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GOEWERMENSKENNISGEWING

DEPARTEMENT VAN MANNEKRAG

No. R. 2760

22 Desember 1989

WET OP ARBEIDSVERHOUDINGE, 1956

PLAASLIKE BESTUURSONDERNEMING.— VERVOERTOELAAG- EN LENINGSOOREEN- KOMS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat drie jaar na genoemde Maandag eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is.

E. VANDER M. LOUW,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRaad VIR DIE PLAASLIKEBESTUURS- ONDERNEMING

VERVOERTOELAAG- EN LENINGSOOREENKOMS

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

Munisipale Werkgewersorganisasie

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

Suid-Afrikaanse Vereniging van Munisipale Werknemers (nie-Politiek)

(hierna die "werknemers" of die "vakvereniging" genoem), aan die ander kant,
wat die partye is by die Nywerheidsraad vir die Plaaslikebestuurs-
onderneming.

714-A

GOVERNMENT NOTICE

DEPARTMENT OF MANPOWER

No. R. 2760

22 December 1989

LABOUR RELATIONS ACT, 1956

LOCAL GOVERNMENT UNDERTAKING.— TRANSPORT ALLOWANCE AND LOAN AGREEMENT

I, Eli van der Merwe Louw, Minister of Manpower, hereby, in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending three years from the said Monday, upon the employers' organisation and the trade union which entered into the said Agreement and upon the employers and employees who are members of the said organisation or union.

E. VANDER M. LOUW,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE LOCAL GOVERNMENT UNDERTAKING

TRANSPORT ALLOWANCE AND LOANS AGREEMENT

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

Municipal Employers' Organisation

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

South African Association of Municipal Employees (non-Political)

(hereinafter referred to as the "employees" or the "trade union"), of the other part,
being the parties to the Industrial Council for the Local Government Undertaking.

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1. GEBIED EN TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet in die Plaaslike Bestuursonderneming in die provinsie Transvaal, uitgesonderd die munisipale gebiede van Pretoria en Johannesburg, nagekom word deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakvereniging is.

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1. AREA AND SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Local Government Undertaking in the Province of the Transvaal, excluding the municipal areas of Pretoria and Johannesburg, by all employers who are members of the employers' organisation and by all employees who are members of the trade union.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister van Mannekrag kragtens artikel 48 van die Wet bepaal en bly van krag vir 'n tydperk van drie jaar vanaf die datum van afkondiging of vir die tydperk wat hy bepaal.

3. WOORDOMSKRYWINGS

Vir doeleindes van hierdie skema is die volgende woordomskrywings van toepassing en beteken—

- 3.1 "Amptelike afstand" die afstand in kilometers wat deur 'n werknemer in diens van sy/haar werkgever afgelê word, uitgesonderd afstand tussen werk en woning;
- 3.2 "dae" die aantal werkdag in diens van die deelnemende plaaslike owerheid;
- 3.3 "deelnemende plaaslike owerhede" alle Transvaalse plaaslike owerhede onder jurisdiksie van die Nywerheidsraad vir die Plaaslike Bestuursonderneming;
- 3.4 "MWO" die Munisipale Werkgeversorganisasie of sy verteenwoordigers;
- 3.5 "motoreienaarskapkoste" soos aangedui en in stand gehou deur die Automobil-Assosiasie van Suid-Afrika in die tabelle vir "Geraamde gemiddelde motoreienaarskapkoste oor ses jaar";
(Die tarief word aangetoon in sent per kilometer en bestaan uit die volgende:
 - * Vaste koste van die voertuig.
 - * Totale loopkoste van die voertuig.);
- 3.6 "totale vaste koste" die tarief in sent per kilometer soos deur die aankoopwaarde van die voertuig bepaal: Met dien verstande dat hierdie waarde nie hoër is as die kleinhandelverkoopwaarde van die betrokke voertuig soos aangedui in die "Auto Dealers Digest", plus algemene verkoopbelasting nie;
- 3.7 "totale loopkoste" die tarief in sent per kilometer bestaande uit die volgende elemente:
 - * Koste van brandstof in verhouding tot die voertuig se enjinkapasiteit of soos beperk in hierdie skema;
 - * onderhoudskoste in verhouding tot die voertuig se enjinkapasiteit of soos beperk in hierdie skema;
- 3.8 "n toelaagdraende betrekking of pos" 'n betrekking of pos waaraan 'n vaste of lopende maandelikse vervoertoelaag gekoppel is en wat kwalifiseer vir 'n voertuiglening ingevolge die skema;
- 3.9 "Verengiging" die Suid-Afrikaanse Vereniging van Munisipale Werknemers (nie-Politiek) en/of enige tak van die Vereniging;
- 3.10 "vervoertoelaagskema" hierdie skema soos ooreengekom tussen die MWO en die Vereniging.

4. DOELSTELLINGS VAN DIE SKEMA

Hierdie skema handel oor die betaling van 'n vervoertoelaag aan werknemers van deelnemende plaaslike owerhede wat privaattervoer moet aanwend by die uitvoering van amptelike pligte.

Die doelstellings van die skema is om voorsiening te maak vir die volgende:

- 4.1 Eenvormige riglyne, voorwaardes en beperkings waarvolgens die skema bedryf sal word ten einde verskille tussen deelnemende plaaslike owerhede tot 'n minimum te beperk;
- 4.2 genoeg buigzaamheid van die skema sodat plaaslike owerhede self interne reëls kan maak ten einde vir eie unieke omstandighede voorsiening te maak. (Sien klousule 6.5.);
- 4.3 die vergoedingsbasis en skemavoordede ten opsigte van werknemers wat privaattervoer moet aanwend by die uitvoering van amptelike pligte, hetsy omdat daar geen amptelike vervoer beskikbaar is nie en/of daar vooraf met 'n werknemer ooreengekom is om privaattervoer vir amptelike doeleindes te gebruik.

5. SKEMADEELNAME

'n Werknemer van 'n deelnemende plaaslike owerheid wat op versoek en met die instemming van sy werkgever 'n privaattervoer aanwend by die uitvoering van amptelike pligte, is 'n deelnemer in die skema en is gevolglik op die gespesifiseerde skemavoordede geregtig, maar is ook onderworpe aan die voorwaardes en beperkings wat in die skema opgelê word.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be specified by the Minister of Manpower in terms of section 48 of the Act, and shall remain in force for a period of three years from the date of publication of the Agreement or for such period as may be determined by him.

3. DEFINITIONS

For purposes of this scheme, the following definitions shall apply:

- 3.1 "Official distance" means the distance in kilometres travelled by an employee in his/her employer's service, excluding distances between place of work and residence;
- 3.2 "days" indicates the number of working days in the service of the participating local authority;
- 3.3 "participating local authorities" means all Transvaal local authorities under the jurisdiction of the Industrial Council for the Local Government Undertaking;
- 3.4 "MEO" means the Municipal Employer's organisation or its representative;
- 3.5 "car ownership cost" as reflected and maintained by the Automobile Association of South Africa in the tables for "Estimated average car ownership cost over six years";
(The tariff is reflected in cents per kilometre and is composed of the following:
 - * Fixed cost of the vehicle.
 - * Total running cost of the vehicle.);
- 3.6 "total fixed cost" means the tariff in cents per kilometre as determined on the purchase value of the vehicle: Provided that this value does not exceed the retail selling value of the relative vehicle as reflected in the "Auto Dealers Digest", plus general sales tax;
- 3.7 "total running cost" means the tariff in cents per kilometre which is composed of the following:
 - * Cost of fuel in relation to the vehicle's engine capacity or as restricted in this scheme;
 - * maintenance costs in relation to the vehicle's engine capacity or as restricted in this scheme;
- 3.8 "an allowance bearing job or post" means a job or post to which a fixed or running monthly transport allowance is coupled and which qualifies for a vehicle loan in terms of the scheme;
- 3.9 "association" means the South African Association of Municipal Employees (non-Political) and/or any branch of the Association;
- 3.10 "transport allowance scheme" means this scheme as agreed between the MEO and the Association.

4. OBJECTS OF THE SCHEME

This scheme deals with the payment of a transport allowance to employees of participating local authorities who are required to utilise private transport in the execution of official duties.

The objects of the scheme are to provide for the following:

- 4.1 Uniform guidelines, conditions and limitations in terms of which the scheme is to be run in order to restrict differences between participating local authorities to a minimum;
- 4.2 sufficient flexibility to the scheme in order to allow local authorities to frame internal rules to provide for their own unique circumstances. (See clause 6.5.);
- 4.3 the basis of compensation and scheme benefits in respect of employees who utilise private transport in the execution of official duties, whether no official transport is available and/or whether prior arrangements have been made with an employee to utilise private transport for official purposes.

5. SCHEME PARTICIPATION

Any employee of a participating local authority, who on request and with the approval of his employer, utilises a private vehicle in the execution of official duties, is a participant in the scheme and is consequently entitled to the specified scheme benefits, but is also subject to the conditions and limitations contained in the scheme.

6. SKEMABEPALINGS

Hierdie skema maak voorsiening vir deelname deur alle werknemers van 'n plaaslike owerheid, uitgesonderd stadsklerke, wat met goedkeuring van sodanige owerheid privaatvervoer gebruik by die uitvoering van amptelike pligte. Toelating tot en deelname in die skema word dus primêr bepaal deur die aanwending van privaatvervoer vir amptelike doeleindes, ongeag of die gebruik van sodanige vervoer tydelik, toevallig of deurlopend van aard is.

Deelname in die skema word derhalwe bepaal en beperk deur kostevoordele en ekonomiese oorwegings. Dit is daarom deelnemende plaaslike owerhede se verantwoordelikheid om, met inagneming van die skemabepalings, self te bepaal in hoe 'n mate privaatvervoer benut sal word vir amptelike doeleindes.

6.1 Klassifisering van vervoertoelae

Die betaling van vervoertoelae word bereken op grond van die amptelike afstande wat met behulp van privaatvervoer oor 'n gegewe tydperk afgelê word. Voorsiening word dus in hierdie skema gemaak vir die betaling van vervoertoelae ten opsigte van die aanwending van privaatvervoer vir tydelike, toevallige of deurlopende ritte wat in amptelike hoedanigheid afgelê word.

Vir klassifiseringsdoeleindes word die volgende vorms van vervoertoelae onderskei:

6.1.1 'n Vaste vervoertoelaag

Hierdie toelaag is vergelykbaar met die vaste vervoertoelaag wat deur die Departement: Staatkundige Ontwikkelingsdiens vir alle Hoof Uitvoerende Beamptes dwarsdeur Suid-Afrika, ingevolge die Wet op die Besoldiging van Stadsklerke, 1984 (Wet No. 115 van 1984), voorgeskryf word.

Die toelaag onder bespreking is bedoel vir bekleërs van poste van departementshoof, adjunk-departementshoof en assistent-departementshoof op posvlakke een, twee en drie op die personeeldiensstaat van deelnemende plaaslike owerhede.

Sodanige bekleërs kwalifiseer vir 'n maandelikse vervoertoelaag, sonder bewys van afstand afgelê, soos volg:

Departementshoofde: ten minste 850 km.

Adjunk-departementshoofde: ten minste 750 km.

Assistent-departementshoofde: ten minste 650 km.

Die tarief vir die basiese afstand wat aan 'n werknemer toegeken word, word aan die werknemer betaal vir reise binne sy owerheidsgrense en hy hoef daarvoor geen bewys van afstand vir amptelike reise te lewer nie. Vir enige reise buite sy owerheidsgrense moet die werknemer vergoed word ooreenkomstig die goedgekeurde tarief vir totale loopkoste vir die werklike afstand afgelê.

Sodanige bekleërs van poste moet dus daaglikse privaatvervoer beskikbaar hê vir die uitvoering van amptelike pligte. Die betaling van 'n maandelikse vervoertoelaag aan die onderskeie posbkleërs, is egter onderworpe aan die volgende voorwaardes, naamlik dat—

- 6.1.1.1 geen amptelike vervoer aan sodanige posbkleërs verskaf word nie.
- 6.1.1.2 die maksimum afstand voorgeskryf vir hoof uitvoerende beamptes nie oorskry word nie.
- 6.1.1.3 huis-na-werk-ritte nie deel vorm van die toelaag nie;
- 6.1.1.4 daar voldoen word aan alle ander vereistes vervat in hierdie skema; en
- 6.1.1.5 waar plaaslike omstandighede dit regverdig of noodsaak ten opsigte van 'n sekere klas werknemer, die beperkings vervat in hierdie skema verslap mag word met die goedkeuring van die Nywerheidsraad.

6.1.2 'n Lopende vervoertoelaag

Wanneer daar met 'n werknemer ooreengekom is om daaglikse privaatvervoer gebruik te maak vir die uitvoering van amptelike pligte en sodanige werknemer in die proses meer as 300 kilometer per maand aflê, moet 'n maandelikse lopende vervoertoelaag betaal word ooreenkomstig die totale afstand afgelê. Met dien verstande dat die maksimum perk soos ooreengekom en neergelê deur die betrokke plaaslike owerheid nie oorskry sal word nie.

Die pos waaraan hierdie maandelikse lopende vervoertoelaag gekoppel is, staan bekend as 'n vervoertoelaagdraende betrekking en is onderworpe aan die bepalinge vervat in hierdie skema.

6. SCHEME STIPULATIONS

This scheme provides for participation by all employees of local authority, except town clerks, who, with the approval of such authority, utilise private transport in the execution of official duties. Admission to and participation in the scheme are thus primarily determined by the utilisation of private transport for official purposes, regardless whether the utilisation of such transport is temporary, casual or of a fixed nature.

Participation in the scheme is thus determined and limited by cost advantages and economical considerations. It is therefore the responsibility of participating local authorities themselves, with due regard to the scheme stipulations, to determine to what extent private transport shall be utilised for official purposes.

6.1 Classifying transport allowances

The payment of transport allowances is calculated on the basis of the official distances travelled by private transport over a given period of time. In this scheme provision is thus made for the payment of transport allowances in respect of the utilisation of private transport for temporary, casual or continuous journeys undertaken in an official capacity.

For classification purposes, the following forms of transport allowances are identified:

6.1.1 A fixed transport allowance

This allowance is comparable with the fixed transport allowance prescribed by the Department: Constitutional Development Services for all Chief Executive Officers throughout South Africa, in terms of the Remuneration of Town Clerks Act, 1984 (Act No. 115 of 1984).

The allowance referred to is intended for incumbents of posts of head of department, deputy head of department and assistant head of department, on job levels one, two and three of the staff establishment of participating local authorities.

Such incumbents qualify for a monthly transport allowance, without proof of distance travelled, as follows:

Heads of department: at least 850 km.

Deputy heads of department: at least 750 km.

Assistant heads of department: at least 650 km.

The tariff for the basic distance allocated to an employee is paid to an employee for journeys within the boundaries of his participating local authority and he is not required to provide proof of the distance travelled for official journeys. For journeys outside the boundaries of his participating local authority the employee must be compensated in accordance with the prescribed tariff for total running costs for the actual distance travelled.

It is thus a requirement that such incumbents of posts shall have private transport available on a daily basis for the execution of official duties. The payment of a monthly transport allowance to the various incumbents, is however subject to the following conditions, i.e. —

- 6.1.1.1 that no official transport is provided to such incumbents;
- 6.1.1.2 that the maximum distance prescribed for chief executive officers is not exceeded;
- 6.1.1.3 that residence to place of work journeys do not form part of the allowance;
- 6.1.1.4 that all other requirements contained in this scheme are complied with; and
- 6.1.1.5 where local circumstances justify or require that in respect of a certain class of employee the restrictions contained in this scheme be relaxed, it may be done with the sanction of the Industrial Council.

6.1.2 A running transport allowance

When it is agreed with an employee to daily utilise private transport for the execution of official duties, and such employee travels more than 300 km per month in the process, a running monthly transport allowance shall be paid in accordance with the total distance travelled: Provided that the maximum limitation as agreed and stipulated by the relevant local authority is not exceeded.

The post to which this monthly running transport allowance is coupled, is known as a transport allowance bearing position and is subject to the conditions specified in this scheme.

Vir die bepaling van afstande met betrekking tot lopende vervoer-toelae, geld die volgende beginsels:

- 6.1.2.1 Deelnemende plaaslike owerhede moet individueel besluit of werknemers wat kwalifiseer vir skemadename, 'n logstaat maandeliks moet indien en of vergoeding bepaal moet word op 'n vaste gemiddelde ritafstand per maand soos deur die plaaslike owerheid vir die betrokke pos bepaal.
- 6.1.2.2 Wanneer 'n deelnemende plaaslike owerheid kragtens klousule 6.1.2.1 besluit dat 'n vaste maandelikse vervoer-toelaag betaal sal word vir die uitvoering van pligte verbonde aan enige betrekking, sal 'n voorlopige maandelikse amptelike kilometerafstand bereken tot die naaste 25 kilometer vir sodanige betrekking, na voorlegging van 'n verslag deur die betrokke departementshoof, bepaal word. Hierdie verslag sal dien as die basis van aanslag van die voorlopige maandelikse amptelike kilometerafstand.
- 6.1.2.3 Gedurende die eerste drie maande na die bepaling van die voorlopige maandelikse amptelike kilometerafstand kragtens klousule 6.1.2.2, moet die bekleër van die betrokke pos 'n daaglikse amptelike kilometerafstandopgawe (logstaat) byhou van amptelike ritte deur die departementshoof goedgekeur. Die kilometers wat in die voorafgaande drie maande afgelê is, moet met vier vermenigvuldig en die resultaat afgerond word na die naaste 100 km ten einde die jaarlikse amptelike kilometerafstand met betrekking tot die pos te verkry.
- 6.1.2.4 Ingeval die deelnemende plaaslike owerheid of bekleër van 'n vervoertoelaagdraende pos 'n herbepaling van die amptelike afstandperk verbonde aan 'n betrekking verlang, moet skriftelike kennisgewing aan die betrokke departementshoof gegee word. Onmiddellik na verstryking van sewe dae nadat sodanige kennisgewing gedien is, moet die betrokke werknemer vir drie maande aanhou om 'n daaglikse opgawe van alle amptelike ritte by te hou, ooreenkomstig die prosedure in klousule 6.1.2.3 neergelê.
- 6.1.2.5 Indien 'n werknemer nie tevrede is met die bepaling of herbepaling van die amptelike afstandperk verbonde aan die vervoertoelaagdraende betrekking deur hom bekleë nie, kan die Vereniging 'n tafelronde met die betrokke plaaslike owerheid aanvra en, by gebrek aan 'n ooreenkoms, kan die Vereniging die aangeleentheid na goeddunke verder voer.
- 6.1.2.6 Die maksimum kilometerafstand (afstandperk) per maand wat 'n deelnemende plaaslike owerheid sal bepaal vir elke ander pos as die van departements-, adjunk-, of assistent-hoof, soos bedoel in klousule 6.1.1, moet pertinent aan die werknemer bekendgemaak en verkieslik op sy pligtestaat aangedui word.
- 6.1.2.7 In gevalle waar 'n werknemer meer as 1 500 km per maand moet aflê vir amptelike doeleindes, word as riglyn voorgestel dat sodanige posbekleër eerder van 'n amptelike voertuig voorsien word. Deelnemende plaaslike owerhede behoort egter self ooreenkomstig die omstandighede oor skematolering te besluit.

6.1.3 'n Ad hoc-vervoertoelaag ten opsigte van tydelike en toevallige amptelike ritte

Ad hoc-vervoertoelae is betaalbaar in gevalle waar tydelike of toevallige amptelike ritte met behulp van privaatvervoer onderneem word. Die volgende bepalinge is van toepassing:

- 6.1.3.1 'n Werknemer wat 'n vervoertoelaagdraende betrekking beklee en wat tydelik 'n ander vervoertoelaagdraende betrekking beklee en sy eie betrekking verlaat, word vanaf die datum en vir solank as wat hy/sy tydelik in die ander betrekking waarneem, 'n vervoertoelaag gebaseer op die amptelike jaarlikse kilometerafstand verbonde aan die tydelike betrekking betaal, of die vervoertoelaag verbonde aan sy eie betrekking, naamlik die grootste een, en die vervoertoelaag betaalbaar ingevolge hierdie paragraaf, word soos volg bereken:

$$A = (b \times \frac{c1}{12} \times \frac{k}{f} + (b \times \frac{c2}{12} \times \frac{m}{f})$$

Waar A = die maandelikse vervoertoelaag;

For the determination of distances with regard to running transport allowances, the following principles shall apply:

- 6.1.2.1 Participating local authorities will decide individually whether employees who qualify for scheme participation should submit a monthly log sheet and whether compensation shall be determined on a fixed average journey distance per month as determined by the local authority for the particular post.
- 6.1.2.2 When a participating local authority decides in terms of clause 6.1.2.1 that a fixed monthly transport allowance be paid for the execution of duties in connection with any position, a provisional monthly official kilometre distance, calculated to the nearest 25 kilometre for such position, shall be determined after submission of a report by the relative head of department. This report shall serve as the basis of assessment of the provisional monthly official kilometre distance.
- 6.1.2.3 During the first three months after the determination of the provisional monthly official kilometre distance in terms of clause 6.1.2.2, the incumbent of the specific post must maintain a daily official kilometre distance return (log sheet) of official journeys as approved by the head of department. The kilometres travelled during the foregoing three months must be multiplied by four and the result rounded off to the nearest 100 kilometres in order to obtain the annual official kilometre distance relative to the post.
- 6.1.2.4 Should the participating local authority or incumbent of a transport allowance bearing post require a redetermination of the official distance limitation connected to a position, written notice must be given to the particular head of department. Immediately after expiry of seven days of serving such notice, the relative employee must continue to maintain a daily return of all official journeys for three months, in accordance with the procedure stipulated in clause 6.1.2.3.
- 6.1.2.5 Should an employee not be satisfied with the determination or redetermination of the official distance limitation applicable to the transport allowance bearing position occupied by him, the Association can request a round table discussion with the local authority concerned and in the event of failure to reach an agreement, the Association can pursue the matter further as deemed fit.
- 6.1.2.6 The maximum kilometre distance (distance limitation) per month that a participating local authority determines for each post other than that of a head, deputy or assistant head of a department, referred to in clause 6.1.1, must be pertinently made known to the employee and preferably be reflected on his duty sheet.
- 6.1.2.7 In cases where an employee has to travel more than 1 500 km per month for official purposes, it is suggested as guideline that such incumbent rather be provided with an official vehicle. Participating local authorities should however decide for themselves on scheme admission in accordance with own circumstances.

6.1.3 An Ad hoc transport allowance in respect of temporary and casual official journeys

Ad hoc transport allowances are payable in cases where temporary or casual official journeys are undertaken by means of private transport. The following provisions apply:

- 6.1.3.1 An employee occupying a transport allowance bearing position and who temporarily occupies another transport allowance bearing position and leaves his own position, shall from that date, and for as long as he/she temporarily acts in the other position, be paid a transport allowance based on the official annual kilometre distance applicable to the temporary position, or the transport allowance applicable to his own position, whichever is the bigger, and the transport allowance payable in terms of this paragraph, shall be calculated as follows:

$$A = (b \times \frac{c1}{12} \times \frac{k}{f} + (b \times \frac{c2}{12} \times \frac{m}{f})$$

Where A = the monthly transport allowance;

b = totale motoreienaarskapkoste per kilometer gebaseer op die werklike nuwe aankoopprys van die voertuig wat deur die werknemer verskaf word, behoudens die bepalinge van klousule 7 en op 'n jaarlikse kilometerafstand van 14 000 kilometer;

c1 = amptelike jaarlikse kilometerafstand ten opsigte van werknemer se eie betrekking, soos bepaal;

c2 = amptelike jaarlikse kilometerafstand ten opsigte van die betrekking wat tydelik deur die werknemer gevul word, soos bepaal;

f = aantal werkdade in die kalendermaand waarin die vervoertoelaag bereken word;

k = aantal werkdade wat die werknemer sy eie betrekking vul in die kalendermaand in f genoem; en

m = aantal werkdade in die kalendermaand in f genoem wat die werknemer die tydelike betrekking in c2 genoem, vul.

6.1.3.2 'n Werknemer wat 'n vervoertoelaagdraende betrekking beklee en tydelik, benewens sy eie pligte, die vul van 'n ander werknemer vir 'n tydperk van vyf werkdade per maand of meer, moet die vervoertoelaag verbonde aan die betrekking deur hom beklee ontvang, sowel as 'n bykomende bedrag vir amptelike kilometers afgelê by die uitvoering van pligte verbonde aan die betrekking van die ander werknemer. Hierdie bykomende bedrag, betaalbaar na indiening van daaglikse opgawestate, moet soos volg bereken word:

$$A = g \times a$$

Waar A = bykomende bedrag;

g = totale loopkoste per kilometer; en

a = kilometerafstand afgelê by die uitvoering van pligte verbonde aan die betrekking van die ander werknemer.

6.1.3.3 Wanneer 'n werknemer wat nie 'n vervoertoelaagdraende betrekking beklee nie, tydelik waarneem in die plek van 'n ander werknemer wat wel 'n vervoertoelaagdraende betrekking beklee, moet die betrokke werknemer, indien hy 'n privaatvoertuig verskaf vir die tydperk van waarneming, die vervoertoelaag verbonde aan die vervoertoelaagdraende betrekking ontvang. Sodanige vervoertoelaag moet soos volg bereken word:

$$A = b \times \frac{c}{12} \times \frac{e}{f}$$

Waar A = vervoertoelaag betaalbaar;

b = totale motoreienaarskapkoste per kilometer, gebaseer op die werklike nuwe aankoopprys van die voertuig wat deur die werknemer verskaf word, behoudens die bepalinge van klousule 7 en op 'n jaarlikse kilometerafstand van 14 000 kilometers;

c = jaarlikse kilometerafstand soos bepaal ten opsigte van die betrekking waarin die werknemer tydelik waarneem;

e = aantal werkdade wat die werknemer in die tydelike betrekking waarneem in die kalendermaand in f genoem; en

f = aantal werkdade in die kalendermaand waarin die vervoertoelaag bereken word.

6.1.3.4 Enige werknemer op wie bogenoemde paragrawe nie van toepassing is nie en wat, in opdrag van 'n departementshoof, toevallige vervoer in diens van die Raad verskaf, moet 'n vervoertoelaag betaal word vir die werklike kilometerafstand afgelê, insluitend een retoerit tussen woning en werk met 'n maksimum van 10 km retoer vir elke dag wat die werknemer sodanige vervoer in diens van die Raad verskaf. Die toevallige vervoertoelaag moet soos volg bereken word:

$$A = b \times c$$

Waar A = die toevallige vervoertoelaag betaalbaar;

b = total vehicle ownership cost per kilometre based on the actual new purchase price of the vehicle provided by the employee, subject to the provisions of clause 7 and on an annual kilometre distance of 14 000 kilometres;

c1 = official annual kilometre distance in respect of employee's own position, as determined;

c2 = official annual kilometre distance in respect of the position temporarily occupied by the employee, as determined;

f = number of working days in the calendar month in which the transport allowances are calculated;

k = number of working days that the employee occupies his own position in the calendar month mentioned in f; and

m = number of working days in the calendar month mentioned in f that the employee occupies the temporary position mentioned in c2.

6.1.3.2 An employee who occupies a transport allowance bearing position and who temporarily, in addition to his own duties, occupies that of another employee for a period of five working days per month or more, shall receive the transport allowance applicable to the post occupied by him, as well as an additional amount for official kilometres travelled in the execution of duties applicable to the position of the other employee. This additional amount, payable after submission of daily returns, shall be calculated as follows:

$$A = g \times a$$

Where A = additional amount;

g = total running costs per kilometre; and

a = kilometre distance travelled in the execution of duties applicable to the position of the other employee.

6.1.3.3 An employee who does not occupy a transport allowance bearing position, when acting temporarily in the place of an employee who does occupy a transport allowance bearing position, shall, if such employee provides a private vehicle for the period during which so acting, receive the transport allowance applicable to such transport allowance bearing position. Such transport allowance shall be calculated as follows:

$$A = b \times \frac{c}{12} \times \frac{e}{f}$$

Where A = transport allowance payable;

b = total vehicle ownership cost per kilometre, based on the actual new purchase price of the vehicle provided by the employee, subject to the provisions of clause 7 and on an annual kilometre distance of 14 000 kilometres;

c = annual kilometre distance as determined in respect of the position in which the employee temporarily acts;

e = number of working days that the employee acts in the temporary position in the calendar month mentioned in f; and

f = number of working days in the calendar month in which the transport allowance is calculated.

6.1.3.4 Any employee to whom the above-mentioned paragraphs do not apply and who, on the instructions of a head of a department, provides casual transport in the service of the Council, shall be paid a transport allowance for the actual kilometre distance travelled, including one return journey between residence and place of work with a maximum of 10 km return for every day that the employee provides such transport in the Council's service. The casual transport allowance shall be calculated as follows:

$$A = b \times c$$

Where A = the casual transport allowance payable;

b = totale motoreienaarskapkoste per kilometer, gebaseer op die werklike nuwe aankoopprys van die voertuig wat deur die werknemer voorsien word, behoudens die bepalinge van klousule 7 en op 'n jaarlikse kilometerafstand van 14 000 kilometers; en

c = werklike kilometerafstand afgelê.

6.2 Berekening van vervoertoelae

6.2.1 Vergoedingsbasis (tabelle)

Alle vervoertoelaagbetalings word bereken ooreenkomstig die Automobiël Assosiasie van Suid-Afrika se tabelle vir "Geraamde gemiddelde motoreienaarskapkoste oor ses jaar" (hierna AA-tabelle genoem).

Die AA-tabelle maak voorsiening vir die volgende kostefaktore:

6.2.1.1 Vaste koste

Hierdie faktor sluit die volgende elemente in, naamlik:

Waardevermindering van nuwe motorwaarde, verlies van rente (teen huidige koerse) omvattende versekering (gebaseer op Witwatersrandse premies), lisensie-, registrasie- en parkeergelde. Om die vaste koste te bereken, moet die werklike koopprys in verband gebring word met die jaarlikse afstand toepaslik in dié geval. Vir doeleindes van vaste koste, moet die aankoopprys van die voertuig as basis gebruik word. Indien hierdie prys hoër is as die kleinhandel verkoopwaarde van die voertuig, volgens die Auto Dealers' Digest, moet laasgenoemde waarde vir berekeningsdoeleindes gebruik word.

6.2.1.2 Brandstofkoste

Hierdie faktor is in verhouding tot die prys van premium- en gewone brandstof op die Witwatersrand en by die kus. Brandstofverbruiksfaktore vir stedelike en plattelandse rite is in aanmerking geneem.

6.2.1.3 Onderhoudskoste

Hierdie faktor sluit die volgende elemente in, naamlik bande, onderdele, herstelwerk, versiening, smering en was en poleer oor 'n tydperk van ses jaar, synde die lewensduur van die motor. Om onderhoudskoste in sent/kilometer te verkry, moet die enjingoedte in verhouding tot die jaarlikse afstand afgelê in berekening gebring word.

6.2.1.4 Totale eienaarskapkoste

Hierdie faktor verteenwoordig die somtotaal van die vaste brandstof- en onderhoudskoste van 'n voertuig en vorm die basistarief waarmee vervoertoelaagberekeninge gedoen word.

Geen afwyking van bovermelde tabel, wat die tendens van geprojekteerde gemiddelde motoreienaarskapkoste oor ses jaar verteenwoordig, moet toegelaat word nie. Alle deelnemende plaaslike owerhede moet derhalwe, vir doeleindes van hierdie skema, die voorgeskrewe tabelle gebruik vir die berekening van vervoertoelae, hetsy vaslopend of *ad hoc* van aard.

6.2.2 Vergoedingsbeginsels

6.2.2.1 'n Vervoertoelaag moet maandeliks betaal en soos volg bereken word:

$$A = b \times \frac{c}{12}$$

Waar A = die maandelikse vervoertoelaag;
b = totale eienaarskapkoste per kilometer; en
c = totale jaarlikse kilometerafstand.

6.2.2.2 Die vervoertoelaag vir 'n betrokke kalendermaand moet, waar moontlik, aan die einde van dieselfde maande aan die werknemer betaal word.

6.2.2.3 Met betrekking tot tydperke van onbetaalde verlof of die tydperk in die kalendermaand voordat 'n werknemer diens in die betrokke vervoertoelaagdraende betrekking aanvaar het, moet die maandelikse vervoertoelaag van 'n werknemer op 'n *pro rata*-basis verminder word.

b = total vehicle ownership cost per kilometre, based on the actual new purchase price of the vehicle provided by the employee, subject to the provisions of clause 7 and on an annual kilometre distance of 14 000 kilometres; and

c = actual kilometre distance travelled.

6.2 Calculation of transport allowances

6.2.1 Basis of compensation (tables)

All transport allowances payments shall be calculated in accordance with the tables of the Automobile Association of South Africa for "Estimated average car ownership cost over six years" (hereinafter referred to as AA Tables).

The AA Tables provide for the following cost factors:

6.2.1.1 Fixed cost

This factor includes the following elements, i.e.:

Depreciation on new car value, loss of interest (at current rates) comprehensive insurance (based on Reef premiums), licence, registration and parking fees. To calculate fixed cost, the actual purchase price shall be related to the annual distance applicable in the case. For purposes of fixed cost, the purchase price of the vehicle shall be used as basis. Should this price be higher than the retail sales value of the vehicle, according to the "Auto Dealer's Digest", the last mentioned value shall be used for calculation purposes.

6.2.1.2 Cost of fuel

This factor is related to the price of premium and regular fuel on the Reef and of the coast. Fuel consumption factors for urban and rural journeys have been applied.

6.2.1.3 Maintenance cost

This factor includes the following elements, i.e. tyres, spares, repairs, servicing, lubrication and wash and polish over a period of six years, being the life span of the motor. To obtain maintenance cost in cents/kilometre relate the engine size to annual distance travelled.

6.2.1.4 Total ownership cost

This factor represents the sum total of the fixed, fuel and maintenance cost of a vehicle and represents the tariff base for transport allowance calculations.

No deviation is allowed from the above-mentioned table which represents the tendency of projected average motor ownership costs over six years. All participating local authorities must therefore, for purposes of this scheme, use the prescribed tables for the calculation of transport allowances, whether of a fixed, running or *ad hoc* nature.

6.2.2 Principles of compensation

6.2.2.1 A transport allowance is payable monthly and is calculated as follows:

$$A = b \times \frac{c}{12}$$

Where A = the monthly transport allowance;

b = total ownership cost per kilometre; and

c = total annual kilometre distance.

6.2.2.2 The transport allowance for a particular calendar month shall, where possible, be paid to the employee at the end of the same month.

6.2.2.3 With regard to periods of unpaid leave or the period prior to an employee assuming duty in the particular transport allowance bearing position, such monthly transport allowance of an employee shall be reduced on a *pro rata* basis.

6.2.3 Vaste vervoertoelaagbetalings

Hierdie betaling verwys na die vaste bedrag wat maandeliks oorbetaal word aan die bekleërs van poste van departementshoof, adjunk-departementshoof en assistent-departementshoof, op posvlakke een, twee en drie op die diensstaat van deelnemende plaaslike owerhede. Die basis vir berekening en betaling is soos volg:

- 6.2.3.1 Die gespesifiseerde tarief vir vaste, brandstof- en onderhoudskoste in die toepaslike AA-tabelle vir voertuie wat 10 000 kilometer per jaar aflê: Met dien verstande dat die berekening beperk word tot die maksimum van 100 persent van die werknemer se salaris;
- 6.2.3.2 die vaste afstandperk aan die betrokke pos gekoppel;
- 6.2.3.3 ten opsigte van amptelike ritte buite bovermelde perk, word slegs die voorgeskrewe totale loopkostetarief (brandstof- en onderhoudskoste) betaal.

6.2.4 Betalings vir lopende en ad hoc-vervoertoelae

Hierdie toelae verwys na die bedrae wat maandeliks betaal moet word aan posbkleërs van vervoertoelaagdraende betrekkinge wat volgens afstandperke en met behulp van rit- of logstate eise indien vir die werklike afstand afgelê (tot en met die maksimum voorgeskrewe afstand). Hierdie berekeningsbasis het ook betrekking op werknemers wat nie in vervoertoelaagdraende betrekkinge aangestel is nie maar tot van tyd tot tyd *ad hoc*-ritte met behulp van privaatvervoer in amptelike diens aflê.

Die basis vir berekening en betaling van lopende en *ad hoc*-vervoertoelae is soos volg:

- 6.2.4.1 Die tarief vir vaste, brandstof- en onderhoudskoste, soos gespesifiseer in die toepaslike AA-tabelle vir voertuie wat 14 000 kilometer per jaar aflê. Berekenings met betrekking tot lopende en *ad hoc*-vervoertoelae word egter beperk tot voertuie met 'n maksimum silinderinhoud van 2 500 cc en die maksimum van 100 persent van die werknemer se salaris;
- 6.2.4.2 die goedgekeurde afstande afgelê vir amptelike doeleindes met behulp van privaatvervoer.

6.3 Aanpassing en hersiening van vervoertoelaagtariewe

Die berekening van vervoertoelae word outomaties aangepas en gewysig volgens die AA-tabelle wat van tyd tot tyd gepubliseer word. Die aanpassings en wysigings sal van die eerste dag van die maand wat volg op die aanpassingsmaand waarop die Automobiël Assosiasie van Suid-Afrika sulke herberekende motoreienaarskapkoste publiseer, effektief word.

6.4 Opskorting van vervoertoelaag

- 6.4.1 Indien 'n werknemer wat 'n vervoertoelaagdraende betrekking beklee op eie versoek oorgeplaas word na 'n ander nie-vervoertoelaagdraende betrekking, moet hy geen vervoertoelaag vanaf datum van oorpasing ontvang nie.
- 6.4.2 Indien 'n werknemer wat 'n vervoertoelaagdraende betrekking beklee deur die Raad na 'n ander nie-vervoertoelaagdraende betrekking oorgeplaas word, en die betrokke werknemer nie sodanige oorpasing versoek het nie, moet die deelnemende plaaslike owerheid sodanige werknemer ses maande skriftelike kennis gee van die intrekking van die vervoertoelaag, en gedurende sodanige tydperk van ses maande moet die werknemer maandeliks 'n vervoertoelaag ontvang bereken op die volgende basis, mits sodanige werknemer se voertuig gedurende hierdie tydperk nie deur die Raad gebruik word nie:

$$A = h \times \frac{c}{12}$$

Waar A = maandelikse vervoertoelaag;

h = totale vaste koste per kilometer; en

c = jaarlikse kilometerafstand soos bepaal ooreenkomstig die skema.

- 6.4.3 Indien die Raad besluit om 'n werknemer se vervoertoelaag in te trek, moet die deelnemende plaaslike owerheid sodanige werknemer ses maande skriftelike kennis gee van die intrekking van die vervoertoelaag, en gedurende sodanige tydperk van ses maande moet die werknemer maandeliks 'n vervoertoelaag ontvang, bereken op die basis soos in klousule 6.4.2 bepaal, mits die werknemer se voertuig gedurende hierdie tydperk nie in diens van die Raad gebruik word nie.

6.2.3 Fixed transport allowance payments

This payment refers to the fixed amount which is payable monthly to the incumbents of posts of head of department, deputy head of department and assistant head of department, on job levels one, two and three on the establishment of participating local authorities. The basis for calculation and payment is as follows:

- 6.2.3.1 The specified tariff for fixed, fuel and maintenance costs in the appropriate AA Tables for vehicles travelling 10 000 kilometres per annum: Provided that the calculation is limited to the maximum of 100 per cent of the employee's salary;
- 6.2.3.2 the fixed distance limitation pertaining to the particular post;
- 6.2.3.3 in respect of official journeys outside the limitation specified above, only the prescribed tariff for total running cost (fuel and maintenance cost) is payable.

6.2.4 Payments for running and ad hoc transport allowances

These allowances refers to the amounts payable monthly to incumbents of transport allowance bearing positions who, in accordance with distance limitations and with the aid of journey or log sheets, submit claims for the actual distance travelled (up to and including the maximum prescribed distance). This basis of calculation also applies to employees who are not appointed to transport allowance bearing positions but who do from time to time utilise private transport to undertake *ad hoc* journeys for official purposes.

The basis for calculation and payment of running and *ad hoc* transport allowances is as follows:

- 6.2.4.1 The tariff for fixed, fuel and maintenance cost, as specified in the appropriate AA Tables for vehicles travelling 14 000 kilometres per annum. Calculations with regard to running and *ad hoc* transport allowances are however, limited to vehicles with a maximum cylinder capacity of 2 500 cc and the maximum of 100 per cent of the employee's salary;
- 6.2.4.2 the approved distances completed for official purposes with private transport.

6.3 Adjustment and revision of transport allowance tariffs

The calculation of transport allowances are adjusted automatically and amended in terms of the AA Tables published from time to time. The adjustments and amendments will be effected from the first day of the month following the month of adjustment in which the Automobile Association of South Africa publishes such revised calculations for car ownership cost.

6.4 Suspension of transport allowance

- 6.4.1 Should an employee occupying a transport allowance bearing position be transferred at his own request to another position not bearing any transport allowance, no transport allowance shall be payable from date of transfer.
- 6.4.2 Should an employee who occupies a transport allowance bearing position be transferred by the Council to a non transport allowance bearing position without such employee requesting such transfer, the participating local authority shall give such employee six months written notice of the retraction of the transport allowance, during which period of six months the employee shall receive a monthly transport allowance calculated on the following basis, provided the employee's vehicle is not utilised by the Council during such period:

$$A = h \times \frac{c}{12}$$

Where A = monthly transport allowance;

h = total fixed cost per kilometre; and

c = annual kilometre distance as determined in accordance with the scheme.

- 6.4.3 Should the Council decide to retract an employee's transport allowance, the participating local authority shall give such employee six months written notice of such retraction during which period of six months the employee shall receive a monthly transport allowance calculated on the basis as determined in clause 6.4.2, provided the employee's vehicle is not utilised by the Council during this period.

6.4.4 Die bepalings van hierdie paragraaf beïnvloed die lenings wat ingevolge klousule 7 vir die aankoop van 'n voertuig toegestaan is nie.

6.5 Verslapping van skemabepalings

Waar plaaslike omstandighede dit regverdig of noodsaak ten opsigte van 'n sekere klas werknemer kan die beperkings in hierdie skema vervat, verslap word met die toestemming van die Nywerheidsraad.

7. VOERTUIGLENINGS

7.1 Voorwaardes

Die bestaan van voertuiglenings is onderworpe aan die volgende voorwaardes en beperkings:

7.1.1 Kwalifiserende vereistes

Voertuiglenings is bedoel vir werknemers wat deelneem in die vervoertoelaagskema. Sodanige lenings is egter beperk tot posbekleërs van vervoertoelaagdraende betrekings omdat sodanige werknemers daaglik privaatvervoer moet gebruik vir die uitvoering van amptelike pligte.

Werknemers wat toevallige of *ad hoc*-vervoertoelae ontvang, kwalifiseer dus nie vir hierdie skemavoordeel nie.

7.1.2 Voertuigkeuse en aankoopprys

7.1.2.1 Met inagneming van die beperkings in hierdie skema vervat, berus die keuse van 'n voertuig wat die werknemer ingevolge die skema daaglik in diens van die Raad wil gebruik, by die werknemer.

7.1.2.2 Die aankoop van tweedehandse voertuie is egter onderworpe aan die uitreiking van 'n sertifikaat van geskiktheid deur 'n ondersoekbeampte wat deur die betrokke deelnemende plaaslike owerheid aangestel is om oor die algemene toestand en waarde van die voertuig verslag te doen.

7.1.2.3 'n Voertuiglening mag nie vir meer as 100 persent van die werklike koste van die voertuig (a.v.b. ingesluit) aangegaan word nie. Die voertuig waarvoor die lening toegestaan word, moet die voertuig wees wat by die uitvoering van die amptelike pligte gebruik sal word.

7.1.2.4 In die geval van tweedehandse voertuie, is die maksimum leningsbedrag gelykstaande met die kleinhandel-verkoopwaarde van die betrokke voertuig wat in die "Auto Dealer's Digest" aangegee word, plus algemene verkoopbelasting. Met dien verstande dat dit nooit meer mag wees as die bedrag in subklousule 7.1.2.3 hierbo bedoel nie.

7.1.2.5 In gevalle waar die aankoopprys van 'n voertuig (nuut of tweedehands) die maksimum leningsbedrag oorskry, moet die lener die verskil in kontant aan die verkoper betaal. 'n Kwitansie te dien effekte moet by die deelnemende plaaslike owerheid ingehandig word.

7.1.3 Leningsperke

Die maksimum leningsbedrag wat 'n werknemer mag leen om 'n voertuig aan te koop, mag nie 100 persent van die betrokke werknemer se jaarlikse salaris oorskry nie. Met dien verstande dat geen amptenaar 'n hoër bedrag as die maksimumbedrag wat vir die stads-klerek voorgeskryf word, mag leen nie. Hierdie salaris sluit alle bonusse of toelae uit.

7.1.4 Rentekoersbepaling

Voertuiglenings word gefinansier uit fondse soos deur die betrokke deelnemende plaaslike owerheid bepaal teen 'n rentekoers van 8,5 persent en moet maandeliks bereken word op die uitstaande balans van sodanige lening.

7.1.5 Delgingstermyne

Die maksimum tydperk vir die terugbetaling (delging) van 'n voertuiglening is soos volg:

7.1.5.1 Nuwe voertuie: Ses jaar.

7.1.5.2 Tweedehandse- of gebruikte voertuie:

- * Minder as een jaar oud: Vyf jaar.
- * Vanaf een tot twee jaar oud: Vier jaar.
- * Meer as twee jaar oud: Soos deur die betrokke deelnemende plaaslike owerheid vasgestel.

6.4.4 The provisions of this paragraph do not effect loans granted in terms of clause 7 for the purchase of vehicles.

6.5 Relaxation of scheme stipulations

Where local circumstances so justify or necessitate in respect of a certain category of employee, the limitations contained in this scheme may be relaxed with the sanction of the Industrial Council.

7. VEHICLE LOANS

7.1 Conditions

The granting of vehicle loans is subject to the following conditions and limitations:

7.1.1 Qualifying requirements

Vehicle loans are meant for employees who participate in the transport allowance scheme. Such loans are, however, limited to incumbents of transport allowance bearing positions forsooth such employees are obliged to use private transport daily for the execution of official duties.

Consequently, employees receiving casual or *ad hoc* transport allowances do not qualify for benefits under this scheme.

7.1.2 Vehicle choice and purchase price

7.1.2.1 With due regard to the limitations contained in this scheme, the choice of vehicle to be purchased by the employee in terms of the scheme for daily use on behalf of the Council, will rest with the employee.

7.1.2.2 The purchase of second-hand vehicles is however, subject to the issue of a certificate of suitability by an examining officer appointed by the particular participating local authority to report on the general condition and value of the vehicle.

7.1.2.3 A vehicle loan may not be negotiated for more than 100 percent of the actual cost of the vehicle (g.s.t. included). The vehicle in respect of which the loan is granted, must be the vehicle utilised for the execution of official duties.

7.1.2.4 In the case of second-hand vehicles, the maximum amount of the loan shall be equal to the retail sales value of the particular vehicle as reflected in the "Auto Dealer's Digest", plus general sales tax: Provided that it shall never exceed the amount referred to in subclause 7.1.2.3 above.

7.1.2.5 In cases where the purchase price of a vehicle (new or second hand) exceeds the maximum loan amount, the borrower must pay the difference in cash to the seller. A receipt to this effect must be handed in to the participating local authority.

7.1.3 Loan limitations

The maximum loan amount which an employee may borrow to purchase a vehicle shall not exceed 100 percent of the particular employee's annual salary: Provided that no employee may borrow a bigger amount than the maximum amount prescribed for the town clerk. This salary excludes any bonuses or allowances.

7.1.4 Determination of rate of interest

Vehicle loans are financed from funds as determined by the particular participating local authority at an interest rate of 8,5 percent, calculated monthly on the outstanding balance of such loan.

7.1.5 Redemption periods

The maximum period for repayment (redemption) of a vehicle loan is as follows:

7.1.5.1 New vehicles: Six years.

7.1.5.2 Second-hand or used vehicles:

- * Less than one year old: Five years.
- * From one to two years old: Four years.
- * More than two years old: As determined by the particular participating local authority.

7.1.6 Frekwensie van lenings

Geen werknemer mag 'n nuwe of verdere lening ontvang alvorens die vorige lening ten volle afgelos is nie. 'n Werknemer kom slegs in aanmerking vir 'n lening na drie jaar, tensy die deelnemende plaaslike owerheid spesifiek anders besluit ten opsigte van aansoeke in gevalle waar werknemers nie aan hierdie bepaling kan voldoen nie: Met dien verstande dat in sodanige geval waar 'n lening binne drie jaar toegestaan word, die opbrengs uit die tegeldemaking van die betrokke voertuig eerstens aangewend word ter delging van die uitstaande leningsbedrag en dat die oorskot, indien enige, aangewend word ter vermindering van die nuwe leningsbedrag.

7.1.7 Aflos van leningsverpligtinge as gevolg van afsterwe of diensbeëindiging

Indien 'n werknemer die diens van die betrokke deelnemende plaaslike owerheid om welke rede ook al verlaat, is die volle leningskuld betaalbaar voor of op sy laaste werkdag. By afsterwe, moet die eis vir die delging van leningskuld teen die betrokke boedel ingedien word.

7.2 Formaliteite wat nagekom moet word met die aangaan van 'n voertuiglening

Die volgende formaliteite moet nagekom word alvorens 'n voertuiglening toegestaan en uitbetaal sal word:

- 7.2.1 'n Formele aansoekvorm moet voltooi word.
- 7.2.2 Na goedkeuring van die leningsaansoek, moet die volgende dokumentasie ingedien word alvorens die skuldbewys (ooreenkoms) onderteken en uitbetaling van die leningsbedrag kan geskied:
 - * Faktuur van die verkoper;
 - * derdepartyversekeringsbewys; en
 - * bewys van voertuigversekering (die voertuig moet op die lener se koste verseker word).
- 7.2.3 Binne twee werkdade nadat die skuldbewys onderteken is en uitbetaling geskied het, moet die volgende dokumente ingedien word:
 - * Oorspronklike registrasiesertifikaat wat op die lener se naam uitgemaak is; en
 - * oorspronklike lisensiekwitansie.

7.3 Beveiliging van risiko's

- 7.3.1 Elke werknemer wat 'n voertuiglening ontvang, moet 'n omvattende voertuigversekeringspolis aangaan tot tevredeheid van die betrokke deelnemende plaaslike owerheid wat hom beskerm teen enige brand-, diefstal-, ongeluks- en gevolgskaade ten opsigte van die betrokke voertuig.
- 7.3.2 Die werknemer wat 'n voertuig aankoop met behulp van 'n voertuiglening, moet toestemming verleen dat die betrokke deelnemende plaaslike owerheid beslag mag lê op die voertuig wanneer kontrakverpligtinge nie nagekom word nie en ook dat skuldvergelyking mag plaasvind ten opsigte van verloffoordele.
- 7.3.3 Die werknemer wat 'n voertuig met behulp van 'n voertuiglening gekoop het, mag gedurende die leningstermyn nie die voertuig verkoop, verpand of "beswaar" sonder die voorafverkreë skriftelike toestemming van sy werkgever, om 'n duplikaat registrasiesertifikaat van die voertuig aansoek doen nie. Die registrasiesertifikaat wat ingevolge die nuwe motorregistrasiesistelsel uitgereik word sodra die voertuiglisensie hernieu word, moet onverwyld deur die werknemer vir veilige bewaring oorhandig word.
- 7.3.4 Die registrasiesertifikaat van die motor wat 'n werknemer met behulp van 'n lening aankoop, moet onverwyld aan die werkgever vir veilige bewaring oorhandig word. Gedurende die leningstermyn mag sodanige werknemer nie sonder die voorafverkreë skriftelike toestemming van sy werkgever, om 'n duplikaat registrasiesertifikaat van die voertuig aansoek doen nie. Die registrasiesertifikaat wat ingevolge die nuwe motorregistrasiesistelsel uitgereik word sodra die voertuiglisensie hernieu word, moet onverwyld deur die werknemer vir veilige bewaring oorhandig word.
- 7.3.5 Verbreking van enige van die skemavorwaardes geen aan die deelnemende plaaslike owerheid die reg om uit die kontrak te tree met gepaardgaande remedies.

Hierdie Ooreenkoms is namens die partye op hede die 8ste dag van Oktober 1987 te Pretoria onderteken.

J. L. LE R. DU PLESSIS,
Voorsitter.

J. F. M. VAN DER MERWE,
Ondervoorsitter.

A. J. VAN SCHALKWYK,
Sekretaris.

7.1.6 Loan frequency

No employee may receive a new or further loan before the former loan has been fully redeemed. An employee shall only be entitled to one loan every three years unless the participating local authority specifically decides otherwise in respect of an application by an employee who cannot comply with this requirement: Provided that in a case where a loan is granted before the expiry of three years, the proceeds from the realisation of the particular vehicle shall firstly be utilised towards the redemption of the outstanding loan amount and the balance, if any, for the reduction of the new loan amount.

7.1.7 Redemption of loan obligations as a result of death or termination of service

Should an employee leave the service of the particular participating local authority for whatever reason, the full loan amount is payable before or on his last working day. At death, the claim for redemption of the loan debt shall be lodged against the relevant estate.

7.2 Formalities to be complied with when entering into a vehicle loan agreement

The following formalities shall be complied with prior to a vehicle loan being granted and paid out:

- 7.2.1 A formal application form must be completed.
- 7.2.2 After approval of the loan application, the following documentation must be submitted prior to the debt acknowledgement (agreement) being signed and payment of the loan amount being effected:
 - * Invoice from the seller;
 - * third-party insurance token; and
 - * proof of vehicle insurance (the vehicle must be insured at the expense of the borrower).
- 7.2.3 Within two working days from signing the debt acknowledgement and effecting payment, the following documents must be submitted:
 - * Original registration certificate issued to the borrower; and
 - * original licence receipt.

7.3 Safeguarding of risks

- 7.3.1 Every employee receiving a vehicle loan, must take out a comprehensive vehicle insurance policy to the satisfaction of the particular participating local authority which covers him against any fire, theft, accident and consequential damage in respect of the particular vehicle.
- 7.3.2 An employee purchasing a vehicle with the aid of a vehicle loan must consent to the particular participating local authority confiscating the vehicle when contractual obligations are not adhered to, and also to liquidation of debt being set off against leave benefits.
- 7.3.3 An employee purchasing a vehicle with the aid of a vehicle loan may not during the loan period sell, pawn or "mortgage" such vehicle without obtaining prior written approval of the particular participating local authority (employer).
- 7.3.4 An employee shall forthwith hand to the employer for safekeeping the registration certificate of a vehicle bought with the aid of a loan. During the loan period such employee may not apply for a duplicate registration certificate of the vehicle without obtaining prior written approval from his employer. The registration certificate issued in terms of the new motor vehicle registration system, when renewing the vehicle licence, must forthwith be submitted by the employee for safekeeping.
- 7.3.5 Violation of any conditions of the scheme confers on the participating local authority the right to retract from the contract with accompanying remedies.

This Agreement signed at Pretoria, on behalf of the parties this 8th day of October 1987.

J. L. LE R. DU PLESSIS,
Chairman.

J. F. M. VAN DER MERWE,
Vice Chairman.

A. J. VAN SCHALKWYK,
Secretary.

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