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GOEWERMENSKENNISGEWINGS

ADMINISTRASIE: VOLKSRAAD

DEPARTEMENT VAN ONDERWYS EN KULTUUR

No. R. 2869 29 Desember 1989

WET OP UNIVERSITEITE, 1955
(WET No. 61 VAN 1955)

STATUUT VAN DIE UNIVERSITEIT VAN SUID-AFRIKA. — WYSIGING

Die Raad van die Universiteit van Suid-Afrika het kragtens artikel 17 (1) van die Wet op Universiteite, 1955 (Wet No. 61 van 1955), met die goedkeuring van die Minister van Onderwys en Kultuur, Administrasie: Volksraad, die Statuut van die Universiteit van Suid-Afrika gewysig soos in die Bylae uiteengesit.

BYLAE

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken die uitdrukking "die Statuut" die Statuut van die Universiteit van Suid-Afrika afgekondig by Goewermenskennisgewing No. R. 1699 van 10 Augustus 1979, soos gewysig by Goewermenskennisgewing No. R. 532 van 13 Maart 1981.

2. Paragraaf 1 van die Statuut word hierby gewysig deur die volgende nuwe subparagraaf by te voeg:

"(3) 'waarneming in 'n pos of amp' amptelike sodanige waarneming en dat die persoon wat in sodanige pos of amp waarneem, bekleed is met al die hoedanighede en bevoegdhede verbonde aan daardie pos of amp behoudens enige reëls, voorskrifte of besluite wat 'n bevoegde liggaam of persoon uitgevaardig, uitgereik of geneem het."

3. Paragraaf 36 van die Statuut word hierby deur die volgende paragraaf vervang:

"Tug van studente

36. Studente is onderworpe aan die studentetugreglement in Bylae 1 vervat."

4. Paragrawe 37, 38 en 39 van Statuut word hierby geskrap.

5. Die Statuut word hierby gewysig deur na paragraaf 41 die volgende Bylae in te voeg:

GOVERNMENT NOTICES

ADMINISTRATION: HOUSE OF ASSEMBLY

DEPARTMENT OF EDUCATION AND CULTURE

No. R. 2869 29 December 1989

UNIVERSITIES ACT, 1955
(ACT No. 61 OF 1955)

STATUTE OF THE UNIVERSITY OF SOUTH AFRICA. — AMENDMENT

The Council of the University of South Africa has, in terms of section 17 (1) of the Universities Act, 1955 (Act No. 61 of 1955), with the approval of the Minister of Education and Culture, Administration: House of Assembly, amended the Statute of the University of South Africa as set out in the Schedule hereto.

SCHEDULE

1. In this Schedule, unless the context otherwise indicates, the expression "the Statute" means the Statute of the University of South Africa published under Government Notice No. R. 1699 of 10 August 1979, as amended by Government Notice No. R. 532 of 13 March 1981.

2. Paragraph 1 of the Statute is hereby amended by the addition of the following new subparagraph:

"(3) 'acting in a post or office' means such official substitution and that the person acting in such post or office is vested with all the capacities and powers inherent in that post or office, subject to any rules, prescriptions or decisions which a competent body or persons has enacted, issued or made."

3. The following paragraph is hereby substituted for paragraph 36 of the Statute:

"Discipline of students

36. Students shall be subject to the disciplinary code for students contained in Schedule 1."

4. Paragraphs 37, 38 and 39 of the Statute are hereby deleted.

5. The Statute is hereby amended by the insertion of the following Schedule after paragraph 41:

"BYLAE 1**STUDENTETUGREGLEMENT****1. WOORDBEPALING**

- 1.1 In hierdie reglement, tensy uit die samehang anders blyk, beteken —

'Akademiese Tugkomitee' 'n komitee ingestel om aanklagte van wangedrag uitsluitlik in verband met eksamen-aangeleenthede te verhoor;

'Geringewangedrag-tugkomitee' 'n komitee ingestel deur die Rektor om aanklagte van geringe wangedrag te verhoor;

'personeellid' enige werknemer van die Universiteit, met inbegrip van 'n eksamenopsiener;

'Raad' die Raad van die Universiteit;

'Registrateur' 'n registrateur of waarnemende registrateur van die Universiteit;

'Rektor' die Rektor of waarnemende Rektor van die Universiteit;

'student' enige persoon wat ten tyde van die beweerde wangedrag geregistreer of ingeskryf is of was vir 'n studie-eenheid of kwalifikasie wat in enige van die verskillende dele van die Universiteit se *Jaarboek* verskyn, of vir onderrig of evaluerende op of in enige Universiteitsperseel deur 'n personeellid of deur iemand wat vir daardie doel deur die Universiteit aangestel of verkry is;

'Studentetugkomitee' 'n komitee ingestel om aanklagte van wangedrag teen studente, met uitsondering van wangedrag in verband met eksamenaangeleenthede, te verhoor;

'Tugappèlkomitee' 'n komitee ingestel om appèlsake van studente aan te hoor en namens die Raad af te handel;

'Universiteitsperseel' enige perseel of gebou wat aan die Universiteit of aan die Unisa-stigting behoort of vir die doeleindes van die Universiteit se werksaamhede gebruik word;

'Vise-rektor' 'n vise-rektor of waarnemende vise-rektor van die Universiteit;

'werksdag' enige dag behalwe 'n Saterdag, Sondag of openbare vakansiedag.

- 1.2 *Oortreding van die biblioteekregulasies.* Die bepalings van hierdie tugreglement is nie op oortredings van enige biblioteekregulasies van toepassing nie, behalwe waar die Rektor, of iemand deur hom aangewys, in oorleg met die hoof van die Departement Biblioteekdienste besluit dat enige sodanige oortreding van so 'n ernstige aard is dat dit wel ingevolge hierdie tugreglement gehanteer moet word.

"SCHEDULE 1**DISCIPLINARY CODE FOR STUDENTS****1. DEFINITIONS**

- 1.1 In this code, unless the context otherwise indicates —

'Academic Disciplinary Committee' means a committee instituted to hear charges of misconduct relating exclusively to examination matters;

'Council' means the Council of the University;

'Disciplinary Appeals Committee' means a committee instituted to hear students' appeals and dispose of these on behalf of the Council;

'Minor Misconduct Disciplinary Committee' means a committee instituted by the Principal to hear charges of minor misconduct;

'Principal' means the Principal or acting Principal of the University;

'Registrar' means a Registrar or an acting Registrar of the University;

'staff member' means any employee of the University, including an examination invigilator;

'student' means any person who at the time of the alleged misconduct is or was registered or enrolled for a study unit or qualification listed in any part of the University's *Calendar*, or for tuition or evaluation on or in any University premises by a staff member or by someone appointed or commissioned for that purpose by the University;

'Student Disciplinary Committee' means a committee instituted to hear charges of misconduct brought against students, other than misconduct relating to examination matters;

'University premises' means any premises or any building belonging to the University or to the Unisa Foundation or used for the purposes of the University's activities;

'Vice-Principal' means a Vice-Principal or an acting Vice-Principal of the University;

'working day' means any day other than Saturday, Sunday or a public holiday.

- 1.2 *Infringement of library regulations.* The provisions of this disciplinary code shall not apply to infringements of any library regulations, except if the Principal or any person designated by him decides, in consultation with the head of the Department of Library Services, that the gravity of the infringement is such that it should be dealt with under this disciplinary code.

2. OMSKRYWING VAN WANGEDRAG**2.1 'n Student is aan wangedrag skuldig indien hy—**

- 2.1.1 opsetlik of nalatig 'n reglement, regulasie, reël of voorskrif van die Universiteit oortree of ondermyn, of 'n poging daartoe aanwend, of 'n ander persoon help, aanmoedig of oorreed om dit te doen. (*Opmerking:* Van elke student word vereis om hom op die hoogte te stel van alle reglemente, regulasies, reëls en voorskrifte van die Universiteit wat op hom van toepassing kan wees, en veral van sodanige reglemente, regulasies, reëls en voorskrifte wat in die verskillende dele van die Universiteit se *Jaarboek* vervat is.);
- 2.1.2 weier of versuim om 'n regmatige opdrag of versoek van enige amptelike liggaam of personeellid van die Universiteit uit te voer of teenstrydig met sodanige opdrag of versoek optree;
- 2.1.3 eiendom van die Universiteit of van 'n personeellid of van 'n medestudent of van enige ander persoon steel, hom wederregtelik toe-eien, gebruik of onbehoorlik gebruik, vernietig, beskadig of vervreem, of sodanige eiendom op so 'n wyse hanteer of gebruik dat dit die Universiteit of 'n personeellid, 'n medestudent of enige ander persoon, terwyl so iemand hom op of in 'n Universiteitsperseel bevind, benadeel of kan benadeel;
- 2.1.4 sonder die toestemming van die Rektor of sy gemagtigde sterk drank op of in 'n Universiteitsperseel bring of, terwyl hy hom op of in 'n Universiteitsperseel bevind, sterk drank misbruik en/of onder die invloed daarvan verkeer;
- 2.1.5 terwyl hy hom op of in 'n Universiteitsperseel bevind, 'n afhanklikheidsvormende dwelmmiddel sonder mediese voorskrif besit of gebruik, of onder die invloed daarvan verkeer;
- 2.1.6 sonder amptelike magtiging 'n vuurwapen of ander gevaarlike wapen, brandstof wat nie redelikerwys vir die aandryf van 'n voertuig benodig word nie of plofstof op of in 'n Universiteitsperseel bring of bêre of toelaat of reël dat dit daar gebring of gebêre word;
- 2.1.7 'n banier, plakkaat, kennisgewing, omsendbrief of pamflet op of in 'n Universiteitsperseel aanbring versprei of vertoon, tensy daar vooraf skriftelike toestemming (wat die stel van voorwaardes kan insluit) van die Rektor of sy gemagtigde

2. DEFINITION OF MISCONDUCT**2.1 A student shall be guilty of misconduct if he—**

- 2.1.1 intentionally or negligently contravenes or subverts, or attempts to contravene or subvert, or assists, encourages or persuades any other person to contravene or subvert a code, regulation, rule or instruction of the University. (*Note:* It is incumbent on each student to familiarise himself with all the University's codes, regulations, rules and instructions to which he may be subject, and especially with the codes, regulations, rules and instructions contained in the various parts of the University's *Calendar*.);
- 2.1.2 refuses or fails to comply with a lawful instruction or request of any official body or staff member of the University, or acts contrary to such instruction or request;
- 2.1.3 steals, unlawfully appropriates, uses or misuses, destroys, damages or alienates property of the University or of a staff member or of a fellow-student or of any other person, or uses or handles such property in a way that is or may be prejudicial to the University or a staff member, a fellow-student or any other person while such staff member, fellow-student or other person is on or in University premises;
- 2.1.4 introduces intoxicating liquor to or in University premises without the consent of the Principal or a person authorised by him, or abuses intoxicating liquor and/or is under the influence of such liquor while on or in University premises;
- 2.1.5 while on or in University premises, is found to be in possession of a dependence-producing drug without a medical prescription, or uses or is under the influence of such a drug;
- 2.1.6 without official authorisation brings onto or stores on or in University premises a firearm or other dangerous weapon, or fuel that cannot reasonably be shown to be required for the operation of a motor vehicle, or explosives, or allows or arranges for the foregoing to be brought onto or stored on or in such premises;
- 2.1.7 affixes, distributes or displays a banner, placard, notice, circular letter or pamphlet on or in University premises without first obtaining the written permission (which may be conditional) of the Principal or a person authorised by him;

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| <p>2.1.8 hom op of in of in die onmiddellike omgewing van 'n Universiteitsperseel op 'n gewelddadige, oproerige, onbehoorlike of onbetaamlike wyse gedra;</p> <p>2.1.9 'n byeenkoms op of in 'n Universiteitsperseel reël sonder die vooraf verkreeë toestemming van die Rektor of sy gemagtigde, of 'n byeenkoms bywoon wat deur die Rektor verbied is;</p> <p>2.1.10 'n politieke of protesbetoging op of in 'n Universiteitsperseel reël, aanbied, aanstig of hou of daaraan deelneem;</p> <p>2.1.11 hom op 'n dreigende, beledigende, onweloweglike of onbetaamlike wyse gedra teenoor 'n ampdraer of lid van 'n bestuursliggaam van die Universiteit of 'n personeellid, 'n medestudent of enige ander persoon;</p> <p>2.1.12 'n valse of onjuiste verklaring aan enige personeellid doen, wel wetende dat dit vals of onjuis is, of opsetlik wesenlik valse inligting oor die Universiteit aan enigiemand buite die Universiteit verstrek;</p> <p>2.1.13 enige studiegids, boek, proefskrif, verhandeling, artikel, vraestel, lesing, gedrukte studiemateriaal of ander studiehulpmiddele ten aansien waarvan daar outeursreg bestaan, sonder die toestemming van die eienaar van die outeursreg en in enige ander vorm of op enige ander wyse, elektronies of meganies (met inbegrip van fotokopieëring, die maak van opnames of enige ander vorm van inligtingsberging of -herwinning), as wat hy die <i>Wet op Outeursreg</i>, No. 98 van 1978, gemagtig word, reproduseer of oorsend. (Opmerking: Die outeursreg in studiegidse, voorlesings, gedrukte studiemateriaal, ander studiehulpmiddele en eksamenvraestelle berus normaalweg by die Universiteit en/of die betrokke outeurs, en die bepalinge van die <i>Wet op Outeursreg</i> is hier van toepassing.);</p> <p>2.1.14 hom skuldig maak aan enige ander gedrag wat tot die gevolge hieronder uiteengesit, lei of kan lei, en sodanige gevolge voorsien is of as 'n redelike moontlikheid voorsienbaar was op die tydstip toe hy hom aan sodanige gedrag skuldig gemaak het:</p> <p style="padding-left: 20px;">Gedrag waardeur —</p> <p style="padding-left: 40px;">(a) die goeie naam van die Universiteit benadeel word of kan word;</p> <p style="padding-left: 40px;">(b) die handhawing van orde, dissipline en veiligheid by die Universiteit benadeel of in gevaar gestel word of kan word;</p> | <p>2.1.8 behaves in a violent, disorderly, improper or unbecoming way on or in the immediate vicinity of University premises;</p> <p>2.1.9 convenes an assembly on or in University premises without obtaining the prior consent of the Principal or a person authorised by him, or attends a gathering prohibited by the Principal;</p> <p>2.1.10 arranges, organises, instigates, holds or participates in a political or protest demonstration on or in University premises;</p> <p>2.1.11 behaves in a threatening, insulting, improper or unbecoming way towards an office-bearer or member of a managerial body of the University or a staff member, a fellow-student or any other person;</p> <p>2.1.12 knowingly makes a false or erroneous statement to any staff member or intentionally provides materially false information to anyone outside the University about the University;</p> <p>2.1.13 reproduces or transmits in any form or manner, whether electronically or mechanically (including photocopying, recording or any other form of information storage or retrieval), any study guide, book, thesis, dissertation, article, examination paper, lecture, printed tutorial matter or any other study aids in respect of which copyright exists, unless such reproduction or transmission is done in a manner authorised in terms of the <i>Copyright Act</i>, No. 98 of 1978, and unless the copyright owner's permission for the reproduction or transmission is obtained. (Note: The copyright on study guides, readings, printed tutorial matter, other study aids and examination papers normally vests in the University and/or the authors concerned, and the provisions of the <i>Copyright Act</i> are applicable in this regard.);</p> <p>2.1.14 behaves in any other way that leads or may lead to the consequences described below, if such consequences were or could reasonably have been foreseen at the time when such behaviour occurred:</p> <p style="padding-left: 20px;">Behaviour as a result of which —</p> <p style="padding-left: 40px;">(a) the University's good name is or may be prejudiced;</p> <p style="padding-left: 40px;">(b) the maintenance of order, discipline and security at the University is or may be prejudiced or imperilled;</p> |
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- (c) die gang van onderrig, navorsing, administrasie en algemene werksaamhede by die Universiteit benadeel of in gevaar gestel word of kan word;

2.1.15 op of in 'n Universiteitsperseel, sonder die toestemming van die Rektor of sy gemagtigde, geld insamel of goedere te koop aanbied of adverteer.

3. PROSEDURE IN GEVAL VAN 'N KLAG VAN WANGEDRAG

3.1 *Aanmelding van wangedrag.* Enige geval van wangedrag word by die Rektor, die hooftugbeampte van die Universiteit, aangemeld. 'n Student word egter nie formeel van wangedrag aangekla nie alvorens 'n skriftelike, ondertekende verklaring, met 'n aantyging, klag of bewering teen die student, by die Rektor of sy gemagtigde ingedien is: Met dien verstande dat die Rektor nie hierdeur verhoed word om self 'n klag teen 'n student aanhangig te maak nie.

3.2 *Komitee vir voorlopige ondersoek.* Die Rektor kan 'n komitee bestaande uit een of meer personeellede aanstel om voorlopig ondersoek in te stel na 'n aantyging, klag of bewering wat by hom aanhangig gemaak is, of na gedrag van 'n student wat moontlik op wangedrag sou kan neerkom, en om 'n skriftelike verslag en/of aanklag hieroor aan hom voor te lê. Die komitee vir voorlopige ondersoek kan oorleg pleeg met of inligting inwin van enigiemand, met inbegrip van die student teen wie die aantyging, klag of bewering ingebring of gemaak is: Met dien verstande dat die Rektor na goeddunke self sodanige ondersoek kan onderneem.

3.3 *Aanklag van ernstige wangedrag: Verwysing na tugkomitee.* Indien die Rektor van oordeel is dat daar *prima facie* redelike gronde vir 'n aanklag van wangedrag is en dat die wangedrag ernstig van aard is, stel hy 'n aanklag op skrif of laat hy dit op skrif stel en besluit hy of sodanige aanklag deur die Akademiese Tugkomitee (kragtens Hoofstuk 5) of deur die Studentetugkomitee (kragtens Hoofstuk 6) verhoor moet word.

3.3.1 *Skorsing.* In geval van 'n aanklag van beweerde wangedrag kan die Rektor na goeddunke die betrokke student tydelik skors, dit wil sê hom belet om—

- (a) enige Universiteitsperseel, of enige deel daarvan, soos deur die Rektor bepaal, te betree; en/of
- (b) 'n reg of voorreg wat sy inskrywing as student meebring, soos deur die Rektor bepaal, uit te oefen.

3.3.2 Indien die Rektor 'n student tydelik skors, bly die skorsing van krag vir 'n tydperk deur die Rektor bepaal of totdat die tugverrigtinge ingevolge die bepalinge van hierdie reglement afgehandel is: Met dien verstande dat die Rektor die betrokke aanklag so gou redeliker-

- (c) the process of tuition, research and administration, and general University activities are or may be prejudiced or imperilled;

2.1.15 collects money or offers goods for sale or advertises goods on or in University premises without the permission of the Principal or a person authorised by him.

3. PROCEDURE IN THE CASE OF A COMPLAINT OF MISCONDUCT

3.1 *Notification of misconduct.* Notification of misconduct shall be given to the Principal, who is the chief disciplinary officer of the University. A student shall not be formally charged with misconduct until a written, signed statement containing an accusation, complaint or allegation made against the student has been submitted to the Principal or a person authorised by him: Provided that nothing contained herein shall prevent the Principal himself from laying a complaint against a student.

3.2 *Committee charged with preliminary investigation.* The Principal may appoint a committee consisting of one or more staff members to conduct a preliminary investigation into an accusation, complaint or allegation brought to his notice, or into the behaviour of a student that might constitute misconduct, and to submit a written report and/or charge sheet to him. The committee charged with the preliminary investigation may consult or obtain information from any person, including the student against whom the accusation, complaint or allegation has been levelled or made: Provided that the Principal may at his discretion conduct the investigation himself.

3.3 *Charge of serious misconduct: Referral to disciplinary committee.* If the Principal is of the opinion that *prima facie* there are reasonable grounds for a charge of misconduct, and that the misconduct is of a serious nature, he shall draw up a written charge or have such charge drawn up and shall decide whether the charge should be heard by the Academic Disciplinary Committee (under Chapter 5) or by the Student Disciplinary Committee (under Chapter 6).

3.3.1 *Suspension.* In the event of a charge of alleged misconduct, the Principal may at his discretion temporarily suspend the student concerned, that is prohibit such student from—

- (a) entering on or in University premises, or any part thereof, as determined by the Principal; and/or
- (b) exercising a right or privilege resulting from his enrolment as a student, as determined by the Principal.

3.3.2 A temporary suspension by the Principal shall remain in force for a period determined by him or until the disciplinary proceedings in terms of this code have been completed: Provided that the Principal shall have the charge concerned investigated at

- 3.3.3 Die geskorste student kan binne vyf werksdae nadat hy skriftelik van sy skorsing in kennis gestel is, skriftelike verhoë tot die Rektor rig waarin hy redes aanvoer waarom hy nie geskors behoort te word nie.
- 3.3.4 Die Rektor kan na goeddunke 'n skorsing te eniger tyd intrek: Met dien verstande dat, ondanks sodanige intrekking, daar met die stappe in verband met 'n aanklag van wangedrag voortgegaan kan word. Die Rektor kan na goeddunke die skorsing ook herinstel.
- 3.4 *Geringe wangedrag.* Indien die Rektor van oordeel is dat 'n student se beweerde wangedrag gering van aard is, kan hy gelas dat die klag kragtens Hoofstuk 7 ondersoek en afgehandel word.
- 3.5 *Betekening van kennisgewings.* Betekening van enige skriftelike kennisgewing en besonderhede ingevolge hierdie reglement geskied per vooruitbetaalde, geregistreerde pos en die kennisgewing en besonderhede word geadresseer aan die student se woonplek, volgens die besonderhede verstrekk op die vorm ingevul by sy jongste aansoek om as student geregistreer te word of in enige latere skriftelike kennisgewing aan die Universiteit dat sy adres verander het. By sodanige betekening word aanvaar dat die student die kennisgewing en besonderhede binne vyf werksdae na die datum waarop dit gepos is, ontvang het, afgesien daarvan of die student hom nog by die betrokke adres bevind al dan nie.
- 4. ALGEMENE PROSEDURES BY DIE VERHOOR DEUR 'N TUGKOMITEE VAN 'N AANKLAG VAN WANGEDRAG ('N TUGSAAK)**
- 4.1 *Verhoor in camera.* Tensy die voorsitter van 'n tugkomitee anders gelas, geskied die verhoor van 'n tugsaaik *in camera*.
- 4.2 *Kworum.* Vier lede van 'n tugkomitee vorm 'n kworum (behalwe in die geval van die Geringewangedrag-tugkomitee).
- 4.3 *Voorsitter bepaal prosedure.* Die prosedure wat by die verhoor van 'n tugsaaik gevolg word, word, behoudens die bepalinge van hierdie reglement, deur die voorsitter van die betrokke tugkomitee bepaal.
- 4.4 *Verwysing na ander instansies.* Indien die voorsitter van 'n tugkomitee, voordat tot 'n bevinding oor die aanklag teen 'n student gekom is, van oordeel is dat die aanklag eerder deur 'n ander instansie verhoor moet word, kan hy die verhoor staak en die aangeleentheid na die Rektor terugverwys vir 'n besluit. Die Rektor kan besluit dat met die verhoor voortgegaan moet word of dat dit na 'n ander instansie verwys moet word.
- 3.3.3 The suspended student may make written representations to the Principal, within five working days of receipt of written notice of his suspension, advancing reasons why he should not be suspended.
- 3.3.4 The Principal may at his discretion revoke a suspension at any time: Provided that, notwithstanding such revocation, further steps may be taken to prosecute a charge of misconduct. The Principal may at his discretion also reinvoke the suspension.
- 3.4 *Minor misconduct.* If the Principal is of the opinion that a student's alleged misconduct constitutes a minor contravention, he may order that the complaint be investigated and dealt with in terms of Chapter 7.
- 3.5 *Service of notices:* Service of any written notice and the furnishing of particulars in terms of this code shall be by way of prepaid, registered post at the residential address provided either on the most recent application form completed by the student for the purpose of registration or in any later written notice to the University of a change of address. In the case of such service it shall be assumed that the student received that notice and particulars within five working days of the date of posting thereof, regardless of whether the student still resides at the address concerned.
- 4. GENERAL PROCEDURES AT THE HEARING OF A CHARGE OF MISCONDUCT (A DISCIPLINARY CASE)**
- 4.1 *Hearing held in camera.* Unless the chairman of a disciplinary committee orders otherwise, a hearing of a disciplinary case shall be held *in camera*.
- 4.2 *Quorum.* Four members of a disciplinary committee shall constitute a quorum (except in the case of the Minor Misconduct Disciplinary Committee).
- 4.3 *Chairman to determine procedure.* Subject to the provisions of this code, the procedure adopted at the hearing of a disciplinary case shall be determined by the chairman of the disciplinary committee concerned.
- 4.4 *Referral to other bodies.* If, prior to a finding being made regarding the charge against a student, the chairman of a disciplinary committee is of the opinion that the charge concerned should be heard by another body, he may stop the hearing and refer the matter back to the principal for a decision. The Principal may decide that the hearing should proceed or that the matter be referred to another body.

- 4.5 *Aanstelling van ad hoc-lid.* In besonder ingewikkelde tugsake of waar 'n tugkomitee spesiale kundigheid verlang, kan die voorsitter 'n *ad hoc*-lid, maar slegs in 'n raadgevende hoedanigheid, aanstel. By die aanstelling van sodanige lid kan die voorsitter op eie inisiatief handel, of op versoë deur enige lid van die komitee of deur die aangeklaagde student.
- 4.6 *Meerderheidsbeslissing.* Die beslissing van 'n tugkomitee word bepaal deur 'n meerderheid van die stemme van die lede teenwoordig.
- 4.7 *Afwesigheid van tugkomiteeledes.* Indien een of meer lede van 'n tugkomitee in enige stadium tydens die verhoor van 'n tugsake nie langer aan die verrigtinge kan deelneem nie, of om die een of ander rede afwesig is, gaan die verhoor voort indien die oorblywende lede 'n kworum vorm. In enige ander geval moet die verhoor weer *de novo* gehou word. Indien die voorsitter aldus afwesig is, wys die komitee 'n plaasvervangende voorsitter aan.
- 4.8 *Beslissende stem.* Benewens sy gewone stem het die voorsitter van 'n tugkomitee 'n beslissende stem.
- 4.9 *Onttrekking aan verrigtinge.* 'n Lid van 'n tugkomitee wat self 'n klag van wan gedrag ingedien het, onttrek hom vir die verhoor van 'n aanklag wat daaruit voortspuit aan die verrigtinge van die komitee.
- 4.10 *Aanklaer.* Die voorsitter van 'n tugkomitee kan of self die tugsake teen 'n student aanvoer of enige personeellid aanwys om namens die Universiteit die aanklag as *pro forma*-aanklaer te behartig en om die komitee van advies te dien of in enige ander opsig behulpsaam te wees: Met dien verstande dat sodanige personeellid geen reg tot bywoning van 'n vergadering van die komitee het nie wanneer die komitee as sodanig oor die skuld van die aangeklaagde en/of 'n gepaste tugmaatreël beraadslaag.
- 4.11 *Opneem van verrigtinge.* 'n Registraar wys iemand aan om, by wyse van 'n bandopname of skriftelik, 'n opname of oorkonde te maak van die verrigtinge by die verhoor van 'n tugsake en van alle getuienis wat daartydens afgelê word. Sodanige persoon is nie 'n lid van die tugkomitee nie.
- 4.12 *Afwesigheid by verhoor.* Indien 'n aangeklaagde student versuim om by sy verhoor teenwoordig te wees, kan die verhoor in sy afwesigheid geskied en die verrigtinge van die tugkomitee is nie as gevolg daarvan ongeldig nie.
- 4.13 *Belemmering van verrigtinge.* Indien 'n aangeklaagde student enige verrigtinge van 'n tugkomitee belemmer of dwarsboom, of weier om 'n opdrag van die voorsitter daarvan te gehoorsaam, kan die voorsitter die aangeklaagde student beveel om hom aan die verrigtinge te onttrek en kan die verrigtinge dan in die afwesigheid van die aangeklaagde voortgesit word.
- 4.5 *Appointment of ad hoc member.* In particularly complex disciplinary cases or where a disciplinary committee requires special expertise, the chairman may appoint an *ad hoc* member, but in an advisory capacity only. Such a member may be appointed on the initiative of the chairman, or in consequence of representations by any member of the committee or the accused student.
- 4.6 *Majority decision.* The decision of a disciplinary committee shall be determined by majority vote of the the members present.
- 4.7 *Absence of disciplinary committee members.* If, at any stage during the hearing of a disciplinary case, one or more members of a disciplinary committee are no longer able to participate in the proceedings, or are absent for any reason, the hearing shall continue, provided that the remaining members constitute a quorum. In all other cases the hearing shall be held *de novo*. If the chairman is absent, the committee shall appoint a chairman in his place.
- 4.8 *Casting vote.* The chairman of a disciplinary committee shall have a casting vote in addition to his ordinary vote.
- 4.9 *Recusal from proceedings.* A member of a disciplinary committee who has himself laid a complaint of misconduct shall recuse himself from the proceedings of the committee for the hearing of charge arising therefrom.
- 4.10 *Prosecutor.* The chairman of a disciplinary committee may either personally conduct the disciplinary case against a student or may appoint any staff member to act as a *pro forma* prosecutor on behalf of the University and to advise the committee or be of assistance in any other way: Provided that such staff member shall not have the right to attend a meeting of the committee while it is considering the guilt of the accused and/or a commensurate disciplinary measure.
- 4.11 *Record of proceedings.* A Registrar shall appoint a person to record, by way of a tape-recording or in writing, the proceedings at the hearing of a disciplinary case and all the evidence adduced. Such a person shall not be deemed to be a member of the committee.
- 4.12 *Absence from hearing.* If a student charged with misconduct fails to attend his hearing, such hearing may be conducted in his absence and the proceedings of the disciplinary committee shall not be invalidated as a result thereof.
- 4.13 *Obstruction of proceedings.* If a student charged with misconduct interferes with or obstructs any proceedings of a disciplinary committee, or refuses to carry out an instruction of the chairman of such committee, he may be ordered by the chairman to withdraw from the proceedings, which may then continue in his absence.

4.14 *Skulderkenning.* Indien 'n aangeklaagde student skuld ten aansien van die aanklag erken, besluit die tugkomitee of getuienis aangaande die aanklag verlang word al dan nie.

4.15 *Tydperke.* Die tydperke in hierdie reglement bepaal, kan deur enige van die tugkomitees verleng word indien so 'n komitee van oordeel is dat daar geldige redes vir so 'n verlenging bestaan.

4.16 *Veilige bewaring van die oorkonde*

4.16.1 Alle dokumente en bandopnames wat betrekking het op 'n tugaangeleentheid, moet deur 'n Registrateur veilig bewaar word. 'n Student het egter die reg om, op eie koste, kopieë van sodanige dokumente en bandopnames te verkry.

4.16.2 Sodanige dokumente en bandopnames moet vir 'n tydperk van ten minste drie jaar na bekendmaking van 'n tugkomitee se beslissing veilig bewaar word, of vir 'n tydperk van ten minste drie jaar na die Tugappèlkomitee se finale beslissing in die geval van 'n appèl wat 'n student teen 'n tugkomitee se beslissing aangeteken het.

5. DIE AKADEMIESE TUGKOMITEE

5.1 *Funksies van die Akademiese Tugkomitee*

Die Akademiese Tugkomitee ondersoek en verhoor aanklagte teen studente van wangedrag wat uitsluitlik met eksamenaangeleenthede verband hou.

5.2 *Samestelling van die Akademiese Tugkomitee*

5.2.1 Die Akademiese Tugkomitee bestaan uit die Rektor, die voorsitter van die Raad, 'n Registrateur, en die dekane van al die fakulteite van die Universiteit.

5.2.2 Die Raad, in die geval van die voorsitter van die Raad, en die Rektor, in al die ander gevalle, wys 'n sekundus aan om in die afwesigheid van 'n primarius op te tree.

5.2.3 Die Rektor is die voorsitter van die Akademiese Tugkomitee.

5.3 *Inwerkingstelling van tugmaatreëls*

Geen tugmaatreël(s) word teen 'n student in werking gestel nie aler hy en, indien hy minderjarig is, sy ouer of voog skriftelik in kennis gestel is van die beweerde wangedrag en hom 'n behoorlike geleentheid gebied is om 'n skriftelike verklaring te doen en, indien hy verkies, om persoonlik voor die Akademiese Tugkomitee te verskyn.

4.14 *Admission of guilt.* If a student charged with misconduct admits guilt in respect of the charge, the disciplinary committee shall decide whether or not evidence concerning the charge should be adduced.

4.15 *Periods.* The periods laid down in this code may be extended by any disciplinary committee which is of the opinion that valid reasons exist for such extension.

4.16 *Safekeeping of the record of proceedings*

4.16.1 All documents and tape-recordings pertaining to a disciplinary matter shall be kept in safe custody by a Registrar. A student shall, however, be entitled to acquire copies of such documents and tape-recordings at his own expense.

4.16.2 Such documents and tape-recordings shall be kept in safe custody for a period of at least three years after the announcement of a disciplinary committee's finding, or for a period of at least three years after the final decision of the Disciplinary Appeals Committee in the case of an appeal lodged by a student against a disciplinary committee's finding.

5. THE ACADEMIC DISCIPLINARY COMMITTEE

5.1 *Functions of the Academic Disciplinary Committee*

The Academic Disciplinary Committee shall investigate and hear charges of misconduct against students pertaining exclusively to examination matters.

5.2 *Constitution of the Academic Disciplinary Committee*

5.2.1 The academic Disciplinary Committee shall consist of the Principal, the chairman of the Council, a Registrar and the deans of all the faculties of the University.

5.2.2 The Council, in the case of the chairman of the Council, and the Principal, in all other cases, shall appoint an alternate to act in the absence of an appointed member.

5.2.3 The Principal shall be the chairman of the Academic Disciplinary Committee.

5.3 *Implementation of disciplinary measures*

No disciplinary measure(s) shall be taken against a student before he, or his parent or guardian if he is a minor, has been informed in writing of his alleged misconduct and has been given a proper opportunity to make a written statement and, if he so wishes, to appear before the Academic Disciplinary Committee in person.

5.4 Tugmaatreëls

Indien hy 'n student aan wangedrag skuldig bevind, kan die Akademiese Tugkomitee die student een of meer van die volgende tugmaatreëls opleë:

- 5.4.1 Ontneming van 'n graad, diploma of ander kwalifikasie wat op 'n onbehoorlike wyse aan die Universiteit verkry is;
- 5.4.2 ontsegging vir 'n bepaalde tydperk van die voorreg om weer as student aan die Universiteit ingeskryf te word;
- 5.4.3 skorsing as student vir 'n bepaalde tydperk;
- 5.4.4 ontneming van 'n reg of voorreg wat sy inskrywing as student aan die Universiteit meebring;
- 5.4.5 kansellering van eksamenuitslae en/of ontneming van 'n krediet of krediete wat in 'n studie-eenheid of studie-eenhede verwerf is;
- 5.4.6 weiering van toelating tot 'n eksamen vir 'n bepaalde tydperk;
- 5.4.7 betaling van vergoeding vir, of die herstel van, skade veroorsaak deur sy wangedrag;
- 5.4.8 'n skriftelike berisping en/of waarskuwing;
- 5.4.9 enige ander tugmaatreël wat die Akademiese Tugkomitee doenlik ag;

Met dien verstande dat, indien 'n student ingevolge hierdie reglement tydelik of permanent ontnem word van 'n reg of voorreg wat hy as student geniet, of indien hom tydelik of permanent toelating tot die Universiteit ontsê word, sodanige student enige aanspraak op terugbetaling, vermindering of kwytskelding van gelde wat aan die Universiteit betaal of betaalbaar is, verbeur.

6. DIE STUDENTETUGKOMITEE**6.1 Funksies van die Studentetugkomitee**

Die Studentetugkomitee ondersoek en verhoor aanklagte van wangedrag teen studente, met uitsondering van wangedrag wat uitsluitlik met eksamenaangeleenthede verband hou.

6.2 Samestelling van die Studentetugkomitee

Die Studentetugkomitee bestaan uit die volgende persone:

- 6.2.1 Die Rektor, wat die voorsitter is;
- 6.2.2 'n lid van die Raad, wat, hetsy jaarliks of vir 'n bepaalde ondersoek, deur die Raad aangewys word, of die plaasvervanger van sodanige lid;
- 6.2.3 die Dekaan of, indien hy nie kan optree nie, die Vise-dekaan van die Fakulteit Regsgeleerdheid;
- 6.2.4 twee lede deur die Rektor aangewys uit die Vise-rektore en die Registrateurs; en

5.4 Disciplinary measures

If it finds a student guilty of misconduct, the Academic Disciplinary Committee may impose one or more of the following disciplinary measures:

- 5.4.1 Revocation of a degree, diploma or other qualification obtained from the University in an improper manner;
- 5.4.2 denial of the privilege to enrol again as a student at the University for a specified period;
- 5.4.3 suspension as a student for a specified period;
- 5.4.4 deprivation of a right or privilege resulting from enrolment as a student at the University;
- 5.4.5 annulment of examination results and/or deprivation of a credit or credits obtained in a study unit or study units;
- 5.4.6 refusal of admission to an examination for a specified period;
- 5.4.7 payment of compensation or the reparation of damage caused by his misconduct;
- 5.4.8 a written reprimand and/or warning;
- 5.4.9 any other measure which the Academic Disciplinary Committee deems practicable:

Provided that if a student is temporarily or permanently deprived in terms of this code of a right or privilege which he enjoys as a student, or if he is temporarily or permanently denied admission to the University, such student shall forfeit any claim for repayment, reduction or remission of moneys paid or payable to the University.

6. THE STUDENT DISCIPLINARY COMMITTEE**6.1 Functions of the Student Disciplinary Committee**

The Student Disciplinary Committee shall investigate and hear charges of misconduct against students, excluding misconduct relating exclusively to examination matters.

6.2 Constitution of the Student Disciplinary Committee

The Student Disciplinary Committee shall consist of the following persons:

- 6.2.1 The Principal, who shall be the chairman;
- 6.2.2 a Council member appointed by the Council, either annually or for a particular investigation, or his alternate;
- 6.2.3 the Dean of the Faculty of Law or, if he is unable to officiate, the Vice-Dean;
- 6.2.4 two members appointed by the Principal from the Vice-Principals and the Registrars; and

6.2.5 die dekaan of vise-dekaan van die fakulteit waarin die aangeklaagde student studeer.

6.3 *Kennisgewing aan aangeklaagde student*

Vir die doel van 'n verhoor deur die Studentetugkomitee gee 'n Registrateur, in oorleg met die personeellid in paragraaf 4.10 bedoel (vir sover dit van toepassing is), die aangeklaagde student minstens 14 werksdae voor die datum van die verhoor skriftelik kennis van die datum, tyd en plek wat bepaal is vir sy verskyning voor die Studentetugkomitee, met vermelding van—

6.3.1 die aanklag teen hom, asook voldoende besonderhede van sy beweerde wangedrag; en

6.3.2 sy reg om—

- (a) die verhoor by te woon wanneer getuienis gelewer en betoog aangevoer word;
- (b) minstens vier werksdae voor die verhoor skrifteklik op die aanklag te antwoord;
- (c) indien hy minderjarig is, bygestaan te word deur sy ouer of voog of, na goeddunke van die Studentetugkomitee, deur 'n ander persoon wat deur sodanige ouer of voog benoem is;
- (d) verteenwoordig te word deur 'n personeellid wat deur die Rektor aangewys sal word.

6.4 *Regte van aangeklaagde student en bevoegdhede van aanklaer*

6.4.1 Die aangeklaagde student het die reg om—

- (a) 'n skriftelike stuk wat op die verhoor betrekking het, of 'n aanvaarbare kopie daarvan, te ondersoek asook om, op die voorwaardes deur 'n Registrateur of sy gemagtigde bepaal, enige ander bewysstuk te ondersoek;
- (b) self getuienis af te lê;
- (c) getuies te roep of deur die persoon wat hom bystaan, te laat roep;
- (d) die getuie(s) wat teen hom getuig, te ondervra of te laat ondervra;
- (e) sy eie getuie(s) te herondervra of te laat herondervra;
- (f) nadat alle getuienis gelewer is, sy eie saak te beredeneer of te laat beredeneer;
- (g) getuienis ter versagting van enige tugmaatreël(s) wat hom ingevolge paragraaf 6.5 opgelê kan word, aan te voer of te laat aanvoer; en/of

6.2.5 the dean or vice-dean of the faculty in which the student concerned is studying.

6.3 *Notice to accused student*

For the purpose of a hearing by the Student Disciplinary Committee a Registrar shall, in consultation with the staff member referred to in paragraph 4.10 (in so far as it is applicable), prior to the date of the hearing give the accused student at least 14 working days' written notice of the date, time and place appointed for his appearance before the Student Disciplinary Committee, together with a statement informing him of—

6.3.1 the charge against him and giving adequate particulars of his alleged misconduct; and

6.3.2 his right to—

- (a) attend the hearing when evidence is led and arguments are adduced;
- (b) answer to the charge in writing at least four working days before the hearing;
- (c) be assisted, if he is a minor, by his parent or guardian or, at the discretion of the Student Disciplinary Committee, by any other person appointed by such parent or guardian; and
- (d) be represented by a staff member appointed by the Principal.

6.4 *Rights of the accused student and powers of the prosecutor*

6.4.1 The accused student shall have the right to—

- (a) examine any written documentation, or acceptable copies thereof, which relates to the hearing and, subject to such conditions as may be laid down by a Registrar or a person authorised by him, any other exhibit;
- (b) give evidence himself;
- (c) call witnesses or have them called by the person assisting him;
- (d) examine, or have examined, the witness(es) testifying against him;
- (e) re-examine, or have re-examined, his own witness(es);
- (f) argue his own case or have it argued after all the evidence has been led;
- (g) lead evidence in mitigation of any disciplinary measure(s) that may be imposed upon him in terms of paragraph 6.5, or have such evidence led; and/or

- (h) die Studentetugkomitee toe te spreek of te laat toespreek oor enige tugmaatreël(s) wat hom ingevolge paragraaf 6.5 opgelê kan word.
- 6.4.2 Die persoon wat 'n tugsak teen 'n aangeklaagde student aanvoer of die aanklaer in paragraaf 4.10 bedoel, kan—
- (a) getuies roep en die getuie(s) wat teen die aangeklaagde student getuig, ondervra en herondervra;
- (b) die aangeklaagde student, indien hy getuig het, ondervra asook enige ander persoon wat namens die aangeklaagde student getuig; en
- (c) die tugsak beredeneer nadat alle getuienis gelewer is, maar voordat die aangeklaagde student die geleentheid gebied word om sy eie saak te beredeneer of deur die persoon wat hom bystaan, te laat beredeneer.

6.5 *Tugmaatreëls*

Indien hy 'n student aan wangedrag skuldig bevind, kan die Studentetugkomitee die student een of meer van die volgende tugmaatreëls ople:

- 6.5.1 'n Skriftelike berisping en/of waarskuwing;
- 6.5.2 ontneming van 'n reg of voorreg wat sy inskrywing as student aan die Universiteit meebring;
- 6.5.3 'n boete van hoogstens dubbel die jaarlikse studiegeld vir 'n volle eerstejaarskursus;
- 6.5.4 betaling van vergoeding vir, of die herstel van, skade veroorsaak deur sy wangedrag;
- 6.5.5 ontneming van die reg of voorreg om vir 'n bepaalde studie-eenheid of -eenhede in te skryf en/of van 'n krediet of krediete wat in 'n studie-eenheid of -eenhede verwerf is;
- 6.5.6 bekragtiging van die tydelike skorsing van die student deur die Rektor ingevolge paragraaf 3.3.1 en/of die skorsing van die student vir 'n bepaalde tydperk of verdere tydperk;
- 6.5.7 ontseggings vir 'n bepaalde tydperk van die voorreg om weer as student aan die Universiteit ingeskryf te word;
- 6.5.8 enige ander tugmaatreël wat die Studentetugkomitee in die besondere omstandighede geskik ag:

Met dien verstande dat, indien 'n student ingevolge hierdie reglement tydelik of permanent ontnem word van 'n reg of voorreg wat hy as student geniet, of indien hom tydelik of permanent toelating tot die Universiteit ontsê word, sodanige student enige aanspraak op terugbetaling, vermindering of kwyt skelding van gelde wat aan die Universiteit betaal of betaalbaar is, verbeur.

- (h) address the Student Disciplinary Committee, or have it addressed, on any disciplinary measure(s) which may be imposed upon him in terms of paragraph 6.5.
- 6.4.2 The person conducting a disciplinary case against an accused student or the prosecutor referred to in paragraph 4.10 may—
- (a) call witnesses and examine and re-examine the witness(es) giving evidence against the accused student;
- (b) examine the accused student, if he gave evidence, as well as any other person who testified on behalf of the accused student; and
- (c) argue the disciplinary case after all the evidence has been led, but before the accused student has been given the opportunity to argue his own case or to have it argued by the person assisting him.

6.5 *Disciplinary measures*

If it finds a student guilty of misconduct, the Student Disciplinary Committee may impose one or more of the following disciplinary measures:

- 6.5.1 A written reprimand and/or warning;
- 6.5.2 deprivation of a right or privilege resulting from his enrolment as a student at the University;
- 6.5.3 a fine amounting to not more than twice the annual tuition fee for a full first-year course;
- 6.5.4 payment of compensation or the reparation of damage caused by his misconduct;
- 6.5.5 denial of the right or privilege to register for a particular study unit or units, and/or the withdrawal of a credit or credits obtained in a study unit or units;
- 6.5.6 confirmation of the temporary suspension of a student by the Principal in terms of paragraph 3.3.1, and/or the suspension of the student for a specified period or further period;
- 6.5.7 denial of the privilege to register again as a student at the University for a particular period;
- 6.5.8 any other disciplinary measure with the Student Disciplinary Committee deems suitable in the particular circumstances:

Provided that if a student is temporarily or permanently deprived in terms of this code of a right or privilege which he enjoys as a student, or if he is temporarily or permanently denied admission to the University, such student shall forfeit any claim for repayment, reduction or remission of moneys paid or payable to the University.

7. DIE GERINGEWANGEDRAG-TUGKOMITEE

- 7.1 Klagte van geringe wangedrag moet skriftelik by die Rektor aanhangig gemaak word en moet 'n uiteensetting van die relevante omstandighede bevat wat dit vir die Rektor moontlik maak om oor gepaste optrede te besluit.
- 7.2 Wanneer so 'n klag by hom aanhangig gemaak word, wys die Rektor 'n Geringewangedrag-tugkomitee aan, bestaande uit 'n Vise-rektor, wat as voorsitter optree, en 'n Registrateur, om die aanklag te verhoor.
- 7.3 Die aangeklaagde student moet van die tyd, plek en aard van die beweerde wangedrag in kennis gestel word en die geleentheid gebied word om binne 'n redelike tyd 'n skriftelike verklaring te doen en/of persoonlik voor die Geringewangedrag-tugkomitee te verskyn.
- 7.4 Wanneer 'n aangeklaagde student skuld ontken, besluit die Geringewangedrag-tugkomitee na goeddunke hoe die aangeleentheid verder verhoor moet word: Met dien verstande dat minstens die bepalinge van paragrawe 4.3 en 6.4 *mutatis mutandis* van toepassing is met die uitsondering dat die student nie op die bystand van of verteenwoordiging deur 'n ander persoon kan aandring nie.
- 7.5 Indien dit uit die uiteensetting in die klag vervat, blyk dat die aangeklaagde student 'n geleentheid gebied moet word om 'n skulderkenning te doen, moet die Geringewangedrag-tugkomitee die student skriftelik in kennis stel—
 - 7.5.1 van die tyd, plek en aard van die beweerde wangedrag;
 - 7.5.2 dat hy binne 21 werksdae vanaf die datum van die kennisgewing 'n skulderkenning kan doen en dat die skulderkenning nie as 'n oortreding teen hom aangeteken sal word nie;
 - 7.5.3 welke tugmaatreëls teen hom ingestel sal word as hy skuld erken;
 - 7.5.4 dat hy geensins verplig is om 'n skulderkenning te doen nie;
 - 7.5.5 dat sy versuim om 'n skulderkenning te doen, by 'n moontlike latere verhoor nie teen hom gehou sal word nie; en
 - 7.5.6 dat hy voor die vervaldatum van die skulderkenning verhoë tot die Geringewangedrag-tugkomitee kan rig ter vermindering van die tugmaatreëls wat in die kennisgewing genoem word.
- 7.6 Die Geringewangedrag-tugkomitee is bevoeg om 'n student wat aan geringe wangedrag skuldig bevind is, een of meer van die volgende tugmaatreëls op te lê:
 - 7.6.1 'n Boete van hoogstens 20 persent van die jaarlikse studiegelde vir 'n volle eerstejaarskursus;

7. THE MINOR MISCONDUCT DISCIPLINARY COMMITTEE

- 7.1 Complaints of minor misconduct shall be made in writing with the Principal, and shall indicate the circumstances concerned so as to enable the Principal to decide on appropriate action.
- 7.2 On notification of such a complaint the Principal shall appoint a Minor Misconduct Disciplinary Committee consisting of a Vice-Principal, who shall act as chairman, and a Registrar to conduct the hearing.
- 7.3 The accused student shall be notified of the time, place and nature of the alleged misconduct, and shall be given the opportunity to make a written statement within a reasonable time and/or to appear before the Minor Misconduct Disciplinary Committee in person.
- 7.4 If an accused student pleads not guilty, the Minor Misconduct Disciplinary Committee shall in its discretion decide what further steps should be taken to hear the matter: Provided that at least the provisions of paragraphs 4.3 and 6.4 shall apply *mutatis mutandis*, with the exception that the student shall not be entitled to insist on the assistance of or representation by another person.
- 7.5 If it appears from the explanation contained in the complaint that the accused student should be given the opportunity of making an admission of guilt, the Minor Misconduct Disciplinary Committee shall notify the student in writing—
 - 7.5.1 of the time, place and nature of the alleged misconduct;
 - 7.5.2 that he may make an admission of guilt within 21 working days of the date of the notice, and that the admission of guilt shall not be recorded as an offence;
 - 7.5.3 of the disciplinary measures that will be taken against him if he admits guilt;
 - 7.5.4 that he is under no obligation to admit guilt;
 - 7.5.5 that failure on his part to admit guilt will not be held against him in the event of a possible future hearing; and
 - 7.5.6 that he has the right, before the due date for admission of guilt, to make representations to the Minor Misconduct Disciplinary Committee in mitigation of the disciplinary measures indicated in the notice.
- 7.6 The Minor Misconduct Disciplinary Committee shall be empowered to impose one or more of the following disciplinary measures on a student who has been found guilty of minor misconduct:
 - 7.6.1 A fine amounting to not more than 20 per cent of the annual tuition fees for a full first-year course;

7.6.2 opeising van sodanige geldelike gedrag as wat voldoende is om te kan vergoed vir enige skade, verlies of koste wat deur die student se wangedrag veroorsaak is;

7.6.3 ontneming vir hoogstens drie maande van 'n voorreg wat sy inskrywing as student aan die Universiteit meebring;

7.6.4 'n berisping en/of waarskuwing:

Met dien verstande dat, indien 'n student ingevolge hierdie reglement tydelik of permanent ontnem word van 'n reg of voorreg wat hy as student geniet, of indien hom tydelik of permanent toelating tot die Universiteit ontsê word, sodanige student enige aanspraak op terugbetaling, vermindering of kwytstelling van gelde wat aan die Universiteit betaal of betaalbaar is, verbeur.

8. TOEPASSING VAN DIE BEVINDING VAN 'N TUGKOMITEE

8.1 By oorweging van die oplegging van die gepaste tugmaatreëls moet 'n tugkomitee toesien dat sodanige tugmaatreëls sover doenlik verband hou met en in verhouding is tot die aard en erns van die wangedrag waaraan die student skuldig bevind is.

8.2 'n Tugkomitee het die reg om die tenuitvoerlegging van enige tugmaatreël(s) waarop hy besluit, vir 'n bepaalde tydperk op te skort, onderworpe aan enige voorwaarde(s) wat hy redelik ag.

8.3 Indien 'n tugkomitee 'n aangeklaagde student—

8.3.1 skuldig bevind, word die student, behoudens die bepalings van paragraaf 3.5, in kennis gestel van die bevinding asook van die tugmaatreël(s) wat die komitee hom opgelê het;

8.3.2 onskuldig bevind, word die student, behoudens die bepalings van paragraaf 3.5, te dien effekte in kennis gestel.

8.4 Wanneer daar ingevolge Hoofstuk 9 teen 'n beslissing van 'n tugkomitee geappelleer word, moet die komitee of die Rektor die tenuitvoerlegging van enige tugmaatreël deur die komitee opelê, in afwagting van die uitslag van die appêl, uitstel.

8.5 Indien 'n student ten aansien van wie 'n tugmaatreël deur 'n tugkomitee opgelê is, nie sy reg tot appêl soos uiteengesit in Hoofstuk 9 uitoefen nie, lê die komitee 'n skriftelike verslag oor die aangeleentheid vir kennisname aan die Uitvoerende Komitee van die Senaat en die volle Raad voor.

8.6 *Bekendmaking van bevinding.* 'n Tugkomitee kan na afloop van 'n tugondersoek besluit of 'n verklaring aangaande sy bevinding en die tugmaatreël(s) wat opgelê is, en die naam van die betrokke student en die fakulteit waarin hy geregistreer is, op een of meer kennisgewingborde by die Universiteit aangebring moet word, of op 'n

7.6.2 a claim for such monetary amount as may be sufficient to compensate for any damage, loss or costs caused by the student's misconduct;

7.6.3 deprivation for not more than three months of a privilege resulting from his enrolment as a student at the University; and

7.6.4 a reprimand and/or warning:

Provided that if the student is temporarily or permanently deprived in terms of this code of a right or privilege which he enjoys as a student, or if he is temporarily or permanently denied admission to the University, such student shall forfeit any claim for repayment, reduction or remission of moneys paid or payable to the University.

8. IMPLEMENTATION OF THE FINDING OF A DISCIPLINARY COMMITTEE

8.1 In considering the imposition of appropriate disciplinary measures a disciplinary committee shall ensure that such disciplinary measures are as far as possible apposite to and commensurate with the nature and gravity of the misconduct of which the student has been found guilty.

8.2 A disciplinary committee shall be empowered to suspend for a specified period, subject to any condition(s) which it deems reasonable, the enforcement of any disciplinary measure(s) on which it decides.

8.3 If a disciplinary committee finds an accused student—

8.3.1 guilty, the student shall, subject to the provisions of paragraph 3.5, be notified of the finding and of the disciplinary measure(s) imposed by the committee;

8.3.2 not guilty, the student shall, subject to the provisions of paragraph 3.5, be notified to that effect.

8.4 When an appeal is lodged against a decision of a disciplinary committee in terms of Chapter 9, the enforcement of any disciplinary measure imposed by the committee shall be deferred by either the committee or the Principal, pending the outcome of the appeal.

8.5 If a student in respect of whom a disciplinary committee has imposed a disciplinary measure fails to exercise his right of appeal as set out in Chapter 9, the committee shall submit a written report on the matter to the Executive Committee of the Senate and the full Council for their information.

8.6 *Disclosure of finding.* A disciplinary committee may, at the conclusion of disciplinary proceedings, decide whether to disclose the finding arrived at, the disciplinary measure(s) imposed, the name of the student concerned and the faculty with which he is registered either in the form of a statement posted on one or more notice boards

ander wyse bekendgemaak moet word, en of genoemde besonderhede aan 'n belanghebbende persoon of liggaam bekendgemaak moet word: Met dien verstande dat die wenslikheid daarvan om die wangedrag van 'n minderjarige en/of 'n afhanklike student aan sy ouer of voog bekend te maak, in elke geval oorweeg moet word: Met dien verstande voorts dat die naam van 'n student nie voor verstryking van die tydperk waarbinne die student appèl mag aanteken of, indien hy appèl aangeteken het, voordat die appèl afgehandel is, bekendgemaak word nie.

9. DIE TUGAPPÈLKOMITEE

- 9.1 *Funksies.* Appèlle teen beslissings van 'n tugkomitee word deur die Tugappèlkomitee ingevolge die bepalings van hierdie hoofstuk aangehoor en namens die Raad afgehandel.
- 9.2 Die Tugappèlkomitee bestaan uit minstens vyf lede van die Raad wat nie lede van die tugkomitee was wat die betrokke student verhoor het nie. Die Raad wys een van sodanige lede aan om as voorsitter van die Tugappèlkomitee op te tree, en 'n sekondus vir sodanige persoon.
- 9.3 'n Student wat aan wangedrag skuldig bevind is, kan binne 14 werksdae na die datum waarop hy skriftelik van die bevinding van die betrokke tugkomitee verwittig is, by die Tugappèlkomitee daarteen appèl aanteken deur skriftelik kennis van die appèl by die Rektor in te dien: Met dien verstande dat 'n student wat aan wangedrag skuldig bevind is nadat hy op die aanklag teen hom skuldig gepleit het, geen reg tot appèl teen die skuldigbevinding het nie. In die kennisgewing van appèl verstrekk die appellant volledig die gronde waarop sy appèl berus.
- 9.4 Wanneer 'n kennisgewing van appèl ontvang word, word 'n afskrif daarvan aan die voorsitter van die tugkomitee wat die aanklag verhoor het, besorg, waarop die tugkomitee, indien nodig met die bystand van die persoon in paragraaf 4.10 bedoel, binne 'n redelike tydperk 'n antwoord op die gronde van appèl kan opstel en aan die voorsitter van die tugappèlkomitee kan voorlê.
- 9.5 'n Appèl word aangehoor uitsluitlik op grond van die oorkonde van die betrokke verhoor, tesame met enige dokument(e) en bewysstuk(ke) wat in die loop van die verhoor aan die betrokke tugkomitee voorgelê is, behalwe wanneer die appèl berus op 'n bewering van 'n wesenlike onreëlmatigheid wat tydens die verrigtinge sou plaasgevind het en nie as sodanig uit die oorkonde blyk nie.
- 9.6 Vir appèldoeleindes kan die appellant of die persoon wat hom bystaan, of, met die verlof van die Tugappèlkomitee, enige ander persoon, of die betrokke tugkomitee skriftelik of, met die verlof van die Tugappèlkomitee, monderlinge vertoë tot die Tugappèlkomitee rig.

at the University, or in some other way, and whether to disclose the said particulars to any interested person or body: Provided that the advisability of disclosing the misconduct of a minor and/or a dependent student to his parent or guardian shall be considered in each instance: Provided further that the name of a student shall not be disclosed before an appeal, if any, has been disposed of, or before the expiry of the period during which he is entitled to lodge an appeal.

9. THE DISCIPLINARY APPEALS COMMITTEE

- 9.1 *Functions.* Appeals against findings of a disciplinary committee shall be heard by the Disciplinary Appeals Committee and shall be disposed of on behalf of the Council in accordance with the provisions contained in this chapter.
- 9.2 The Disciplinary Appeals Committee shall consist of at least five members of the Council who were not members of the disciplinary committee which tried the student concerned. The Council shall appoint one of the said members to act as chairman of the Disciplinary Appeals Committee, as well as an alternate for such person.
- 9.3 A student who has been found guilty of misconduct may, within 14 working days of being informed in writing of the finding of the disciplinary committee concerned, appeal to the Disciplinary Appeals Committee by lodging a written notice of appeal with the Principal: Provided that a student who has been found guilty of misconduct after having pleaded guilty to the charge against him shall have no right of appeal against such finding. The appellant shall furnish detailed grounds for his appeal in the notice of appeal.
- 9.4 On receipt of a notice of appeal a copy of such notice shall be forwarded to the chairman of the disciplinary committee that heard the charge, whereupon the disciplinary committee, where necessary with the assistance of the person referred to in paragraph 4.10, may within a reasonable period draw up a reply to the grounds for appeal and submit it to the chairman of the Disciplinary Appeals Committee.
- 9.5 An appeal shall be heard solely on the grounds of the record of the hearing concerned, together with any document(s) and exhibit(s) placed before the disciplinary committee concerned in the course of the hearing, except where the appeal is based on a material irregularity that is alleged to have occurred in the course of the proceedings but does not appear as such from the record.
- 9.6 For the purposes of an appeal the appellant, or the person assisting him, or any other person allowed by the Disciplinary Appeals Committee, or the disciplinary committee concerned, may make written or, with the leave of the Disciplinary Appeals Committee, verbal representations to the Disciplinary Appeals Committee.

- 9.7 Na oorweging van 'n appèl, kan die Tugappèlkomitee die appèl in sy geheel of gedeeltelik toestaan en die beslissing van die betrokke tugkomitee tersyde stel of wysig, of die appèl afwys en die beslissing in sy geheel of gedeeltelik bekragtig, of kan die Tugappèlkomitee, voordat hy tot 'n finale beslissing oor die appèl geraak, enige vraag in verband met die verhoor na die betrokke tugkomitee terugverwys en gelas dat verslag daaroor gedoen word. 'n Tugmaatreël deur die tugkomitee opgelê, mag egter nie verswaar word nie, tensy die Tugappèlkomitee aan die student wat aan wangedrag skuldig bevind is 'n redelike tydperk vooraf skriftelik kennis gegee het van die Tugappèlkomitee se voorneme om die tugmaatreël te verswaar, en tensy die Tugappèlkomitee die appellant se skriftelike vertoë dienaangaande, as daar was, oorweeg het.
- 9.8 Na afhandeling van 'n appèl deur die Tugappèlkomitee lê hy 'n verslag aan die Raad en, indien die Tugappèlkomitee dit goedkond, ook aan die Uitvoerende Komitee van die Senaat voor vir kennisname.
- 9.9 *Bekendmaking van bevinding.* Die bepalings van paragraaf 8.6 is *mutatis mutandis* van toepassing op die bekendmaking van 'n bevinding van die Tugappèlkomitee.”.

- 9.7 After considering an appeal the Disciplinary Appeals Committee may uphold it either wholly or in part and set aside or amend the decision of the disciplinary committee concerned, or may disallow the appeal and confirm the decision either wholly or in part, or, before reaching a final decision concerning the appeal, refer any question pertaining to the hearing back to the disciplinary committee concerned and order that a report be submitted. The disciplinary measure imposed by the disciplinary committee shall not, however, be increased, unless the Disciplinary Appeals Committee has given the student found guilty of misconduct prior and reasonable written notice of its intention to do so and has considered the appellant's written representations, if any, in this regard.
- 9.8 After disposing of an appeal the Disciplinary Appeals Committee shall submit a report to the Council and, if it deems necessary, to the Executive Committee of the Senate for their information.
- 9.9 *Disclosure of finding.* The provisions of paragraph 8.6 shall apply *mutatis mutandis* to the disclosure of a finding of the Disciplinary Appeals Committee.”.

DEPARTEMENT VAN FINANSIES

No. R. 2842

29 Desember 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/201)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964, word Deel 1 van die 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.

DEPARTMENT OF FINANCE

No. R. 2842

29 December 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/201)

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

G. MARAIS,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
71.14			Deur pos No. 71.14 deur die volgende te vervang:			
	“71.14		Artikels van goudsmids- of silwersmidswerk en onderdele daarvan, van edelmetaal of van metaal met edelmetaal bedek.			
	7114.1		Van edelmetaal, hetsy met edelmetaal geplateer of bedek al dan nie:			
	7114.11		Van silwer, hetsy met edelmetaal geplateer of bedek al dan nie:			
		.10 5	Gedenkmedaljons		vry	
		.90 3	Ander		40%	
	7114.19		Van ander edelmetaal, hetsy met edelmetaal geplateer of bedek al dan nie:			
		.10 6	Gedenkmedaljons		vry	
		.90 4	Ander		40%	
	7114.20		Van onedelmetaal met edelmetaal bedek:			
		.10 3	Gedenkmedaljons		vry	
		.90 1	Ander		40%”	

SCHEDULE

Head- ing	Sub- heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
71.14			By the substitution for heading No. 71.14 of the following:			
	"71.14		Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or of metal clad with precious metal			
	7114.1		Of precious metal, whether of not plated or clad with precious metal:			
	7114.11		Of silver, whether or not plated or clad with precious metal:			
	.10	5	Commemorative medallions		free	
	.90	3	Other		40%	
	7114.19		Of other precious metal, whether of not plated or clad with precious metal:			
	.10	6	Commemorative medallions		free	
	.90	4	Other		40%	
	7114.20		Of base metal clad with precious metal:			
	.10	3	Commemorative medallions		free	
	.90	1	Other		40% "	

Note. — A transposition error is rectified.

No. R. 2843

29 Desember 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/2/26)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964, word Deel 2B 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.

No. R. 2843

29 December 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/2/26)

Under section 48A of the Customs and Excise Act, 1964, Part 2B 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.

BYLAE

I Item	II Pos	III Subpos	IV Artikel Beskrywing	V Skaal van Reg		Anno- tasies
				Aksyns	Doeane	
122.30			Deur item 122.30 deur die volgende te vervang:			
"122.30	71.14	7114.00	Artikels van goudsmids- of silwersmidswerk en onderdele daarvan, van edelmetaal of metaal bedek met edelmetaal (uitgesonderd gedenkmedaljons, nagmaalserviesstukke, doopbakke en ander dergelike artikels uitkenbaar vir gebruik deur godsdienstige liggame by openbare eredienste, wat deur die kommissaris goedgekeur is en nie versierings, ornamente of vaste boutoebehore is nie)	20%	20% "	

Opmerking. — Gedenkmedaljons word vrygestel van die betaling van *ad valorem*-doeane- en aksynsreg, met terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

I Item	II Head- ing	III Subhead- ing	IV Article Description	V Rate of Duty		Anno- tations
				Excise	Customs	
122.30			By the substitution for item 122.30 of the following:			
"122.30	71.14	7114.00	Articles of goldsmiths' or silversmiths' wares and parts thereof, of precious metal or of metal clad with precious metal (excluding commemorative medallions, communion set pieces, fonts and other like articles identifiable for use by religious bodies at public worship, approved by the commissioner and not being decorations, ornaments or building fixtures)	20%	20% "	

Note. — Commemorative medallions are exempted from the payment of *ad valorem* customs and excise duty, with retrospective effect to 1 January 1988.

No. R. 2844

29 Desember 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/8/2)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 8 van Bylae 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aange-
toon.

G. MARAIS,
Adjunk-minister van Finansies.

No. R. 2844

29 December 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/8/2)

Under section 48 of the Customs and Excise Act, 1964, Part 8 Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

BYLAE

	Anno- taties
<i>Opmerkings:</i> Deur Opmerking 1 deur die volgende te vervang: "1. Behoudens die bepalings van enige item in Bylae No. 4 of 6, is die skaal van gewone heffing wat in enige item met betrekking tot hierdie Deel vermeld word (uitgesonderd goedere vermeld in Opmerking 4), ten opsigte van enige goedere, van toepassing op enige sodanige goedere wat vervaardig is in of ingevoer is in die gemeenskaplike doeane-gebied en wat vir binnelandse verbruik geklaar word deur enige liggaam, gesag, instelling of persoon wat in sodanige gewone heffing item vermeld word." <i>Opmerking.</i> — Die posisie met betrekking tot betaling van gewone heffing, vir sover dit korting op reg kragtens Bylaes Nos. 4 en 6 aangaan, word duidelik gestel.	

SCHEDULE

	Annota- tions
<i>Notes:</i> By the substitution for Note 1 of the following: "1. Subject to the provisions of any items in Schedule No. 4 or 6, the rate of ordinary levy specified in any item in this Part in respect of any goods (excluding goods provided for in Note 4), shall apply to any such goods which are manufactured in or imported into the common customs area and entered for home consumption by any body, authority, institution or person specified in such ordinary levy item." <i>Note.</i> — The position in respect of payment of ordinary levy, in so far as it relates to rebate of duty in terms of Schedules Nos. 4 and 6, is clarified.	

No. R. 2845

29 Desember 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 4 (No. 4/42)

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.

No. R. 2845

29 December 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 4 (No. 4/42)

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.

BYLAE

I Korting- Item	II				III Mate van Korting	Anno- taties
	Tariefpos	Korting- kode	T. S.	Beskrywing		
406.02				Deur in die Engelse teks die beskrywing deur die volgende te vervang: "Goods for the personal or official use of diplomatic agents accredited to the Republic and their families and the staff of the said agents and their families, provided they are not South African citizens or permanent residents of the Republic"		
407.04				Deur kortingitem 407.04 deur die volgende te vervang:		
"407.04				Motorvoertuie ingevoer deur natuurlike persone by verandering van permanente verblyf:		

I Korting- Item	II				III Mate van Korting	Anno- taties
	Tariefpos	Korting- kode	T. S.	Beskrywing		
	87.00	01.00	25	Een motorvoertuig per familie, ingevoer deur 'n natuurlike persoon vir sy persoonlike of eie gebruik, wat na die oordeel van die Kommissaris permanent van verblyf verander na die Republiek en— (i) mits die voertuig aldus ingevoer die persoonlike eiendom van die invoerder en persoonlik deur hom besit en gebruik is— (a) vir 'n tydperk van minstens 12 maande voor sy vertrek na die Republiek; of (b) vir 'n tydperk van minder as 12 maane voor sy vertrek na die Republiek; of (ii) in die geval van goedgekeurde voornemende inwoners wat van 'n Afrika-land arriveer, besit en gebruik is vir sodanige korter tydperk soos die Kommissaris in buitengewone omstandighede kan besluit; en (iii) mits die voertuig nie binne 'n tydperk van 2 jaar na die datum van klaring onder hierdie item aangebied, geadverteer, geleen, verhuur, verpag, verpand, weggee, verruil, verkoop of andersins vervreem word nie: Met dien verstande dat enigeen van voormelde handelinge met sodanige voertuig binne 'n tydperk van 2 jaar na die datum van klaring kragtens hierdie item sodanige voertuig onderhewig maak aan betaling van reg ooreenkomstig die regulasies	(a) Ten opsigte van 'n motorvoertuig beskryf in paragraaf (i) (a) in Kolom II: Volle reg min die reg in Afdeling A van Deel 2 van Bylae No. 1; of (b) Ten opsigte van 'n motorvoertuig beskryf in paragraaf (i) (b) in Kolom II: Volle reg min die reg in Afdeling A van Deel 2 van Bylae No. 1 en min die reg <i>pro rata</i> bereken op 'n daaglikse basis ooreenkomstig die getal dae minder as 12 maande; of (c) Ten opsigte van 'n motorvoertuig beskryf in paragraaf (ii) in Kolom II: Volle reg min die reg in Afdeling A van Deel 2 van Bylae No. 1"	

Opmerkings. —1. Die beskrywing in die Engelse teks van kortingitem 406.02 word in lyn gebring met die Afrikaanse teks.

2. Kortingitem 407.04 word herskryf.

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
406.02				By the substitution for the description of the following: "Goods for the personal or official use of diplomatic agents accredited to the Republic and their families and the staff of the said agents and their families, provided they are not South African citizens or permanent residents of the Republic"		
407.04				By the substitution for rebate item 407.04 of the following: Motor vehicles imported by natural persons on change of permanent residence:		
"407.04"	87.00	01.00	25	One motor vehicle per family, imported by a natural person for his personal or own use, who in the discretion of the Commissioner permanently changes his residence to the Republic and— (i) provided the vehicle so imported is the personal property of the importer and has personally been owned and used by him— (a) for a period of not less than 12 months prior to his departure to the Republic; or (b) for a period of less than 12 months prior to his departure to the Republic; or	(a) In respect of a motor vehicle described in paragraph (i) (a) in Column II: Full duty less the duty in Section A of Part 2 of Schedule No. 1; or (b) In respect of a motor vehicle described in paragraph (i) (b) in Column II: Full duty less the	

I Rebate Item	II				III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.	Description		
				(ii) in the case of approved intended residents arriving from an African country, is owned and used for such shorter period as the Commissioner may in exceptional circumstances decide; and (iii) provided the vehicle is not offered, advertised, lent, hired, leased, pledged, given away, exchanged, sold or otherwise disposed of within a period of 2 years from the date of entry under this item: Provided that any one of the foregoing acts with such vehicle within a period of 2 years from the date of entry in terms of this item shall render such vehicle liable to payment of duty in accordance with the regulations	duty in Section A of Part 2 of Schedule No. 1 and less the duty calculated <i>pro rata</i> on a daily basis according to the number of days less than 12 months; or (c) In respect of a motor vehicle described in paragraph (ii) in Column II: Full duty less the duty in Section A of Part 2 of Schedule No. 1"	

Notes. — 1. The description in the English text of rebate item 406.02 is brought in line with the Afrikaans text.
 2. Rebate item 407.04 is restated.

No. R. 2846

29 Desember 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 5 (No. 5/8)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 5 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

G. MARAIS,

Adjunk-minister van Finansies.

No. R. 2846

29 December 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 5 (No. 5/8)

Under section 75 of the Customs and Excise Act, 1964, Schedule 5 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

I Terug- gawe- item	II				III Mate van Teruggawe	Annota- sies
	Tarief- pos	Kode	T. S.	Beskrywing		
Deel 1				Deur die uitdrukings "KORTINGITEM" en "KORTINGKODE" waar dit in die opskrif in Kolomme I en II onderskeidelik voorkom deur die uitdrukings "TERUGGAWE ITEM" en "KODE" te vervang.		
Deel 2				Deur die uitdrukings "KORTINGITEM" en "KORTINGKODE" waar dit in die opskrif in Kolomme I en II onderskeidelik voorkom deur die uitdrukings "TERUGBETALINGSITEM" en "KODE" te vervang.		
Deel 3				Deur die uitdrukings "KORTINGITEM" en "KORTINGKODE" waar dit in die opskrif in Kolomme I en II onderskeidelik voorkom deur die uitdrukings "TERUGBETALINGITEM" en "KODE" te vervang.		
533.00				Deur Opmerking (h) deur die volgende te vervang: "(h) 'mynbou' die proses waardeur bruikbare minerale verkry word van die aarde se oppervlakte of kors, deur beide bo- of ondergrondse mynbou, met inbegrip van die metallurgiese prosesse wat nodig is om metale of minerale te herwin van die erts of materiale wat ontgin is, maar sluit nie eksplorاسie of prospekter werksaamhede in nie;"		

I Terug- gawe- item	II				III Mate van Teruggawe	Annota- sies
	Tarief- pos	Kode	T. S.	Beskrywing		
533.01	27.10			Deur terugbetalingitem 533.01 deur die volgende te vervang:		
533.01				Distillaatbrandstowwe:		
		01.04	48	Gebruik as brandstof vir padvervoer in landbou of bosbou deur enige ander persoon as die persoon wat landbou of bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	3,634c/l	
		02.04	42	Gebruik as brandstof vir die produksie van landbouprodukte (uitgesonderd sodanige brandstof gebruik vir padvervoer in landbou of in voertuie van poste Nos. 87.02 en 87.03) of as enjinbrandstof in walvisbote, treilers en ander diepseevisvangvaartuie	3,634c/l	
		03.04	47	Gebruik as brandstof vir padvervoer in landbou deur die persoon wat landbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	3,634c/l	
		04.04	41	Gebruik as brandstof in bosbou (uitgesonderd sodanige brandstof gebruik vir padvervoer in bosbou of in voertuie van poste Nos. 87.02 en 87.03)	3,634c/l	
		05.04	46	Gebruik as brandstof vir padvervoer in bosbou deur die persoon wat bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	3,634c/l	
		06.04	40	Gebruik as brandstof in verwarmers en verhittingsapparate, fornuise, oonde en ketels (ex Hoofstuk 73, 74, 76 of 84) vir mynbou	3,634c/l	
		07.04	45	Gebruik as brandstof in vaste turbines en vaste kompressie-ontstekingsenjins (uitgesonderd dié wat op selfaangedrewe voertuie gemonteer is) (ex pos No. 84.06 of 84.08) vir mynbou en konstruksie	3,634c/l	
		08.04	41	Gebruik as brandstof in ander kompressie-ontstekingsenjins vir die aandrywing van of geïnkorporeer in masjinerie en implemente van Hoofstukke 84 en 85, byvoorbeeld, generators, kompressors, laaiers, pompe, selfaangedrewe hyskrane en masjinerie en meganiese toestelle vir mynbou en konstruksie	3,634c/l	
		09.04	44	Gebruik as brandstof in lokomotiewe (pos No. 86.02) vir mynbou	3,634c/l	
		10.04	47	Gebruik as brandstof in stortvoertuie waarvan, volgens die vervaardiger se spesifikasies, elke wielmassalas minstens 4 500 kg is of waarvan die totale massalas op elke agteras meer as 20 000 kg is (pos No. 87.04) vir mynbou	3,634c/l	
		11.04	41	Gebruik as brandstof in voertuie vir gebruik in ondergrondse myne (pos No. 87.04)	3,634c/l"	

- Opmerkings.* — 1. Die omskrywing van "mynbou" word in lyn gebring met die omskrywing in Opmerking (h) by kortingitem 609.05.
2. Die voorsienings by kortingitem 533.01 word duideliker omskryf om die bedoeling daarvan bo alle twyfel te stel.
3. Die opskrifte van die kolomme word gewysig.

SCHEDULE

I Draw- back Item	II				III Extent of Drawback	Annota- tions
	Tariff Heading	Code	C. D.	Description		
Part 1				By the substitution for the expressions "REBATE ITEM" and "REBATE CODE" where they appear in the heading in Columns I and II respectively the expressions "DRAWBACK ITEM" and "CODE".		
Part 2				By the substitution for the expressions "REBATE ITEM" and "REBATE CODE" where they appear the heading in Columns I and II respectively the expressions "REFUND ITEM" and "CODE".		

I Draw- back Item	II			III Extent of Drawback	Annota- tions
	Tariff Heading	Code	C. D.	Description	
Part 3				By the substitution for the expressions "REBATE ITEM" and "REBATE CODE" where they appear in the heading in Columns I and II respectively the expressions "REFUND ITEM" and "CODE".	
533.00				By the substitution for Note (h) of the following: "(h) 'mining' the process by which useful minerals are obtained from the earth's surface or crust, both by surface mining or by underground mining, including the metallurgical processes necessary to recover metals or minerals from the ores or materials mined, but does not include exploration or prospecting operations;"	
533.01				By the substitution for refund item 533.01 of the following:	
"533.01	27.10			Distillate fuels:	
		01.04	48	Used as fuel for road transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	3,634c/l
		02.04	42	Used as fuel for the production of agricultural products (excluding such fuel used for road transport in agriculture or in vehicles of headings Nos. 87.02 and 87.03) or as engine fuel in whalers, trawlers and other ocean-going fishing vessels	3,634c/l
		03.04	47	Used as fuel for road transport in agriculture by the person carrying on agriculture (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	3,634c/l
		04.04	41	Used as fuel in forestry (excluding such fuel used for road transport in forestry or in vehicles of headings Nos. 87.02 and 87.03)	3,634c/l
		05.04	46	Used as fuel for road transport in forestry by the person carrying on forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	3,634c/l
		06.04	40	Used as fuel in heaters and heating apparatus, furnaces, ovens and boilers (ex Chapter 73, 74, 76 or 84) for mining	3,634c/l
		07.04	45	Used as fuel in stationary turbines and stationary compression ignition engines (excluding those mounted on self-propelled vehicles) (ex heading No. 84.06 or 84.08) for mining and construction	3,634c/l
		08.04	41	Used as fuel in other compression ignition engines for the driving of or incorporated in machinery and implements of Chapters 84 and 85, for example, generators, compressors, loaders, pumps, self-propelled cranes and machinery and mechanical appliances for mining and construction	3,634c/l
		09.04	44	Used as fuel in locomotives (heading No. 86.02) for mining	3,634c/l
		10.04	47	Used as fuel in dumper vehicles of which, according to the manufacturer's specifications, each wheel massload is 4 500 kg or more or of which the total massload on each rear axle exceeds 20 000 kg (heading No. 87.04) for mining	3,634c/l
		11.04	41	Used as fuel in vehicles for use in underground mines (heading No. 87.04)	3,634c/l"

- Notes. — 1. The definition of "mining" is brought in line with the definition in Note (h) to rebate item 609.05.
2. The provisions in refund item 533.01 are more clearly defined to put the intention thereof beyond any doubt.
3. The headings of the columns are amended.

No. R. 2847

29 Desember 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 5 (No. 5/9)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 5 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

G. MARAIS,

Adjunk-minister van Finansies.

No. R. 2847

29 December 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 5 (No. 5/9)

Under section 75 of the Customs and Excise Act, 1964, Schedule 5 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

	Annotasies
Deel 4 Deur Deel 4 deur die volgende te vervang: "DEEL 4 TERUGBETALINGS VAN BRANDSTOFHEFFING <i>Opmerkings:</i> 1. 'n Terugbetaling van die brandstofheffing wat kragtens Deel 5 van Bylae No. 1 ten opsigte van enige in Kolom II van hierdie Bylae vermelde goedere betaal is, word, behoudens die bepalings van artikel 75 en die regulasies, in die mate in Kolom III van hierdie Deel aangetoon, by nakoming van die bepalings van die item in hierdie Deel waarin daardie goedere vermeld word en van enige opmerkings van toepassing ten opsigte van sodanige item gedoen. 2. Enige besonderhede in Kolom III in hierdie Deel ten opsigte van enige goedere het betrekking op die brandstofheffing in Deel 5 van Bylae No. 1 vermeld wat ten opsigte van sodanige goedere betaal is. 3. Geen terugbetaling van brandstofheffing is kragtens hierdie Deel verskuldig indien die goedere in enige item daarin vermeld, gebruik word vir 'n doel wat nie in sodanige item vermeld word nie.	

I Terugbe- taling- item	II			III Mate van Terug- betaling	Annota- sies
	Brand- stofhef- fingitem	Kode	T. S.		
540.00					
540.01	195.10				
		01.00	50	8,9c/l	
		02.00	55	6,7c/l	
540.02	195.10.15				
		01.00	76	14,966c/l	
		02.00	70	17,466c/l	

I Terugbe- taling- item	II				III Mate van Terug- betaling	Annota- sies
	Brand- stofhef- fingitem	Kode	T. S.	Beskrywing		
		03.00	75	Gebruik as brandstof vir padvervoer in landbou deur die persoon wat landbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	17,466c/l	
		04.00	76	Gebruik as brandstof in bosbou (uitgesonderd sodanige brandstof gebruik vir padvervoer in bosbou of in voertuie van poste Nos. 87.02 en 87.03)	17,466c/l	
		05.00	74	Gebruik as brandstof vir padvervoer in bosbou deur die persoon wat bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	17,466c/l	
		06.00	79	Gebruik as brandstof in verwarmers en verhitingsapparate, fornuise, oonde en ketels (ex Hoofstuk 73, 74, 76 of 84) vir mynbou	8,366c/l	
		07.00	73	Gebruik as brandstof in vaste turbines en vaste kompressie-ontstekingsenjins (uitgesonderd dié wat op selfaangedrewe voertuie gemonteer is) (ex pos No. 84.06 of 84.08) vir mynbou en konstruksie	8,366c/l	
		08.00	78	Gebruik as brandstof in ander kompressie-ontstekingsenjins vir die aandrywing van of geïnkorporeer in masjinerie en implemente van Hoofstukke 84 en 85, byvoorbeeld, generators, kompressors, laaiers, pompe, selfaangedrewe hyskrane en masjinerie en meganiese toestelle vir mynbou en konstruksie	8,366c/l	
		09.00	72	Gebruik as brandstof in lokomotiewe (pos No. 86.02) vir mynbou	8,366c/l	
		10.00	75	Gebruik as brandstof in stortvoertuie waarvan, volgens die vervaardiger se spesifikasies, elke wielmassalas minstens 4 500 kg is of waarvan die totale massalas op elke agteras meer as 20 000 kg is (pos No. 87.04) vir mynbou	8,366c/l	
		11.00	77	Gebruik as brandstof in voertuie vir gebruik in ondergrondse myne (pos No. 87.04)	8,366c/l	

Opmerking. — Deel 4 van Bylae No. 5 word duideliker omskryf om die bedoeling daarvan bo alle twyfel te stel.

SCHEDULE

	Annota- sions
Part 4 By the substitution for Part 4 of the following: “PART 4 REFUNDS OF FUEL LEVY <i>Notes:</i> 1. A refund of fuel levy paid under Part 5 of Schedule No. 1 in respect of any goods specified in Column II of this Schedule shall, subject to the provisions of section 75 and the regulations, be allowed to the extent stated in Column III of this Part, in respect of such goods on compliance with the provisions of the item in this Part in which such goods are specified and of any notes applicable in respect of such item. 2. Any particulars in Column III in this Part in respect of any goods relate to the fuel levy specified in Part 5 of Schedule No. 1 and paid in respect of such goods. 3. No refund of fuel levy shall be due under this Part if the goods specified in any item therein are used for a purpose not specified in such item.	

I Refund Item	II			III Extent of Refund	Annotations
	Fuel Levy Item	Code	C. D.		
540.00					Petrol and distillate fuels used for specified purposes: Notes: In this item "road", "agriculture", "agricultural products", "agricultural requirements", "transport in agriculture", "forestry", "transport in forestry", "mining" and "construction" shall have the meanings assigned thereto in the Notes to item 533.00 of this Schedule.
540.01	195.10				Petrol and distillate fuels used by the State President, diplomatic and other foreign representatives and Untag mentioned in item 403.02, 406.01, 406.02, 406.03, 406.05 or 406.07 of Schedule No. 4, subject to the requirements of those items and of the Notes (except Note 1) applicable thereto:
		01.00	50		Petrol 8,9c/l
		02.00	55		Distillate fuels 6,7c/l
540.02	195.10.15				Distillate fuels:
		01.00	76		Used as fuel for road transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03) 14,966c/l
		02.00	70		Used as fuel for the production of agricultural products (excluding such fuel used for road transport in agriculture or in vehicles of headings Nos. 87.02 and 87.03) or as engine fuel in whalers, trawlers and other ocean-going fishing vessels 17,466c/l
		03.00	75		Used as fuel for road transport in agriculture by the person carrying on agriculture (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03) 17,466c/l
		04.00	76		Used as fuel in forestry (excluding such fuel used for road transport in forestry or in vehicles of headings Nos. 87.02 and 87.03) 17,466c/l
		05.00	74		Used as fuel for road transport in forestry by the person carrying on forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03) 17,466c/l
		06.00	79		Used as fuel in heaters and heating apparatus, furnaces, ovens and boilers (ex Chapter 73, 74, 76 or 84) for mining 8,366c/l
		07.00	73		Used as fuel in stationary turbines and stationary compression ignition engines (excluding those mounted on self-propelled vehicles) (ex heading No. 84.06 or 84.08) for mining and construction 8,366c/l
		08.00	78		Used as fuel in other compression ignition engines for the driving of or incorporated in machinery and implements of Chapters 84 and 85, for example, generators, compressors, loaders, pumps, self-propelled cranes and machinery and mechanical appliances for mining and construction 8,366c/l
		09.00	72		Used as fuel in locomotives (heading No. 86.02) for mining 8,366c/l
		10.00	75		Used as fuel in dumper vehicles of which, according to the manufacturer's specifications, each wheel massload is 4 500 kg or more or of which the total massload on each rear axle exceeds 20 000 kg (heading No. 87.04) for mining 8,366c/l
		11.00	77		Used as fuel in vehicles for use in underground mines (heading No. 87.04) 8,366c/l

Note. — Part 4 of Schedule No. 5 is more clearly defined to put the intention thereof beyond any doubt.

No. R. 2848

29 Desember 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 6 (No. 6/22)

Kragtens artikels 48A en 75 van die Doeane- en Aksynswet, 1964—

1. word Bylae 6 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon; en
2. word hierdie wysiging vir sover dit betrekking het op kortingitem 607.04.10, geag op 1 Januarie 1988 in werking te getree het.

G. MARAIS,

Adjunk-minister van Finansies.

No. R. 2848

29 December 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 6 (No. 6/22)

Under sections 48A and 75 of the Customs and Excise Act, 1964—

1. Schedule 6 to the said Act is hereby amended to the extent set out in the Schedule hereto; and
2. this amendment, in so far as it relates to rebate item 607.04.10, shall be deemed to have come into operation on 1 January 1988.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

I Korting- item	II Tarief item	III Kode	T. S.	IV Beskrywing	V Mate van Korting	VI Mate van Terug- betaling	Anno- taties
602.01				Deur kortingitem 602.01.35 deur die volgende te vervang:			
“35 607.04.10	105.10	01.00	54	Petroleumolies Deur in kode 03.00 by tariefitem 104.20, tariefpos No. 33.03 in te voeg.		Volle reg”	
609.05				Deur kortingitem 609.05.10 deur die volgende te vervang:			
“10	105.10	01.00	53	Distillaatbrandstowwe: Gebruik as brandstof vir padvervoer in landbou of bosbou deur enige ander persoon as die persoon wat landbou of bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)		3,634c/l	
		02.00	54	Gebruik as brandstof vir die produksie van landbouprodukte (uitgesonderd sodanige brandstof gebruik vir padvervoer in landbou of in voertuie van poste Nos. 87.02 en 87.03) of as enjinbrandstof in walvisbote, treilers en ander diepseevisvangvaartuie		3,634c/l	
		03.00	59	Gebruik as brandstof vir padvervoer in landbou deur die persoon wat landbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)		3,634c/l	
		04.00	53	Gebruik as brandstof in bosbou (uitgesonderd sodanige brandstof gebruik vir padvervoer in bosbou of in voertuie van poste Nos. 87.02 en 87.03)		3,634c/l	
		05.00	58	Gebruik as brandstof vir padvervoer in bosbou deur die persoon wat bosbou beoefen (uitgesonderd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)		3,634c/l	
		06.00	54	Gebruik as brandstof in verwarmers en verhittingsapparate, fornuise, oonde en ketels (ex Hoofstuk 73, 74, 76 of 84) vir mynbou		3,634c/l	
		07.00	59	Gebruik as brandstof in vaste turbines en vaste kompressie-ontstekingsenjins (uitgesonderd dié wat op selfaangedrewe voertuie gemonteer is) (ex pos No. 84.06 of 84.08) vir mynbou en konstruksie		3,634c/l	
		08.00	53	Gebruik as brandstof in ander kompressie-ontstekingsenjins vir die aandrywing van of geïnkorporeer in masjinerie en implemente van Hoofstukke 84 en 85, byvoorbeeld, generators, kompressors, laaiers, pompe, selfaangedrewe hyskrane en masjinerie en meganiese toestelle vir mynbou en konstruksie		3,634c/l	
		09.00	58	Gebruik as brandstof in lokomotiewe (pos No. 86.02) vir mynbou		3,634c/l	

I Korting- item	II Tarief item	III Kode	T. S.	IV Beskrywing	V Mate van Korting	VI Mate van Terug- betaling	Anno- taties
		10.00	50	Gebruik as brandstof in stortvoertuie waarvan, volgens die vervaardiger se spesifikasies, elke wielmassalas minstens 4 500 kg is of waarvan die totale massalas op elke agteras meer as 20 000 kg is (pos No. 87.04) vir mynbou		3,634c/l	
		11.00	55	Gebruik as brandstof in voertuie vir gebruik in ondergrondse myne (pos No. 87.04)		3,634c/l "	

- Opmerkings.* — 1. Die uitwerking van die wysiging ten opsigte van kortingitem 602.01.35 is dat 'n korting met 'n terugbetaling vervang word.
2. Die wysiging ten opsigte van kortingitem 609.05.10 spruit voort uit die wysiging van Bylae No. 5.
3. Die wysiging ten opsigte van kortingitem 607.04.10 het terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

I Rebate item	II Tariff item	III Code	C. D.	IV Description	V Extent of Rebate	VI Extent of Refund	Anno- tations
602.01				By the substitution for rebate item 602.01.35 of the following:			
"35	105.10	01.00	54	Petroleum oils		Full duty"	
607.04.10				By the insertion of tariff heading No. 33.03 in Code 03.00 of tariff item 104.20.			
609.05				By the substitution for rebate item 609.05.10 of the following:			
"10	105.10			Distillate fuels:			
		01.00	53	Used as fuel for road transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		3,634c/l	
		02.00	54	Used as fuel for the production of agricultural products (excluding such fuel used for road transport in agriculture or in vehicles of headings Nos. 87.02 and 87.03) or as engine fuel in whalers, trawlers and other ocean-going fishing vessels		3,634c/l	
		03.00	59	Used as fuel for road transport in agriculture by the person carrying on agriculture (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		3,634c/l	
		04.00	53	Used as fuel in forestry (excluding such fuel used for road transport in forestry or in vehicles of headings Nos. 87.02 and 87.03)		3,634c/l	
		05.00	58	Used as fuel for road transport in forestry by the person carrying on forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)		3,634c/l	
		06.00	54	Used as fuel in heaters and heating apparatus, furnaces, ovens and boilers (ex Chapter 73, 74, 76 or 84) for mining		3,634c/l	
		07.00	59	Used as fuel in stationary turbines and stationary compression ignition engines (excluding those mounted on self-propelled vehicles) (ex tariff heading No. 84.06 or 84.08) for mining and construction		3,634c/l	
		08.00	53	Used as fuel in other compression ignition engines for the driving of or incorporated in machinery and implements of Chapters 84 and 85, for example, generators, compressors, loaders, pumps, self-propelled cranes and machinery and mechanical appliances for mining and construction		3,634c/l	
		09.00	58	Used as fuel in locomotives (heading No. 86.02) for mining		3,634c/l	

I Rebate item	II Tariff item	III Code	C. D.	IV Description	V Extent of Rebate	VI Extent of Refund	Anno- tations
		10.00	50	Used as fuel in dumper vehicles of which, according to the manufacturer's specifications, each wheel massload is 4 500 kg or more or of which the total massload on each rear axle exceeds 20 000 kg (heading No. 87.04) for mining		3,634c/ℓ	
		11.00	55	Used as fuel in vehicles for use in underground mines (heading No. 87.04)		3,634c/ℓ "	

- Notes. — 1. The effect of the amendment in respect of rebate item 602.01.35 is that a refund is substituted for a rebate.
2. The amendment in respect of rebate item 609.05.10 is consequential to the amendment of Schedule No. 5.
3. The amendment in respect of rebate item 607.04.10 has retrospective effect to 1 January 1988.

No. R. 2849

29 Desember 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 6 (No. 6/23)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 6 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

No. R. 2849

29 December 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 6 (No. 6/23)

Under section 75 of the Customs and Excise Act, 1964, Schedule 6 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

BYLAE

	Anno- tations
Deel 3 Deur Deel 3 deur die volgende te vervang: "DEEL 3 TERUGBETALINGS VAN BRANDSTOFHEFFING Opmerkings: 'n Terugbetaling van die brandstofheffing wat kragtens Deel 5 van Bylae No. 1 ten opsigte van enige in Kolom IV van hierdie Bylae vermelde goedere betaal is, word, behoudens die bepalings van artikel 75 en die regulasies, in die mate in Kolom V van hierdie Deel aangetoon, by nakoming van die bepalings van die item in hierdie Deel waarin daardie goedere vermeld word en van enige opmerkings van toepassing ten opsigte van sodanige item gedoen. - Tensy uit die samehang anders blyk is Opmerkings A, C en H van die Algemene Opmerkings by Bylae No. 1 <i>mutatis mutandis</i> op hierdie Deel van toepassing. - Enige besonderhede in Kolom V in hierdie Deel ten opsigte van enige goedere het betrekking op die brandstofheffing in Deel 5 van Bylae No. 1 vermeld wat ten opsigte van sodanige goedere betaal is. - Waar die pos of subpos waaronder enige goedere in Deel 1 van Bylae No. 1 ingedeel word of die brandstofheffingitem waaronder enige goedere in Deel 5 van Bylae No. 1 ingedeel word, aangehaal word in enige item in hierdie Bylae waarin sodanige goedere vermeld word, word die goedere wat aldus vermeld word in sodanige item in hierdie Bylae, geag nie goedere in te sluit wat nie onder bedoelde pos of subpos of brandstofheffingitem ingedeel word nie. 'n Terugbetaling ingevolge hierdie Deel word betaal slegs aan die persoon wat die bedoelde goedere aangekoop en gebruik het vir die doeleinde in sodanige item vermeld, behalwe as die Kommissaris betaling van sodanige terugbetaling aan enige ander persoon magtig by nakoming van sodanige voorwaardes wat hy in elke geval mag voorskryf.	

I Terug- betaling- item	II Brand- stof- heffing- item	III Kode	T. S.	IV Beskrywing	V Mate van Terugbe- taling	Anno- tasies
640.00				Petrol en distillaatbrandstowwe gebruik vir be- paalde doeleindes:		
				Opmerkings:		
				By hierdie item beteken "pad", "landbou", "land- boupprodukte", "landboubenodighede", "vervoer in landbou", "bosbou", "vervoer in bosbou" en "mynbou" en "konstruksie" dieselfde as die bete- kenis daaraan toegewys in die Opmerkings by kor- tingitem 609.05 van hierdie Bylae.		
640.01	195.10			Petrol en distillaatbrandstowwe gebruik deur die Staatspresident, diplomatieke en ander buitelandse verteenwoordigers en Untag in item 403.02, 406.01, 406.02, 406.03, 406.05 en 406.07 van Bylae No. 4 vermeld, onderworpe aan die vereistes van soda- nige items en die Opmerkings (behalwe Opmerking 1) wat daarop betrekking het:		
		01.00	59	Petrol	8,9c/l	
		02.00	53	Distillaatbrandstowwe	6,7c/l	
640.02	195.10.15	01.00	76	Distillaatbrandstowwe gebruik in die vervaardiging van die goedere in kortingitem 607.05.10 vermeld	17,466c/l	
640.03	195.10.15			Distillaatbrandstowwe:		
		01.00	76	Gebruik as brandstof vir padvervoer in landbou of bosbou deur enige ander persoon as die persoon wat landbou of bosbou beoefen (uitgesonderd soda- nige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	14,966c/l	
		02.00	71	Gebruik as brandstof vir die produksie van land- boupprodukte (uitgesonderd sodanige brandstof gebruik vir padvervoer in landbou of in voertuie van poste Nos. 87.02 en 87.03) of as enjinbrandstof in walvisbote, treilers en ander diepseevisvangvaartuie	17,466c/l	
		03.00	76	Gebruik as brandstof vir padvervoer in landbou deur die persoon wat landbou beoefen (uitgeson- derd sodanige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	17,466c/l	
		04.00	70	Gebruik as brandstof in bosbou (uitgesonderd soda- nige brandstof gebruik vir padvervoer in bosbou of in voertuie van poste Nos. 87.02 en 87.03)	17,466c/l	
		05.00	75	Gebruik as brandstof vir padvervoer in bosbou deur die persoon wat bosbou beoefen (uitgesonderd so- danige brandstof gebruik in voertuie van poste Nos. 87.02 en 87.03)	17,466c/l	
		06.00	73	Gebruik as brandstof in verwarmers en verhit- tingsapparate, fornuise, oonde en ketels (ex Hoofstuk 73, 74, 76 of 84) vir mynbou	8,366c/l	
		07.00	74	Gebruik as brandstof in vaste turbines en vaste kompresie-ontstekingsenjins (uitgesonderd dié wat op selfaangedrewe voertuie gemonteer is) (ex pos No. 84.06 of 84.08) vir mynbou en konstruksie	8,366c/l	
		08.00	79	Gebruik as brandstof in ander kompresie-ontste- kingsenjins vir die aandrywing van of geïnkorporeer in masjinerie en implemente van Hoofstukke 84 en 85, byvoorbeeld, generators, kompressors, laaiers, pompe, selfaangedrewe hyskrane en masjinerie en meganiese toestelle vir mynbou en konstruksie	8,366c/l	
		09.00	73	Gebruik as brandstof in lokomotiewe (pos No. 86.02) vir mynbou	8,366c/l	
		10.00	76	Gebruik as brandstof in stortvoertuie waarvan, vol- gens die vervaardiger se spesifikasies, elke wielmas- salas minstens 4 500 kg is of waarvan die totale mas- salas op elke agteras meer as 20 000 kg is (pos No. 87.04) vir mynbou	8,366c/l	
		11.00	70	Gebruik as brandstof in voertuie vir gebruik in on- dergrondse myne (pos No. 87.04)	8,366c/l"	

Opmerking. — Die wysiging spruit voort uit die wysiging van kortingitems 533.00 en 540.02.

SCHEDULE

	Annotations
Part 3 By the substitution for Part 3 of the following: “PART 3 REFUNDS OF FUEL LEVY Notes: 1. A refund of fuel levy paid under Part 5 of Schedule No. 1 in respect of any goods specified in column IV of this Schedule shall, subject to the provisions of section 75 and the regulations, be allowed to the extent stated in Column V of this Part, in respect of such goods on compliance with the provisions of the item in this Part in which such goods are specified and of any notes applicable in respect of such item. 2. Unless the context otherwise indicates, Notes A, C and H of the General Notes to Schedule No. 1 shall <i>mutatis mutandis</i> apply to this Part. 3. Any particulars in Column V in this Part in respect of any goods relate to the fuel levy specified in Part 5 of Schedule No. 1 and paid in respect of such goods. 4. Wherever the heading or subheading under which any goods are classified in Part 1 of Schedule No. 1 or the fuel levy item under which any goods are classified in Part 5 of Schedule No. 1 is quoted in any item in this Schedule in which such goods are specified, the goods so specified in such item in this Schedule shall be deemed not to include goods which are not classified under the said heading or subheading or fuel levy item. 5. A refund in terms of this Part shall be paid only to the person who purchased and used the goods concerned for the purpose specified in such item, unless the Commissioner authorizes payment of such refund to any other person on compliance with such conditions as he may impose in each case.	

I Refund Item	II Fuel Levy Item	III Code	C. D.	IV Description	V Extent of Refund	Annotations
640.00				Petrol and distillate fuels used for specific purposes: <i>Notes:</i> In this item “road”, “agriculture”, “agricultural products”, “agricultural requirements”, “transport in agriculture”, “forestry”, “transport in forestry” and “mining” and “construction” shall have the meaning assigned thereto in the Notes to rebate item 609.05 of this Schedule.		
640.01	195.10			Petrol and distillate fuels used by the State President, diplomatic and other foreign representatives and Untag mentioned in items 403.02, 406.01, 406.02, 406.03, 406.05 or 406.07 of Schedule No. 4, subject to the requirements of those items and of the Notes (except Note 1) applicable thereto:		
		01.00	59	Petrol	8,9c/l	
		02.00	53	Distillate fuels	6,7c/l	
640.02	195.10.15	01.00	76	Distillate fuels used in the manufacture of the goods specified in rebate item 607.05.10	17,466c/l	
640.03	195.10.15			Distillate fuels:		
		01.00	76	Used as fuel for road transport in agriculture or forestry by any person other than the person carrying on agriculture or forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	14,966c/l	
		02.00	71	Used as fuel for the production of agricultural products (excluding such fuel for use for road transport in agriculture or in vehicles of headings Nos. 87.02 and 87.03) or as engine fuel in whalers, trawlers and other ocean-going fishing vessels	17,466c/l	
		03.00	76	Used as fuel for road transport in agriculture by the person carrying on agriculture (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	17,466c/l	
		04.00	70	Used as fuel in forestry (excluding such fuel for use for road transport in forestry or in vehicles of headings Nos. 87.02 and 87.03)	17,466c/l	
		05.00	75	Used as fuel for road transport in forestry by the person carrying on forestry (excluding such fuel used in vehicles of headings Nos. 87.02 and 87.03)	17,466c/l	
		06.00	73	Used as fuel in heaters and heating apparatus, furnaces, ovens and boilers (ex Chapter 73, 74, 76 or 84) for mining	8,366c/l	

I Refund Item	II Fuel Levy Item	III Code	C. D.	IV Description	V Extent of Refund	Anno- tations
		07.00	74	Used as fuel in stationary turbines and stationary compression ignition engines (excluding those mounted on self-propelled vehicles) (ex heading No. 84.06 or 84.08) for mining and construction	8,366c/l	
		08.00	79	Used as fuel in other compression ignition engines for the driving of or incorporated in machinery and implements of Chapters 84 and 85, for example, generators, compressors, loaders, pumps, self-propelled cranes and machinery and mechanical appliances for mining and construction	8,366c/l	
		09.00	73	Used as fuel in locomotives (heading No. 86.02) for mining	8,366c/l	
		10.00	76	Used as fuel in dumper vehicles of which according to the manufacturer's specifications, each wheel massload is 4 500 kg or more or of which the total massload on each rear axle exceeds 20 000 kg (heading No. 87.04) for mining	8,366c/l	
		11.00	70	Used as fuel in vehicles for use in underground mines (heading No. 87.04)	8,366c/l"	

Note. — The amendment is consequential to the amendment of rebate items 533.00 and 540.02.

No. R. 2850**29 Desember 1989****DOEANE- EN AKSYNSWET, 1964****WYSIGING VAN BYLAE 1 (No. 1/1/202)**

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.

No. R. 2850**29 Desember 1989****CUSTOMS AND EXCISE ACT, 1964****AMENDMENT OF SCHEDULE 1 (No. 1/1/202)**

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.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
84.33			Deur na subpos No. 8433.59.10 die volgende in te voeg:			
	“.20	7	Druie-oesmasjiene	getal	vry"	

Opmerking. — Spesifieke voorsiening word gemaak vir druie-oesmasjiene, met terugwerkende krag tot 10 Mei 1989.

SCHEDULE

Head- ing	Sub- heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
84.33			By the insertion after subheading No. 8433.59.10 of the following:			
	“.20	7	Grape harvesting machines	no.	free"	

Note. — Specific provision is made for grape harvesting machines, with retrospective effect to 10 May 1989.

No. R. 2851**29 Desember 1989****DOEANE- EN AKSYNSWET, 1964****WYSIGING VAN BYLAE 1 (No. 1/4/77)**

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.

No. R. 2851**29 Desember 1989****CUSTOMS AND EXCISE ACT, 1964****AMENDMENT OF SCHEDULE 1 (No. 1/4/77)**

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.

BYLAE

I Bobelastingitem	II			III Skaal van Bobelasting	Annotasies
	Tariefpos	Bobelastingkode	Beskrywing		
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, 8418.50, 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, 8433.59.10, 8433.59.20 en 8433.90.30), 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 (uitgesonderd subpos No. 8442.30), 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%	

Opmerking.—Die uitwerking van hierdie wysiging is dat sekere landbouthoerusting vrygestel word van die betaling van bobelasting met terugwerkende krag tot 10 Mei 1989.

SCHEDULE

I Surcharge Item	II			III Rate of Surcharge	Annotations
	Tariff Heading	Surcharge Code	Description		
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, 8418.50, 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, 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, 8433.59.10, 8433.59.20 and 8433.90.30), 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 (excluding subheading No. 8442.30), 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	15%	

Note.—The effect of this amendment is that certain agricultural equipment is exempted from the payment of

DEPARTEMENT VAN LANDBOU**No. R. 2853****29 Desember 1989****WET OP DIE KOMMISSIE VIR VARSPRODUKTEMARKE, 1970 (WET No. 82 VAN 1970)****VERKLARING TOT 'N NASIONALE VARSPRODUKTEMARK. — WITBANK MUNISIPALE VARSPRODUKTEMARK**

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 15 van die Wet op die Kommissie vir Varsprodukte, 1970 (Wet No. 82 van 1970), verklaar hierby die Witbank Munisipale Varsprodukte-mark geleë op die volgende grond tot 'n nasionale varsproukte-mark:

- (a) Erwe 3892 en 3893, Witbank-uitbreiding 19, soos aangedui op Kaart LG A5310/72.
- (b) Erf 4909 (voorheen Markstraat), Witbank-uitbreiding 19, soos aangedui op Kaart LG A3139/86.
- (c) Gedeelte 136 van die plaas Witbank 307 JS, soos aangedui op Kaart LG A3140/86.
- (d) Gedeelte 120 van die plaas Witbank 307 JS, soos aangedui op Kaart LG A2905/73.

J. DE VILLIERS,
Minister van Landbou.

No. R. 2854**29 Desember 1989****BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)****VERBOD BETREFFENDE DIE VERKOOP VAN TAMATIES. — WYSIGING**

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 84 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), wysig hierby Goewermentskennisgewing No. R. 1977 van 7 September 1984 deur paragraaf (e) van die Bylae daarvan deur die volgende paragraaf te vervang:

“(e) *Die Transvaalgebied*, synde die gebied bestaande uit die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria en Wonderboom, en die regsgebied van die Munisipaliteit van Witbank.”.

J. DE VILLIERS,
Minister van Landbou.

No. R. 2855**29 Desember 1989****BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)****VERBOD OP DIE VERKOOP VAN AVOKADO'S IN DIE BEHEERDE GEBIED TENSY GEGRADEER, VERPAK EN GEMERK OP 'N VOORGESKREWE WYSE. — WYSIGING**

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 84 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), wysig hierby Proklamasie No. R. 53 van 1976 deur paragraaf (e) van die Bylae daarvan deur die volgende paragraaf te vervang:

“(e) *Transvaal-gebied*, dit is die gebied bestaande uit die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kemp-

DEPARTMENT OF AGRICULTURE**No. R. 2853****29 December 1989****COMMISSION FOR FRESH PRODUCE MARKETS ACT, 1970 (ACT No. 82 OF 1970)****DECLARATION AS A NATIONAL FRESH PRODUCE MARKET. — WITBANK MUNICIPAL FRESH PRODUCE MARKET**

I, Jacob de Villiers, Minister of Agriculture, acting under section 15 of the Commission for Fresh Produce Markets Act, 1970 (Act No. 82 of 1970), hereby declare the Witbank Municipal Fresh Produce Market situated on the following land, to be a national fresh produce market:

- (a) Erven 3892 and 3893, Witbank Extension 19, as indicated on Map SG A5310/72.
- (b) Erf 4909 (formerly Market Street), Witbank Extension 19, as indicated on MAP SG A3139/86.
- (c) Portion 136 of the farm Witbank 307 JS, as indicated on Map SG A3140/86.
- (d) Portion 120 of the farm Witbank 307 JS, as indicated on Map SG A2905/73.

J. DE VILLIERS,
Minister of Agriculture.

No. R. 2854**29 December 1989****MARKETING ACT, 1968 (ACT No. 59 OF 1968)****PROHIBITION RELATING TO THE SALE OF TOMATOES. — AMENDMENT**

I, Jacob de Villiers, Minister of Agriculture, acting under section 84 of the Marketing Act, 1968 (Act No. 59 of 1968), hereby amend Government Notice No. R. 1977 of 7 September 1984 by the substitution for paragraph (e) of the Schedule thereof of the following paragraph:

“(e) *The Transvaal Area*, being the area consisting of the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randburg, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria and Wonderboom, and the area of jurisdiction of the Municipality of Witbank.”.

J. DE VILLIERS,
Minister of Agriculture.

No. R. 2855**29 December 1989****MARKETING ACT, 1968 (ACT No. 59 OF 1968)****PROHIBITION OF THE SALE OF AVOCADOS IN CONTROLLED AREA UNLESS GRADED, PACKED AND MARKED IN A PRESCRIBED MANNER. — AMENDMENT**

I, Jacob de Villiers, Minister of Agriculture, acting under section 84 of the Marketing Act, 1968 (Act No. 59 of 1968), hereby amend Proclamation No. R. 53 of 1976 by the substitution for paragraph (e) of the Schedule thereof of the following paragraph:

“(e) *Transvaal area*, i.e. the area comprising the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kemp-

ton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria en Wonderboom, en die regsgebied van die Munisipaliteit van Witbank;”.

J. DE VILLIERS,
Minister van Landbou.

No. R. 2856 29 Desember 1989

BEMARKINGSWET, 1968 (WET No. 59
VAN 1968)

VERBOD OP DIE VERKOOP VAN AARTAPPELS IN SEKERE GEBIEDE VAN DIE REPUBLIEK VAN SUID-AFRIKA TENSY DIT VERKOOP WORD VOLGENS DIE VOORGESKREWE KLASSE EN VERPAK EN GEMERK IS OP DIE VOORGESKREWE WYSE. — WYSIGING

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 84 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), wysig hierby Proklamasie No. R. 197 van 1982, soos gewysig by Goewermentskennisgewing No. R. 1695 van 15 Augustus 1986, verder deur paragraaf (e) van die Bylae daarvan deur die volgende paragraaf te vervang:

“(e) *Transvaal-gebied*, dit is die gebied bestaande uit die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria en Wonderboom, en die regsgebied van die Munisipaliteit van Witbank;”.

J. DE VILLIERS,
Minister van Landbou.

No. R. 2857 29 Desember 1989

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

VERBOD OP DIE VERKOOP VAN GROEN PIESANGS IN SEKERE GEBIEDE TENSY GEGRADDEER, VERPAK EN GEMERK OP 'N VOORGESKREWE WYSE. — WYSIGING

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 84 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), wysig hierby Proklamasie No. R. 68 van 1973 deur paragraaf (e) van die Bylae daarvan deur die volgende paragraaf te vervang:

“(e) *Transvaalgebied*, d.i. die gebied bestaande uit die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria en Wonderboom, en die regsgebied van die Munisipaliteit van Witbank;”.

J. DE VILLIERS,
Minister van Landbou.

ton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria and Wonderboom, and the area of jurisdiction of the Municipality of Witbank;”.

J. DE VILLIERS,
Minister of Agriculture.

No. R. 2856 29 December 1989

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

PROHIBITION OF THE SALE OF POTATOES IN CERTAIN AREAS OF THE REPUBLIC OF SOUTH AFRICA UNLESS SOLD ACCORDING TO THE CLASSES PRESCRIBED BY REGULATION AND PACKED AND MARKED IN A MANNER SO PRESCRIBED. — AMENDMENT

I, Jacob de Villiers, Minister of Agriculture, acting under section 84 of the Marketing Act, 1968 (Act No. 59 of 1968), hereby further amend Proclamation No. R. 197 of 1982, as amended by Government Notice No. R. 1695 of 15 August 1986, by the substitution for paragraph (e) of the Schedule thereof of the following paragraph:

“(e) *Transvaal area*, i.e. the area comprising the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria and Wonderboom, and the area of jurisdiction of the Municipality of Witbank;”.

J. DE VILLIERS,
Minister of Agriculture.

No. R. 2857 29 December 1989

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

PROHIBITION OF THE SALE OF GREEN BANANAS IN CERTAIN AREAS UNLESS GRADED, PACKED AND MARKED IN A PRESCRIBED MANNER. — AMENDMENT

I, Jacob de Villiers, Minister of Agriculture, acting under section 84 of the Marketing Act, 1968 (Act No. 59 of 1968), hereby amend Proclamation No. R. 68 of 1973 by the substitution for paragraph (e) of the Schedule thereof of the following paragraph:

“(e) *Transvaal area*, i.e. the area consisting of the Magisterial districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria and Wonderboom, and the area of jurisdiction of the Municipality of Witbank;”.

J. DE VILLIERS,
Minister of Agriculture.

No. R. 2858**29 Desember 1989**

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)
VERBOD OP DIE VERKOOP VAN UIE IN
SEKERE GEBIEDE VAN DIE REPUBLIEK VAN
SUID-AFRIKA TENSY DIT OP 'N BY REGULA-
SIE VOORGESKREWE WYSE GEGRADDEER,
VERPAK EN GEMERK IS. — WYSIGING

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 84 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), wysig hierby Proklamasie No. R. 115 van 1981 deur paragraaf (e) van die Bylae daarvan deur die volgende paragraaf te vervang:

“(e) *Transvaal-gebied*, dit is die gebied bestaande uit die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria en Wonderboom, en die regsgebied van die Munisipaliteit van Witbank;”.

J. DE VILLIERS,
 Minister van Landbou.

No. R. 2859**29 Desember 1989**

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)
VERBOD OP DIE VERKOOP VAN SAGTE-
VRUGTE IN DIE BEHEERDE GEBIED TENSY
GEGRADDEER, VERPAK EN GEMERK OP 'N
VOORGESKREWE WYSE. — WYSIGING

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 84 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), wysig hierby Proklamasie No. R. 22 van 1973 deur paragraaf (e) van die Bylae daarvan deur die volgende paragraaf te vervang:

“(e) *Transvaal-gebied*, dit is die gebied bestaande uit die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria en Wonderboom, en die regsgebied van die Munisipaliteit van Witbank;”.

J. DE VILLIERS,
 Minister van Landbou.

DEPARTEMENT VAN MANNEKRAG

No. R. 2877**29 Desember 1989**

WET OP ARBEIDSVERHOUDINGE, 1956

YSTER-, STAAL-, INGENIEURS- EN METAL-
LURGIJSE NYWERHEID. — VERLENGING VAN
MEDIESE HULFONDSDOOREENKOMS VIR
WERKNEMERS IN DIE INGENIEURS EN AAN-
VERWANTE NYWERHEDE

Ek, Johannes Nicolaas Hitchcock, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperke vasgestel in Goewernementskennisgewings Nos. R. 1002 van 23 Mei 1986, R. 2234 van 24 Oktober 1986, R. 1796 van 21 Augustus 1987, R. 785 van 22 April 1988 en R. 377 van 3 Maart 1989, met 'n verdere tydperk wat op 16 Februarie 1991 eindig.

J. N. HITCHCOCK,
 Hoofdirekteur: Arbeidsverhoudinge.

No. R. 2858**29 December 1989**

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

PROHIBITION OF THE SALE OF ONIONS IN
CERTAIN AREAS OF THE REPUBLIC OF
SOUTH AFRICA UNLESS GRADED, PACKED
AND MARKED IN A MANNER PRESCRIBED BY
REGULATIONS. — AMENDMENT

I, Jacob de Villiers, Minister of Agriculture, acting under section 84 of the Marketing Act, 1968 (Act No. 59 of 1968) hereby amend Proclamation No. R. 115 of 1981 by the substitution for paragraph (e) of the Schedule thereof of the following paragraph:

“(e) *Transvaal area*, i.e. the area comprising the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria and Wonderboom, and the area of jurisdiction of the Municipality of Witbank;”.

J. DE VILLIERS,
 Minister of Agriculture.

No. R. 2859**29 December 1989**

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

PROHIBITION OF THE SALE OF DECIDUOUS
FRUIT IN THE CONTROLLED AREA UNLESS
GRADED, PACKED AND MARKED IN A PRE-
SCRIBED MANNER. — AMENDMENT

I, Jacob de Villiers, Minister of Agriculture, acting under section 84 of the Marketing Act, 1968 (Act No. 59 of 1968) hereby amend Proclamation No. R. 22 of 1973 by the substitution for paragraph (e) of the Schedule thereof of the following paragraph:

“(e) *Transvaal area*, i.e. the area consisting of the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Pretoria, Randfontein, Roodepoort, Springs, Vanderbijlpark, Vereeniging, Verwoerdburg, Westonaria and Wonderboom, and the area of jurisdiction of the Municipality of Witbank;”.

J. DE VILLIERS,
 Minister of Agriculture.

DEPARTMENT OF MANPOWER

No. R. 2877**29 December 1989**

LABOUR RELATIONS ACT, 1956

IRON, STEEL, ENGINEERING AND METAL-
LURGICAL INDUSTRY. — EXTENSION OF
ENGINEERING AND ALLIED INDUSTRIES
EMPLOYEES MEDICAL AID FUND AGREE-
MENT

I, Johannes Nicolaas Hitchcock, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the period fixed in Government Notices Nos. R. 1002 of 23 May 1986, R. 2234 of 24 October 1986, R. 1796 of 21 August 1987, R. 785 of 22 April 1988 and R. 377 of 3 March 1989, by a further period ending 16 February 1991.

J. N. HITCHCOCK,
 Chief Director: Labour Relations.

No. R. 2878

29 Desember 1989

WET OP ARBEIDSVERHOUDINGE, 1956

CHEMIKALIEËNYWERHEID (KAAP).—VER-
LENGING VAN HOOFOOREENKOMS

Ek, Johannes Nicolaas Hitchcock, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verleng hierby, kragtens artikel 48 (4) (a) (i) van die Wet op Arbeidsverhoudinge, 1956, die tydperk vasgestel in Goewermentskennisgewing No. R. 1462 van 17 Julie 1989, met 'n verdere tydperk wat op 31 Desember 1990 eindig.

J. N. HITCHCOCK,

Hoofdirekteur: Arbeidsverhoudinge.

No. R. 2879

29 Desember 1989

WET OP ARBEIDSVERHOUDINGE, 1956

CHEMIKALIEËNYWERHEID (KAAP). — HER-
NUWING VAN MEDIESE HULPFONDSOOR-
EENKOMS

Ek, Johannes Nicolaas Hitchcock, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings Nos. R. 2005 van 6 Oktober 1978 en R. 627 van 30 Maart 1979, van krag is vanaf 1 Januarie 1990 en vir die tydperk wat op 31 Desember 1990 eindig.

J. N. HITCHCOCK,

Hoofdirekteur: Arbeidsverhoudinge.

No. R. 2880

29 Desember 1989

WET OP ARBEIDSVERHOUDINGE, 1956

MOTORVERVOERONDERNEMING (GOE-
DERE).—HERNUWING VAN HOOFOOREEN-
KOMS

Ek, Johannes Nicolaas Hitchcock, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings Nos. R. 2253 van 14 Oktober 1983, R. 1131 van 8 Junie 1984, R. 2789 van 20 Desember 1985, R. 2266 van 31 Oktober 1986, R. 66 van 9 Januarie 1987, R. 1138 van 29 Mei 1987, R. 318 van 26 Februarie 1988, R. 1814 van 9 September 1988, R. 254 van 17 Februarie 1989 en R. 1240 van 16 Junie 1989, van krag is vanaf 1 Januarie 1990 en vir die tydperk wat op 30 April 1990 eindig.

J. N. HITCHCOCK,

Hoofdirekteur: Arbeidsverhoudinge.

No. R. 2878

29 December 1989

LABOUR RELATIONS ACT, 1956

CHEMICAL INDUSTRY (CAPE).—EXTENSION
OF MAIN AGREEMENT

I, Johannes Nicolaas Hitchcock, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (i) of the Labour Relations Act, 1956, extend the period fixed in Government Notice No. R. 1462 of 17 July 1989, by a further period ending 31 December 1990.

J. N. HITCHCOCK,

Chief Director: Labour Relations.

No. R. 2879

29 December 1989

LABOUR RELATIONS ACT, 1956

CHEMICAL INDUSTRY (CAPE).—RENEWAL
OF MEDICAL AID FUND AGREEMENT

I, Johannes Nicolaas Hitchcock, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of the Government Notices Nos. R. 2005 of 6 October 1978 and R. 627 of 30 March 1979, to be effective from 1 January 1990 and for the period ending 31 December 1990.

J. N. HITCHCOCK,

Chief Director: Labour Relations.

No. R. 2880

29 December 1989

LABOUR RELATIONS ACT, 1956

MOTOR TRANSPORT UNDERTAKING
(GOODS).—RENEWAL OF MAIN AGREEMENT

I, Johannes Nicolaas Hitchcock, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices Nos. R. 2253 of 14 October 1983, R. 1131 of 8 June 1984, R. 2789 of 20 December 1985, R. 2266 of 31 October 1986, R. 66 of 9 January 1987, R. 1138 of 29 May 1987, R. 318 of 26 February 1988, R. 1814 of 9 September 1988, R. 254 of 17 February 1989 and R. 1240 of 16 June 1989, to be effective from 1 January 1990 and for the period ending 30 April 1990.

J. N. HITCHCOCK,

Chief Director: Labour Relations.

No. R. 2881

29 Desember 1989

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID, KIMBERLEY.—HERNUWING VAN OOREENKOMS VIR DIE ELEKTRIESE INSTALLERINGSEKSIE

Ek, Johannes Nicolaas Hitchcock, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermentskennisgewings Nos. R. 2153 van 16 Oktober 1981, R. 1384 van 9 Julie 1982, R. 2199 van 15 Oktober 1982, R. 1096 van 20 Mei 1983, R. 1090 van 30 Mei 1984, R. 509 van 8 Maart 1985, R. 17 van 3 Januarie 1986, R. 846 van 16 April 1987 en R. 1575 van 21 Julie 1989, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1990 eindig.

J. N. HITCHCOCK,

Hoofdirekteur: Arbeidsverhoudinge.

No. R. 2884

29 Desember 1989

WET OP MANNEKRAGOPLEIDING, 1981

MINING INDUSTRY ENGINEERING TRADES TRAINING BOARD.—AANWYSINGS VAN AMBAGTE EN VOORSKRYWING VAN LEERVOORWAARDES

VERBETERINGSKENNISGEWING

Onderstaande verbetering aan Goewermentskennisgewing No. R. 1273 wat in *Staatskoerant* No. 11954 van 16 Junie 1989 verskyn het, word vir algemene inligting gepubliseer:

In die Afrikaanse teks, vervang die uitdrukking "4. Instrumentwerktuigkundige (industriële) (7)" met die uitdrukking "4. Instrumentmeganikus (industriële) (7)" waar dit in paragraaf (a) "AMBAGTE" verskyn.

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS-ONTWIKKELING

No. R. 2852

29 Desember 1989

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS, 1972 (WET No. 54 VAN 1972)

TOEPASSING DEUR PLAASLIKE BESTUUR

Ek, Elizabeth Hendrina Venter, Minister van Nasionale Gesondheid en Bevolkingsontwikkeling, magtig hierby kragtens artikel 23 (1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), die Munisipaliteit van Langebaan om binne sy regsgebied en deur middel van sy behoorlik gemagtigde beamptes die toepaslike bepalings van genoemde Wet uit te voer.

E. H. VENTER,

Minister van Nasionale Gesondheid en Bevolkingsontwikkeling.

No. R. 2881

29 December 1989

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY, KIMBERLEY.—RENEWAL OF AGREEMENT FOR THE ELECTRICAL INSTALLATION SECTION

I, Johannes Nicolaas Hitchcock, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices Nos. R. 2153 of 16 October 1981, R. 1384 of 9 July 1982, R. 2199 of 15 October 1982, R. 1096 of 20 May 1983, R. 1090 of 30 May 1984, R. 509 of 8 March 1985, R. 17 of 3 January 1986, R. 846 of 16 April 1987 and R. 1575 of 21 July 1989 to be effective from the date of publication of this notice and for the period ending 31 December 1990.

J. N. HITCHCOCK,

Chief Director: Labour Relations.

No. R. 2884

29 December 1989

MANPOWER TRAINING ACT, 1981

MINING INDUSTRY ENGINEERING TRADES TRAINING BOARD.—DESIGNATION OF TRADES AND PRESCRIPTION OF CONDITIONS OF APPRENTICESHIP

CORRECTION NOTICE

The following correction to Government Notice No. R. 1273 which appeared in *Gazette* No. 11954 of 16 June 1989, is published for general information:

In the Afrikaans text, replace the expression "4. Instrumentwerktuigkundige (industriële) (7)" with the expression "4. Instrumentmeganikus (industriële) (7)" appearing in paragraph (a) "AMBAGTE".

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 2852

29 December 1989

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT No. 54 OF 1972)

ENFORCEMENT BY LOCAL AUTHORITY

I, Elizabeth Hendrina Venter, Minister of National Health and Population Development, hereby authorise under section 23 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), the Municipality of Langebaan to enforce the relevant provisions of the said Act within its area of jurisdiction and through its duly authorised officers.

E. H. VENTER,

Minister of National Health and Population Development.

No. R. 2876

29 Desember 1989

REGULASIES KRAGTENS DIE WET OP MENSLIKE WEEFSEL, 1983

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het kragtens artikel 37 van die Wet op Menslike Weefsel, 1983 (Wet No. 65 van 1983), die regulasies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies beteken "die Wet" die Wet op Menslike Weefsel, 1983 (Wet No. 65 van 1983), en het enige uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis.

Beskikking oor liggame en weefsel

2. Behoudens die bepalinge van artikel 31 (1) (g) van die Wet en enige ander wet wat betrekking het op die beskikking oor 'n menslike liggaam of weefsel, moet 'n inrigting of persoon wat 'n menslike liggaam of weefsel ingevolge enige bepaling van die Wet verkry het en sodanige liggaam of weefsel of enige gedeelte daarvan nie meer benodig nie vir enige van die doeleindes in artikel 4 (1) van die Wet vermeld—

- (a) daardie liggaam of weefsel of daardie gedeelte daarvan begraaft of laat begraaft; en
- (b) die datum, plek en wyse van sodanige begraving in die register bedoel in regulasie 3 aanteken.

Registers

3. (1) 'n Register moet gehou word deur—

- (a) 'n geneesheer—
 - (i) wat oogweefsel ingevolge artikel 7 (1) van die Wet verwyder het of onder wie se toetsig sodanige verwydering gedoen is;
 - (ii) wat ingevolge artikel 9 (1) van die Wet weefsel verwyder of laat verwyder het en sodanige weefsel aan die houer van 'n magtiging bedoel in artikel 9 (3) van die Wet oorhandig het; of
 - (iii) wat 'n magtiging bedoel in artikel 14 van die Wet verleen het; en
- (b) 'n inrigting of persoon bedoel in artikel 3 (1) (a), (b), (c), (d) of (e) van die Wet wat 'n liggaam of bepaalde weefsel wat ooreenkomstig artikel 2 van die Wet geskenk is, ontvang; en
- (c) 'n inrigting—
 - (i) wat ingevolge artikel 4 (1) (c) van die Wet weefsel verskaf het; of
 - (ii) waaraan 'n liggaam ingevolge 'n bevel kragtens artikel 12 (1) van die Wet oorhandig is,

in welke register sodanige geneesheer of sodanige persoon of die persoon in beheer van 'n inrigting bedoel in paragraaf (b) of (c), na gelang van die geval, nie later nie as die dag wat volg op sodanige verwydering van oogweefsel, verwydering en oorhandiging van weefsel, verlening van magtiging, ontvangs van 'n geskenkte liggaam of weefsel, verskaffing van weefsel of oorhandiging van 'n liggaam, die besonderhede vermeld in subregulasie (2), aanteken of laat aanteken.

(2) Die volgende besonderhede moet aangeteken word in 'n register ten opsigte van—

- (a) subregulasie (1) (a) (i):
 - (i) Die naam, ras, geslag en ouderdom by dood van die betrokke oorledene;

No. R. 2876

29 December 1989

REGULATIONS IN TERMS OF THE HUMAN TISSUE ACT, 1983

The Minister of National Health and Population Development has, in terms of section 37 of the Human Tissue Act, 1983 (Act No. 65 of 1983), made the regulations in the Schedule.

SCHEDULE

Definitions

1. In these regulations "the Act" shall mean the Human Tissue Act, 1983 (Act No. 65 of 1983), and any expression to which a meaning has been assigned in the Act shall bear such meaning.

Disposal of bodies and tissue

2. Subject to the provisions of section 31 (1) (g) of the Act and any other law relating to the disposal of a human body or tissue, an institution which or a person who has, in terms of any provision of the Act, obtained a human body or tissue, and no longer requires such body or tissue or any part thereof for any of the purposes referred to in section 4 (1) of the Act shall—

- (a) bury or cause to be buried such body or tissue or such part thereof; and
- (b) enter in the register referred to in regulation 3, the date, place and manner of such burial.

Registers

3. (1) A register shall be kept by—

- (a) a medical practitioner—
 - (i) who has removed eye tissue in terms of section 7 (1) of the Act or under whose supervision such removal was effected;
 - (ii) who has removed or caused to be removed tissue in terms of section 9 (1) of the Act and who has handed over such tissue to the holder of an authority referred to in section 9 (3) of the Act; or
 - (iii) who has granted an authority in terms of section 14 of the Act; or
- (b) an institution or person referred to in section 3 (1) (a), (b), (c), (d) or (e) of the Act who receives a body or specific tissue donated in terms of section 2 of the Act; and
- (c) an institution—
 - (i) which supplied tissue in terms of section 4 (1) (c) of the Act; or
 - (ii) to which a body has been handed over by order in terms of section 12 (1) of the Act;

in which register such medical practitioner or such person or the person in charge of an institution referred to in paragraph (b) or (c), as the case may be, shall enter or cause to be entered not later than the day following such removal of eye tissue, removal and handing over of tissue, granting of an authority, receipt of a donated body or tissue, supply of tissue or handing over of a body, the particulars referred to in subregulation (2).

(2) The following particulars shall be recorded in a register in respect of—

- (a) subregulation (1) (a) (i):
 - (i) The name, race, sex and age at the time of death of the deceased concerned;

- (ii) die aard en hoeveelheid van die betrokke weefsel;
- (iii) die naam en adres van die inrigting of persoon aan wie die betrokke weefsel geskenk is; en
- (iv) die datum van verwydering van die betrokke weefsel uit die liggaam van die oorledene;
- (b) subregulasie (1) (a) (ii):
 - (i) Die besonderhede vermeld in paragraaf (a) (i) en (ii);
 - (ii) die naam en adres van die houer van die magtiging bedoel in artikel 9 (3) van die Wet; en
 - (iii) die datum van die betrokke verwydering en oorhandiging;
- (c) subregulasie (1) (a) (iii):
 - (i) Die besonderhede vermeld in paragraaf (a) (i), (ii) en (iii);
 - (ii) die naam en adres van die inrigting of persoon in artikel 3 (1) van die Wet vermeld aan wie 'n magtiging om weefsel van 'n liggaam te verwyder, verleen is;
 - (iii) die naam en adres van die geneesheer aan wie magtiging verleen is om 'n nadoodse ondersoek van 'n liggaam uit te voer; en
 - (iv) die datum van uitreiking van die betrokke magtiging;
- (d) subregulasie (1) (b):
 - (i) Die besonderhede vermeld in paragraaf (a) (i);
 - (ii) die aard van die skenking en, indien nie 'n hele liggaam geskenk is nie, besonderhede van spesifieke weefsel wat geskenk is; en
 - (iii) die datum van ontvang van die geskenkte liggaam of weefsel, na gelang van die geval;
- (e) subregulasie (1) (c) (i):
 - (i) Die besonderhede vermeld in paragraaf (a) (i), (ii) en (iv); en
 - (ii) die naam en adres van die inrigting of persoon aan wie die betrokke weefsel verskaf is;
- (f) subregulasie (1) (c) (ii):
 - (i) Die naam, ras, geslag en ouderdom by dood (indien beskikbaar) van die betrokke oorledene;
 - (ii) die naam en adres van die inrigting of persoon van wie die betrokke liggaam ontvang is;
 - (iii) die datum van die bevel bedoel in artikel 12 (1) van die Wet; en
 - (iv) die datum van ontvangs van die betrokke liggaam.
- (3) 'n Register bedoel in subregulasie (1) —
 - (a) moet, wanneer dit nie gebruik word nie, in 'n brandkluis of, waar 'n brandkluis nie gereedlik beskikbaar is nie, op 'n plek waar dit redelik beskerm is teen brand, diefstal of vernietiging, bewaar word; en
- (ii) the nature and quantity of the tissue concerned;
- (iii) the name and address of the institution or person to which or to whom the tissue concerned was donated; and
- (iv) the date of removal of the tissue concerned from the body of the deceased;
- (b) subregulation (1) (a) (ii):
 - (i) The particulars referred to in paragraph (a) (i) and (ii);
 - (ii) the name and address of the holder of the authority referred to in section 9 (3) of the Act; and
 - (iii) the date of the removal or handing over concerned;
- (c) subregulation (1) (a) (iii):
 - (i) The particulars referred to in paragraph (a) (i), (ii) and (iii);
 - (ii) the name and address of the institution or person referred to in section 3 (1) of the Act to which or to whom an authority was granted to remove tissue from a body;
 - (iii) the name and address of the medical practitioner to whom authority was granted to conduct a post-mortem examination of a body; and
 - (iv) the date of the granting of the authority concerned;
- (d) subregulation (1) (b):
 - (i) The particulars referred to in paragraph (a) (i);
 - (ii) the nature of the donation and, if the body as a whole was not donated, particulars of the specific tissue donated; and
 - (iii) the date of receipt of the donated body or tissue as the case may be;
- (e) subregulation (1) (c) (i):
 - (i) The particulars referred to in paragraph (a) (i), (ii) and (iv); and
 - (ii) the name and address of the institution or person to which or to whom the tissue concerned was supplied;
- (f) subregulation (1) (c) (ii):
 - (i) The name, race, sex and age at the time of death (if available) of the deceased concerned;
 - (ii) the name and address of the institution or person from which or from whom the body concerned was received;
 - (iii) the date of the order referred to in section 12 (1) of the Act; and
 - (iv) the date of receipt of the body concerned.
- (3) A register referred to in subregulation (1) —
 - (a) shall, when not in use, be stored in a strong-room or, where a strong-room is not readily available, in a place where it is reasonably protected against fire, theft or destruction; and

- (b) moet, behalwe waar 'n inspekteur van anatomie skriftelik anders bepaal, behou word vir 'n tydperk van minstens vyf jaar na die laaste inskrywing in sodanige register.

Misdrywe en strawwe

4. Iemand wat 'n bepaling van hierdie regulasies oortree of versuim om daaraan te voldoen, is aan 'n misdryf skuldig en is by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 of gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Herroeping

5. Die regulasies afgekondig by Goewermentskennisgewings Nos. R. 163 van 2 Februarie 1962, R. 492 van 30 Maart 1973 en R. 889 van 24 Mei 1974, soos gewysig by Goewermentskennisgewings R. 2348 van 12 Desember 1974, R. 1112 van 6 Junie 1975, R. 1879 van 3 Oktober 1975, R. 258 van 13 Februarie 1976, R. 185 van 11 Februarie 1977, R. 187 van 11 Februarie 1977, R. 1027 van 10 Junie 1977, R. 239 van 10 Februarie 1978, R. 2124 van 27 Oktober 1978, R. 1572 van 20 Julie 1979, R. 1573 van 20 Julie 1979, R. 2260 van 12 Oktober 1979, R. 156 van 1 Februarie 1980, R. 157 van 1 Februarie 1980, R. 1650 van 15 Augustus 1980, R. 404 van 27 Februarie 1981, R. 1136 van 29 Mei 1981, R. 1254 van 19 Junie 1981, R. 1787 van 28 Augustus 1981, R. 2439 van 13 November 1981, R. 2440 van 13 November 1981, R. 2441 van 13 November 1981, R. 690 van 8 April 1982, R. 1223 van 25 Junie 1982, R. 1766 van 20 Augustus 1982, R. 1445 van 13 Julie 1984, R. 1446 van 13 Julie 1984, R. 1447 van 13 Julie 1984, R. 1895 van 31 Augustus 1984, R. 798 van 12 April 1985, R. 799 van 12 April 1985 en R. 1455 van 5 Julie 1985, word hierby herroep.

Inwerkingtreding

6. Hierdie regulasies tree in werking op die datum waarop die Wysigingswet op Menslike Weefsel, 1989 (Wet No. 51 van 1989), in werking tree.

SUID-AFRIKAANSE POLISIE

No. R. 2872

29 Desember 1989

WYSIGING VAN DIE REGULASIES VIR DIE RESERWEPOLISIEMAG

Die Minister van Wet en Orde het kragtens artikel 33 (1) (v) van die Polisiewet, 1958 (Wet No. 7 van 1958), die Regulasies in die Bylae hiervan, uitgevaardig:

BYLAE

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken die uitdrukking "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1016 van 29 Junie 1962, soos gewysig by Goewermentskennisgewings Nos. R. 1285 van 10 Augustus 1962, R. 823 van 29 Mei 1964, R. 1880, van 24 November 1967, R. 2353 van 20 Desember 1968, R. 1507 van 27 Augustus 1971, R. 2571 van 25 November 1983, R. 1183 van 20 Junie 1986 en R. 1517 van 17 Julie 1987.

2. Regulasie 8 van die Regulasies word hierby gewysig deur subregulasie (2) (a) deur die volgende subregulasie te vervang:

"(2) (a) 'n Offisier wat die Reserwepolisiesmag om watter rede ook al verlaat, behou die ererang wat hy by sy aftrede of bedanking beklee, tensy die Minister op aanbeveling van die Kommissaris anders gelas."

- (b) shall, except where an inspector of anatomy otherwise determines in writing, be retained for a minimum period of at least five years after the last entry in such register.

Offences and penalties

4. Any person contravening or failing to comply with a provision of these regulations, shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 or imprisonment for a period not exceeding six months.

Withdrawal

5. The regulations published under Government Notices Nos. R. 163 of 2 February 1962, R. 492 of 30 March 1973 and R. 889 of 24 May 1974, as amended by Government Notices R. 2348 of 12 December 1974, R. 1112 of 6 June 1975, R. 1879 of 3 October 1975, R. 258 of 13 February 1976, R. 185 of 11 February 1977, R. 187 of 11 February 1977, R. 1027 of 10 June 1977, R. 239 of 10 February 1978, R. 2124 of 27 October 1978, R. 1572 of 20 July 1979, R. 1573 of 20 July 1979, R. 2260 of 12 October 1979, R. 156 of 1 February 1980, R. 157 of 1 February 1980, R. 1650 of 15 August 1980, R. 404 of 27 February 1981, R. 1136 of 29 May 1981, R. 1254 of 19 June 1981, R. 1787 of 28 August 1981, R. 2439 of 13 November 1981, R. 2440 of 13 November 1981, R. 2441 of 13 November 1981, R. 690 of 8 April 1982, R. 1223 of 25 June 1982, R. 1766 of 20 August 1982, R. 1445 of 13 July 1984, R. 1446 of 13 July 1984, R. 1447 of 13 July 1984, R. 1895 of 31 August 1984, R. 798 of 12 April 1985, R. 799 of 12 April 1985 and R. 1455 of 5 July 1985, are hereby withdrawn.

Commencement

6. These regulations shall come into operation on the date on which the Human Tissue Amendment Act, 1989 (Act No. 51 of 1989), comes into operation.

SOUTH AFRICAN POLICE

No. R. 2872

29 December 1989

AMENDMENT OF THE REGULATIONS FOR THE RESERVE POLICE FORCE

The Minister of Law and Order has, in terms of section 33 (1) (v) of the Police Act, 1958 (Act No. 7 of 1958), issued the regulations contained in the Schedule hereto:

SCHEDULE

1. In these regulations, unless the context otherwise indicates, the expression, "the Regulations" means the regulations promulgated by Government Notice No. R. 1016 of 29 June 1962, as amended by Government Notices Nos. R. 1285 of 10 August 1962, R. 823 of 29 May 1964, R. 1880, of 24 November 1967, R. 2353 of 20 December 1968, R. 1507 of 27 August 1971, R. 2571 of 25 November 1983, R. 1183 of 20 June 1986 and R. 1517 of 17 July 1987.

2. Regulation 8 of the Regulations is hereby amended by the substitution for subregulation (2) (a) of the following subregulation:

"(2) (a) Any officer who leaves the Reserve Police Force for any reason whatsoever shall retain the rank he held upon his retirement or resignation unless the Minister, on the recommendation of the Commissioner, directs otherwise."

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