2 voorkom, deur die woorde 'R30,00 slegs betaalbaar ten opsigte van veranderings van besonderhede in Deel A' te vervang."

DEPARTEMENT VAN MANNEKRAG

No. R. 1431

30 Junie 1989

WET OP ARBEIDSVERHOUDINGE, 1956

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID

VERBETERINGSKENNISGEWING

Goewermementskennisgewing No. R. 1327 wat in *Staatskoerant* No. 11965 23 Junie 1989 verskyn, word verbeter deur dit deur die volgende te vervang:

"No. R. 1327

23 Junie 1989

WET OP ARBEIDSVERHOUDINGE, 1956

YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID.—WYSIGING VAN HOOFOOREENKOMS

Ek, Eli van der Merwe Louw, Waarnemende 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 datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1989 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) 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) (d), shall be binding, with effect from the date of publication of this notice and for the period ending 30 June 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.

E. VANDER M. LOUW,
Acting Minister of Manpower.

NOTE

NATIONAL INDUSTRIAL COUNCIL FOR THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY

The attention of employers who are *not* members of any of the employers' organisations which are parties to the Agreement hereunder are invited to—

(a) the fact that they may in terms of section 51 (3) of the Labour Relations Act, 1956, apply for exemption to the above-mentioned Industrial Council from all or any of the provisions of an agreement entered into by the parties to the Council which is binding in terms of this Act; and

(b) section 51 (6) of the aforementioned Act which provides for any person who feels aggrieved by any decision of the Council to appeal at any time to the Minister of Manpower against that decision.

SCHEDULE

NATIONAL INDUSTRIAL COUNCIL FOR THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY

MAIN AGREEMENT

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

Association of Electrical Cable Manufacturers of South Africa
Automotive Parts Production Engineers' Association
Border Engineering Industries Association
Bright Bar Association
Cape Engineers' and Founders' Association
Constructional Engineering Association
Covered Conductor Manufacturers' Association
Domestic Appliance Manufacturers' Association of South Africa
Electrical Engineering and Allied Industries Association
Electronics and Telecommunications Industries Association
Engineers' and Founders' Association (Transvaal, Orange Free State and Northern Cape)
Fire Protection Industries Association of South Africa
Forging Association of Southern Africa
Gate and Fence Manufacturers' Association
Hand Tool Manufacturers' Association
Heavy Engineering Manufacturers' Association
Lift Engineering Association of South Africa
Light Engineering Industries Association of South Africa
Materials Handling Association
Natal Engineering Industries Association
Non-Ferrous Metal Industries Association of South Africa
Plastics Manufacturers' Association of South Africa
Port Elizabeth Engineers' Association
Precision Manufacturing Engineers' Association

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkomst, uitgesonderd dié vervat in klousule 1 (1) (d), met ingang van die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 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 Wysigingsooreenkomst gespesifiseer.

E. VANDER M. LOUW,
Waarnemende Minister van Mannekrag.

OPMERKING

NASIONALE NYWERHEIDSRAAD VIR DIE YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID

Werkgewers wat *nie* lede is *nie* van enige van die werkgewersorganisasies wat partye by die bogemelde ooreenkomst is, se aandag word daarop gevestig dat—

(a) dat daar ingevolge artikel 51 (3) van die Wet op Arbeidsverhoudinge, 1956, by bogenoemde Nywerheidsraad aansoek gedoen kan word om vrystelling van almal of enige van die bepalings van 'n ooreenkomst wat deur die partye by die Raad aangegaan en wat ingevolge genoemde Wet bindend is; en

(b) artikel 51 (6) van genoemde Wet voorsiening maak dat enige persoon wat hom veronreg voel deur enige beslissing van die Raad, te eniger tyd na die Minister van Mannekrag teen sodanige beslissing kan appelleer.

BYLAE

NASIONALE NYWERHEIDSRAAD VIR DIE YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID

HOOFOOREENKOMS

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

Association of Electrical Cable Manufacturers of South Africa
Automotive Parts Production Engineers' Association
Border Engineering Industries Association
Bright Bar Association
Cape Engineers' and Founders' Association
Constructional Engineering Association
Covered Conductor Manufacturers' Association
Domestic Appliance Manufacturers' Association of South Africa
Electrical Engineering and Allied Industries Association
Electronics and Telecommunications Industries Association
Engineers' and Founders' Association (Transvaal, Orange Free State and Northern Cape)
Fire Protection Industries Association of South Africa
Forging Association of Southern Africa
Gate and Fence Manufacturers' Association
Hand Tool Manufacturers' Association
Heavy Engineering Manufacturers' Association
Lift Engineering Association of South Africa
Light Engineering Industries Association of South Africa
Materials Handling Association
Natal Engineering Industries Association
Non-Ferrous Metal Industries Association of South Africa
Plastics Manufacturers' Association of South Africa
Port Elizabeth Engineers' Association
Precision Manufacturing Engineers' Association

Pressure Vessel Manufacturers' Association of South Africa
 Radio, Appliance and Television Association of South Africa
 Sheetmetal Industries Association of South Africa
 S.A. Agricultural and Irrigation Machinery Manufacturers' Association
 S.A. Association of Shipbuilders and Repairers
 S.A. Electro-Plating Industries Association
 S.A. Fasteners Manufacturers' Association
 S.A. Foundry Association
 S.A. Industrial Refrigeration and Air Conditioning Contractors' Association
 S.A. Machine Tool Manufacturers' Association
 S.A. Pump Manufacturers' Association
 S.A. Radio and Television Manufacturers' Association
 S.A. Reinforced Concrete Engineers' Association
 S.A. Tube Makers' Association
 S.A. Valve Manufacturers' Association
 S.A. Wire and Wire Rope Manufacturers' Association

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

Amalgamated Engineering Union of South Africa
 Amalgamated Society in Woodworkers of South Africa
 Engineering and Allied Workers' Union of South Africa
 Engineering Industrial and Mining Workers' Union of South Africa
 Iron Moulders' Society of South Africa
 Metal and Allied Workers' Union of South Africa
 Mineworkers' Union
 National Automobile and Allied Workers' Union
 Radio, Television, Electronics and Allied Workers' Union
 S.A. Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society
 S.A. Electrical Workers' Association
 S.A. Engine Drivers', Firemen's and Operators' Association
 S.A. Yster-, Staal- en Verwante Nywerhede-Unie

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

being the parties to the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry,

to amend the Agreement published under Government Notice No. R. 2545 of 13 December 1988 (hereinafter referred to as the Re-enacting Agreement).

PART I

1. SCOPE OF APPLICATION OF AGREEMENT

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

(a) in the Iron, Steel, Engineering and Metallurgical Industry throughout the Republic of South Africa, excluding the port and settlement of Walvis Bay;

(b) in the Provinces of the Transvaal and Natal by the section of the Industry concerned with the installation, repair and servicing of radios, refrigerators and domestic electrical appliances;

(c) in the Magisterial Districts of Durban, East London, Johannesburg, Pietersburg, Pinetown and The Cape by the section of the Industry concerned with radio manufacture;

(d) by all employers and employees who are members of the employers' organisations and trade unions respectively.

(2) Notwithstanding the provisions of subsection (1), the terms of this Agreement shall not apply to—

(a) the installation, repair and servicing of radios and domestic electrical appliances in the Provinces of the Cape of Good Hope and the Orange Free State;

(b) the manufacture, for sale, of standard high-speed cutting tools made from high-speed steel by means of plant and/or equipment and/or methods specifically adapted and/or designed for production by repetitive processes, in the Magisterial Districts of Johannesburg, Boksburg, Vereeniging and Pietermaritzburg;

(c) the manufacture of aluminium sheet and/or foil and inter-related operations;

Pressure Vessel Manufacturers' Association of South Africa
 Radio, Appliance and Television Association of South Africa
 Sheetmetal Industries Association of South Africa
 S.A. Agricultural and Irrigation Machinery Manufacturers' Association
 S.A. Association of Shipbuilders and Repairers
 S.A. Electro-Plating Industries Association
 S.A. Fasteners Manufacturers' Association
 S.A. Foundry Association
 S.A. Industrial Refrigeration and Air Conditioning Contractors' Association
 S.A. Machine Tool Manufacturers' Association
 S.A. Pump Manufacturers' Association
 S.A. Radio and Television Manufacturers' Association
 S.A. Reinforced Concrete Engineers' Association
 S.A. Tube Makers' Association
 S.A. Valve Manufacturers' Association
 S.A. Wire and Wire Rope Manufacturers' Association

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

Amalgamated Engineering Union of South Africa
 Amalgamated Society of Woodworkers of South Africa
 Engineering and Allied Workers' Union of SA
 Engineering Industrial and Mining Workers' Union of South Africa
 Iron Moulders' Society of South Africa
 Metal and Allied Workers' Union of South Africa
 Mynwerkersunie
 National Automobile and Allied Workers' Union
 Radio, Television, Electronics and Allied Workers' Union
 S.A. Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society
 S.A. Electrical Workers' Association
 S.A. Engine Drivers', Firemen's and Operators' Association
 S.A. Yster-, Staal- en Verwante Nywerhede-Unie

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

wat die partye is by die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid,

om die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 2545 van 13 Desember 1988 (hierna die Herbekragtigingsooreenkoms genoem), te wysig.

DEEL I

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word—

(a) in die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid oral in die Republiek van Suid-Afrika, uitgesonderd die hawe en nedersetting van Walvisbaai;

(b) in die provinsies Transvaal en Natal deur die sektor van die Nywerheid betrokke by die installering, herstel en versiening van radio's, koelkaste en huishoudelike elektriese toestelle;

(c) in die landdrosdistrikte Die Kaap, Johannesburg, Oos-Londen, Pietersburg en Pinetown deur die sektor van die Nywerheid betrokke by die vervaardiging van radio's;

(d) deur alle werkgewers en werknemers wat lede van onderskeidelik die werkgewersorganisasies en die vakverenigings is.

(2) Ondanks subklousule (1), is hierdie Ooreenkoms nie van toepassing nie op—

(a) die installering, herstel en versiening van radio's en huishoudelike elektriese toestelle in die provinsies die Kaap die Goeie Hoop en die Oranje-Vrystaat;

(b) die vervaardiging, vir verkoop, van standaardsnelyngereedskap gemaak van sneldraaistaal deur middel van installasies en/of uitrusting en/of metodes wat spesifiek aangepas en/of ontwerp is vir produksie deur middel van herhalingsprosesse, in die landdrosdistrikte Johannesburg, Boksburg, Vereeniging en Pietermaritzburg;

(c) die vervaardiging van aluminiumplaat en/of -foelie en werksaamhede wat in verband daarmee staan;

(d) the installation and/or repair and/or maintenance of electrical lifts and escalators;

(e) the production of iron and/or steel and/or ferro-alloys;

(f) the installation, maintenance and repair of electrical equipment referred to in paragraph (b) of the definition "Electrical Engineering Industry" in section 3 of Part I of this Agreement in the Provinces of the Cape of Good Hope and the Orange Free State;

(g) the manufacture of tungsten carbide (hard metal);

(h) the assembling, servicing, installation, maintenance and/or repair of appliances, equipment, machines, devices and apparatus, whether utilising manual, photographic, mechanical, electrical, electrostatic or electronic principles, or any combination of such principles, that are primarily intended for use in accounting and/or business and/or calculating and/or office and/or educational procedures;

(i) the Venetian Blind and Allied Products Manufacturing Industry in the Province of the Transvaal;

(j) the installation and/or repair of burglar and/or other similar alarm systems in the Provinces of the Cape of Good Hope and the Orange Free State;

(k) the manufacture of plumbers' and/or engineers' brassware by means of gravity die-casting and/or pressure die-casting and/or hot pressing and/or machining;

(l) the undertaking of Union Steel Corporation of South Africa (Pty) Limited in the magisterial District of Vereeniging, Transvaal;

(m) the Locksmithing Trade in the Magisterial Districts of Benoni, Boksburg, Durban, Germiston, Johannesburg, Krugersdorp, Lower Umfolozi, Pinetown, Port Elizabeth, Pretoria, Randburg, Roodepoort, Springs and The Cape.

(n) the production, for sale, of welding electrodes by means of plant and/or equipment and/or methods specifically adapted and/or designed for production by repetitive processes, in the Magisterial Districts of Brits, Germiston, Kempton Park and Pretoria.

(o) the undertaking of Alusaf (Pty) Ltd, in the Magisterial District of Lower Umfolozi;

(p) (i) the manufacture by mass production methods from sheet-metal of a gauge not exceeding 2 108 mm of —

(aa) commercial, plain or lithographed containers for packaging of general merchandise, but excluding the manufacture of such containers by any person for the packaging of his own products;

(ab) bottle, jar and other container closures;

(ac) plain or lithographed metal toys;

(ad) plain or lithographed display tablets;

(ii) the manufacture of plain or lithographed, rigid and/or collapsible tubes from non-ferrous metal slugs. For the purposes of this subparagraph, "rigid tube" means a container.

(For the purposes of subparagraphs (i) and (ii), a "container" means a plain or lithographed article designed for the packing for transport or sale of products and capable of being closed by means of a lid or cap or any other type of closure);

(q) the manufacture from tinplate of a gauge not exceeding 0,416 mm of trunks and other containers designed to hold personal effects, sporting kit, tools and documents, and other lines manufactured principally from such tinplate.

(3) Notwithstanding the provisions of subsection (1), the terms of this Agreement shall apply to —

(a) apprentices only to the extent to which they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder; and

(b) trainees under training in terms of section 30 of the Manpower Training Act, 1981, only in so far as they are not inconsistent with the provisions of the Act or any conditions fixed thereunder.

(d) die installering en/of herstel en/of onderhoud van elektriese hysers en roltrappe;

(e) die produksie van yster en/of staal en/of ysterlegerings;

(f) die installering, onderhoud en herstel van elektriese uitrusting soos bedoel in paragraaf (b) van die omskrywing "Elektrotegniese Ingenieursnywerheid" in klousule 3 van Deel I van hierdie Ooreenkoms in die provinsies die Kaap die Goeie Hoop en die Oranje-Vrystaat;

(g) die vervaardiging van wolframkarbid (harde metaal);

(h) die monteer, versiening, installering, onderhoud en/of herstel van instrumente, uitrusting, masjiene, toestelle en apparaat, hetsy dit gebruik maak van hand-, fotografiese, meganiese, elektriese, elektrostatiese of elektroniese beginsels, of enige kombinasie van sodanige beginsels, wat in die eerste plek bedoel is vir gebruik in rekeningkunde en/of sake- en/of berekenings- en/of kantoor- en/of opvoedkundige prosedures;

(i) die Nywerheid vir die Vervaardiging van Hortjiesblindes en Verwante Produkte in die provinsie Transvaal;

(j) die installering en/of herstel van dief- en/of ander soortgelyke alarmstelsels in die provinsies die Kaap die Goeie Hoop en die Oranje-Vrystaat;

(k) die vervaardiging van loodgieters- en/of ingenieursgeelkoperware deur middel van die swaartekragvormgieting en/of drukvormgieting en/of warmers en/of masjinerie;

(l) die onderneming van die firma Union Steel Corporation of South Africa (Pty) Limited in die landdrosdistrik Vereeniging, Transvaal;

(m) die Slotmakerybedryf in die landdrosdistrikte Benoni, Boksburg, Die Kaap, Durban, Germiston, Johannesburg, Krugersdorp, Lower Umfolozi, Pinetown, Port Elizabeth, Pretoria, Randburg, Roodepoort en Springs;

(n) die produksie, vir verkoop, van sweiselektrodes deur middel van masjinerie en/of uitrusting en/of metodes wat spesifiek aangepas en/of ontwerp is vir produksie deur middel van herhalingsprosesse, in die landdrosdistrikte Brits, Germiston, Kempton Park en Pretoria;

(o) die onderneming van Alusaf (Pty) Ltd in die landdrosdistrik Lower Umfolozi;

(p) (i) die vervaardiging deur middel van massaproduksiemetodes uit plaatmetaal met 'n dikte van hoogstens 2 108 mm van —

(aa) kommersiële, gewone of gelitografeerde houers vir die verpakking van algemene handelsware, maar nie die vervaardiging van sodanige houers deur iemand vir die verpakking van sy eie produkte nie;

(ab) deksels vir bottels, flesses en ander houers;

(ac) gewone of gelitografeerde metaalspeelgoed;

(ad) gewone of gelitografeerde vertoontablette;

(ii) die vervaardiging van gewone of gelitografeerde, vaste en/of voubare buise uit nie-ysterhoudende metaalklompe. Vir die toepassing van hierdie subparagraaf beteken "vaste buis" 'n houer.

(Vir die toepassing van subparagrafe (i) en (ii) beteken 'n "houer" 'n gewone of gelitografeerde artikel wat ontwerp is vir die verpakking van produkte wat vervoer of verkoop moet word en wat met 'n deksel of doppe of ander soort prop toegemaak kan word);

(q) die vervaardiging uit tinplaat met 'n dikte van hoogstens 0,416 mm van koffers en ander houers wat ontwerp is om persoonlike besittings, sportuitrusting, gereedskap en dokumente te bevat, en van ander ware wat hoofsaaklik uit sodanige tinplaat vervaardig is.

(3) Ondanks subklousule (1), is hierdie Ooreenkoms van toepassing op —

(a) vakleerlinge slegs in die mate waarin dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, of met 'n kontrak daarkragtens aangegaan of voorwaardes daarkragtens vasgestel; en

(b) kwekelinge wat opgelei word kragtens artikel 30 van die Wet op Mannekragopleiding, 1981, slegs vir sover dit nie onbestaanbaar is nie met daardie Wet of met voorwaardes daarkragtens vasgestel.

(4) Notwithstanding the limitation of the Agreement to the operations therein scheduled—

(a) the provisions of the sections relating to Leave Pay, Additional Leave Pay and Leave Bonus of Part I of this Agreement shall apply to all employees employed in operative processes receiving a rate of pay equivalent to or more than that prescribed from time to time in the Agreement for Rate D employees, whether paid weekly or monthly, but excluding payment for overtime;

(b) no person directly employed in a manufacturing or production process shall be paid a wage less than Rate I as prescribed from time to time in Part II of this Agreement.

For the purposes of this section, "employed in a manufacturing or production process" shall apply to those employees whose rate of pay is not scheduled in this Agreement but whose activities are directly concerned with the creation of the engineering goods and/or services as covered by the scope of application of this Agreement. This provision shall not apply to the work carried out by administrative personnel and/or those employees employed on non-production operations.

(5) The conditions of employment of watchmen shall be regulated by the provisions of this Agreement except in respect of working hours, which shall be a maximum of 48 hours per week.

2. SECTION 4.—GENERAL PROVISIONS

Substitute the following for clause 4 of the Re-enacting Agreement:

"4. GENERAL PROVISIONS

The provisions contained in sections 3 to 8 (3) (d) inclusive, 8 (3) (f) to 8 (4) inclusive, 9 to 22 inclusive, 24 to 27 inclusive, 29 to 36 inclusive of Part I, and Part II of the Former Agreement (as amended and re-enacted from time to time), shall apply to employers and employees."

PART II

3. SECTION 1.—WAGES AND/OR EARNINGS

Substitute the following for subsection (1):

"(1) (a) Any employee who at the date of coming into operation of this Agreement was in receipt of a higher rate than that prescribed in the Agreement for the class of work upon which he is employed shall continue to receive not less than such higher rate while he is employed by the same employer on the same work or any other work for which a lower rate is prescribed.

(b) Every employee who on the date of coming into operation of this Agreement is employed by an employer on work classified in the Agreement shall, whilst in the employ of the same employer and whether or not his actual rate of pay immediately prior to the said date was in excess of the rate specified for his class of work in this Agreement, be paid not less than the actual rate he was receiving immediately prior to the said date plus, as a guaranteed personal minimum increase, an additional amount for his class of work, as follows:

Class of work	Amount per hour c
Rate A and A1.....	76
Rate AA:	
Employees in their first six months on continuous service on the above date	73
Thereafter	73
Rate AB.....	67
Rate B.....	63
Rate C.....	57
Rate D.....	52
Rate DD.....	52
Rate DDD.....	50
Rate E.....	48
Rate F.....	46
Rate G.....	43
Rates H and I	41
Apprentices	
First year	31
Second year	34
Third year	42
Fourth year	68

(4) Ondanks die beperking van die Ooreenkoms tot die werksaamhede daarin gelys—

(a) is die klousules aangaande Verlofbesoldiging, Addisionele Verlofbesoldiging en Verlofbonus in Deel I van hierdie Ooreenkoms van toepassing op alle werknemers wat operatiewe prosesse verrig en 'n loon ontvang wat gelyk is aan of meer is as dié wat in hierdie Ooreenkoms van tyd tot tyd voorgeskryf word vir Loon D-werknemers, hetsy weekliks of maandeliks besoldig, uitgesonderd betaling vir oortydwerk;

(b) mag niemand wat regstreeks werksaam is in 'n vervaardigings- of produksieproses 'n loon ontvang wat minder is as die loon soos in Deel II van hierdie Ooreenkoms van tyd tot tyd vir 'n Loon I-werknemer voorgeskryf nie.

Vir die toepassing van hierdie klousule in "werksaam in 'n vervaardigings- of produksieproses" van toepassing op werknemers wie se loonsake nie in hierdie Ooreenkoms gelys word nie maar wie se aktiwiteite regstreeks verwant is aan die skepping van ingenieursgoedere en/of dienste soos in die toepassingsbestek van hierdie Ooreenkoms omskryf. Hierdie bepaling is nie van toepassing op werk verrig deur administratiewe personeel en/of werknemers werksaam in nie-produktiewe werksaamhede nie.

(5) Die diensvoorwaardes van 'n wag word ooreenkomstig hierdie Ooreenkoms gereël, behalwe ten opsigte van werkure, wat hoogstens 48 uur per week is.

2. KLOUSULE 4.—ALGEMENE BEPALINGS

Vervang klousule 4 van die Herbekragtigingsooreenkoms deur die volgende:

"4. ALGEMENE BEPALINGS

Klousules 3 tot en met 8 (3) (d), 8 (3) (f) tot en met 8 (4), 9 tot en met 22, 24 tot en met 27, 29 tot en met 36 van Deel I, en Deel II van die Vorige Ooreenkoms (soos van tyd tot tyd gewysig en herbekragtig) is van toepassing op werkgewers en werknemers."

DEEL II

3. KLOUSULE 1.—LONE EN/OF VERDIENSTE

Vervang subklousule (1) deur die volgende:

"(1) (a) 'n Werknemer wat op die datum van inwerkingtreding van hierdie Ooreenkoms 'n hoër loon ontvang het as dié wat in die Ooreenkoms voorgeskryf word vir die klas werk waarvoor hy in diens geneem is, moet nog minstens sodanige hoër loon ontvang terwyl hy by dieselfde werkgewer in diens is en terwyl hy dieselfde werk verrig of ander werk waarvoor 'n laer loon voorgeskryf word.

(b) 'n Werknemer wat op die datum van inwerkingtreding van hierdie Ooreenkoms by 'n werkgewer in diens is vir die verrigting van werk wat in die Ooreenkoms ingedeel is, moet, terwyl hy in diens van dieselfde werkgewer is en ongeag of sy werklike loon onmiddellik voor genoemde datum hoër was as die loon wat vir sy klas werk in hierdie Ooreenkoms gespesifiseer is, minstens die werklike loon betaal word wat hy onmiddellik voor genoemde datum ontvang het, plus as 'n gewaarborgde persoonlike minimum verhoging, die volgende addisionele bedrag vir sy klas werk:

Klas werk	Bedrag per uur c
Loon A en A1.....	76
Loon AA:	
Werknemers in hul eerste ses maande ononderbroke diens op bogenoemde datum	73
Daarna	73
Loon AB.....	67
Loon B.....	63
Loon C.....	57
Loon D.....	52
Loon DD.....	52
Loon DDD.....	50
Loon E.....	48
Loon F.....	46
Loon G.....	43
Loon H en I	41
Vakleerlinge	
Eerste jaar	31
Tweede jaar	34
Derde Jaar	42
Vierde jaar	68

Vehicle driving:

(i) Drivers of vehicles having a pay-load of—

Up to and including 1 000 kg	46
Over 1 000 kg and up to 3 000 kg	47
Over 3 000 kg and up to 4 500 kg	51
Over 4 500 kg and up to 6 500 kg	52
Over 6 500 kg	52

(ii) Forklift driver 46

SCHEDULE F

	Amount per hour c
Group Z	76
Group Y	63
Group IX	62
Group VIII	59
Group VII	55
Group VI	52
Group V	50
Group IV	48
Group III	46
Group II	44
Group I	43

Structural engineering

Category	Amount per hour c
5	76
4	69
3	58
2	48
1	41
1 (a)	38

Provided that—

(i) the additional amount payable in terms of this subsection to an employee for his class of work may be reduced by the amount of any increase or increases granted to such employee on or subsequent to 1 July 1988:

Provided that any employee shall be remunerated by the payment of an amount within 12 weeks after the date of the coming into operation of this Agreement on the basis stated below:

Amount per hour for the employee's class of work pre- scribed above	LESS, IF ANY,	Amount per hour of any increase granted to the em- ployee on or after 1 July 1988
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multiplied by the number of hours which the employee concerned was entitled to payment of his wage for the period from the start of his first shift on or after 1 July 1988 to the first shift for which the amount per hour for the employee's class of work as prescribed above is paid or 13 December 1988, whichever is the later;

(ii) any employee who was engaged after 1 July 1988 at a rate of pay not less than the rate of pay prescribed for his class of work as at the date of coming into operation of this Agreement shall not be entitled to be paid the additional amount specified in the subsection for his class of work;

(iii) no employer shall reduce the rate of pay of any employee to whom an increase in excess of the additional amount specified in this subsection for his class of work has been awarded on or subsequent to 1 July 1988 and no employee shall be paid wages at a rate less than the rate for his class of work specified in this Agreement;

(iv) for the purposes of this Agreement the rate applicable in terms of this subsection shall *mutatis mutandis* apply to employees employed on 'incentive bonus work' in terms of section 10 of Part I of the Former Agreement;

(v) an employer who intends to grant general increases to all employees or all employees in a particular category of employees in excess of the guaranteed personal minimum increases provided for in this Agreement, shall consult the trade unions of which the particular employees concerned are members.

Voertuie dryf:

(i) Drywers van voertuie met 'n loonvrag van—

Tot en met 1 000 kg	46
Meer as 1 000 kg tot en met 3 000 kg	47
Meer as 3 000 kg tot en met 4 500 kg	51
Meer as 4 500 kg tot en met 6 500 kg	52
Meer as 6 500 kg	52

(ii) Vurkhywadrywer 46

BYLAE F

	Bedrag per uur c
Groep Z	76
Groep Y	63
Groep IX	62
Groep VIII	59
Groep VII	55
Groep VI	52
Groep V	50
Groep IV	48
Groep III	46
Groep II	44
Groep I	43

Struktuuringenieurswese

Kategorie	Bedrag per uur c
5	76
4	69
3	58
2	48
1	41
1 (a)	38

Met dien verstande dat—

(i) die addisionele bedrag ingevolge hierdie subklousule betaalbaar aan 'n werknemer vir sy klas werk, verminder kan word met die bedrag van 'n verhoging of verhogings wat op of na 1 Julie 1988 aan sodanige werknemer toegestaan is:

Met dien verstande dat 'n werknemer binne 12 weke vanaf die datum van inwerkingtreding van hierdie Ooreenkoms besoldiging moet ontvang soos volg bereken:

Bedrag per uur vir die werknemer se klas werk soos hierbo uiteengesit	MINUS (WAAR VAN TOEPASSING)	Bedrag per uur van enige verhoging toegestaan aan die werknemer op of na 1 Julie 1988,
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vermenigvuldig met die aantal ure wat die betrokke werknemer geregtig was op betaling van sy loon vir die tydperk vanaf die begin van sy eerste skof op of na 1 Julie 1988, tot die eerste skof ten opsigte waarvan die bedrag per uur vir die werknemer se klas werk soos hierbo uiteengesit, betaal is, of 13 Desember 1988, watter oorkal die laaste datum is.

(ii) 'n werknemer wat na 1 Julie 1988 in diens geneem is teen 'n tarief van besoldiging van minstens die tarief van besoldiging wat vir sy klas werk voorgeskryf is op die datum van inwerkingtreding van hierdie Ooreenkoms nie geregtig is op die ontvangs van die addisionele bedrag wat in hierdie subklousule vir sy klas werk gespesifiseer is nie;

(iii) 'n werkgewer die tarief van besoldiging van 'n werknemer aan wie 'n verhoging op of na 1 Julie 1988 toegestaan is wat hoër is as die addisionele bedrag in hierdie subklousule vir sy klas werk gespesifiseer, nie mag verminder nie, en aan 'n werknemer nie 'n loon teen 'n tarief laer as die tarief vir sy klas werk in hierdie Ooreenkoms gespesifiseer, betaal mag word nie;

(iv) vir die toepassing van hierdie Ooreenkoms die loon wat ingevolge hierdie subklousule van toepassing is, *mutatis mutandis* van toepassing is op werknemers wat 'aansporingsbonuswerk' ingevolge klousule 10 van Deel I van die Vorige Ooreenkoms verrig;

(v) 'n werkgewer wat voornemens is om algemene verhogings aan alle werknemers of alle werknemers in 'n spesifieke kategorie werknemers toe te staan wat hoër is as die gewaarborgde persoonlike minimum verhogings waarvoor in hierdie ooreenkoms, voorsiening gemaak word, oorleg moet pleeg met die vakverenigings waarvan die spesifieke betrokke werknemers lede is.

Where an employer, following such consultation, grants such increases over and above that provided for in this Agreement, the Industrial Council shall be notified on the increases granted.

(c) (i) The intention of the parties that negotiated the wage structure as detailed in the scheduled rates in this Agreement is that that wage structure should be further adjusted over a period of time so as to reflect a more regular progression of differentials between the wage categories and thereby correct the anomalies that exist in the wage structure. The negotiations referred to in this section shall be seen in this context.

(ii) Where negotiations at individual employer level are voluntarily entered into between an employer and the trade union/s to adjust the amount specified above with the object of correcting anomalies in the wage structure in that establishment such as referred to in (c) (i), the matter being negotiated shall not form part of this Agreement. Any agreement entered into by the parties that negotiated such wage adjustments shall be signed by the said parties and submitted to the relevant Regional Council for monitoring and administration. Any dispute arising from such negotiations not resolved at company level, shall be dealt with in accordance with the Council's dispute settlement procedures. Any interpretation of this clause shall be in accordance with the intention stated above."

Signed at Johannesburg, for and on behalf of the parties, this 24th day of May 1989.

A. T. ALLEN,
Chairman.

C. J. M. PRINSLOO,
Vice-Chairman.

A. O. DE JAGER,
General Secretary."

Waar 'n werkgewer, na sodanige konsultasie, verhogings toestaan wat hoër is as dié waarvoor in hierdie Ooreenkoms voorsiening gemaak word, moet die Nywerheidsraad van sodanige verhogings verwittig word.

(c) (i) Die oogmerke van die partye wat oor die loonstruktuur, soos in die gelyste tariewe in hierdie Ooreenkoms uiteengesit, onderhandel het, is dat die loonstruktuur oor 'n tydperk nog verder aangepas moet word om 'n meer gereelde differensiële opklimming tussen die loonskale te reflekteer om sodoende onreëlmatighede in die loonstruktuur reg te stel. Die onderhandelings, soos in hierdie klousule bedoel, moet in sodanige kontek gesien word.

(ii) Wanneer onderhandelings op individuele werkgewersvlak vrywilliglik tussen 'n werkgewer en die vakvereniging/vakverenigings aangeknoop word om die bedrae soos hierbo genoem aan te pas vir doeleindes van regstelling van die onreëlmatigheid in die loonstruktuur in sodanige onderneming, soos bedoel in (c) (i), maak die saak waaroor onderhandel word nie deel van hierdie Ooreenkoms uit nie. Enige sodanige loonwysigingsooreenkoms deur die partye aangegaan moet deur hulle onderteken word en na die relevante Streekraad gestuur word vir monitering en administrasie. Enige dispuut wat as gevolg van sodanige onderhandelings op fabrieksvlak nie bygelê kan word nie, moet ooreenkomstig die Raad se dispuutbeslegtingsprosedures gehanteer word. Enige vertolking van hierdie klousule moet in ooreenstemming wees met die bedoeling hierbo genoem."

Namens die partye op hede die 24ste Mei 1989 te Johannesburg onderteken.

A. T. ALLEN,
Voorsitter.

C. J. M. PRINSLOO,
Ondervoorsitter.

A. O. DE JAGER,
Hoofsekretaris."

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CONTENTS

No.		Page No.	Gazette No.
PROCLAMATIONS			
R. 97	Republic of South Africa Constitution Act (110/1983): Assignment of administration of certain laws to the Minister of Local Government and Housing: House of Assembly.....	1	11979
R. 98	Borders of Particular States Extension Act (2/1980): Passing of certain land in the District of Vryburg in the Province of the Cape of Good Hope, in the Districts of Warmbaths, Rustenburg, Pretoria, Brits, Delareyville, Marico and Lichtenburg in the Province of Transvaal and in the Districts of Excelsior and Bloemfontein in the Province of the Orange Free State to the Republic of Bophuthatswana.....	5	11979
R. 100	Abolition of Development Bodies Act (75/1986): Regulations.....	8	11979
R. 105	Medical University of Southern Africa Act (78/1976): Assignment to the Administrator of the Province of the Transvaal of certain powers, duties or functions entrusted by section 35.....	9	11979
GOVERNMENT NOTICES			
Agricultural Economics and Marketing, Department of			
<i>Government Notices</i>			
R. 1353	Marketing Act (59/1968): Potato Scheme: Amendment.....	11	11979
R. 1376	Marketing Act (59/1968): Meat Scheme: Registration of butchers and manufacturers of factory meat products: Amendment.....	11	11979
R. 1388	Plant Improvement Act (53/1976): South African Seed Certification Scheme: Amendment.....	12	11979
R. 1393	Marketing Act (59/1968): Winter Cereal Scheme: Selling prices of meal: Amendment.....	27	11979
R. 1394	do.: do.: Selling prices of wheat bran: Amendment.....	33	11979
R. 1395	do.: do.: Levies and special levies: Amendment.....	33	11979
R. 1396	do.: do.: Special levy on white bread flour, brown bread meal and whole-wheat meal in stock at commercial bread bakers on 30 June 1989.....	34	11979
Finance, Department of			
<i>Government Notices</i>			
R. 1329	Customs and Excise Act (91/1964): Amendment of Schedule 1 (No. 1/1/155).....	35	11979
R. 1330	do.: Amendment of Schedule 1 (No. 1/1/154).....	36	11979
R. 1331	do.: Amendment of Schedule 1 (No. 1/4/55).....	36	11979
R. 1332	do.: Amendment of Schedule 1 (No. 1/4/56).....	38	11979
R. 1333	do.: Amendment of Schedule 3 (No. 3/69).....	40	11979
R. 1334	do.: Amendment of Schedule 4 (No. 4/34).....	41	11979
R. 1345	Insurance Act (27/1943): Amendment of regulations.....	42	11979
R. 1383	Regional Services Councils Act (109/1985): Publication of rate: Overberg Regional Services Council.....	43	11979
R. 1384	do.: do.: Outeniqua Regional Services Council.....	43	11979
R. 1385	do.: do.: Breërivier Regional Services Council.....	44	11979
R. 1386	do.: do.: Regional Services Council of Klein-Karoo.....	44	11979

INHOUD

No.		Bladsy No.	Koerant No.
PROKLAMASIES			
R. 97	Grondwet van die Republiek van Suid-Afrika (110/1983): Opdra van uitvoering van sekere wette aan die Minister van Plaaslike Bestuur en Behuising: Volksraad.....	1	11979
R. 98	Wet op die Uitbreiding van die Grense van Bepaalde State (2/1980): Oorgaan van sekere grond in die distrik Vryburg in die provinsie die Kaap die Goeie Hoop, in die distrikte Warmbad, Rustenburg, Pretoria, Brits, Delareyville, Marico en Lichtenburg in die provinsie Transvaal en in die distrikte Excelsior en Bloemfontein in die provinsie Oranje-Vrystaat na die Republiek van Bophuthatswana.....	5	11979
R. 100	Wet op die Afskaffing van Ontwikkelingsliggame (75/1986): Regulasies.....	8	11979
R. 105	Wet op die Mediese Universiteit van Suider-Afrika (78/1976): Opdrag aan die Administrateur van die provinsie Transvaal van sekere bevoegdhede, pligte of werksaamhede toegewys by artikel 35.....	9	11979
GOEWERMENSKENNISGEWINGS			
Finansies, Departement van			
<i>Goewermenskennisgewings</i>			
R. 1329	Docane- en Aksynswet (91/1964): Wysiging van Bylae 1 (No. 1/1/155).....	35	11979
R. 1330	do.: Wysiging van Bylae 1 (No. 1/1/154) ..	36	11979
R. 1331	do.: Wysiging van Bylae 1 (No. 1/4/55)....	36	11979
R. 1332	do.: Wysiging van Bylae 1 (No. 1/4/56)....	38	11979
R. 1333	do.: Wysiging van Bylae 3 (No. 3/69)	40	11979
R. 1334	do.: Wysiging van Bylae 4 (No. 4/34)	41	11979
R. 1345	Versekeringswet (27/1943): Wysiging van regulasies.....	42	11979
R. 1383	Wet op Streeksdiensterade (109/1985): Bekendmaking van tarief: Overberg Streeksdiensteraad.....	43	11979
R. 1384	do.: do.: Outeniqua Streeksdiensteraad ..	43	11979
R. 1385	do.: do.: Breërivier Streeksdiensteraad...	44	11979
R. 1386	do.: do.: Streeksdiensteraad van Klein-Karoo	45	11979
Handel en Nywerheid, Departement van			
<i>Goewermenskennisgewings</i>			
R. 1351	Wet op Behuisingontwikkelingskemas vir Afgetrede Persone (65/1988): Regulasies.....	51	11979
R. 1392	Wet op Beslote Korporasies, 1984: Wysiging van die Administratiewe Regulasies vir Beslote Korporasies.....	59	11979
Justisie, Departement van			
<i>Goewermenskennisgewings</i>			
R. 1342	Wet op die Voorgeskrewe Rentekoers (55/1975): Voorgeskrewe rentekoers	45	11979
R. 1350	Wet op Prokureurs (53/1979): Regulasies kragtens artikel 81 (1)	45	11979
Landbou-ekonomie en -bemarking, Departement van			
<i>Goewermenskennisgewings</i>			
R. 1353	Bemarkingswet (59/1968): Aartappel-skema: Wysiging.....	11	11979
R. 1376	Bemarkingswet (59/1968): Vleisskema: Registrasie van slagters en vervaardigers van fabrieksvleisprodukte: Wysiging	11	11979
R. 1388	Plantverbeteringswet (53/1976): Suid-Afrikaanse Saadsertifiseringskema: Wysiging	12	11979

No.	Page No.	Gazette No.	No.	Bladsy No.	Koerant No.
Justice, Department of					
<i>Government Notices</i>					
R. 1342 Prescribed Rate of Interest Act (55/1975): Prescribed rate of interest	45	11979	R. 1393 Bemarkingswet (59/1968): Wintergraanskema: Verkooppryse van meel: Wysiging	27	11979
R. 1350 Attorneys Act (53/1979): Regulations under section 81 (1)	45	11979	R. 1394 do.: do.: Verkooppryse van koringsemels: Wysiging	33	11979
Manpower, Department of			R. 1395 do.: do.: Heffings en spesiale heffings: Wysigings	33	11979
<i>Government Notices</i>			R. 1396 do.: do.: Spesiale heffing op witbroodmeelblom, bruinbroodmeel en volkoringmeel in voorraad by kommersiële broodbakkers op 30 Junie 1989	34	11979
R. 1338 Labour Relations Act (28/1956): Motor Industry: Amendment of Motor Industry Sick and Accident Pay Fund Agreement ..	45	11979	Mannekrag, Departement van		
R. 1431 Labour Relations Act (28/1956): Iron, Steel, Engineering and Metallurgical Industry: Correction notice	59	11979	<i>Goewermentskennisgewings</i>		
National Health and Population Development, Department of			R. 1338 Wet op Arbeidsverhoudinge (28/1956): Motornywerheid: Wysiging van Siekten en Ongevallebystandsfondsooreenkoms vir die Motornywerheid	45	11979
<i>Government Notice</i>			R. 1431 Wet op Arbeidsverhoudinge (28/1956): Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid: Verbeteringskennisgewing	59	11979
R. 1389 Medical, Dental and Supplementary Health Service Professions Act (56/1974): The South African Medical and Dental Council: Regulations relating to the constitution, functions, powers and duties of the Professional Board for Psychology: Amendment	46	11979	Nasionale Gesondheid en Bevolkingsontwikkeling, Departement van		
Posts and Telecommunications, Department of			<i>Goewermentskennisgewing</i>		
<i>Government Notice</i>			R. 1389 Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoepes (56/1974): Die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad: Regulasies betreffende die samestelling, werksaamhede, bevoegdhede en pligte van die Beroepsraad vir Sielkunde: Wysiging	46	11979
R. 1349 Radio Act (3/1952): Amendment of the Radio Regulations	46	11979	Pos- en Telekommunikasiewese, Departement van		
Trade and Industry, Department of			<i>Goewermentskennisgewing</i>		
<i>Government Notices</i>			R. 1349 Radiowet (3/1952): Wysiging van die Radioregulasies	46	11979
R. 1351 Housing Development Schemes for Retired Persons Act (65/1988): Regulations ..	51	11979			
R. 1392 Close Corporations Act, 1984: Amendment of the Close Corporations Administrative Regulations	59	11979			