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No. 12265

PROKLAMASIE

van die

Staatspresident van die Republiek van Suid-Afrika

No. R. 11, 1990

**MAATSKAPPYWYSIGINGSWET, 1989
(WET No. 78 VAN 1989)**

Kragtens die bevoegdheid my verleen by artikel 7 (2) van die Maatskappywysigingswet, 1989 (Wet No. 78 van 1989), bepaal ek hierby die datum waarop hierdie Proklamasie in die *Staatskoerant* gepubliseer word, as die datum waarop die bepalings van genoemde Wet in die Bylae hiervan vermeld, in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Scottburgh, op hede die Twintigste dag van Desember Eenduisend Nege-honderd Nege-en-tagtig.

F. W. DE KLERK,

Op las van die Staatspresident-in-Kabinet:

K. D. S. DURR,

Minister van die Kabinet.

BYLAE

Artikel 4 (b) in die mate dat dit artikels 440A, 440C, 440D, 440E, 440H, 440I en 440J in die Maatskappywet, 1973 (Wet No. 61 van 1973), invoeg.

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN FINANSIES

No. R. 119

26 Januarie 1990

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 5 (No. 5/11)

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.

743-A

PROCLAMATION

by the

State President of the Republic of South Africa

No. R. 11, 1990

**COMPANIES AMENDMENT ACT, 1989
(ACT No. 78 OF 1989)**

By virtue of the powers vested in me by section 7 (2) of the Companies Amendment Act, 1989 (Act No. 78 of 1989), I fix the date on which this Proclamation is published in the *Government Gazette*, as the date on which the provisions of the said Act referred to in the Schedule hereto shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at Scottburgh this Twentieth day of December, One thousand Nine hundred and Eighty-nine.

F. W. DE KLERK,

By Order of the State President-in-Cabinet:

K. D. S. DURR,

Minister of the Cabinet.

SCHEDULE

Section 4 (b) to the extent that it inserts sections 440A, 440C, 440D, 440E, 440H, 440I and 440J in the Companies Act, 1973 (Act No. 61 of 1973).

GOVERNMENT NOTICES

DEPARTMENT OF FINANCE

No. R. 119

26 January 1990

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 5 (No. 5/11)

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.

12265-1

BYLAE

	Annotations
Deel 3 Deur na die titel van Deel 3 die volgende Opmerking in te voeg: "OPMERKING: 1. Geen terugbetaling van docanereg is betaalbaar ten opsigte van distillaatbrandstowwe vir gebruik deur enige sentrale regeringsdepartement van die Republiek, die Departement van Pos- en Telekommunikasiewese, enige provinsiale administrasie in die Republiek, die Suidwes-Afrika Administrasie, die regering van 'n gebied ten opsigte waarvan 'n wetgewende vergadering kragtens die Grondwet van die Swart State, 1971 (Wet No. 21 van 1971), ingestel is, die regering van 'n gebied waaraan selfregering toegeken is kragtens die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), en die Krygstuigkorporasie van Suid-Afrika, Beperk, enige universiteit, kollege en skool of ander opvoedkundige instelling of enige streeks- of plaaslike owerheid nie." Deel 4 Deur na Opmerking 3 die volgende in te voeg: "4. Geen terugbetaling van die brandstofheffing is betaalbaar ten opsigte van distillaatbrandstowwe vir gebruik deur enige sentrale regeringsdepartement van die Republiek, die Departement van Pos- en Telekommunikasiewese, enige provinsiale administrasie in die Republiek, die Suidwes-Afrika Administrasie, die regering van 'n gebied ten opsigte waarvan 'n wetgewende vergadering kragtens die Grondwet van die Swart State, 1971 (Wet No. 21 van 1971), ingestel is, die regering van 'n gebied waaraan selfregering toegeken is kragtens die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), en die Krygstuigkorporasie van Suid-Afrika, Beperk, enige universiteit, kollege en skool of ander opvoedkundige instelling of enige streeks- of plaaslike owerheid nie."	

Opmerking. — Hierdie wysiging spruit voort uit Goewermentskennisgewing No. R. 2005 van 22 September 1989, deur middel waarvan die kortingvoorsienings vir staatsinvoere ingetrek is.

SCHEDULE

	Annotations
Part 3 By the insertion after the title of Part 3 of the following Note: "NOTE: 1. No refund of customs duty is payable in respect of distillate fuels for use by any central government department of the Republic, the Department of Posts and Telecommunications, any provincial administration in the Republic, the South West Africa Administration, the government of an area in respect of which a legislative assembly is established in terms of the Black States Constitution Act, 1971 (Act No. 21 of 1971), the government of an area to which self-government is granted in terms of the Development of Self-government for Native Nations in South West Africa Act, 1968 (Act No. 54 of 1968), and the Armaments Corporation of South Africa, Limited, any university, college and school or other educational institution or any regional or local authority." Part 4 By the insertion after Note 3 of the following: "4. No refund of the fuel levy is payable in respect of distillate fuels for use by any central government department of the Republic, the Department of Posts and Telecommunications, any provincial administration in the Republic, the South West Africa Administration, the government of an area in respect of which a legislative assembly is established in terms of the Black States Constitution Act, 1971 (Act No. 21 of 1971), the government of an area to which self-government is granted in terms of the Development of Self-government for Native Nations in South West Africa Act, 1968 (Act No. 54 of 1968), and the Armaments Corporation of South Africa, Limited, any university, college and school or other educational institution or any regional or local authority."	

Note. — This amendment is consequential to Government Notice No. R. 2005 dated 22 September 1989, by means of which the rebate provisions for state importations were withdrawn.

No. R. 120

26 Januarie 1990

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 6 (No. 6/24)

Kragtens artikel 75 van die Doeane- en Aksynwet, 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. 120

26 January 1990

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 6 (No. 6/24)

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

	Annotations
Deel 1 Deur na Opmerking 9 die volgende in te voeg: "10. Geen terugbetaling van aksynsreg is betaalbaar ten opsigte van distillaat-brandstowwe vir gebruik deur enige sentrale regeringsdepartement van die Republiek, die Departement van Pos- en Telekommunikasiewese, enige provinsiale administrasie in die Republiek, die Suidwes-Afrika Administrasie, die regering van 'n gebied ten opsigte waarvan 'n wetgewende vergadering kragtens die Grondwet van die Swart State, 1971 (Wet No. 21 van 1971), ingestel is, die regering van 'n gebied waaraan selfregering toegeken is kragtens die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), en die Krygstuigkorporasie van Suid-Afrika, Beperk, enige universiteit, kollege en skool of ander opvoedkundige instelling of enige streeks- of plaaslike owerheid nie." Deel 3 Deur na Opmerking 5 die volgende in te voeg: "6. Geen terugbetaling van brandstofheffing is betaalbaar ten opsigte van distillaatbrandstowwe vir gebruik deur enige sentrale regeringsdepartement van die Republiek, die Departement van Pos- en Telekommunikasiewese, enige provinsiale administrasie in die Republiek, die Suidwes-Afrika Administrasie, die regering van 'n gebied ten opsigte waarvan 'n wetgewende vergadering kragtens die Grondwet van die Swart State, 1971 (Wet No. 21 van 1971), ingestel is, die regering van 'n gebied waaraan selfregering toegeken is kragtens die Wet op die Ontwikkeling van Selfbestuur vir Naturellevolke in Suidwes-Afrika, 1968 (Wet No. 54 van 1968), en die Krygstuigkorporasie van Suid-Afrika, Beperk, enige universiteit, kollege en skool of ander opvoedkundige instelling of enige streeks- of plaaslike owerheid nie."	

Opmerking.—Hierdie wysiging spruit voort uit Goewermentskennisgewing No. R. 2005 van 22 September 1989, deur middel waarvan die kortingvoorsienings vir staatsinvoere ingetrek is.

SCHEDULE

	Annotations
Part 1 By the insertion after Note 9 of the following: "10. No refund in respect of the existing duty is payable in respect of distillate fuels for use by any central government department of the Republic, the Department of Posts and Telecommunications, any provincial administration in the Republic, the South-West Africa Administration, the government of an area in respect of which a legislative assembly is established in terms of the Black States Constitution Act, 1971 (Act No. 21 of 1971), the government of an area to which self-government is granted in terms of the development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968), and the Armaments Corporation of South Africa, Limited, any university, college and school or other educational institution or any regional or local authority." Part 2 By the insertion after Note 5 of the following: "6. No refund in respect of the fuel levy is payable in respect of distillate fuels for use by any central government department of the Republic, the Department of Posts and Telecommunications, any provincial administration in the Republic, the South-West Africa Administration, the government of an area in respect of which a legislative assembly is established in terms of the Black States Constitution Act, 1971 (Act No. 21 of 1971), the government of an area to which self-government is granted in terms of the development of Self-government for Native Nations in South-West Africa Act, 1968 (Act No. 54 of 1968), and the Armaments Corporation of South Africa, Limited, any university, college and school or other educational institution or any regional or local authority."	

Note.—This amendment is consequential to Government Notice No. R. 2005 dated 22 September 1989, by means of which the rebate provisions for state importations were withdrawn.

No. R. 135

26 Januarie 1990

WET OP STREEKSDIENSTERADE, 1985
(WET No. 109 VAN 1985)

BEKENDMAKING VAN TARIEF

NOORD-VRYSTAAT STREEKSDIENSTERAAD

Ek, Barend Jacobus du Plessis, Minister van Finansies, maak, kragtens die bevoegdheid my verleen in die omskrywing van, onderskeidelik, "streeksdiensteheffing" en "streeksvestigingsheffing" in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), hierby bekend dat die Streeksdiensteraad ingestel kragtens Provinsiale kennisgewing 69 van 25 Mei 1989 met my instemming die tarief vir die berekening van—

- (a) die streeksdiensteheffing in sy streek, op 0,25 persent van die bedrag waarop sodanige streeksdiensteheffing ingevolge die kennisgewing bedoel in artikel 12 (1) (b) van genoemde Wet bereken moet word; en
- (b) die streeksvestigingsheffing in sy streek, op 0,1 persent van die bedrag waarop sodanige streeksvestigingsheffing aldus bereken moet word, bepaal het.

Beide heffings is betaalbaar met ingang 1 Februarie 1990.

B. J. DU PLESSIS,
Minister van Finansies.

No. R. 136

26 Januarie 1990

WET OP STREEKSDIENSTERADE, 1985
(WET No. 109 VAN 1985)

BEKENDMAKING VAN TARIEF

OOS-VRYSTAAT STREEKSDIENSTERAAD

Ek, Barend Jacobus du Plessis, Minister van Finansies, maak, kragtens die bevoegdheid my verleen in die omskrywing van, onderskeidelik, "streeksdiensteheffing" en "streeksvestigingsheffing" in artikel 1 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985), hierby bekend dat die Streeksdiensteraad ingestel kragtens Provinsiale Kennisgewing 70 van 25 Mei 1989 met my instemming die tarief vir die berekening van—

- (a) die streeksdiensteheffing in sy streek, op 0,25 persent van die bedrag waarop sodanige streeksdiensteheffing ingevolge die kennisgewing bedoel in artikel 12 (1) (b) van genoemde Wet bereken moet word; en
- (b) die streeksvestigingsheffing in sy streek, op 0,1 persent van die bedrag waarop sodanige streeksvestigingsheffing aldus bereken moet word, bepaal het.

Beide heffings is betaalbaar met ingang 1 Februarie 1990.

B. J. DU PLESSIS,
Minister van Finansies.

No. R. 135

26 January 1990

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

PUBLICATION OF RATE

NORTHERN FREE STATE REGIONAL
SERVICES COUNCIL

I, Barend Jacobus du Plessis, Minister of Finance, hereby make known, under the powers vested in me in the definition of "regional services levy" and "regional establishment levy", respectively, in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), that the Regional Services Council established under Provincial Notice 69 dated 25 May 1989 has, with my concurrence, determined the rate for the calculation of—

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

Both levies are payable with effect from 1 February 1990.

B. J. DU PLESSIS,
Minister of Finance.

No. R. 136

26 January 1990

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

PUBLICATION OF RATE

EASTERN FREE STATE REGIONAL
SERVICES COUNCIL

I, Barend Jacobus du Plessis, Minister of Finance, hereby make known, under the powers vested in me in the definition of "regional services levy" and "regional establishment levy", respectively, in section 1 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985), that the Regional Services Council established under Provincial Notice 70 dated 25 May 1989 has, with my concurrence, determined the rate for the calculation of—

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

Both levies are payable with effect from 1 February 1990.

B. J. DU PLESSIS,
Minister of Finance.

DEPARTEMENT VAN LANDBOU

No. R. 109

26 Januarie 1990

WET OP WYN, ANDER GEGISTE DRANK EN SPIRITUALIEË, 1957 (WET No. 25 VAN 1957)**REGULASIES BETREFFENDE DIE PRODUKSIE OF VERVAARDIGING, INVOER, UITVOER EN ETIKETTERING VAN WYN, ANDER GEGISTE DRANK EN SPIRITUALIEË. — WYSIGING**

Die Minister van Landbou het kragtens artikel 39 van die Wet op Wyn, Ander Gegiste Drank en Spiritualieë, 1957 (Wet No. 25 van 1957), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R. 2544 van 19 Desember 1980, soos gewysig deur die regulasies gepubliseer by Goewermentskennisgewings Nos. R. 385 van 20 Februarie 1981, R. 1421 van 10 Julie 1981, R. 2162 van 9 Oktober 1981, R. 407 van 12 Maart 1982, R. 1064 van 4 Junie 1982, R. 2670 van 10 Desember 1982, R. 981 van 13 Mei 1983, R. 2321 van 21 Oktober 1983, R. 1032 van 25 Mei 1984 (soos verbeter by Goewermentskennisgewing No. R. 388 van 15 Februarie 1985), R. 1627 van 3 Augustus 1984, R. 856 van 19 April 1985, R. 1499 van 28 Junie 1985, R. 357 van 28 Februarie 1986 (soos verbeter by Goewermentskennisgewing No. R. 1269 van 27 Junie 1986), R. 1630 van 1 Augustus 1986, R. 2189 van 24 Oktober 1986 (soos verbeter by Goewermentskennisgewing No. R. 2579 van 5 Desember 1986), R. 2692 van 19 Desember 1986, R. 1661 van 31 Julie 1987, R. 2582 van 20 November 1987, R. 2704 van 4 Desember 1987, R. 1348 van 8 Julie 1988, R. 1574 van 12 Augustus 1988, R. 2449 van 2 Desember 1988, R. 977 van 19 Mei 1989 en R. 996 van 19 Mei 1989.

Wysiging van regulasie 20 van die Regulasies

2. Regulasie 20 van die Regulasies word hierby gewysig deur subregulasie (4) deur die volgende subregulasie te vervang:

"(4) Die naam Vin Fumé mag ook tot en met 31 Desember 1991 gebruik word in verband met die verkoop of uitvoer van wyn wat as 'n cultivarwyn van die druifcultivar *Sauvignon blanc* (*Blanc Fumé*) gesertifiseer is indien die betrokke wyn in houters verkoop word wat geëtiketteer is soos deur die Wet en hierdie Regulasies vereis."

No. R. 110

26 Januarie 1990

WET OP HIGIËNE BY DIERESLAG, VLEIS EN DIERLIKE PRODUKTE, 1967 (WET No. 87 VAN 1967)**STAANDE REGULASIES. — VOORGENOME WYSIGING**

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 38 (6) van die Wet op Higiëne by Dierslag, Vleis en Dierlike Produkte, 1967 (Wet No. 87 van 1967) —

(a) maak hierby bekend dat dit die voorneme is om die regulasies in die Bylae uit te vaardig; en

DEPARTMENT OF AGRICULTURE

No. R. 109

26 January 1990

WINE, OTHER FERMENTED BEVERAGES AND SPIRITS ACT, 1957 (ACT No. 25 OF 1957)**REGULATIONS RELATING TO THE PRODUCTION OR MANUFACTURE, IMPORT, EXPORT AND LABELLING OF WINE, OTHER FERMENTED BEVERAGES AND SPIRITS. — AMENDMENT**

The Minister of Agriculture has under section 39 of the Wine, Other Fermented Beverages and Spirits Act, 1957 (Act No. 25 of 1957), made the regulations in the Schedule.

SCHEDULE**Definition**

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 2544 of 19 December 1980, as amended by the regulations published by Government Notices Nos. R. 385 of 20 February 1981, R. 1421 of 10 July 1981, R. 2162 of 9 October 1981, R. 407 of 12 March 1982, R. 1064 of 4 June 1982, R. 2670 of 10 December 1982, R. 981 of 13 May 1983, R. 2321 of 21 October 1983, R. 1032 of 25 May 1984 (as corrected by Government Notice No. R. 388 of 15 February 1985), R. 1627 of 3 August 1984, R. 856 of 19 April 1985, R. 1499 of 28 June 1985, R. 357 of 28 February 1986 (as corrected by Government Notice No. R. 1269 of 27 June 1986), R. 1630 of 1 August 1986, R. 2189 of 24 October 1986 (as corrected by Government Notice No. R. 2579 of 5 December 1986), R. 2692 of 19 December 1986, R. 1661 of 31 July 1987, R. 2582 of 20 November 1987, R. 2704 of 4 December 1987, R. 1348 of 8 July 1988, R. 1574 of 12 August 1988, R. 2449 of 2 December 1988, R. 977 of 19 May 1989 and R. 996 of 19 May 1989.

Amendment of regulation 20 of the Regulations

2. Regulation 20 of the Regulations is hereby amended by the substitution for subregulation (4) of the following subregulation:

"(4) The name Vin Fumé may up to and until 31 December 1991 also be used in connection with the sale or export of wine which is certified as a cultivar wine of the vine cultivar *Sauvignon blanc* (*Blanc Fumé*), if the wine concerned is sold in receptacles which are labelled as required by the Act and these Regulations."

No. R. 110

26 January 1990

ANIMAL SLAUGHTER, MEAT AND ANIMAL PRODUCTS HYGIENE ACT, 1967 (ACT No. 87 OF 1967)**STANDING REGULATIONS. — PROPOSED AMENDMENT**

I, Jacob de Villiers, Minister of Agriculture, acting under section 38 (6) of the Animal Slaughter, Meat and Animal Products Hygiene Act, 1967 (Act No. 87 of 1967), hereby —

(a) make known that it is proposed to make the regulations in the Schedule; and

- (b) nooi belanghebbende persone hierby uit om besware teen of verhoë aangaande die voorgestelde regulasies binne vier weke na die datum van publikasie hiervan skriftelik aan die Hoofvleishigiënebeampte, Privaatsak X138, Pretoria, 0001, voor te lê.

J. DE VILLIERS,
Minister van Landbou.

BYLAE

Die Staande Regulasies gepubliseer by Goewermentskennisgewing No. R. 3505 van 9 Oktober 1969, soos gewysig deur die regulasies gepubliseer by Goewermentskennisgewings Nos. R. 98 van 16 Januarie 1970, R. 1501 van 11 September 1970, R. 813 van 18 Mei 1973, R. 1809 van 5 Oktober 1973, R. 1925 van 25 Oktober 1974, R. 537 van 7 April 1977, R. 2671 van 30 November 1979, R. 1629 van 3 Augustus 1984, R. 599 van 27 Maart 1986, R. 940 van 30 April 1987 en R. 1272 van 1 Julie 1988, word hierby verder gewysig deur Deel G van Seksie II van Skedule 6 daarvan deur die volgende Deel te vervang:

"G. BEPALING VAN ANTIBIOTIKA

Omtrent 1 ml van 'n sopweksel van 'n standaard *Bacillus subtilis* word oor die oppervlakte van 'n Agar-plaat versprei en 1-cm-filtreerpapierskywe, wat geweek is in die uriene van die diere wat getoets moet word, word op die oppervlakte van die Agar vasgedruk nadat die oppervlakte toegelaat is om droog te word. Bebroei vir 18-24 uur teen 37 grade Celsius en ondersoek.

Benewens uriene of nierweefsel kan enige toepaslike weefsel gebruik word.

'n Skyf wat omring is met 'n duidelike sone waarin bakteriese groei geram is, dui aan dat die uriene of weefsel wat getoets is 'n inhiberende stof, bv. 'n antibiotika, bevat, en dit is dus redelik om te aanvaar dat die vleis van die dier ook reste van sodanige terapeutiese substans bevat.

Die karkas van 'n geslagte dier wat bekend is met antibiotika of soortgelyke middels behandel te gewees het, of vermoed word binne 'n tydperk van 'n week voor slagting so behandel te gewees het, behoort vir die aanwesigheid van reste op hierdie wyse getoets te word.

'n Karkas waarin antibiotiese of soortgelyke reste voorkom moet as ongeskik vir menslike verbruik verklaar word."

No. R. 121

26 Januarie 1990

PLANTVERBETERINGSWET, 1976 (WET No. 53 VAN 1976)

SUID-AFRIKAANSE SAADCERTIFISERING- SKEMA. — WYSIGING

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 23 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), wysig hierby die Suid-Afrikaanse Saadsertifiseringskema gepubliseer by Goewermentskennisgewing No. R. 2566 van 25 November 1983, soos gewysig, verder tot die mate in die Bylae uiteengesit.

J. DE VILLIERS,
Minister van Landbou.

- (b) invite interested persons to submit objections to or representations concerning the proposed regulations to the Chief Meat Hygiene Officer, Private Bag X138, Pretoria 0001, in writing within four weeks of the date of publication of this notice.

J. DE VILLIERS,
Minister of Agriculture.

SCHEDULE

The Standing Regulations published by Government Notice No. R. 3505 of 9 October 1969, as amended by the regulations published by Government Notices Nos. R. 98 of 16 January 1970, R. 1501 of 11 September 1970, R. 813 of 18 May 1973, R. 1809 of 5 October 1973, R. 1925 of 25 October 1974, R. 537 of 7 April 1977, R. 2671 of 30 November 1979, R. 1629 of 3 August 1984, R. 599 of 27 March 1986, R. 940 of 30 April 1987 and R. 1272 of 1 July 1988, is hereby further amended by the substitution for Part G of Section II of Schedule 6 thereof, of the following Part:

"G. DETECTION OF ANTIBIOTICS

About 1 ml of a broth culture of a standard *Bacillus subtilis* is spread over the surface of an Agar plate and 1 cm discs of filter paper, saturated in the urine of the animals to be tested, is pressed onto the surface of the Agar after allowing the surface to become dry. Incubate for 18-24 hours at 37 degrees Celsius and examine.

Besides urine or kidney tissue any other applicable tissue may be used.

A disc surrounded by a distinct zone of inhibition of bacterial growth indicates that the urine or tissue under test contains an inhibitory substance, e.g. antibiotic, and thus it is reasonable to suppose that the flesh of the animal also contains residues of such therapeutic substance.

The carcass of any slaughtered animal that is known to have been treated with an antibiotic of similar preparation, or is suspected of having been so treated within a week prior to slaughter, should be tested for the presence of residues in this way.

A carcass containing antibiotic or similar residues shall be declared unfit for human consumption."

No. R. 121

26 January 1990

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

SOUTH AFRICAN SEED CERTIFICATION SCHEME. — AMENDMENT

I, Jacob de Villiers, Minister of Agriculture, acting under section 23 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), hereby amend the South African Seed Certification Scheme published by Government Notice No. R. 2566 of 25 November 1983, as amended, to the extent set out in the Schedule.

J. DE VILLIERS,
Minister of Agriculture.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Skema" die Suid-Afrikaanse Saadsertifiseringskema gepubliseer by Goewermentskennisgewing No. R. 2566 van 25 November 1983, soos gewysig by Goewermentskennisgewings Nos. R. 1196 van 30 Mei 1985, R. 1660 van 26 Julie 1985, R. 2352 van 14 November 1986, R. 16 van 8 Januarie 1988, R. 1388 van 30 Junie 1989 en R. 2093 van 29 September 1989.

Wysiging van artikel 6 van die Skema

2. Artikel 6 van die Skema word hierby gewysig deur paragraaf (d) van subartikel (2) deur die volgende paragraaf te vervang:

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

Wysiging van artikel 19 van die Skema

3. Artikel 19 van die Skema word hierby gewysig—

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

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

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

(ii) 'n monster van die saad neem; en

(iii) 'n seël aan elke sodanige houer heg.";

(b) deur paragraaf (a) van subartikel (4) deur die volgende paragraaf te vervang:

"(a) Die gesag moet 'n ontledingssertifikaat ten opsigte van 'n monster wat ingevolge subartikel (3) (a) (ii) geneem is, verkry.";

(c) deur die volgende paragraaf by subartikel (4) by te voeg:

"(c) Die gesag kan vereis dat die betrokke saadkweker hom vergoed vir kostes deur hom aangegaan om so 'n ontledingssertifikaat te verkry.";

(d) deur paragraaf (a) van subartikel (6) deur die volgende paragraaf te vervang:

"(a) Die gesag kan vereis dat die bedrag in item 4 van Tabel 1 vermeld, deur die betrokke saadkweker aan hom betaal word ten opsigte van die verrigting van die handelinge in subartikel (3) (a) boedel."; en

(e) deur paragraaf (c) van subartikel (6) deur die volgende paragraaf te vervang:

"(c) Die gesag kan, in die geval van die bepaling van die variëteitsegtheid van saad van 'n spesie in item 6 van Tabel 1 vermeld, vereis dat die bedrag in daardie item vermeld, deur die betrokke saadkweker aan hom betaal word."

Vervanging van Tabel 1 van die Skema

4. Tabel 1 van die Skema word hierby deur die volgende Tabel vervang:

SCHEDULE**Definition**

1. In this Schedule "the Scheme" means the South African Seed Certification Scheme published by Government Notice No. R. 2566 of 25 November 1983, as amended by Government Notices Nos. R. 1196 of 30 May 1985, R. 1660 of 26 July 1985, R. 2352 of 14 November 1986, R. 16 of 8 January 1988, R. 1388 of 30 June 1989 and R. 2093 of 29 September 1989.

Amendment of section 6 of the Scheme

2. Section 6 of the Scheme is hereby amended by the substitution for paragraph (d) of subsection (2) of the following paragraph:

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

Amendment of section 19 of the Scheme

3. Section 19 of the Scheme is hereby amended—

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

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

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

(ii) take a sample of the seed concerned; and

(iii) affix a seal to each such container.";

(b) by the substitution for paragraph (a) of subsection (4) of the following paragraph:

"(a) The authority shall obtain a certificate of analysis in respect of a sample which was taken in terms of subsection (3) (a) (ii).";

(c) by the addition of the following paragraph to subsection (4):

"(c) The authority may require that the seed grower concerned reimburse him for any expenses incurred to obtain such certificate of analysis.";

(d) by the substitution for paragraph (a) of subsection (6) of the following paragraph:

"(a) The authority may require that the amount specified in item 4 of Table 1 be paid to him by the seed grower concerned in respect of the performance of the acts referred to in subsection (3) (a)."; and

(e) by the substitution for paragraph (c) of subsection (6) of the following paragraph:

"(c) The authority may, in the case of the determination of the varietal purity of seed of a specie specified in item 6 of Table 1, require that the amount specified in that item, be paid to him by the seed grower concerned."

Substitution of Table 1 of Scheme

4. The following Table is hereby substituted for Table 1 of the Scheme:

"TABEL 1
GELDE BETAALBAAR

Doel	Bedrag
1	2
1. Aansoek om die registrasie van 'n stuk grond as 'n eenheid— (a) indien bestem vir die produksie van saad 'n akkerbougewas, tuinbone, tuinerte en 'n oopbestuifde variëteit van komkommers, pampoene, skorsies, spanspekke en soetmielies; (b) indien bestem vir die produksie van saad van 'n ander groentegewas as dié in paragraaf (a) vermeld; en (c) indien bestem vir die produksie van saad van 'n voergewas [Artikel 6 (2) (e) (ii)]	R30,00 per eenheid plus R3 per hektaar of 'n gedeelte daarvan; R30,00 per eenheid plus R20 per hektaar of 'n gedeelte daarvan; R30,00 per eenheid plus R3 per hektaar of 'n gedeelte daarvan.
2. Herinspeksie van 'n eenheid met die oog op die moontlike opheffing van die intrekking van die registrasie daarvan, en die inspeksie van 'n eenheid [Artikel 9 (6); 13 (1) (b)]	R60 per uur of 'n gedeelte van 'n uur (reistyd ingesluit), deur elke persoon aan dié werksaamheid gewy, plus reiskoste soos bepaal ooreenkomstig artikel 25 van hierdie Skema.
3. Etikette wat aan houers geheg moet word waarin saad vir sertifisering aangebied of heraangebied word [Artikel 18 (2); 20 (7)]	6 sent per etiket.
4. Ondersoek van houers, aanheg van seëls aan houers en neem van monsters van saad wat vir sertifisering aangebied of heraangebied word [Artikel 19 (6) (a); 20 (7)]	R60 per uur of 'n gedeelte van 'n uur (reistyd ingesluit), deur elke persoon aan dié werksaamheid gewy, plus reiskoste soos bepaal ooreenkomstig artikel 25 van hierdie Skema.
5. Seëls wat aan houers geheg word waarin saad vir sertifisering aangebied of heraangebied word [Artikel 19 (6) (b); 20 (7)]	4 sent per seël.
6. Bepaling van die variëteitsegtheid van saad van 'n variëteit van <i>Phaseolus acutifolius</i> A. Grey, <i>P. coccineus</i> L. en <i>P. vulgaris</i> L. anders as tuinbone [Artikel 19 (6) (c)]	R24 per monster".

"TABLE 1
FEES PAYABLE

Purpose	Amount
1	2
1. Application for the registration of a piece of land as a unit— (a) if intended for the production of seed of a field crop, garden beans, garden peas and an open pollinated variety of cucumbers, pumpkins, squashes, sweet melons and sweet corn; (b) if intended for the production of seed of a vegetable crop other than that specified in paragraph (a); and (c) if intended for the production of seed of a forage crop [Section 6 (2) (e) (ii)]	R30,00 per unit plus R3 per hectare or part thereof; R30,00 per unit plus R20 per hectare or part thereof; R30,00 per unit plus R3 per hectare or part thereof.
2. Re-inspection of a unit with a view to the possible repeal of the withdrawal of the registration thereof, and the inspection of a unit [Section 9 (6); 13 (1) (b)]	R60 per hour or portion of an hour (travelling time included), devoted by each person to this function, plus travelling costs as determined in accordance with section 25 of this Scheme.
3. Labels to be attached to containers in which seed is presented or represented for certification [Section 18 (2); 20 (7)]	6 cent per label.
4. Examination of containers, affixing of seals to containers and taking of samples taking of samples of seed presented or re-presented for certification [Section 19 (6) (a); 20 (7)]	R60 per hour or portion of an hour (travelling time included), devoted by each person to this function, plus travelling costs as determined in accordance with section 25 of this Scheme.
5. Seals attached to containers in which seed is presented or re-presented for certification [Section 19 (6) (b); 20 (7)]	4 cents per seal.
6. Determination of the varietal purity of seed of a variety of <i>Phaseolus acutifolius</i> A. Grey, <i>P. coccineus</i> L. and <i>P. vulgaris</i> L. other than garden beans [Section 19 (6) (c)]	R24 per sample".

Wysiging van Tabel 2 van die Skema

5. Tabel 2 van die Skema word hierby gewysig—

- (a) deur die inskrywing ten opsigte van *Agroticum* te skrap;
- (b) deur die uitdrukking "*Digitaria smutsii* Stent" in kolom 1 deur die uitdrukking "*Digitaria eriantha* Steud", te vervang; en
- (c) deur die volgende inskrywings in die toepaslike kolomme by te voeg:

Amendment of Table 2 of the Scheme

5. Table 2 of the Scheme is hereby amended—

- (a) by the deletion of the entry in respect of *Agroticum*;
- (b) by the substitution for the expression "*Digitaria smutsii* Stent" in column 1 of the expression "*Digitaria eriantha* Steud", and;
- (c) by the addition of the following entries in the applicable columns:

Soort plant/Kind of plant		Nommer van Aanhangsel waarin spesifieke vereistes uiteengesit word Number of Annexure in which specific requirements are set out
Botaniese naam Botanical name	Gewone naam Common name	
1		2
" <i>Chloris gayana</i> Kunth	Rhodesgras/Rhodesgrass	41
<i>Lolium perenne</i> L.	Meerderjarige raaigras/Perennial ryegrass	42
<i>Panicum maximum</i> Jacq	Witbuffelgras/White buffalo grass	43
<i>Sorghum</i> spp	Voersorghum/Fodder sorghum	44"

Herroeping van Aanhangsel 1 van die Skema

6. Aanhangsel 1 van die Skema word hierby herroep.

Repeal of Annexure 1 of the Scheme

6. Annexure 1 of the Scheme is hereby repealed.

Wysiging van Aanhangsel 2 van die Skema

7. Aanhangsel 2 van die Skema word hierby gewysig deur paragraaf 5.1 deur die volgende paragrawe te vervang:

Amendment of Annexure 2 of the Scheme

7. Annexure 2 of the Scheme is hereby amended by the substitution for paragraph 5.1 of the following paragraphs:

"5.1.1 Saailinge moet geïnspekteer word voordat dit op 'n eenheid gevestig word.

"5.1.1 Seedlings shall be inspected before they are established on a unit.

5.1.2 Plante wat op 'n eenheid gevestig is met die oog daarop om bolle te verkry om dit vir die produksie van saad te gebruik, moet gedurende die volgroei stadium daarvan geïnspekteer word."

5.1.2 Plants which are established on a unit with a view to obtaining bulbs to be used for the production of seed shall be inspected during the mature stage thereof."

Wysiging van Aanhangsel 4 van die Skema

8. Aanhangsel 4 van die Skema word hierby gewysig deur paragrawe 6.1.4, 6.3 en 6.4 te skrap.

Amendment of Annexure 4 of the Scheme

8. Annexure 4 of the Scheme is hereby amended by the deletion of paragraphs 6.1.4, 6.3 and 6.4

Wysiging van Aanhangsel 8 van die Skema

9. Aanhangsel 8 van die Skema word hierby gewysig deur paragraaf 3.1.1 deur die volgende paragraaf te vervang:

Amendment of Annexure 8 of the Scheme

9. Annexure 8 of the Scheme is hereby amended by the substitution for paragraph 3.1.1 of the Afrikaans text of the following paragraph:

"3.1.1 in die geval van die beoogde produksie van basissaad, minstens 800 meter wyd is; en"

"3.1.1 in die geval van die beoogde produksie van basissaad, minstens 800 meter wys is; en".

Wysiging van Aanhangsels 10, 15, 18 en 23 van die Skema

10. Aanhangsels 10, 15, 18 en 23 van die Skema word hierby gewysig deur in paragraaf 4.1 die uitdrukking "30 September" deur die uitdrukking "15 Oktober" te vervang.

Amendment of Annexures 10, 15, 18 and 23 of the Scheme

10. Annexures 10, 15, 18 and 23 of the Scheme is hereby amended by the substitution in paragraph 4.1 for the expression "30 September" of the expression "15 October".

Wysiging van Aanhangsel 17 van die Skema

11. Aanhangsel 17 van die Skema word hierby gewysig—

Amendment of Annexure 17 of the Scheme

11. Annexure 17 of the Scheme is hereby amended—

- (a) deur die uitdrukking "*Digitaria smutsii* Stent" in die opskrif deur die uitdrukking "*Digitaria eriantha* Steud" te vervang; en

- (a) by the substitution for the expression "*Digitaria smutsii* Stent" in the heading of the expression "*Digitaria eriantha* Steud"; and

- (b) deur in paragraaf 4.1 die uitdrukking "30 September" deur die uitdrukking "15 Oktober" te vervang.

Wysiging van Aanhangsel 21 van die Skema

12. Aanhangsel 21 van die Skema word hierby gewysig—

- (a) deur paragraaf 3.1.2 van die Engelse teks deur die volgende paragraaf te vervang:

"3.1.2 in the case of the intended production of certified seed—

3.1.2.1 of an open-pollinated variety, is at least 500 metres wide; and

3.1.2.2 of a hybrid variety, is at least 1 000 metres wide."; en

- (b) deur paragraaf 4.2.3 deur die volgende paragraaf te vervang:

"4.2.3 mag die aantal stuifmeelstortende plante van die saadouer op 'n eenheid—

4.2.3.1 in die geval van die beoogde produksie van basissaad, nie 0,2 persent van die plante van die saadouer op die stadium waarop 10 persent of meer van die plante van die saadouer stuifmeelvatbare blomme het, oorskry nie; en

4.2.3.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 0,5 persent van die plante van die saadouer op die stadium waarop 25 persent of meer van die plante van die saadouer stuifmeelvatbare blomme het, oorskry nie."

Wysiging van Aanhangsel 25 van die Skema

13. Aanhangsel 25 van die Skema word hierby gewysig—

- (a) deur paragraaf 4.3 deur die volgende paragraaf te vervang:

"4.3 Die aantal plante op 'n eenheid wat met mosaïekvirusse besmet is, mag—

4.3.1 in die geval van die beoogde produksie van basissaad, nie 5,0 persent oorskry nie; en

4.3.2 in die geval van die beoogde produksie van gesertifiseerde saad nie 10,0 persent oorskry nie."; en

- (b) deur paragraaf 6 deur die volgende paragraaf te vervang:

"6. Fisiese vereistes

Saad moet—

6.1 'n ontkiemingspersentasie van minstens 70 persent hê;

6.2 vry van verbode onkruidsaad wees; en

6.3 hoogstens—

6.3.1 0,1 persent ander saad;

6.3.2 2,0 persent ander materiaal; en

6.3.3 0,2 persent saad van afwykende plante, bevat."

- (b) by the substitution in paragraph 4.1 for the expression "30 September" of the expression "15 October".

Amendment of Annexure 21 of the Scheme

12. Annexure 21 of the Scheme is hereby amended—

- (a) by the substitution for paragraph 3.1.2 of the following paragraph:

"3.1.2 in the case of the intended production of certified seed—

3.1.2.1 of an open-pollinated variety, is at least 500 metres wide; and

3.1.2.2 of a hybrid variety, is at least 1 000 metres wide."; and

- (b) by the substitution for paragraph 4.2.3 of the following paragraph:

"4.2.3 the number of pollen-shedding plants of the seed parent on a unit shall—

4.2.3.1 in the case of the intended production of basic seed, not exceed 0,2 per cent of the plants of the seed parent at the stage at which 10 per cent or more of the plants of the seed parent has pollen-susceptible flowers; and

4.2.3.2 in the case of the intended production of certified seed, not exceed 0,5 per cent of the plants of the seed parent at the stage at which 25 per cent or more of the plants of the seed parent has pollen-susceptible flowers."

Amendment of Annexure 25 of the Scheme

13. Annexure 25 of the Scheme is hereby amended—

- (a) by the substitution for paragraph 4.3 of the following paragraph:

"4.3 The number of plants on a unit which are infected with mosaic viruses shall—

4.3.1 in the case of the intended production of basic seed, not exceed 5,0 per cent; and

4.3.2 in the case of the intended production of certified seed, not exceed 10,0 per cent."; and

- (b) by the substitution of paragraph 6 of the following paragraph:

"6. Physical requirements

Seed shall—

6.1 have a germination percentage of at least 70 per cent;

6.2 To be free of prohibited weed seed; and

6.3 not contain more than—

6.3.1 0,1 per cent other seed;

6.3.2 2,0 per cent other material; and

6.3.3 0,2 per cent seed of deviating plants."

Amendment of Annexure 26 of the Scheme

14. Annexure 26 of the Scheme is hereby amended—
(a) by the substitution for paragraph 1.1.1 of the following paragraph:

“1.1.1 no plants of any species of *Medicago* have been established thereon for seed production or otherwise during the growing season preceding the registration thereof; or”;

(b) by the substitution for paragraph 2 of the following paragraph:

“2. Planting requirements

2.1 Plants shall be established in rows on a unit.

2.2 The area between such rows shall for a period of one year after the plants were established on a unit, be kept free of any plants.

2.3 All vegetation within a distance of three metres around a unit shall be kept short until seed has been harvested from the plants on the unit concerned.”; and
(c) by the substitution for paragraph 4.1 of the following paragraph:

“4.1 Plants which are established on a unit may—

4.1.1 if such unit is registered for the production of basic seed, be used for such purpose for a period of not more than two years after the year of establishment thereof, and may thereafter for a further period of not more than three years be used for the production of certified seed, be used for such purpose for a period of not more than three years after the year of establishment thereof; and
4.1.2 if such a unit is registered for the production of certified seed, be used for the production of certified seed if the unit concerned is registered for this purpose;

4.1.3 annually be grazed from the time of removal of the seed crop therefrom until 15 October of the following growing season.”

Amendment of Annexure 29 of the Scheme

15. Annexure 29 of the Scheme is hereby amended—

(a) by the deletion of paragraph 2.2; and
(b) by the substitution for paragraph 6.1.5 of the following paragraph:

“6.1.5 in the case of disease-free seed, according to a laboratory examination be free of seed which is infected with a pathogen specified in paragraph 4.4.”

Amendment of Annexure 30 of the Scheme

16. Annexure 30 of the Scheme is hereby amended—

(a) by the deletion of paragraph 2.2; and
(b) by the substitution for paragraph 2.3 of the following paragraph:

“2.3 All plants on a unit which is intended for the production of basic seed of a runner bean variety shall be trellised.”;

Wysiging van Aanhangsel 26 van die Skema

14. Aanhangsel 26 van die Skema word hierby gewysig—

(a) deur paragraaf 1.1.1 deur die volgende paragraaf te vervang:

“1.1.1 geen plante van ’n spesie van *Medicago* gedurende die groeiseisoen wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig was nie; of”;

(b) deur paragraaf 2 deur die volgende paragraaf te vervang:

“2. Aamplantingsvereistes

2.1 Plante moet in rye op ’n eenheid gevestig word.

2.2 Die oppervlakte tussen sodanige rye moet vir ’n tydperk van een jaar nadat die plante op ’n eenheid gevestig is, vry van enige plante gehou word.

2.3 Alle planteegroei binne ’n afstand van drie meter rondom ’n eenheid moet kort gehou word totdat saad van die plante op die betrokke eenheid geoes is.”; en
(c) deur paragraaf 4.1 deur die volgende paragraaf te vervang:

“4.1 Plante wat op ’n eenheid gevestig is, mag—

4.1.1 indien sodanige eenheid vir die produksie van basisaad geregistreer is, vir ’n tydperk van hoogstens twee jaar na die jaar van vestiging daarvan vir sodanige doel gebruik word, en mag daarna vir ’n verdere tydperk van hoogstens drie jaar vir die produksie van gesertifiseerde saad gebruik word indien die betrokke eenheid vir die doel geregistreer is;

4.1.2 indien sodanige eenheid vir die produksie van gesertifiseerde saad geregistreer is, vir ’n tydperk van hoogstens drie jaar na die jaar van vestiging daarvan vir sodanige doel gebruik word; en
4.1.3 jaarliks vandat die saadoes daarvan vrygeword is, tot 15 Oktober van die daaropvolgende jaar bewei word.”

Wysiging van Aanhangsel 29 van die Skema

15. Aanhangsel 29 van die Skema word hierby gewysig—

(a) deur paragraaf 2.2 te skrap; en
(b) deur paragraaf 6.1.5 deur die volgende paragraaf te vervang:

“6.1.5 in die geval van siektievrye saad, volgens ’n laboratoriumondersoek vry wees van saad wat met ’n patogeen in paragraaf 4.4 vermeld, besmet is.”;

Wysiging van Aanhangsel 30 van die Skema

16. Aanhangsel 30 van die Skema word hierby gewysig—

(a) deur paragraaf 2.2 te skrap; en
(b) deur paragraaf 2.3 deur die volgende paragraaf te vervang:

“2.3 Alle plante op ’n eenheid wat vir die produksie van basisaad van ’n rankboonvarieteit beoog word, moet opgelei word.”;

- (c) deur paragraaf 4.3 deur die volgende paragraaf te vervang:

"4.3 Die aantal plante met ovaalvormige tot plat nerflose peule op 'n eenheid waarop plante van 'n ronde nerflose variëteit gevestig is, mag—" en

- (d) deur paragraaf 6.1.5 deur die volgende paragraaf te vervang:

"6.1.5 in die geval van siektevrye saad, volgens 'n laboratoriumondersoek vry wees van saad wat met 'n patoëen in paragraaf 4.6 vermeld, besmet is."

Wysiging van Aanhangsel 31 van die Skema

17. Aanhangsel 31 van die Skema word hierby gewysig deur paragraaf 6.1 deur die volgende paragraaf te vervang:

"6.1 Saad moet—

6.1.1 'n ontkiemingspersentasie van minstens 70 persent hê;

6.1.2 vry van verbode onkruidsaad wees; en

6.1.3 hoogstens—

6.1.3.1 0,05 persent ander saad;

6.1.3.2 2,0 persent ander materiaal;

6.1.3.3 2,0 persent onderontwikkelde saad;

6.1.3.4 1,5 persent insekgevrete en beskadigde saad; en beskadigde saad;

6.1.3.5 1,5 persent verkleurde saad;

6.1.3.6 0,2 persent saad van afwykende plante; en

6.1.3.7 5,0 persent saad met 'n gebreekte saadhuid,

bevat."

Wysiging van Aanhangsel 35 van die Skema

18. Aanhangsel 35 van die Skema word hierby gewysig deur paragraaf 4.2.3 deur die volgende paragraaf te vervang:

"4.2.3 mag die aantal stuifmeelstortende plante van die saadouër op 'n eenheid—

4.2.3.1 in die geval van die beoogde produksie van basissaad, nie 0,5 persent van die plante van die saadouër op die stadium waarop 20 persent of meer van die plante van die saadouër stuifmeelvatbare blomme het, oorskry nie; en

4.2.3.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 1,0 persent van die plante van die saadouër op die stadium waarop 30 persent of meer van die plante van die saadouër stuifmeelvatbare blomme het, oorskry nie."

Wysiging van Aanhangsel 37 van die Skema

19. Aanhangsel 37 van die Skema word hierby gewysig deur paragraaf 4.3 deur die volgende paragraaf te vervang:

"4.3 Vir die doeleindes van paragraaf 4.2 beteken 'siektebesmette plante', plante wat nie visueel vry van die patogene *Pseudomonas syringae* en *Xanthomonas vignicola* Barkholder is nie."

- (c) by the substitution for paragraph 4.3 of the Afrikaans text of the following paragraph:

"4.3 Die aantal plante met ovaalvormige tot plat nerflose peule op 'n eenheid waarop plante van 'n ronde nerflose variëteit gevestig is, mag—" and

- (d) by the substitution for paragraph 6.1.5 of the following paragraph:

"6.1.5 in the case of disease-free seed, according to a laboratory examination be free of seed which is infected with a pathogen specified in paragraph 4.6."

Amendment of Annexure 31 of the Scheme

17. Annexure 31 of the Scheme is hereby amended by the substitution for paragraph 6.1 of the following paragraph:

"6.1 Seed shall—

6.1.1 have a germination percentage of at least 70 per cent;

6.1.2 be free of prohibited weed seed; and

6.1.3 not contain more than—

6.1.3.1 0,05 per cent other seed;

6.1.3.2 2,0 per cent other material;

6.1.3.3 2,0 per cent underdeveloped seed;

6.1.3.4 1,5 per cent insect-eaten and damaged seed;

6.1.3.5 1,5 per cent discoloured seed;

6.1.3.6 0,2 per cent seed of deviating plants; and

6.1.3.7 5,0 per cent seed with a broken seed coat."

Amendment of Annexure 35 of the Scheme

18. Annexure 35 of the Scheme is hereby amended by the substitution for paragraph 4.2.3 of the following paragraph:

"4.2.3 the number of pollen-shedding plants of the seed parent on a unit shall—

4.2.3.1 in the case of the intended production of basic seed, not exceed 0,5 per cent of the plants of the seed parent at the stage at which 20 per cent or more of the plants of the seed parent has pollen-susceptible flowers; and

4.2.3.2 in the case of the intended production of certified seed, not exceed 1,0 per cent of the plants of the seed parent at the stage at which 30 per cent or more of the plants of the seed parent has pollen-susceptible flowers."

Amendment of Annexure 37 of the Scheme

19. Annexure 37 of the Scheme is hereby amended by the substitution for paragraph 4.3 of the following paragraph:

"4.3 For the purposes of paragraph 4.2 'disease-infected plants' shall mean plants which are not visually free of the pathogens *Pseudomonas syringae* or *Xanthomonas vignicola* Barkholder."

Wysiging van Aanhangsel 38 van die Skema

20. Aanhangsel 38 van die Skema word hierby gewysig—

- (a) deur in paragraaf 6.2.4 die uitdrukking “die registrateur” deur die uitdrukking “die gesag” te vervang; en
- (b) deur paragrawe 6.4 en 6.5 en die tabel te skrap.

Byvoeging van Aanhangsels 41, 42, 43 en 44 by die Skema

21. Die volgende Aanhangsels word hierby by die Skema bygevoeg:

“AANHANGSEL 41**VEREISTES BETREFFENDE RHODESGRAS (*CHLORIS GAYANA KUNTH.*)****1. Grondvereistes**

1.1 Behoudens die bepalings van paragraaf 1.2, kan 'n stuk grond slegs as 'n eenheid geregistreer word indien—

1.1.1 geen plante van 'n spesie van *Chloris* gedurende die twee groeiseisoene wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig was nie; of

1.1.2 die plante wat reeds daarop gevestig is, ook gedurende die voorafgaande groeiseisoen vir die produksie van basissaad of gesertifiseerde saad, na gelang van die geval, gebruik is.

1.2 'n Stuk grond wat vir die produksie van gesertifiseerde saad van 'n bepaalde Rhodesgrasvariëteit beoog word, kan ook as 'n eenheid geregistreer word indien basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.

2. Aanplantingsvereistes

2.1 Plante moet in rye op 'n eenheid gevestig word.

2.2 Alle plantegroei binne 'n afstand van drie meter rondom 'n eenheid moet kort gehou word totdat saad van die plante op die betrokke eenheid geoes is.

3. Isolasiereistes

3.1 'n Eenheid moet deur 'n isolasiegebied omring wees wat—

3.1.1 in die geval van die beoogde produksie van basissaad—

3.1.1.1 minstens 200 meter wyd is waar die oppervlakte van die betrokke eenheid twee hektaar of minder is; en

3.1.1.2 minstens 100 meter wyd is waar die oppervlakte van die betrokke eenheid meer as twee hektaar is; en

3.1.2 in die geval van die beoogde produksie van gesertifiseerde saad—

3.1.2.1 minstens 100 meter wyd is waar die oppervlakte van die betrokke eenheid twee hektaar of minder is; en

3.1.2.2 minstens 50 meter wyd is waar die oppervlakte van die betrokke eenheid meer as twee hektaar is.

Amendment of Annexure 38 of the Scheme

20. Annexure 38 of the Scheme is hereby amended—

- (a) by the substitution in paragraph 6.2.4 for the expression “the registrar” of the expression “the authority”; and
- (b) by deletion of paragraphs 6.4 and 6.5 and the table.

Addition of Annexures 41, 42, 43 and 44 to the Scheme

21. The following Annexures are hereby added to the Scheme:

“ANNEXURE 41**REQUIREMENTS RELATING TO RHODES GRASS (*CHLORIS GAYANA KUNTH.*)****1. Land requirements**

1.1 Subject to the provisions of paragraph 1.2, a piece of land may be registered as a unit only if—

1.1.1 no plants of any species of *Chloris* have been established thereon for seed production or otherwise during the two growing seasons preceding the registration thereof; or

1.1.2 the plants which are already established thereon have also during the preceding growing season been used for the production of basic seed or certified seed, as the case may be.

1.2 A piece of land which is intended for the production of certified seed of a particular Rhodes grass variety, may also be registered as a unit if basic seed of the same variety has been produced thereon during the the preceding growing season.

2. Planting requirements

2.1 Plants shall be established in rows on a unit.

2.2 All vegetation within a distance of three metres around a unit shall be kept short until seed has been harvested from the plants on the unit concerned.

3. Isolation requirements

3.1 A unit shall be surrounded by an isolation area which—

3.1.1 in the case of the intended production of basic seed—

3.1.1.1 is at least 200 metres wide where the area of the unit concerned is two hectares or less; and

3.1.1.2 is at least 100 metres wide where the area of the unit concerned exceeds two hectares; and

3.1.2 in the case of the intended production of certified seed—

3.1.2.1 is at least 100 metres wide where the area of the unit concerned is two hectares or less; and

3.1.2.2 is at least 50 metres wide where the area of the unit concerned exceeds two hectares.

3.2 So 'n isolasiegebied moet vry wees van plante van 'n Rhodesgrasvariëteit wat op dieselfde tyd as die plante op die betrokke eenheid blom, tensy dit—

3.2.1 in die geval van die beoogde produksie van basissaad, van telersaad van dieselfde variëteit gevestig is; en

3.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, van basissaad van dieselfde variëteit gevestig is.

4. Vereistes vir plante

4.1 Plante wat op 'n eenheid gevestig is, mag jaarliks vandat die saadoes daarvan verwyder is, tot 15 Oktober van die eersvolgende groeiseisoen bewei word.

4.2 Die aantal afwykende plante op 'n eenheid mag—

4.2.1 in die geval van die beoogde produksie van basissaad, nie een plant per 15 vierkante meter oorskry nie; en

4.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie een plant per 10 vierkante meter oorskry nie.

5. Inspeksievereistes

Plante wat op 'n eenheid gevestig is, moet geïnspekteer word—

5.1 voor die blomstadium daarvan; en

5.2 Gedurende die volsaadstadium daarvan.

6. Fisiese vereistes

Saad moet—

6.1 'n ontkiemingspersentasie van minstens 20 persent hê;

6.2 vry van verbode onkruidsaad wees; en

6.3 hoogstens—

6.3.1 0,5 persent ander saad;

6.3.2 10 persent ander materiaal; en

6.3.3 0,2 persent saad van afwykende plante, bevat.

AANHANGSEL 42

VEREISTES BETREFFENDE MEERJARIGE RAAIGRAS (*LOLIUM PERENNEL*.)

1. Grondvereistes

1.1 Behoudens die bepalinge van paragraaf 1.2, kan 'n stuk grond slegs as 'n eenheid geregistreer word indien—

1.1.1 geen plante van 'n spesie van *Lolium* gedurende die twee groeiseisoene wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig was nie; of

1.1.2 die plante wat reeds daarop gevestig is, ook gedurende die voorafgaande groeiseisoen vir die produksie van basissaad of gesertifiseerde saad, na gelang van die geval, gebruik is.

1.2 'n Stuk grond wat vir die produksie van gesertifiseerde saad van 'n bepaalde raaigrasvariëteit beoog word, kan ook as 'n eenheid geregistreer word indien basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.

3.2 Such isolation area shall be free of plants of any Rhodes grass variety which flower at the same time as the plants on the unit concerned, unless—

3.2.1 in the case of the intended production of basic seed, they have been established from breeder seed of the same variety; and

3.2.2 in the case of the intended production of certified seed, they have been established from basic seed of the same variety.

4. Requirements for plants

4.1 Plants which are established on a unit may annually be grazed from the removal of the seed crop therefrom until 15 October of the following growing season.

4.2 The number of deviating plants on a unit shall—

4.2.1 in the case of the intended production of basic seed, not exceed one plant per 15 square metres; and

4.2.2 in the case of the intended production of certified seed, not exceed one plant per 10 square metres.

5. Inspection requirements

Plants which established on a unit shall be inspected—

5.1 before the flowering stage thereof; and

5.2 during the full seed stage thereof.

6. Physical requirements

Seed shall—

6.1 have a germination percentage of at least 20 per cent;

6.2 be free of prohibited weed seed; and

6.3 not contain more than—

6.3.1 0,5 per cent other seed;

6.3.2 10 per cent other material; and

6.3.3 0,2 per cent seed of deviating plants.

ANNEXURE 42

REQUIREMENTS RELATING TO PERENNIAL RYEGRASS (*LOLIUM PERENNEL*.)

1. Land requirements

1.1 Subject to the provisions of paragraph 1.2, a piece of land may be registered as a unit only if—

1.1.1 no plants of any species of *Lolium* have been established thereon for seed production or otherwise during the two growing seasons preceding the registration thereof; or

1.1.2 the plants which are already established thereon have also during the preceding growing season been used for the production of basic seed or certified seed, as the case may be.

1.2 A piece of land which is intended for the production of certified seed of a particular ryegrass variety, may also be registered as a unit if basic seed of the same variety has been produced thereon during the preceding growing season.

2. Aanplantingsvereistes

2.1 Plante moet in rye op 'n eenheid gevestig word.

2.2 Alle plantegroei binne 'n afstand van drie meter rondom 'n eenheid moet kort gehou word tot da: saad van die plante op die betrokke eenheid geoes is.

3. Isolasiereistes

3.1 'n Eenheid moet deur 'n isolasiegebied omring wees wat—

3.1.1 in die geval van die beoogde produksie van basissaad—

3.1.1.1 minstens 200 meter wyd is waar die oppervlakte van die betrokke eenheid twee hektaar of minder is; en

3.1.1.2 minstens 100 meter wyd is waar die oppervlakte van die betrokke eenheid meer as twee hektaar is; en

3.1.2 in die geval van die beoogde produksie van gesertifiseerde saad—

3.1.2.1 minstens 100 meter wyd is waar die oppervlakte van die betrokke eenheid twee hektaar of minder is; en

3.1.2.2 minstens 50 meter wyd is waar die oppervlakte van die betrokke eenheid meer as twee hektaar is.

3.2 So 'n isolasiegebied moet vry wees van plante van 'n raagrasvariëteit wat op dieselfde tyd as die plante op die betrokke eenheid blom, tensy dit—

3.2.1 in die geval van die beoogde produksie van basissaad, van telersaad van dieselfde variëteit gevestig is; en

3.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, van basissaad van dieselfde variëteit gevestig is.

4. Vereistes vir plante

4.1 Plante wat op 'n eenheid gevestig is, mag jaarliks vandat die saadoes daarvan verwyder is, tot 15 Oktober van die eersvolgende groeiseisoen bewei word.

4.2 Die aantal afwykende plante op 'n eenheid mag—

4.2.1 in die geval van die beoogde produksie van basissaad, nie een plant per 15 vierkante meter oorskry nie; en

4.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie een plant per 10 vierkante meter oorskry nie.

5. Inspeksiereistes

Plante wat op 'n eenheid gevestig is, moet geïnspekteer word—

5.1 voor die blomstadium daarvan; en

5.2 gedurende die volsaadstadium daarvan.

6. Fisiese vereistes

Saad moet—

6.1 'n ontkiemingspersentasie van minstens 70 persent hê;

6.2 vry van verbode onkruidsaad wees; en

6.3 hoogstens—

6.3.1 0,3 persent ander saad;

6.3.2 3,0 persent ander materiaal; en

6.3.3 0,2 persent saad van afwykende plante, bevat.

2. Plant requirements

2.1 Plants shall be established in rows on a unit.

2.2 All vegetation within a distance of three metres around a unit shall be kept short until seed has been harvested from the plants on the unit concerned.

3. Isolation requirements

3.1 A unit shall be surrounded by an isolation area which—

3.1.1 in the case of the intended production of basic seed—

3.1.1.1 is at least 200 metres wide where the area of the unit concerned is two hectares or less; and

3.1.1.2 is at least 100 metres wide where the area of the unit concerned exceeds two hectares; and

3.1.2 in the case of the intended production of certified seed—

3.1.2.1 at least 100 metres wide where the area of the unit concerned is two hectares or less; and

3.1.2.2 is at least 50 metres wide where the area of the unit concerned exceeds two hectares.

3.2 Such isolation area shall be free of plants of any ryegrass variety which flower at the same time as the plants on the unit concerned, unless—

3.2.1 in the case of the intended production of basic seed, they have been established from breeder seed of the same variety; and

3.2.2 in the case of the intended production of certified seed, they have been established from basic seed of the same variety.

4. Requirements for plants

4.1 Plants which are established on a unit may annually be grazed from the removal of the seed crop therefrom until 15 October of the following growing season.

4.2 The number of deviating plants on a unit shall—

4.2.1 in the case of the intended production of basic seed, not exceed one plant per 15 square metres; and

4.2.2 in the case of the intended production of certified seed, not exceed one plant per 10 square metres.

5. Inspection requirements

Plants which are established on a unit shall be inspected—

5.1 before the flowering stage thereof; and

5.2 during the full seed stage thereof.

6. Physical requirements

Seed shall—

6.1 have a germination percentage of at least 70 per cent;

6.2 be free of prohibited weed seed; and

6.3 not contain more than—

6.3.1 0,3 per cent other seed;

6.3.2 3,0 per cent other material; and

6.3.3 0,2 per cent seed of deviating plants.

AANHANGSEL 43

VEREISTES BETREFFENDE WITBUFFELSGRAS (*PANICUM MAXIMUM* JACQ.)

1. Grondvereistes

1.1 Behoudens die bepalings van paragraaf 1.2, kan 'n stuk grond slegs as 'n eenheid geregistreer word indien—

1.1.1 geen plante van 'n spesie van *Panicum* gedurende die twee groeiseisoene wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig was nie; of

1.1.2 die plante wat reeds daarop gevestig is, ook gedurende die voorafgaande groeiseisoen vir die produksie van basissaad of gesertifiseerde saad, na gelang van die geval, gebruik is.

1.2 'n Stuk grond wat vir die produksie van gesertifiseerde saad van 'n bepaalde witbuffelsgrasvariëteit beoog word, kan ook as 'n eenheid geregistreer word indien basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.

2. Aanplantingsvereistes

2.1 Plante moet in rye op 'n eenheid gevestig word.

2.2 Alle plantegroei binne 'n afstand van drie meter rondom 'n eenheid moet kort gehou word totdat saad van die plante op die betrokke eenheid geoes is.

3. Isolasiereisies

3.1 'n Eenheid moet deur 'n isolasiegebied omring word wat minstens vyf meter wyd is.

3.2. So 'n isolasiegebied moet vry wees van plante van enige witbuffelsgrasvariëteit.

4. Vereistes vir plante

4.1 Plante wat op 'n eenheid gevestig is, mag jaarliks vandat die saadoes daarvan verwyder is, tot 15 Oktober van die eersvolgende groeiseisoen bewei word.

4.2 Die aantal afwykende plante op 'n eenheid mag—

4.2.1 in die geval van die beoogde produksie van basissaad, nie een plant per 15 vierkante meter oorskry nie; en

4.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie een plant per 10 vierkante meter oorskry nie.

5. Inspeksiereisies

Plante wat op 'n eenheid gevestig is, moet geïnspekteer word—

5.1 voor die blomstadium daarvan; en

5.2. gedurende die volsaadstadium daarvan.

6. Fisiese vereistes

Saad moet—

6.1 'n ontkiemingspersentasie van minstens 20 persent hê;

6.2 vry van verbode onkruidsaad wees; en

ANNEXURE 43

REQUIREMENTS RELATING TO WHITE BUFFALO GRASS (*PANICUM MAXIMUM* JACQ.)

1. Land requirements

1.1 Subject to the provisions of paragraph 1.2, a piece of land may be registered as a unit only if—

1.1.1 no plants of any species of *Panicum* have been established thereon for seed production or otherwise during the two growing seasons preceding the registration thereof; or

1.1.2 the plants which are already established thereon have also during the preceding growing season been used for the production of basic seed or certified seed, as the case may be.

1.2 A piece of land which is intended for the production of certified seed of a particular white buffalo grass variety, may also be registered as a unit if basic seed of the same variety has been produced thereon during the preceding growing season.

2. Planting requirements

2.1 Plants shall be established in rows on a unit.

2.2 All vegetation within a distance of three metres around a unit kept shall be short until seed has been harvested from the plants on the unit concerned.

3. Isolation requirements

3.1 A unit shall be surrounded by an isolation area which is at least five metres wide.

3.2 Such isolation area shall be free of plants of any white buffalo grass variety.

4. Requirement for plants

4.1 Plants which are established on a unit may annually be grazed from the time of removal of the seed crop therefrom until 15 October of the following growing season.

4.2 The number of deviating plants on a unit shall—

4.2.1 in the case of the intended production of basic seed, not exceed one plant per 15 square metres; and

4.2.2 in the case of the intended production of certified seed, not exceed one plant per 10 square metres.

5. Inspection requirements

Plants which are established on a unit shall be inspected—

5.1 before the flowering stage thereof; and

5.2 during the full seed stage thereof.

6. Physical requirements

Seed shall—

6.1 have a germination percentage of at least 20 per cent;

6.2 be free of prohibited weed seed; and

6.3 hoogstens—

6.3.1 0,5 persent ander saad;

6.3.2 50 persent ander materiaal; en

6.3.3 0,2 persent saad van afwykende plante, bevat.

AANHANGSEL 44

VEREISTES BETREFFENDE VOERSORGHUM (*SORGHUM* SPP.)

1. Grondvereistes

1.1 Behoudens die bepalinge van paragraaf 1.2, kan 'n stuk grond slegs as 'n eenheid geregistreer word indien geen plante van 'n spesie van *Sorghum* gedurende die twee groeiseisoene wat die registrasie daarvan voorafgaan, vir saadproduksie of andersins daarop gevestig was nie.

1.2 'n Stuk grond wat vir die produksie van gesertifiseerde saad van 'n bepaalde voersorghum-variëteit beoog word, kan ook as 'n eenheid geregistreer word indien basissaad van dieselfde variëteit gedurende die voorafgaande groeiseisoen daarop geproduseer is.

2. Aanplantingsvereistes

2.1 Plante moet in rye op 'n eenheid gevestig word.

2.2 Inboet in rye is nie toelaatbaar nie.

2.3 In die geval van die beoogde produksie van saad van 'n bastervariëteit moet—

2.3.1 die plante van die saadouër en dié van die stuifmeelouër in afsonderlike rye gevestig word; en

2.3.2 rye wat plante van die stuifmeelouër bevat, duidelik aldus gemerk word.

3. Isolasiereistes

3.1 Behoudens die bepalinge van paragraaf 3.3, moet 'n eenheid deur 'n isolasiegebied omring wees wat—

3.1.1 in die geval van die beoogde produksie van basissaad van—

3.1.1.1 'n oopbestuifde variëteit, minstens 500 meter wyd is; en

3.1.1.2 'n bastervariëteit, minstens 750 meter wyd is; en

3.1.2 in die geval van die beoogde produksie van gesertifiseerde saad van—

3.1.2.1 'n oopbestuifde variëteit minstens 350 meter wyd is; en

3.1.2.2 'n bastervariëteit, minstens 500 meter wyd is.

3.2 So 'n isolasiegebied moet vry wees van plante van 'n voersorghumvariëteit of spesie van *Sorghum* wat op dieselfde tyd as die plante op die betrokke eenheid blom, tensy dit—

3.2.1 in die geval van die beoogde produksie van basissaad, van telersaad van dieselfde variëteit gevestig is; en

3.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, van basissaad van dieselfde variëteit gevestig is.

6.3 not contain more than—

6.3.1 0,5 per cent other seed;

6.3.2 50 per cent other material; and

6.3.3 0,2 per cent seed of deviating plants.

ANNEXURE 44

REQUIREMENTS RELATING TO FORAGE SORGHUM (*SORGHUM* SPP.)

1. Land requirements

1.1 Subject to the provisions of paragraph 1.2, a piece of land may be registered as a unit only if no plants of any species of *Sorghum* have been established thereon for seed production or otherwise during the two growing seasons preceding the registration thereof.

1.2 A piece of land which is intended for the production of certified seed of a particular fodder sorghum variety may also be registered as a unit if basic seed of the same variety has been produced thereon during the preceding growing season.

2. Planting requirements

2.1 Plants shall be established in rows on a unit.

2.2 Gap-filling in rows shall not be permissible.

2.3 In the case of the intended production of seed of a hybrid variety—

2.3.1 the plants of the seed parent and those of the pollen parent shall be established in separate rows; and

2.3.2 rows containing plants of the pollen parent shall be clearly marked thus.

3. Isolation requirements

3.1 Subject to the provisions of paragraph 3.3, a unit shall be surrounded by an isolation area which—

3.1.1 in the case of the intended production of basic seed—

3.1.1.1 of an open-pollinated variety, is at least 500 metres wide; and

3.1.1.2 of a hybrid variety, is at least 705 metres wide; and

3.1.2 in the case of the intended production of certified seed—

3.1.2.1 of an open-pollinated variety, is at least 350 metres wide; and

3.1.2.2 of a hybrid variety, is at least 500 metres wide.

3.2 Such isolation area shall be free of plants of any fodder sorghum variety or species of *Sorghum* which flower at the same time as the plants on the unit concerned, unless—

3.2.1 in the case of the intended production of basic seed, they have been established from breeder seed of the same variety; and

3.2.2 in the case of the intended production of certified seed, they have been established from basic seed of the same variety.

3.3 Plante van verskillende saadouers van 'n bastervariëteit kan op aangrensende eenhede gevestig word indien—

3.3.1 'n gemeenskaplike stuifmeelouer gebruik word; en

3.3.2 'n oop ruimte van minstens vyf meter wyd, wat vry van plante van die betrokke saadouers en stuifmeelouer is, tussen die betrokke eenhede gehandhaaf word.

4. Vereistes vir plante

4.1 Behoudens die bepalings van paragraaf 4.2, mag die aantal afwykende plante op 'n eenheid—

4.1.1 in die geval van die beoogde produksie van basissaad, nie 0,2 persent oorskry nie; en

4.1.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 0,5 persent oorskry nie.

4.2 Indien manlike steriliteit by die saadouer van bastervariëteit gebruik word—

4.2.1 mag die aantal afwykende stuifmeelstortende plante van die stuifmeelouer op 'n eenheid—

4.2.1.1 in die geval van die beoogde produksie van basissaad, nie 0,2 persent van die plante van die stuifmeelouer op die stadium waarop 5 persent of meer van die plante van die saadouer stuifmeelvatbare blomme het, oorskry nie; en

4.2.1.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 0,5 persent van die plante van die stuifmeelouer op die stadium waarop 5 persent of meer van die plante van die saadouer stuifmeelvatbare blomme het, oorskry nie;

4.2.2 mag die aantal afwykende plante van die saadouer op 'n eenheid—

4.2.2.1 in die geval van die beoogde produksie van basissaad, nie 0,5 persent van die plante van die saadouer oorskry nie; en

4.2.2.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 1,0 persent van die plante van die saadouer oorskry nie; en

4.2.3 mag die aantal stuifmeelstortende plante van die saadouer op 'n eenheid—

4.2.3.1 in die geval van die beoogde produksie van basissaad, nie 0,5 persent van die plante van die saadouer op die stadium waarop 20 persent of meer van die plante van die saadouer stuifmeelvatbare blomme het, oorskry nie; en

4.2.3.2 in die geval van die beoogde produksie van gesertifiseerde saad, nie 1,0 persent van die plante van die saadouer op die stadium waarop 30 persent of meer van die plante van die saadouer stuifmeelvatbare blomme het, oorskry nie.

5. Inspeksievereistes

5.1 Plante wat op 'n eenheid gevestig is, moet geïnspekteer word—

5.1.1 voor die blomstadium daarvan;

5.1.2 gedurende die blomstadium daarvan;

5.1.3 gedurende die volsaadstadium daarvan; en

3.3 Plants of different seed parents of a hybrid variety may be established on adjoining units if—

3.3.1 a common pollen parent is used; and

3.3.2 an open space at least five metres wide, which is free of plants of the seed parents and pollen parents concerned, is maintained between the units concerned.

4. Requirements for plants

4.1 Subject to the provisions of paragraph 4.2, the number of deviating plants on a unit shall—

4.1.1 in the case of the intended production of basic seed, not exceed 0,2 per cent; and

4.1.2 in the case of the intended production of certified seed, not exceed 0,5 per cent.

4.2 If male sterility is used in the seed parent of a hybrid variety—

4.2.1 the number of deviating pollen-shedding plants of the pollen parent on a unit shall—

4.2.1.1 in the case of the intended production of basic seed, not exceed 0,2 per cent of the plants of the pollen parent at the stage at which 5 per cent or more of the plants of the seed parent has pollen-susceptible flowers; and

4.2.1.2 in the case of the intended production of certified seed, not exceed 0,5 per cent of the plants of the pollen parent at the stage at which 5 per cent or more of the plants of the seed parent has pollen-susceptible flowers;

4.2.2 the number of the deviating plants of the seed parent on a unit shall—

4.2.2.1 in the case of the intended production of basic seed, not exceed 0,5 per cent of the plants of the seed parent; and

4.2.2.2 in the case of the intended production of certified seed, not exceed 1,0 per cent of the plants of the seed parent; and

4.2.3 the number of pollen-shedding plants of the seed parent on a unit shall—

4.2.3.1 in the case of the intended production of basic seed, not exceed 0,5 per cent of the plants of the seed parent at the stage at which 20 per cent or more of the plants of the seed parent has pollen-susceptible flowers; and

4.2.3.2 in the case of the intended production of certified seed, not exceed 1,0 per cent of the plants of the seed parent at the stage at which 30 per cent or more of the plants of the seed parent has pollen-susceptible flowers.

5. Inspection requirements

5.1 Plants which are established on a unit shall be inspected—

5.1.1 before the flowering stage thereof;

5.1.2 during the flowering stage thereof;

5.1.3 during the full seed stage thereof; and

5.1.4 in die geval van 'n bastervariëteit, nadat die saadare van die plante van die stuifmeelouer verwyder is.

5.2 Indien plante van 'n bastervariëteit op 'n eenheid gevestig is—

5.2.1 moet die betrokke saadkweker die gesag minstens 10 dae vooraf in kennis stel van die datum waarop—

5.2.1.1 die plante van die saadouër na verwagting sal begin blom; en

5.2.1.2 die saadare van die stuifmeelouer verwyder sal word; en

5.2.2 mag die saad van die plante van die saadouër nie geoes word voordat die inspeksie in paragraaf 5.1.4 bedoel, uitgevoer is nie.

6. Fisiese vereistes

Saad moet—

6.1 'n ontkiemingspersentasie van minstens 70 persent hê;

6.2 vry van verbode onkruidsaad wees; en

6.3 hoogstens—

6.3.1 0,1 persent ander saad;

6.3.2 2,0 persent ander materiaal; en

6.3.3 0,2 persent saad van afwykende plante, bevat.”.

No. R. 155

26 Januarie 1990

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

AARTAPPELSKEMA.—HEFFING EN SPESIALE HEFFING—WYSIGING

Ek, Jacob de Villiers, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemerkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Aartappelraad bedoel in artikel 6 van die Aartappelskema gepubliseer by Goewermentskennisgewing No. R. 2400 van 25 November 1988, soos gewysig, kragtens artikel 27 van genoemde Skema die Bylae by Goewermentskennisgewing No. R. 120 van 27 Januarie 1989, soos gewysig, verder gewysig het in die mate in die Bylae hierby uiteengesit; en

(b) genoemde wysiging deur my goedgekeur is en op 1 Februarie 1990 in werking tree.

J. DE VILLIERS,

Minister van Landbou.

BYLAE

Die Bylae by Goewermentskennisgewing No. R. 120 van 27 Januarie 1989, soos gewysig deur Goewermentskennisgewing No. R. 851 van 28 April 1989, word hierby verder gewysig deur klousule 3 deur die volgende klousule te vervang:

“Bedrag van heffing en spesiale heffing

3. Die bedrag van die heffing en spesiale heffing in klousule 2 bedoel, is onderskeidelik 7c per 15-kg-aartappels en 8c per 15-kg-aartappels.”

5.1.4 in the case of a hybrid variety, after the seed heads of the plants of pollen parent have been removed.

5.2 If plants of a hybrid variety have been established on a unit—

5.2.1 the seed grower concerned shall notify the authority at least 10 days beforehand of the date on which—

5.2.1.1 the plants of the seed parent are expected to start flowering; and

5.2.1.2 the seed heads of the pollen parent are to be removed; and

5.2.2 the seed of the plants of the seed parent may not be harvested before the inspection referred to in paragraph 5.1.4 has been carried out.

6. Physical requirements

Seed shall—

6.1 have a germination percentage of at least 70 per cent;

6.2 be free of prohibited weed seed; and

6.3 not contain more than—

6.3.1 0,1 per cent other seed;

6.3.2 2,0 per cent other material; and

6.3.3 0,2 per cent seed of deviating plants.”.

No. R. 155

26 January 1990

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

POTATO SCHEME.—LEVY AND SPECIAL LEVY—AMENDMENT

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

(a) the Potato Board referred to in section 6 of the Potato Scheme published by Government Notice No. R. 2400 of 25 November 1988, as amended, has under section 27 of the said Scheme further amended the Schedule to Government Notice No. R. 120 of 27 January 1989, as amended, to the extent set out in the Schedule hereto; and

(b) the said amendment has been approved by me and shall come into operation on 1 February 1990.

J. DE VILLIERS,

Minister of Agriculture.

SCHEDULE

The Schedule to Government Notice No. R. 120 of 27 January 1989, as amended by Government Notice No. R. 851 of 28 April 1989, is hereby further amended by the substitution for clause 3 of the following clause:

“Amount of levy and special levy

3. The amount of the levy and special levy referred to in clause 2 shall respectively be 7c per 15 kg of potatoes and 8c per 15 kg of potatoes.”.

DEPARTEMENT VAN MANNEKRAG**No. R. 107****26 Januarie 1990****WET OP BASIESE DIENSVOORWAARDES, 1983****AANEENLOPENDE WERK**

Ek, Johannes Nicolaas Hitchcock, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby kragtens artikel 33 (1) van die Wet op Basiese Diensvoorwaardes, 1983, dat die distillering van ru koolteer soos uitgevoer deur Dundee Road Products (Edms.) Bpk., te Wasbank, 'n bedrywigheid is met betrekking waartoe daar aaneenlopend in drie skofte per 24 uur, sewe dae per week, gewerk kan word: Met dien verstande dat die diensvoorwaardes, soos gepubliseer by Goewermenskennisgewing No. R. 2167 van 28 September 1984, of enige Goewermenskennisgewing gepubliseer ter vervanging daarvan, nagekom word.

J. N. HITCHCOCK,

Hoofdirekteur: Arbeidsverhoudinge.

No. R. 108**26 Januarie 1990****WET OP BASIESE DIENSVOORWAARDES, 1983****AANEENLOPENDE WERK**

Ek, Johannes Nicolaas Hitchcock, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby kragtens artikel 33 (1) van die Wet op Basiese Diensvoorwaardes, 1983, dat die vervaardiging van nylon aaneenlopende filament matgaring soos uitgevoer deur Romatex Nylon Spinners, te Pinetown, 'n bedrywigheid is met betrekking waartoe daar aaneenlopend in drie skofte per 24 uur, sewe dae per week, gewerk kan word: Met dien verstande dat die diensvoorwaardes, soos gepubliseer by Goewermenskennisgewing No. R. 2167 van 28 September 1984, of enige Goewermenskennisgewing gepubliseer ter vervanging daarvan, nagekom word.

J. N. HITCHCOCK,

Hoofdirekteur: Arbeidsverhoudinge.

No. R. 156**26 Januarie 1990****WET OP ARBEIDSVERHOUDINGE, 1956****SEILDOEK- EN TOUWERKNYWERHEID (KAAP).—WYSIGING VAN VOORSORGFONDS-OOREENKOMS**

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 20 Oktober 1990 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en

DEPARTMENT OF MANPOWER**No. R. 107****26 January 1990****BASIC CONDITIONS OF EMPLOYMENT ACT, 1983****CONTINUOUS WORKING**

I, Johannes Nicolaas Hitchcock, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby in terms of section 33 (1) of the Basic Conditions of Employment Act, 1983, declare the distillation of crude coal tar as carried out by Dundee Road Products (Pty) Ltd, at Wasbank, to be an activity with respect to which work may be performed continuously in three shifts per 24 hours, seven days a week: Provided that the conditions of employment, as published under Government Notice No. R. 2167 of 28 September 1984, or any Government Notice published in substitution thereof, are adhered to.

J. N. HITCHCOCK,

Chief Director: Labour Relations.

No. R. 108**26 January 1990****BASIC CONDITIONS OF EMPLOYMENT ACT, 1983****CONTINUOUS WORKING**

I, Johannes Nicolaas Hitchcock, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby in terms of section 33 (1) of the Basic Conditions of Employment Act, 1983, declare the manufacture of nylon continuous filament carpet yarn as carried out by Romatex Nylon Spinners at Pinetown, to be an activity with respect to which work may be performed continuously in three shifts per 24 hours, seven days a week: Provided that the conditions of employment, as published under Government Notice No. R. 2167 of 28 September 1984, or any Government Notice published in substitution thereof, are adhered to.

J. N. HITCHCOCK,

Chief Director: Labour Relations.

No. R. 156**26 January 1990****LABOUR RELATIONS ACT, 1956****CANVAS AND ROPEWORKING INDUSTRY (CAPE).—AMENDMENT OF PROVIDENT FUND AGREEMENT**

I, Eli van der Merwe Louw, Minister of Manpower, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 20 October 1990, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union; and

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (b), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 20 Oktober 1990 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

E. VAN DER M. LOUW,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE SEILDOEK- EN TOUWERK- NYWERHEID (KAAP)

OOREENKOMS

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

Cape Canvas and Ropeworking Association

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

S.A. Canvas and Ropeworkers' Union (Cape)

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

wat die partye is by die Nywerheidsraad vir die Seildoek- en Touwerknywerheid (Kaap),

om die Ooreenkoms, gepubliseer by Goewermmentskennisgewing No. R. 1153 van 14 Julie 1969, soos hernieu en gewysig by Goewermmentskennisgewings Nos. R. 884 van 24 Mei 1974, R. 213 van 28 Februarie 1980, R. 234 en R. 235 van 4 Februarie 1983, R. 712 van 18 April 1986 en R. 2332 van 27 Oktober 1989, te wysig.

1. GEBIED EN TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word—

(a) in die munisipale gebied van Kaapstad soos dit op 23 Augustus 1968 bestaan het;

(b) deur alle lede van die werkgewersorganisasie wat by die Seildoek- en Touwerknywerheid betrokke is, en deur alle lede van die vakvereniging wat in genoemde Nywerheid in diens is.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing slegs ten opsigte van werknemers vir wie lone voorgeskryf word in klousule 4 van die Ooreenkoms gepubliseer by Goewermmentskennisgewing No. R. 484 van 11 Maart 1983.

2. KLOUSULE 14.—ONTBINDING

Vervang klousule 14 deur die volgende:

"14. ONTBINDING EN OORDRAG

Aangesien die Raad besluit het dat die werkgewers en die werknemers van die Seildoek- en Touwerknywerheid moet deelneem in die M.C.I.-voorsorgfonds wat deur die Middellandse Kamer van Nywerhede ingestel is, moet hy die bates en laste van die Fonds ingevolge artikel 14 van die Wet op Pensioenfondse (Wet No. 24 van 1956) oordra aan genoemde M.C.I.-voorsorgfonds met ingang van die datum waarop die Hofooreenkoms van die Raad gewysig word, om voorsiening te maak vir die invordering van bydraes deur die werkgewers en die werknemers tot die M.C.I.-voorsorgfonds. Die rekening van elke lid moet met die geld wat aldus oorgedra word gekrediteer word in verhouding tot die bedrag wat op die datum van die oorpasing in die krediet van die lid by die bestaande Fonds is."

Namens die partye op hede die 14de dag van September 1989 in Kaapstad onderteken.

H. ROOS,

Voorsitter.

J. HEEGER,

Ondervoorsitter.

G. J. BLAKE,

Sekretaris.

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (b), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 20 October 1990, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

E. VAN DER M. LOUW,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE CANVAS AND ROPE- WORKING INDUSTRY (CAPE)

AGREEMENT

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

Cape Canvas and Ropeworking Association

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

S.A. Canvas and Ropeworkers' Union (Cape)

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

being the parties to the Industrial Council for the Canvas and Ropeworking Industry (Cape),

to amend the Agreement published under Government Notice No. R. 1153 of 14 July 1969, as renewed and amended by Government Notices Nos. R. 884 of 24 May 1974, R. 213 of 28 February 1980, R. 234 and R. 235 of 4 February 1983, R. 712 of 18 April 1986 and R. 2332 of 27 October 1989.

1. AREA AND SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed—

(a) in the municipal area of Cape Town as it existed on 23 August 1968;

(b) by all members of the employers' organisation who are engaged in the Canvas and Ropeworking Industry and by all members of the trade union who are employed in the said Industry.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall only apply in respect of employees for whom wages are prescribed in clause 4 of the Agreement published under Government Notice No. R. 484 of 11 March 1983.

2. CLAUSE 14.—DISSOLUTION

Substitute the following for clause 14:

"14. DISSOLUTION AND TRANSFER

The Council having resolved that employers and employees in the Canvas and Ropeworking Industry should participate in the M.C.I. Provident Fund inaugurated by the Midland Chamber of Industries, shall transfer the assets and liabilities of the Fund to the said M.C.I. Provident Fund, in terms of section 14 of the Pension Funds Act (Act No. 24 of 1956), as from the date on which the Main Agreement of the Council is amended to provide for the collection of contributions by employers and employees to the M.C.I. Provident Fund. The moneys so transferred shall be credited to the account of each member proportionate to the amount standing to the credit of the member in the existing Fund as on the date of such transfer."

Signed at Cape Town, on behalf of the parties, this 14th day of September 1989.

H. ROOS,

Chairman.

J. HEEGER,

Vice-Chairman.

G. J. BLAKE,

Secretary.

No. R. 157

26 Januarie 1990

WET OP ARBEIDSVERHOUDINGE, 1956

YSTER-, STAAL-, INGENIEURS- EN METAL-
LURGIESE NYWERHEID.—HERNUWING VAN
OPVOEDKUNDIGE- EN OPLEIDINGSFONDS-
OOREENKOMS

Ek, Dennis van der Walt, Direkteur: Arbeidsver-
houdinge, behoorlik daartoe gemagtig deur die Minis-
ter van Mannekrag, verklaar hierby, kragtens artikel 48
(4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956,
dat die bepalings van Goewermmentskennisgewings Nos.
R. 228 van 8 Februarie 1985, R. 2056 van 13 September
1985, R. 1795 van 21 Augustus 1987 en R. 2452 van 2
Desember 1988, van krag is vanaf 1 April 1990 en vir
die tydperk wat op 31 Maart 1991 eindig.

D. VANDER WALT,
Direkteur: Arbeidsverhoudinge.

No. R. 158

26 Januarie 1990

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID, OOS-KAAP.—HERNUWING
VAN HOOFOOREENKOMS

Ek, Dennis van der Walt, Direkteur: Arbeidsver-
houdinge, behoorlik daartoe gemagtig deur die Minis-
ter van Mannekrag, verklaar hierby, kragtens artikel 48
(4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956,
dat die bepalings van Goewermmentskennisgewings Nos.
R. 392 van 27 Februarie 1987, R. 2712 van 11
Desember 1987, R. 106 van 29 Januarie 1988, R. 2191
van 28 Oktober 1988 en R. 2567 van 24 November
1989, van krag is vanaf 1 Februarie 1990 en vir die
tydperk wat op 31 Julie 1990 eindig.

D. VANDER WALT,
Direkteur: Arbeidsverhoudinge.

No. R. 159

26 Januarie 1990

WET OP ARBEIDSVERHOUDINGE, 1956

LEERNYWERHEID, REPUBLIEK VAN SUID-
AFRIKA.—HERNUWING VAN OOREENKOMS
VIR DIE LOOISEKSIE

Ek, Eli van der Merwe Louw, Minister van Manne-
krag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van
die Wet op Arbeidsverhoudinge, 1956, dat die bepa-
lings van Goewermmentskennisgewings Nos. R. 380 van
4 Maart 1988 en R. 2313 van 18 November 1988, van
krag is vanaf die datum van publikasie van hierdie
kennisgewing en vir die tydperk wat op 30 Junie 1990
eindig.

E. VANDER M. LOUW,
Minister van Mannekrag.

No. R. 157

26 January 1990

LABOUR RELATIONS ACT, 1956

IRON, STEEL, ENGINEERING AND METAL-
LURGICAL INDUSTRY.—RENEWAL OF EDU-
CATION AND TRAINING FUND AGREEMENT

I, Dennis van der Walt, 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 Govern-
ment Notices Nos. R. 228 of 8 February 1985, R. 2056
of 13 September 1985, R. 1795 of 21 August 1987 and
R. 2452 of 2 December 1988, to be effective from 1
April 1990 and for the period ending 31 March 1991.

D. VANDER WALT,
Director: Labour Relations.

No. R. 158

26 January 1990

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY, EAST CAPE.—
RENEWAL OF MAIN AGREEMENT

I, Dennis van der Walt, 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 Govern-
ment Notices R. 392 of 27 February 1987, R. 2712 of 11
December 1987, R. 106 of 29 January 1988, R. 2191 of
28 October 1988 and R. 2567 of 24 November 1989, to
be effective from 1 February 1990 and for the period
ending 31 July 1990.

D. VANDER WALT,
Director: Labour Relations.

No. R. 159

26 January 1990

LABOUR RELATIONS ACT, 1956

LEATHER INDUSTRY, REPUBLIC OF SOUTH
AFRICA.—RENEWAL OF AGREEMENT FOR
THE TANNING SECTION

I, Eli van der Merwe Louw, 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. 380 of 4 March 1988 and
R. 2313 of 18 November 1988, to be effective from the
date of publication of this notice and for the period
ending 30 June 1990.

E. VANDER M. LOUW,
Minister of Manpower.

No. R. 160

26 Januarie 1990

WET OP ARBEIDSVERHOUDINGE, 1956

LEERNYWERHEID, REPUBLIEK VAN SUID-AFRIKA. — WYSIGING VAN OOREENKOMS VIR DIE LOOISEKSIE

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby —

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, bedryf of beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1990 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1990 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

E. VANDER M. LOUW,
Minister van Mannekrag.

BYLAE

NASIONALE NYWERHEIDSRaad VIR DIE LEERNYWERHEID VAN SUID-AFRIKA

LOOISEKSIE

OOREENKOMS

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

- (a) South African Tanning Employers' Organisation
en
- (b) Transvaal Footwear, Tanning and Leather Trades Association
(hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die
- (c) National Union of Leather Workers
(d) Transvaal Leather and Allied Trades Industrial Union
en
- (e) Amalgamated Clothing and Textile Workers' Union S.A.
(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

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

om die Ooreenkoms vir die Looiseksie, gepubliseer by Goewermentskennisgewing No. R. 380 van 4 Maart 1988 (hierna die Herbekragtigingsooreenkoms genoem), soos hernieu en gewysig deur Goewermentskennisgewings Nos. R. 1620 van 12 Augustus 1988 en R. 2313 van 18 November 1988, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

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

- (a) deur alle werkgewers wat lede van die werkgewersorganisasies is en deur alle werknemers wat lede van die vakverenigings en wat onderskeidelik by die Looiseksie betrokke of daarin werkzaam is; en

No. R. 160

26 January 1990

LABOUR RELATIONS ACT, 1956

LEATHER INDUSTRY, REPUBLIC OF SOUTH AFRICA. — AMENDMENT OF AGREEMENT FOR THE TANNING SECTION

I, Eli van der Merwe Louw, Minister of Manpower, hereby —

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1990, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1990 upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

E. VANDER M. LOUW,
Minister of Manpower.

SCHEDULE

NATIONAL INDUSTRIAL COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA

TANNING SECTION

AGREEMENT

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

- (a) South African Tanning Employers' Organisation
and
- (b) Transvaal Footwear, Tanning and Leather Trades Association
(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part, and the
- (c) National Union of Leather Workers
(d) Transvaal Leather and Allied Trades Industrial Union
and
- (e) Amalgamated Clothing and Textile Workers' Union S.A.
(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

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

to amend the Agreement for the Tanning Section published under Government Notice No. R.380 of 4 March 1988 (hereinafter referred to as the Re-enacting Agreement), as renewed and amended by Government Notices Nos. R. 1620 of 12 August 1988 and R. 2313 of 18 November 1988.

1. SCOPE OF APPLICATION OF AGREEMENT

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

- (a) by all employers who are members of the employers' organisations and by all employees who are members of the trade unions and who are respectively engaged or employed in the Tanning Section; and

(b) in die landdrosdistrikte Die Kaap, Bellville, Wynberg, Paarl, Stellenbosch, uitgesonderd daardie gedeelte van die landdrosdistrik Stellenbosch wat voor die publikasie van Goewermentskennisgewing No. 1683 van 7 Augustus 1987 binne die landdrosdistrik Kuilsrivier geval het, Oudtshoorn, Wellington, Mosselbaai, George, Uitenhage, Kirkwood, Port Elizabeth, King William's Town, Durban, met ingebrip van daardie gedeelte van die landdrosdistrik Chatsworth wat voor die publikasie van Goewermentskennisgewing No. 501 van 8 Maart 1985 binne die landdrosdistrik Durban geval het, maar uitgesonderd daardie gedeeltes van die landdrosdistrik Durban wat voor die publikasie van Goewermentskennisgewings Nos. 1939 en 2067 van onderskeidelik 10 September 1982 en 1 Oktober 1982 binne die landdrosdistrik Inanda geval het, Pietermaritzburg, Barberton, Pretoria, Johannesburg, Krugersdorp, Heidelberg (Tvl.), Brits, Witrivier, Witbank, Nigel, Germiston en Bloemfontein, in verband met die werksaamhede uiteengesit in paragraaf (2) (a) van die omskrywing "Leernywerheid", en in die landdrosdistrik Bellville, met ingebrip van daardie gedeeltes van die landdrosdistrik Bellville wat na die publikasie van Goewermentskennisgewing No. 1683 van 7 Augustus 1987 binne die landdrosdistrikte Goodwood en Kuilsrivier val, Oudtshoorn, Wellington, George, Uitenhage, Port Elizabeth, King William's Town en Pietermaritzburg, met ingang van 1 Mei 1986 in verband met die werksaamhede uiteengesit in paragraaf (2) (b) van die omskrywing "Leernywerheid".

(2) Ondanks subklousule (1) is hierdie Ooreenkoms slegs van toepassing op werknemers vir wie uurlone voorgeskryf word en op die werkgewers van sodanige werknemers.

2. KLOUSULE 4.—ALGEMENE BEPALINGS

Vervang klousule 4 van die Herbekragtigingsooreenkoms deur die volgende:

"4. ALGEMENE BEPALINGS

Klousule 1, 2 (1) (b) en (2), 4 tot en met 17, 19 tot en met 21 en 23 (3) van die Vorige Ooreenkoms, soos hernieu en soos van tyd tot tyd gewysig is van toepassing op die werkgewers en die werknemers."

3. KLOUSULE 4 VAN DIE VORIGE OOREENKOMS.—LONE EN LOONSKALE

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

"(6) Geen bepalings in hierdie Ooreenkoms mag die uitwerking hê dat dit die tydloon verminder wat tans betaal word en wat vir die werknemer gunstiger is as dié in hierdie Ooreenkoms vir sodanige werknemer voorgeskryf, solank hy by dieselfde werkgewer in diens bly nie.

(b) in the Magisterial Districts of The Cape, Bellville, Wynberg, Paarl, Stellenbosch, excluding that portion of the Magisterial District of Stellenbosch which, prior to the publication of Government Notice 1683 of 7 August 1987, fell within the Magisterial District of Kuils River, Oudtshoorn, Wellington, Mossel Bay, George, Uitenhage, Kirkwood, Port Elizabeth, King William's Town, Durban, including that portion of the Magisterial District of Chatsworth which, prior to the publication of Government Notice 501 of 8 March 1985, fell within the Magisterial District of Durban, but excluding those portions of the Magisterial District of Durban which, prior to the publication of Government Notices 1939 and 2067 of 10 September 1982 and 1 October 1982 respectively, fell within the Magisterial District of Inanda, Pietermaritzburg, Barberton, Pretoria, Johannesburg, Krugersdorp, Heidelberg (Tvl.), Brits, White River, Witbank, Nigel, Germiston and Bloemfontein, on the operations set forth in paragraph (2) (a) of the definition "Leather Industry", and in the Magisterial District of Bellville, including those portions of the Magisterial District of Bellville which, subsequent to the publication of Government Notice No. 1683 of 7 August 1987, fall within the Magisterial Districts of Goodwood and Kuils River, Oudtshoorn, Wellington, George, Uitenhage, Port Elizabeth, King William's Town and Pietermaritzburg, with effect from 1 May 1986 on the operations set forth in paragraph (2) (b) of the definition "Leather Industry".

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only to employees for whom hourly rates are prescribed and to the employers of such employees.

2. CLAUSE 4.—GENERAL PROVISIONS

Substitute the following for clause 4 of the Re-enacting Agreement:

"4. GENERAL PROVISIONS

The provisions contained in clauses 1, 2 (1) (b) and (2), 4 to 17 inclusive, 19 to 21 inclusive and 23 (3) of the Former Agreement, as renewed and amended from time to time shall apply to employers and employees."

3. CLAUSE 4 OF THE FORMER AGREEMENT.—WAGES AND RATES

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

"(6) Nothing in this Agreement shall operate to reduce any time wage at present being paid which is more favourable to an employee than that laid down in this Agreement for such employee while he remains in the service of the same employer.

LONE EN LOONSKALE

	Kolom A	Kolom B
	Per uur	Per uur
A. Graad A:	R	R
(a) Bedieners van splitsmasjiene, wat die instel van en regstelling aan sodanige masjiene insluit en wat leer in die kalk- of looi stadium of in albei splits	4,95	5,45
(i) Leerlinge volgens ondervinding:		
Eerste ses maande		65% van die voorgeskrewe loon.
Tweede ses maande		75% van die voorgeskrewe loon.
Derde ses maande		85% van die voorgeskrewe loon.
Vierde ses maande		90% van die voorgeskrewe loon.
Daarna		Die voorgeskrewe loon.
(ii) In elke looiery waarin daar 'n splitsmasjiene geïnstalleer is, moet daar minstens een splitser in diens wees wat die volle loon in A (a) hierbo vermeld ontvang.		
(b) Bedieners van skaaf- en witmaakmasjiene	4,34	4,78
Leerlinge, volgens ondervinding:		
Eerste ses maande		80% van die voorgeskrewe loon.
Tweede ses maande		90% van die voorgeskrewe loon.
Daarna		Die voorgeskrewe loon.

	Kolom A	Kolom B
	Per uur	Per uur
	R	R
B. Graad B:		
(a) Werknemers, uitgesonderd dié in (b) vermeld:		
(i) In diens as eerstegraadse tafelwerkers, d.w.s. werknemers wat met die hand fyngeskuur, witmaak, skaaf en spuit en werknemers wat opswywerk doen	3,75	4,12
<i>Opmerking:</i> 'Opsnywerk' beteken die opswy van ongelooide huide in rugsystukke, pensstukke, bladstukke of rugstukke, maar nie die opswy van die huid in twee systukke nie.		
(ii) In diens as bedieners van 'n ontvleismasjien, 'n onthaarmasjien, 'n rek- en breimasjien en 'n fynskuurmasjien	3,50	3,85
(iii) In diens as bedieners van verglansmasjiene, alle tipes meetmasjiene, soolstofmeetmasjiene, sooluitrolmasjiene, hidrouliese perse, bevochtigingsmasjiene, setmasjiene, basfynmaalmasjiene skraapmasjiene, nabehandlingsmasjiene, oliemasjiene, wasmasjiene, borselmasjiene, spuitmasjiene, opstopmasjiene, gordynbekleërmassjiene, stofverwyderingsmasjiene, ossilleermesse, nek vorm- en plooi setmasjiene, en werknemers in diens as tafelwerkers (uitgesonderd eerstegraadsetafelwerkers) wat leerbreiersgereedskap of geïmproviseerde leerbreiersgereedskap op enige soort leer gebruik en wat bogenoemde gereedskap gebruik op lyminstallasies of vakuuandrooginstallasies, werknemers wat gebreke in leer herstel, pigmentafwerkingskleure meng en pas, kleurstowwe pas, vierkante sny, suede met 'n borsel en/of skuurpapier bewerk, 'n splitter help om materiaal in die voorkant van 'n splitmasjien in te voer, 'n mobiele hyswa bedien van die tipe waar die drywer op die voertuig moet sit, en ook werknemers wat leer met die hand (borsel of kussinkie) swart maak, vetsmeer, beits, pigmenteer en nabehandel en diens doen as vleis-skrapers wat die werk met die hand in 'n kalkskuur doen	3,34	3,68
(b) Leerlinge wat werksaamhede verrig wat in paragraph (a) (i), (ii) en (iii) hierbo vermeld word:		
Volgens ondervinding:		
Eerste ses maande		80% van die voorgeskrewe loon.
Tweede ses maande		90% van die voorgeskrewe loon.
Daarna, indien in diens kragtens—		
(a) (i)		Die voorgeskrewe loon.
(a) (ii)		Die voorgeskrewe loon.
(a) (iii)		Die voorgeskrewe loon.
<i>Getalsverhouding:</i> Hoogstens een leerling wat minder ontvang as die volle loon vir sy beroep voorgeskryf, kan in diens geneem word vir elke drie of gedeelte van drie werknemers wat halfgeskoolde werk teen die volle loon verrig.		
'Gedeelte van drie' beteken 'n res van minstens een nadat die totale getal werknemers wat volle lone ontvang deur drie gedeeltes is.		
C. Graad C:		
(a) Werknemers—		
(i) wat huide en velle skraap, skoonsny, spalk, vaspen en regsny, trommels bedien en velle waaraan daar nog wol of hare is, regsny, sagskraap en/of die vleis daarvan afskraap	2,86	3,15
<i>Opmerking:</i> 'Skoonsny' beteken die afsny van stukkies vleis wat nog aan die kante van die huide hang nadat die vleis afgeskraap is.		
(ii) Graad I: Alle werknemers wat hoofsaaklik huide en/of velle in die kalkskuur en looi-skuur fisies hanteer, met inbegrip van bevochtiging, alle werknemers wat uitsluitlik of hoofsaaklik huide en/of velle in die kleurskuur fisies hanteer	2,86	3,15
(iii) Graad II: Alle werknemers wat hoofsaaklik rou huide en/of velle in die huidmagasyn en leer in alle ander afdelings, wat nie as Graad I aangesien word nie, fisies hanteer; alle werknemers betrokke by die onderhoud van masjiene en uitrusting, met inbegrip van algemene werkers wie se beroep aangedui word in die omskrywing van "algemene werker" in klousule I van hierdie Ooreenkoms	2,82	3,10
(iv) wat rou huide of velle in lottestempel	2,94	3,23
<i>Opmerking:</i> Alle loontariewe in paragraaf (i) hierbo voorgeskryf, sluit in 'n toelae vir vuilwerk van 25c per week wat in 1945 deur die arbiter toeteken is.		
D. Wolvelverwerkingsmasjiene en werksaamhede nie elders vermeld nie:		
(a) Stryk en/of skeer en/of kam	3,04	3,34
(b) Kaarding	3,04	3,34
(c) Stikwerk met 'n masjien	3,13	3,44
(d) Snywerk volgens patrone	2,94	3,23
E. Afdelings vir die sny van kantstrookies, hakstrookies en veters:		
(a) Bedieners van splits-, skaaf-, sny-, groef- en afskuinsmasjiene	3,13	3,44
(b) Alle ander werksaamhede	2,86	3,15
F.		
(i) Magasynmeester en/of pakhuismanne, versendingsklerke	3,13	3,44
(ii) Assistent-magasynmeesters en/of assistentpakhuismanne	3,04	3,34

	Kolom A	Kolom B
	Per uur	Per uur
	R	R
G. Motorvoertuigdrywers—		
werksaam op voertuie met 'n loonvrag van tot en met meer as 2 722 kg	3,28	3,60
werksaam op voertuie met 'n loonvrag van meer as 2 722 kg maar hoogstens 4 536 kg	3,67	4,03
werksaam op voertuie met 'n loonvrag van meer as 4 536 kg	4,06	4,46
H. Ketelbediener	2,94	3,23
I. Nagwag	2,18	2,40
J. Dagwag	2,94	3,23
K. Faktotum	3,04	3,34
L. (a) Werksaamhede in verband met die produksie van bekleedselleer wat nie elders vermeld word nie:		
(i) Merk- en/of patroonsnywerk	4,11	4,52
(ii) Snywerk volgens patrone	3,75	4,12
(iii) Stukmerkwark	2,94	3,23
(b) Leerlinge wat die werksaamhede verrig wat in paragraaf (a) (i) hierbo vermeld word:		
Eerste ses maande ondervinding	80% van die voorgeskrewe loon.	
Tweede ses maande ondervinding	90% van die voorgeskrewe loon.	
(c) Leerlinge wat die werksaamheid verrig wat in paragraaf (a) (ii) hierbo bedoel word:		
Eerste ses maande ondervinding	80% van die voorgeskrewe loon.	
Tweede ses maande ondervinding	90% van die voorgeskrewe loon.	

WAGES AND WAGE RATES

	Column A	Column B
	Per hour	Per hour
	R	R
A. Grade A:		
(a) Operators of splitting machines, which shall include the setting and adjustments to such machines and the splitting either in the lime or tanned conditions or both	4,95	5,45
(i) Learners, according to experience:		
First six months	65% of the prescribed wage.	
Second six months	75% of the prescribed wage.	
Third six months	85% of the prescribed wage.	
Fourth six months	90% of the prescribed wage.	
Thereafter	The prescribed wage.	
(ii) In every tannery in which a splitting machine is installed there shall be employed at least one splitter at the full rate under A (a) above.		
(b) Operators of shaving and whitening machines	4,34	4,78
Learners, according to experience:		
First six months	80% of the prescribed wage.	
Second six months	90% of the prescribed wage.	
Thereafter	The prescribed wage.	
B. Grade B:		
(a) Employees other than those specified in (b):		
(i) Employed as first-grade tablehands, i.e. hand buffers and whiteners, hand shavers, hand sprayers and employees employed on rounding	3,75	4,12
Note: 'Rounding' is the cutting up of untanned hide into bens, bellies, shoulders or backs, but does not include cutting a hide into two sides.		
(ii) Employed as operators of fleshing, unhairing, staking and buffing machines	3,50	3,85
(iii) Employed as operators of glazing, all types of measuring, sole substance measuring, sole rolling, hydraulic press, sammying, setting, bark milling, scudding, seasoning, oiling, washing, brushing, spraying, padding, curtain coating, dust removal oscillating knife, necking and wrinkle setting machines, and employees employed as tablehands (other than first grade) who are using currier's tools or improvised currier's tools on any class of leather and who are using these aforementioned tools on pasting plants or vacuum drying plants, employees engaged on repairing defects in leather, mixing and matching of pigment finish colours, matching dyes, square cutting, sueding by brush and/or emery paper, assisting a splitter in feeding into the front of a splitting machine, operating a mobile hoist truck of the type which requires the driver to be on the vehicle, and employees employed in blackening, greasing, staining, pigmenting and seasoning leather by hand (brush or pad) and as lime yard hand fleshers	3,34	3,68

	Column A	Column B
	Per hour	Per hour
	R	R
(b) Learners employed on operations as specified in paragraph (a) (i), (ii) and (iii) above:		
According to experience:		
First six months	80% of the prescribed wage.	
Second six months	90% of the prescribed wage.	
Thereafter, if employed under—		
(a) (i)	The prescribed wage.	
(a) (ii)	The prescribed wage.	
(a) (iii)	The prescribed wage.	
<i>Ratio:</i> Not more than one learner receiving less than the full rate prescribed for his occupation may be employed to every three or part of three employees on semiskilled operations receiving the full rate.		
'Part of three' shall mean a remainder of not less than one after the total number of employees receiving full rates has been divided by three.		
C. Grade C:		
(a) Employees—		
(i) employed on scudding, cobbing, tacking, toggling and trimming, hides and skins, drum operators, and trimming, breaking and/or fleshing skins with wool or hair	2,86	3,15
<i>Note:</i> 'Cobbing' means the trimming of the loose fleshings hanging from the edges of the hides after fleshing.		
(ii) Grade I: All employees who are mainly employed in the physical handling of hides and/or skins in the lime yard and tan yard up to and including sammying, and all employees who are wholly or mainly employed in the physical handling of hides and/or skins in the dye yard	2,86	3,15
(iii) Grade II: All employees who are mainly employed in the physical handling of raw hides and/or skins in the hide store and leather in all other departments not specified as Grade I; all employees involved in the maintenance of machines and equipment, including general workers whose occupation is specified under the definition of 'general worker' in clause I of this Agreement	2,82	3,10
(iv) employed on batch stamping of raw hides and skins	2,94	3,23
<i>Note:</i> All reates prescribed in (i) above are inclusive of a 'dirt allowance' at the rate of 25c per week awarded by the arbitrator in 1945.		
D. Wool-skin processing machines and operations not elsewhere specified:		
(a) Ironing and/or shearing and/or combing	3,04	3,34
(b) Carding	3,04	3,34
(c) Sticking by machine	3,13	3,44
(d) Cutting of patterns	2,94	3,23
E. Welting, randing and lace-cutting departments:		
(a) Operators of splitting, skiving, cutting, grooving and bevelling machines	3,13	3,44
(b) All other operations	2,86	3,15
F. (a) Storemen and/or warehousemen, despatch clerks	3,13	3,44
(b) Assistant storemen and/or assistant warehousemen	3,04	3,34
G. Motor vehicle drivers—		
employed on vehicle of a pay-load of up to and including 2 722 kg	3,28	3,60
employed on vehicle of a pay-load of over 2 722 kg but not exceeding 4 536 kg	3,67	4,03
employed on vehicle of a pay-load of over 4 536 kg	4,06	4,46
H. Boiler attendants	2,94	3,23
I. Night-watchmen	2,18	2,40
J. Day-watchmen	2,94	3,23
K. Handymen	3,04	3,34
L. (a) Operations relating to the production of upholstery leather not elsewhere specified:		
(i) Marking and/or patterns placing	4,11	4,52
(ii) Cutting to patterns	3,75	4,12
(iii) Piece marking	2,94	3,23
(b) Learners employed on operations specified in (a) (i) above:		
First six months of experience	80% of the prescribed wage.	
Second six months of experience	90% of the prescribed wage.	
(c) Learners employed in the operation referred to in (a) (ii) above:		
First six months of experience	80% of the prescribed wage.	
Second six months of experience	90% of the prescribed wage."	

(2) In subklousule (9) (a) vervang die uitdrukking "14 Junie 1988" deur die uitdrukking "5 Julie 1989".

4. KLOUSULE 7. — VAKANSIEDAE EN JAARLIKSE VERLOF

In subklousule (12) vervang die uitdrukking "sewe dae" deur die uitdrukking "agt dae".

5. KLOUSULE 10. — DIENSBEEÏNDIGING

Vervang subklousule (7) deur die volgende:

"(7) 'n Werkgewer is daarop geregtig om 'n dienskontrak summier te beëindig, sonder betaling aan 'n werknemer, indien die werknemer van die werk afwesig was weens siekte of 'n bevalling vir tydperke langer as —

45 agtereenvolgende dae vir werknemers tot en met drie jaar diens;

60 agtereenvolgende dae vir werknemers met meer as drie jaar en tot en met vyf jaar diens;

90 agtereenvolgende dae vir werknemers met meer as vyf jaar diens, deur die betrokke werknemer en die Sekretaris van die Raad skriftelik daarvan in kennis te stel:

Met dien verstande dat, 'n werknemer in staat te stel om te kwalifiseer vir die tydperke van afwesigheid, soos in bogenoemde subklousule omskryf, die werknemer 'n geldige mediese sertifikaat aan sy/haar werkgewer moet lewer binne die eerste vyf werkdade van afwesigheid weens siekte of 'n bevalling. Voorts met dien verstande dat hierdie subklousule nie van toepassing is op vroulike werknemers wat kwalifiseer vir bevallingsverlof ingevolge klousule 24 nie.

'n Werkgewer is daarop geregtig om die diens van 'n werknemer wat van die werk afwesig is weens siekte of 'n bevalling tydelik te val: Met dien verstande dat die werkgewer die diens van so 'n tydelike werknemer kan beëindig deur kennis te gee ingevolge klousule 10, indien die werknemer wat vervang was, na sy/haar werk terugkeer."

6. KLOUSULE 24. — BEVALLINGSVERLOF

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

"(1) (a) Die werkgewer moet die werknemer weekliks gedurende die tydperk van afwesigheid weens bevallingsverlof, 'n bedrag betaal gelyk aan 33 persent van die weeklikse loon wat sy ontvang het onmiddellik voor haar bevallingsverlof.

Daarbenewens moet die bydraes verskuldig deur beide die werkgewer en die werknemer aan die voorsorg- en siektebystandsfondse van die Leernywerheid voortgesit en die totale bydrae deur die werkgewer betaal word."

Hierdie Ooreenkomst is namens die partye op hede die 3de dag van Augustus 1989 onderteken.

J. R. VAN EERDE,

Lid van die Raad.

O. J. FOURIE,

Lid van die Raad.

L. M. VAN LOGGERENBERG,

Hoofsekretaris van die Raad.

No. R. 161

26 Januarie 1990

WET OP ARBEIDSVERHOUDINGE, 1956

SUIKERVERVAARDIGINGS- EN RAFFINEERNYWERHEID. — HERNUWING VAN OOREENKOMS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalinge van Goewermentskennisgewings Nos. R. 2204 van 5 Oktober 1984, R. 1821 van 23 Augustus 1985, R. 1809 van 29 Augustus 1986, R. 2457 van 30 Oktober 1987 en R. 2427 van 2 Desember 1988, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 1991 eindig.

E. VAN DER M. LOUW,
Minister van Mannekrag.

(2) In subclause 9 (a) substitute the expression "5 July 1989" for the expression "14 June 1988".

4. CLAUSE 7. — HOLIDAYS AND ANNUAL LEAVE

In subclause (12), substitute the expression "eight days" for the expression "seven days".

5. CLAUSE 10. — TERMINATION OF EMPLOYMENT

Substitute the following for subclause (7):

"(7) An employer shall be entitled to summarily terminate the contract of employment without payment of any employee who has been absent from work owing to illness or confinement for periods in excess of —

45 consecutive days for employees with up to three years' service;

60 consecutive days for employees with over three years' service and up to five years' service;

90 consecutive days for employees with over five years' service, by notifying such employee and the Secretary of the Council to that effect, in writing:

Provided that for an employee to qualify for the periods of absence prescribed in this subclause, a valid medical certificate must be produced within the first five working days of illness or confinement: Provided further that the provisions of this subclause shall not apply to female employees who qualify for confinement leave in terms of clause 24.

An employer shall be entitled to temporarily replace the services of any employee who is away from work owing to illness or confinement: Provided that the employer shall have the right to terminate the services of such a temporary employee by giving notice in terms of the provisions of clause 10, when the employee who was so replaced, returns to work."

6. CLAUSE 24. — CONFINEMENT LEAVE

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

"(1) (a) The employer shall pay the employee weekly, for the period of absence or confinement leave, an amount equal to 33 per cent of the weekly wage she was receiving immediately prior to her confinement leave.

In addition, contributions due by both the employer and employee to the Leather Industry Provident and Sick Benefit Funds must be continued and the total contribution must be borne by the employer."

This Agreement signed, on behalf of the parties, this 3rd day of August 1989.

J. R. VAN EERDE,

Member of the Council.

O. J. FOURIE,

Member of the Council.

L. M. VAN LOGGERENBERG,

General Secretary of the Council.

No. R. 161

26 January 1990

LABOUR RELATIONS ACT, 1956

SUGAR MANUFACTURING AND REFINING INDUSTRY. — RENEWAL OF AGREEMENT

I, Eli van der Merwe Louw, 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. 2204 of 5 October 1984, R. 1821 of 23 August 1985, R. 1809 of 29 August 1986, R. 2457 of 30 October 1987 and R. 2427 of 2 December 1988, to be effective from the date of publication of this notice and for the period ending 31 March 1991.

E. VAN DER M. LOUW,
Minister of Manpower.

No. R. 162

26 Januarie 1990

WET OP ARBEIDSVIRHOUDINGE, 1956

SUIKERVERVAARDIGINGS- EN RAFFINEER-
NYWERHEID.—WYSIGING VAN OOREEN-
KOMS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 1991 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Maart 1991 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

E. VANDER M. LOUW,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRaad VIR DIE SUIKERVERVAARDIGINGS- EN
-RAFFINEERNYWERHEID

OOREENKOMS

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

The Sugar Manufacturing and Refining Employers' Association

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

The Amalgamated Engineering Union

The Natal Sugar Industry Employees' Union

The South African Electrical Workers' Association

The Sugar Industry Employees' Association

S.A. Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society,

National Sugar and Refining and Allied Industries Employees' Union,

Food and Allied Workers' Union,

en

National Industrial and Commercial Workers' Union

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

wat die partye is by die Nywerheidsraad vir die Suikervervaardigings- en -raffineernywerheid,

om die Ooreenkoms gepubliseer by Goewermmentskennisgewing No. R. 2204 van 5 Oktober 1984, soos gewysig en hersien deur Goewermmentskennisgewings Nos. R. 1821 van 23 Augustus 1985, R. 1808 en R. 1809 van 29 Augustus 1986, R. 2456 en R. 2457 van 30 Oktober 1987 en R. 2426 en R. 2427 van 2 Desember 1988, te wysig.

No. R. 162

26 January 1990

LABOUR RELATIONS ACT, 1956

SUGAR MANUFACTURING AND REFINING IN-
DUSTRY.—AMENDMENT OF AGREEMENT

I, Eli van der Merwe Louw, Minister of Manpower, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 March 1991, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or unions; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 March 1991, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

E. VANDER M. LOUW,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE SUGAR MANUFACTURING
AND REFINING INDUSTRY

AGREEMENT

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

The Sugar Manufacturing and Refining Employers' Association

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

The Amalgamated Engineering Union

The Natal Sugar Industry Employees' Union

The South African Electrical Workers' Association

The Sugar Industry Employees' Association

S.A. Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society,

National Sugar and Refining and Allied Industries Employees' Union,

Food and Allied Workers' Union,

and

National Industrial and Commercial Workers' Union

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

being the parties to the Industrial Council for the Sugar Manufacturing and Refining Industry,

to amend the Agreement published under Government Notice No. R. 2204 of 5 October 1984, as amended and renewed by Government Notice Nos. R. 1821 of 23 August 1985, R. 1808 and R. 1809 of 29 August 1986, R. 2456 and R. 2457 of 30 October 1987, and R. 2426 and R. 2427 of 2 December 1988.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Suikervervaardigings- en -raffineernywerheid nagekom word—

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

(b) in die landdrosdistrikte Durban (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermenskennisgewing No. 1401 van 16 Augustus 1968 binne die landdrosdistrik Umlazi geval het), Hlabisa, Inanda, Lower Tugela, Lower Umfolozi, Mtunzini, Pinetown, Port Shepstone en Umzinto, in die landdrosdistrik Eshowe, soos omskryf, voor die heromskrywing van sy plaaslike grense by Goewermenskennisgewing No. 1356 van 6 September 1963, in die landdrosdistrik Piet Retief en in die landdrosdistrik New Hanover (uitgesonderd die Gesondheidskomiteegebied van Dalton).

(2) Ondanks subklousule (1) is hierdie Ooreenkoms—

(a) van toepassing slegs op werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word;

(b) van toepassing op vakleerlinge vir sover dit nie strydig is met die Wet op Mannekragopleiding, 1981, of met voorwaardes daarkragtens voorgeskryf of kennisgewing daarkragtens bestel nie;

(c) nie van toepassing op voltydse studente en skoliere wat gedurende vakansietye in die Nywerheid werk gekry het nie.

2. KLOUSULE 6.—BESOLDIGING

In subklousule (1) vervang groeperings (A) tot (D) deur die volgende:

“(A) MEULWERKNEMERS—GRADE A EN B:

(i) *By die Entumeni-, Glendale-, Illovo- en Pongola-meulens:*

Graad	Sent per uur
A1	270,19
A2	288,60
A3	312,21
B1	341,57
B2	376,13
B3	419,90
B4	474,60
B5	575,98

(ii) *By die Noodsberg-, Sezela- en Umzimkulu-meulens:*

Graad	Sent per uur
A1	251,50
A2	265,80
A3	285,00
B1	303,90
B2	334,00
B3	372,00
B4	421,06
B5	513,50

Benewens die loonskale in (ii) hierbo, moet aan die werknemers 'n voedseltoelae van R110 per maand en 'n toelae van R2 per maand vir die onderhoudskoste van oorpakke wat deur die Maatskappy uitgereik is, betaal word.

(iii) *By die Gledhow-meul:*

(a) *Uitgesonderd werknemers vir die vervoer en oorlaai van suikerriet:*

Graad	Sent per uur
A1	269,80
A2	287,20
A3	310,80
B1	340,90
B2	376,10
B3	419,90
B4	475,30
B5	575,80

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Sugar Manufacturing and Refining Industry—

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

(b) in the Magisterial District of Durban (excluding that portion which, prior to the publication of Government Notice No. 1401 of 16 August 1968, fell within the Magisterial District of Umlazi), Hlabisa, Inanda, Lower Tugela, Lower Umfolozi, Mtunzini, Pinetown, Port Shepstone and Umzinto, in the Magisterial District of Eshowe, as defined, prior to the redefinition of its local limits under Government Notice No. 1356 of 6 September 1963, in the Magisterial District of Piet Retief, and in the Magisterial District of New Hanover (excluding the Health Committee area of Dalton).

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall—

(a) only apply in respect of employees for whom wages are prescribed in this Agreement;

(b) apply to apprentices in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any conditions prescribed or any notice served in terms thereof;

(c) not apply to full-time students and scholars who have obtained employment within the Industry during vacation periods.

2. CLAUSE 6.—REMUNERATION

In subclause (1) substitute the following groupings for groupings (A) to (D):

“(A) MILL EMPLOYEES—A AND B GRADES:

(i) *At the Entumeni, Glendale, Illovo and Pongola Mills:*

Grade	Cents per hour
A1	270,19
A2	288,60
A3	312,21
B1	341,57
B2	376,13
B3	419,90
B4	474,60
B5	575,98

(ii) *At the Noodsberg, Sezela and Umzimkulu Mills:*

Grade	Cents per hour
A1	251,50
A2	265,80
A3	285,00
B1	303,90
B2	334,00
B3	372,00
B4	421,06
B5	513,50

In addition to the rates in (ii) above, employees are to be paid a feeding allowance of R110 per month and an allowance of R2 per month towards the cost of maintaining Company issued overalls.

(iii) *At the Gledhow Mill:*

(a) *Other than cane transport and transhipping employees:*

Grade	Cents per hour
A1	269,80
A2	287,20
A3	310,80
B1	340,90
B2	376,10
B3	419,90
B4	475,30
B5	575,80

(b) *Werknemers vir die vervoer en oorlaai van suikerriet:*

Graad	Sent per uur
A1	503,29
A2	541,81
A3	582,42
B1	656,30
B2	724,63
B3	810,17
B4	916,51
B5	1 109,36

Alle ander werknemers in Grade A en B, wat onder klousule 6 (A) (i), (ii) en (iii) val, ten opsigte van wie die werkgever nie huisvesting op die werkgever se perseel kan aanbied nie, moet 'n uitwoontoelae van R65 per maand ten opsigte van werknemers wat onder klousule 6 (A) (i) val, R75 per maand ten opsigte van werknemers wat onder klousule 6 (A) (ii) val en R70 per maand ten opsigte van werknemers wat onder klousule 6 (A) (iii) val, betaal word.

(iv) *By die Amatikulu-meul:*

Graad	Inwonende werknemers	Uitwonende werknemers
	Sent per uur	Sent per uur
A1	270,19	301,08
A2	288,60	319,49
A3	312,21	343,10
B1	341,57	372,46
B2	376,13	407,03
B3	419,90	450,79
B4	474,60	505,49
B5	575,98	606,87

(v) *By die Darnall-, Felixton-, Maidstone- en Mount Edgcombe-meulens:*

Graad	Inwonende werknemers	Uitwonende werknemers
	Sent per uur	Sent per uur
A1	272,37	310,50
A2	288,87	329,31
A3	310,89	354,41
B1	337,90	385,21
B2	371,44	423,44
B3	413,99	471,94
B4	468,03	533,55
B5	567,14	646,54

(vi) *By die Umfolozi-meul:*

Graad	Sent per uur
A1	293,98
A2	314,54
A3	336,62
B1	368,72
B2	405,85
B3	450,50
B4	505,68
B5	606,02

(B) **MEULWERKNEMERS—GRADE C:**

By alle meulens:

Graad	Sent per uur
C1	642,35
C2	737,38
C3	842,72

(C) **WERKNEMERS BY HULETT-RAFFINADERY:**

Graad	Sent per uur
A1	345,75
A2	366,19
A3	391,87
B1	420,01
B2	449,99
B3	488,35
B4	526,70
B5	642,35
C1	768,87
C2	879,36
C3	1 004,74

(b) *Cane transport and transshipping employees:*

Grade	Cents per hour
A1	503,29
A2	541,81
A3	582,42
B1	656,30
B2	724,63
B3	810,17
B4	916,51
B5	1 109,36

All A and B Grade employees covered by clause 6 (A) (i), (ii), and (iii) in respect of whom the employer is unable to offer accommodation on the employer's premises, shall be paid a living-out allowance of R65 per month for those employees covered by clause 6 (A) (i), R75 per month for those employees covered by clause 6 (A) (ii), and R70 per month for those employees covered by clause 6 (A) (iii).

(iv) *At the Amatikulu Mill:*

Grade	Live-in employees	Live-out employees
	Cents per hour	Cents per hour
A1	270,19	301,08
A2	288,60	319,49
A3	312,21	343,10
B1	341,57	372,46
B2	376,13	407,03
B3	419,90	450,79
B4	474,60	505,49
B5	575,98	606,87

(v) *At the Darnall, Felixton, Maidstone and Mount Edgcombe Mills:*

Grade	Live-in employees	Live-out employees
	Cents per hour	Cents per hour
A1	272,37	310,50
A2	288,87	329,31
A3	310,89	354,41
B1	337,90	385,21
B2	371,44	423,44
B3	413,99	471,94
B4	468,03	533,55
B5	567,14	646,54

(vi) *At the Umfolozi Mill:*

Grade	Cents per hour
A1	293,98
A2	314,54
A3	336,62
B1	368,72
B2	405,85
B3	450,50
B4	505,68
B5	606,02

(B) **MILL EMPLOYEES—C GRADES:**

At all mills:

Grade	Cents per hour
C1	642,35
C2	737,38
C3	842,72

(C) **HULETT REFINERY EMPLOYEES:**

Grade	Cents per hour
A1	345,75
A2	366,19
A3	391,87
B1	420,01
B2	449,99
B3	488,35
B4	526,70
B5	642,35
C1	768,87
C2	879,36
C3	1 004,74

(D) WERKNEMERS VAN DIE SENTRALE RAAD SE SUIKER-RIETTOETSING:

(i) *By die Entumeni-, Glendale-, Darnall-, Illovo- en Umfolozi-meulens:*

In ooreenstemming met klousule 6 (A) (i).

(ii) *By die Amatikulu-meul:*

In ooreenstemming met klousule 6 (A) (iv).

(iii) *By die Felixton, Noodsberg-, Sezela-, Pongola- en Umzimkulu-meulens:*

In ooreenstemming met klousule 6 (A) (ii).

(iv) *By die Mount Edgecombe-meul:*

In ooreenstemming met klousule 6 (A) (v).

(v) *By die Maidstone-meul:*

Graad	Inwonende werknemers Sent per uur	Uitwonende werknemers Sent per uur
A1	271,45	300,31
A2	289,83	318,76
A3	312,82	341,82
B1	341,56	370,64
B2	375,47	404,65
B3	419,17	448,46
B4	473,78	502,64
B5	574,97	604,09

(vi) *By die Gledhow-meul:*

In ooreenstemming met klousule 6 (A) (iii)."

3. KLOUSULE 8.—SKOFTOELAE

Vervang klousule 8 deur die volgende:

"Elke werknemer van wie vereis word om as skofwerker diens te doen, moet 'n skoftoelae ontvang, bereken teen die loon verskuldig vir al die skofure aldus gewerk: Met dien verstande dat sodanige werkers 'n volle skof moet voltooi alvorens hulle vir sodanige toelae kwalifiseer.

Die toelae ten opsigte van alle werknemers beloop 9 persent, behalwe ten opsigte van werknemers Grade A en B by die Hulett-raffinadery, waar die toelae 8 persent beloop."

4. KLOUSULE 20.—GEREEDHEIDSTOELAE

(1) Vervang die uitdrukking "een dag se loon vir elke week" deur die uitdrukking "een en 'n half dag se loon vir enige tydperk van sewe dae".

(2) Skrap die volgende sin wat as wysiging van die klousule in 1988 aangebring is:

"Indien een of meer erkende openbare vakansiedae binne 'n tydperk van gereedheid val, moet die gereedheidstoelae tot een en 'n half dag se loon verhoog word."

Hierdie Ooreenkoms geteken te Durban op 11 Oktober 1989.

T. G. MANN,
Voorsitter.

T. EVANS,
Ondervoorsitter.

E. M. TOUGH,
Sekretaris.

No. R. 163

26 Januarie 1990

WET OP ARBEIDSVERHOUDINGE, 1956**INTREKKING VAN GOEWERMENSKENNISGEWING. — HAARKAPPERSBEDRYF, PRETORIA**

Ek, Eli van der Merwe Louw, Minister van Mannekrag, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermenskennisgewing No. R. 168 van 3 Februarie 1989, in met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing.

E. VANDER M. LOUW,
Minister van Mannekrag.

(D) CENTRAL BOARD CANE TESTING EMPLOYEES:

(i) *At the Entumeni, Glendale, Darnall, Illovo and Umfolozi Mills:*

In accordance with clause 6 (A) (i).

(ii) *At the Amatikulu Mill:*

In accordance with clause 6 (A) (iv).

(iii) *At the Felixton, Noodsberg, Sezela, Pongola and Umzimkulu Mills:*

In accordance with clause 6 (A) (ii).

(iv) *At the Mount Edgecombe Mill:*

In accordance with clause 6 (A) (v).

(v) *At the Maidstone Mill:*

Grade	Live-in employees Cents per hour	Live-out employees Cents per hour
A1	271,45	300,31
A2	289,83	318,76
A3	312,82	341,82
B1	341,56	370,64
B2	375,47	404,65
B3	419,17	448,46
B4	473,78	502,64
B5	574,97	604,09

(vi) *At the Gledhow Mill:*

In accordance with clause 6 (A) (iii)."

3. CLAUSE 8.—SHIFT ALLOWANCE

Substitute the following for clause 8:

"Every employee required to work as a shift worker shall receive a shift allowance calculated on the wage due for all shift hours so worked: Provided that only the completion of a full shift shall qualify for such an allowance.

The allowance in respect of all employees shall be 9 per cent, except in respect of A and B Grade employees at the Hulett Refinery, where the allowance shall be 8 per cent."

4. CLAUSE 20.—STANDBY ALLOWANCE

(1) Substitute the expression "one and a half day's pay for any seven-day period" for the expression "one day's wage for every week".

(2) Delete the following sentence introduced in the amendment to the clause in 1988:

"Should one or more recognised public holidays fall within a period of standby, the Standby Allowance shall be increased to one and a half day's pay."

This Agreement signed at Durban on 11 October 1989.

T. G. MANN,
Chairman.

T. EVANS,
Vice-Chairman.

E. M. TOUGH,
Secretary.

No. R. 163

26 January 1990

LABOUR RELATIONS ACT, 1956**CANCELLATION OF GOVERNMENT NOTICE.—HAIRDRESSING TRADE, PRETORIA**

I, Eli van der Merwe Louw, Minister of Manpower, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notice No. R. 168 of 3 February 1989, with effect from the second Monday after the date of publication of this notice.

E. VANDER M. LOUW,
Minister of Manpower.

No. R. 164

26 Januarie 1990

WET OF ARBEIDSVERHOUDINGE, 1956
HAARKAPPERSBEDRYF, PRETORIA. —
OOREENKOMS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat drie jaar na genoemde Maandag eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a), 2, 5 (2) (c) en (e), 18, 19, 20, 21 en 30, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat drie jaar na genoemde Maandag eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die genoemde Ooreenkoms gespesifiseer.

E. VANDER M. LOUW,
 Minister van Mannekrag.

BYLAE

**NYWERHEIDSRAAD VIR DIE HAARKAPPER-
 BEDRYF
 (PRETORIA)**

OOREENKOMS

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

S.A. Hairdressers' and Cosmetologists' Association
 (Northern Transvaal Division)

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

S.A. Hairdressers Employees' Industrial Union
 (Northern Transvaal Branch)

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

wat die partye is by die Nywerheidsraad vir die Haarkappersbedryf (Pretoria).

1. TOEPASSINGSBESTEK VAN OOREENKOMS

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

(a) deur alle werknemers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakvereniging is;

(b) in die landdrostdistrikte Pretoria en Wonderboom.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms—

(a) slegs van toepassing op werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word en op die werkgewers van sodanige werknemers;

(b) slegs van toepassing op vakleerlinge vir sover dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, of 'n kontrak wat daarkragtens aangegaan of 'n voorwaarde wat ingevolge daarvan gestel is.

No. R. 164

26 January 1990

LABOUR RELATIONS ACT, 1956

HAIRDRESSING TRADE, PRETORIA. —
AGREEMENT

I, Eli van der Merwe Louw, Minister of Manpower, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending three years from the said Monday, upon the employers' organisation and the trade union which entered into the said Agreement and upon the employers and employees who are members of the said organisation or union; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clauses 1 (1) (a), 2, 5 (2) (c) and (e), 18, 19, 20, 21 and 30, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending three years from the said Monday, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the said Agreement.

E. VANDER M. LOUW,
 Minister of Manpower.

SCHEDULE

**INDUSTRIAL COUNCIL FOR THE HAIRDRESSING
 TRADE
 (PRETORIA)**

AGREEMENT

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

S.A. Hairdressers' and Cosmetologists' Association
 (Northern Transvaal Division)

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

S.A. Hairdressers Employees' Industrial Union
 (Northern Transvaal Branch)

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

being the parties to the Industrial Council for the Hairdressing Trade (Pretoria).

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Hairdressing Trade—

(a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union;

(b) in the Magisterial Districts of Pretoria and Wonderboom.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall—

(a) only apply to employees for whom wages are prescribed in this Agreement and to the employers of such employees;

(b) only apply to apprentices in so far as they are not inconsistent with the provisions of Manpower Training Act, 1981, or any contract entered into or any condition fixed thereunder.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op dié datum wat deur die Minister van Mannekrag ingevolge artikel 48 van die Wet vasgestel word, en bly drie jaar lank van krag of vir sodanige tydperk as wat hy bepaal.

3. WOORDOMSKRYWING

Alle uitdrukkings wat in hierdie Ooreenkoms gebesig en in die Wet omskryf word, het dieselfde betekenis as in die Wet; waar daar van 'n wet of ordonnansie melding gemaak word, sluit dit alle wysigings van dié wet of ordonnansie in en, tensy die teenoorgestelde bedoeling blyk, omvat woorde wat die manlike geslag aandui, ook vroue; voorts, tensy dit onbestaanbaar is met die samehang, beteken —

“Wet” die Wet op Arbeidsverhoudinge, 1956 (Wet No. 28 van 1956);

“ooreenkoms” ’n ooreenkoms wat ingevolge die Wet gepubliseer en, soos gewysig, bindend gemaak is vir werkgewers en werknemers in die Haarkappersbedryf;

“vakleerling” ’n werknemer wat in diens is ingevolge ’n skriftelike leerlingkontrak wat kragtens die Wet op Mannekragopleiding (Wet No. 56 van 1981) geregistreer is of geag word daarkragtens geregistreer te wees en sluit dit minderjariges in wat ingevolge genoemde Wet op proef aangestel is;

“los werknemer” ’n werknemer (man of vrou) wat by dieselfde werkgewer vir hoogstens een dag in ’n bepaalde week werksaam is;

“klerk, ontvangsdame en/of telefonis” ’n werknemer wat hoofsaaklik in diens geneem word met die doel om klante te ontvang of afsprake per telefoon of andersins aan te neem en/of boekhouwerk te doen of ’n ander vorm van klerklike werk te verrig, benewens die hantering van kontant en die waarneem van toonbankverkope;

“kommissie” die bedrag verskuldig aan ’n werknemer soos ooreengekom ooreenkomstig klousule 4 (8) tussen sodanige werknemer en sy werkgewer: Met dien verstande dat ’n los werknemer vir die toepassing van hierdie omskrywing nie geag word ’n werknemer te wees nie;

“Raad” die Nywerheidsraad vir die Haarkappersbedryf (Pretoria), geregistreer ingevolge artikel 19 van die Wet op Arbeidsverhoudinge, 1956 (Wet No. 28 van 1956);

“bedryfsinrigting” ’n perseel waarin of in verband waarmee toilet-dienste gelewer word;

“algemene werker” ’n werknemer wat by ’n werkgewer in diens is om persele skoon te maak en te vee, boodskappe te doen, kopies en toilet benodigdhede te was en verversingsdranke voor te berei en te bedien;

“Haarkappersbedryf” die Bedryf waarin werkgewers en werknemers met mekaar geassosieer is met die doel om toilet dienste in die bedryfsinrigting te lewer;

“manikuris” en/of “skoonheidskundige” ’n meerderjarige werknemer wat uitsluitlik manikuurwerk en/of massering of stimulerende behandeling van die gesig, kopvel of nek, die pluk van wenkbroue, wasopknapping van die bene en pedikuurwerk verrig;

“deeltydse werknemer” ’n werknemer wat hoogstens 10 gewone werkure per dag en hoogstens 25 gewone werkure per week diens verrig;

“premie” sonder om die gewone betekenis van die uitdrukking enigsins te beperk, vergoeding van watter aard ook al wat as teenprestasie vir die opleiding van enige persoon in toilet dienste gegee word;

“gekwalifiseerde haarkapper” ’n werknemer, uitgesonderd ’n vakleerling, wat een of meer van die werksaamhede verrig wat in hierdie Ooreenkoms onder die omskrywing van “toilet dienste” voorkom en wat —

(a) ’n leerlingskap uitgedien het ingevolge die Wet op Mannekragopleiding (Wet No. 56 van 1981);

(b) geslaag het in ’n kwalifiserende ambagtoets kragtens artikel 28 van die Wet op Mannekragopleiding, 1981, of in besit is van ’n vaardigheidsertifikaat uitgereik ingevolge artikel 27 van genoemde Wet; of

2. PERIOD OF OPERATION OF AGREEMENT

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

3. DEFINITIONS

Any terms used in this Agreement which are defined in the Act shall have the same meaning as in the Act; any reference to an Act or Ordinance shall include any amendment to such Act or Ordinance, and, unless the contrary intention appears, words importing the masculine gender shall include females; further, unless inconsistent with the context —

“Act” means the Labour Relations Act, 1956 (Act No. 28 of 1956);

“agreement” means an agreement published and as amended, made binding upon employers and employees in the Hairdressing Trade in accordance with the provisions of the Act;

“apprentice” means an employee serving under a written contract of apprenticeship, registered or deemed to be registered under the Manpower Training Act (Act No. 56 of 1981) and includes a minor employed on probation in terms of the said Act;

“casual employee” means an employee (male or female) who is employed by the same employer for not more than one day in any one week;

“clerical employee, receptionist and/or telephonist” means an employee engaged mainly for the purpose of receiving clients or booking appointments by telephone or otherwise and/or keeping accounts and records or any other form of clerical work in addition to handling cash and effecting counter sales;

“commission” means the amount due to an employee as agreed upon in terms of clause 4 (8) between such employee and his employer: Provided that for the purposes of this definition, a casual employee shall not be deemed to be an employee;

“Council” means the Industrial Council for the Hairdressing Trade (Pretoria), registered in terms of section 19 of the Labour Relations Act, 1956 (Act No. 28 of 1956);

“establishment” means any premises in which or in connection with which toilet services are rendered;

“general worker” means an employee who is engaged by an employer to clean and sweep premises, run errands, wash cups and toilet requisites and prepare and serve liquid refreshments;

“Hairdressing Trade” means the Trade in which employers and employees are associated for the purpose of rendering toilet services in any establishment;

“manicurist” and/or “beauty culturist” means a major employee engaged solely on manicuring and/or massage or stimulative treatment of the face, scalp or neck, eyebrow plucking, leg waxing and pedicure;

“part-time employee” means an employee employed for not more than 10 ordinary working hours per day and not more than 25 ordinary working hours per week;

“premium” means, without in any way limiting the ordinary meaning of the term, any consideration of whatsoever nature given in return for the training of any person in toilet services;

“qualified hairdresser” means an employee, other than an apprentice, who performs any one or more of the operations as defined under “toilet services” in this Agreement and who —

(a) has served an apprenticeship in terms of the Manpower Training Act (Act No. 56 of 1981);

(b) has passed a qualifying trade test under section 28 of the Manpower Training Act, 1981, or holds a certificate of proficiency issued in terms of section 27 of the said Act; or

(c) in besit is van 'n bevoegdheidsertifikaat wat uitgereik is deur die Nywerheidsraad vir die Haarkappersbedryf;

"sjampoeis" 'n meerderjarige werknemer wat een of meer van die volgende werksaamhede verrig:

(a) sjampoeëring, klante voorberei vir opkikking of bo-bleiking; aanwending van spoelmiddels, kleursjampoe; kopvelbehandelings deur die toediening van enige haarversorgingsproduk wat deur die vervaardiger daarvan voorgeskryf word, uitgesonderd behandeling met infra-rooi- of ultravioletstrale of termobehandeling; neutralisering van vastegolwing; sluiers, spelde, rollers, knippies en alle ander sethulpmiddels verwyder; klante onder droërs plaas en klante onder droërs uithaal;

(b) aanwending van tint- en bleikmiddels op streepbleikmusse;

"toilet dienste" enigeen of meer of 'n kombinasie van die gewone en algemene gebruike wat in die beroep van skoonheidskundiges of kosmetiste of kosmetologe of haarkappers toegepas word, en omvat dit die volgende werksaamhede maar is dit nie daartoe beperk nie:

(a) hare skik, hare kap, hare sny, hare streepbleik, hare skeer, hare krul en hare reinig;

(b) hare skroei, sjampoeë, bleik, kleur, tint, versteil, verslap, sitteer, golf (permanent, marcel of water) of enige ander behandeling van die hare van die kop of die gesig; of

(c) massering of ander stimulerende behandeling of oefening van die gesig, kopvel of nek; of

(d) manikuurwerk, wenkbroue pluk, bordwerk, trigologiese of skoonheidskundige behandeling; of

(e) uitvoering van enige werksaamheid in hierdie omskrywing bedoel met betrekking tot 'n pruik of haarstuk wat deur iemand gedra sal word;

ongegag of 'n apparaat, toestel, preparant of gebruiksmiddel by enigeen van hierdie werksaamhede gebruik word of nie;

"loon" die bedrag geld aan 'n werknemer betaalbaar ingevolge klousule 4 (1) ten opsigte van gewone werkure soos in klousule 6 (1) voorgeskryf: Met dien verstande dat, as 'n werkgewer 'n werknemer ten opsigte van sodanige gewone werkure gereeld 'n hoër bedrag betaal as dié in klousule 4 (1) voorgeskryf, dit dié hoër bedrag beteken;

"werkende werkgewer" 'n werkgewer of vennoot wat self werk doen soortgelyk aan dié wat deur enigeen van sy werknemers gedoen word.

4. LONE

(1) Behoudens subklousule (2) van hierdie klousule, mag geen werkgewer lone betaal en mag geen werknemer lone aanneem wat laer is as dié hieronder genoem nie:

(c) holds a certificate of competency issued by the Industrial Council for the Hairdressing Trade;

"shampooist" means a major employee engaged in one or more of the following operations:

(a) shampooing, preparing clients for high-lighting or frosting; applying rinses, colour shampoos; giving scalp treatments by the application of any hairdressing treatment product prescribed by the manufacturer of that product, excluding any treatment performed by infra red ray, ultra violet ray or thermo treatment; neutralising of perms; removing veils, pins, rollers, clips and any other setting aids; placing clients under driers and taking clients out from under driers;

(b) applying tints and bleach on highlight caps;

"toilet services" means any one or more or a combination of the practices generally and usually performed by and known as the profession of beauty culturists or cosmeticians or cosmetologists or hairdressers, and includes but is not to be limited to the following operations:

(a) hair arranging, hairdressing, hair cutting, highlighting, shaving, curling, cleaning;

(b) singeing, shampooing, bleaching, dyeing, colouring, tinting, straightening, relaxing, styling, waving (permanent, marcel or water) or any other treatment of the hair of the head or the face; or

(c) the massage or other stimulative treatment or exercise of the face, scalp or neck; or

(d) manicuring of the nails, eyebrow plucking, board work, trichological treatment or beauty culture; or

(e) performing any operation referred to in this definition on any wig or hairpiece to be worn by any person,

whether or not any apparatus, appliance, preparation or substance is used in any of these operations;

"wage" means the amount of money payable to an employee in terms of clause 4 (1) in respect of ordinary hours of work as prescribed in clause 6 (1): Provided that, if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 4 (1), it means such higher amount;

"working employer" means an employer or any partner in partnership who himself performs work similar to that carried out by any of his employees.

4. WAGES

(1) Subject to the provisions of subclause (2) of this clause, no employer shall pay and no employee shall accept wages at rates lower than the following:

Haarkappersbedryf (mans of vroue)

			12 maande nadat Ooreenkoms in werking tree	24 maande nadat Oor- eenkoms in werking tree
(a) Gekwalifiseerde haarkappers:				
Eerste jaar na kwalifisering	146,59 per week of 635,18 per maand	of	164,20 per week of 711,40 per maand	183,88 per week of 796,77 per maand.
Tweede jaar na kwalifisering	174,49 per week of 756,00 per maand	of	195,44 per week of 846,72 per maand	218,86 per week of 948,33 per maand.
Daarna	210,31 per week of 911,25 per maand	of	235,54 per week of 1 020,60 per maand	263,82 per week of 1 143,07 per maand.
(b) Sjampoeiste:				
Eerste jaar ondervinding	73,63 per week of 318,94 per maand	of	82,45 per week of 357,21 per maand	92,34 per week of 400,08 per maand.
Daarna	87,62 per week of 379,69 per maand	of	98,13 per week of 425,25 per maand	109,93 per week of 476,28 per maand.
Wat tint- en bleikmiddels op streepbleikmusse aanwend	115,68 per week of 501,19 per maand	of	129,55 per week of 561,33 per maand	145,09 per week of 628,69 per maand.
(c) Manikuriste, skoonheidskundiges en ontvangs- dames	147,22 per week of 637,88 per maand	of	164,88 per week of 714,43 per maand	184,67 per week of 800,16 per maand.
(d) Algemene werkers	73,63 per week of 318,94 per maand	of	82,44 per week of 357,21 per maand	92,34 per week of 400,08 per maand.
(e) Los werknemers	Vyf persent van die voorgeskrewe loon per dag	of	Vyf persent van die voorgeskrewe loon per dag	Vyf persent van die voorgeskrewe loon per dag.
(f) Deeltydse werknemers	Twee derdes van die voorgeskrewe loon	of	Twee derdes van die voorgeskrewe loon	Twee derdes van die voorgeskrewe loon.

Hairdressing Trade (male or female)

		12 months after coming into operation of Agreement	24 months after coming into operation of Agreement
(a) Qualified hairdressers:			
First year after qualifying	146,59 per week or 635,18 per month	164,20 per week or 711,40 per month	183,88 per week or 796,77 per month.
Second year after qualifying	174,49 per week or 756,00 per month	195,44 per week or 846,72 per month	218,86 per week or 948,33 per month.
Thereafter	210,31 per week or 911,25 per month	235,54 per week or 1 020,60 per month	263,82 per week or 1 143,07 per month.
(b) Shampooists:			
First year of experience	73,63 per week or 318,94 per month	82,45 per week or 357,21 per month	92,34 per week or 400,08 per month.
Thereafter	87,62 per week or 379,69 per month	98,13 per week or 425,25 per month	109,93 per week or 476,28 per month.
Who apply tints and bleach on highlights caps	115,68 per week or 501,19 per month	129,55 per week or 561,33 per month	145,09 per week or 628,69 per month.
(c) Manicurists, beauticians and receptionists	147,22 per week or 637,88 per month	164,88 per week or 714,43 per month	184,67 per week or 800,16 per month.
(d) General workers	73,63 per week or 318,94 per month	82,44 per week or 357,21 per month	92,34 per week or 400,08 per month.
(e) Casual employees	Five per cent of the pre- scribed wage per day	Five per cent of the prescribed wage per day	Five per cent of the prescribed wage per day.
(f) Part-time employees	Two thirds of the pre- scribed wage	Two thirds of the pre- scribed wage	Two thirds of the pre- scribed wage.

(2) 'n Werkgewer mag nie 'n premie aanneem vir die opleiding van 'n werknemer as 'n haarkapper nie: met dien verstande dat hierdie bepaling nie geld ten opsigte van 'n opleidingskema waartoe 'n werk-gewer regtens moet bydra nie.

(3) Los werknemers mag slegs in diens geneem word in die plek van werknemers of werkende werkgewers of vennote wat tydelik afwesig of siek of met geleentheidsverlof is.

(4) 'n Werkgewer mag niemand, uitgesonderd 'n vakleerling of 'n gekwalifiseerde haarkapper, as 'n haarkapper in diens neem nie, tensy so iemand die loon voorgeskryf vir 'n gekwalifiseerde haarkapper betaal word, en so 'n werknemer moet vir die toepassing van hierdie Ooreenkoms geag word 'n gekwalifiseerde haarkapper te wees.

(5) Geen bepaling in hierdie klousule mag die uitwerking hê dat dit 'n vermindering van die loon wat 'n werknemer op die inwerkingtredingsdatum van hierdie Ooreenkoms ontvang het, toelaat terwyl sodanige werknemer in die diens van dieselfde werk-gewer bly nie.

(6) Elke werknemer word geag 'n weeklikse werknemer te wees, tensy hy 'n "los werknemer" is, en moet behoudens klousules 4 (2) en 5 (2) minstens die volle weekloon betaal word wat in subklousule (1) voorgeskryf word, vir 'n werknemer van sy klas, hetsy hy die volle tyd gewerk het al dan nie, en is onderworpe aan alle ander voorwaardes (vir sover dit van toepassing is) wat vir so 'n werknemer voorgeskryf word.

(7) 'n Werkgewer mag nie 'n sjampoeis en/of manikuris en/of skoonheidskundige in diens neem om een of meer van die werksaam-hede soos uiteengesit in die omskrywings van "sjampoeis" of "manikuris" of "skoonheidskundige" te verrig nie, tensy hy verlof daartoe van die Nywerheidsraad ontvang het, nadat hy skriftelike aansoek gedoen het om verlof om 'n sjampoeis en/of manikuris en/of skoonheidskundige in diens te neem.

Elke aansoek om 'n sjampoeis en/of manikuris en/of skoonheids-kundige in diens te neem, moet gesteun word deur dokumentêre bewys dat die voornemende werknemer nie 'n minderjarige is nie.

(8) 'n Werkgewer kan met sy werknemer, uitgesonderd 'n los werknemer, ooreenkoms om aan sodanige werknemer, benewens die loon vir dié werknemer in klousule 4 voorgeskryf, kommissie te betaal op die hoeveelheid werk deur hom verrig: Met dien verstande dat die werk-gewer, voor die inwerkingtreding van die ooreenkoms, wat skriftelik moet wees, die werknemer moet voorsien van 'n afskrif van die ooreenkoms wat die volgende moet behels:

(a) Die basiese loon waaroor ooreengekom word, ingeval sodanige basiese loon hoër is as die voorgeskrewe loon;

(2) An employer shall not accept a premium for the training of an employee as a hairdresser. Provided that this provision shall not apply in respect of a training scheme to which the employer is legally required to contribute.

(3) Casual employees shall only be employed to replace employees or working employers or partners who are temporarily absent or sick, or on occasional leave.

(4) An employer shall not employ any person, other than an apprentice or a qualified hairdresser, as a hairdresser unless such person is paid the wage prescribed for a qualified hairdresser, and such an employee shall for all purposes of this Agreement be deemed to be a qualified hairdresser.

(5) Nothing contained in this clause shall operate to permit of a reduction in the wage and employee was receiving at the date of coming into operation of this Agreement while such employee remains in the employee of the same employer.

(6) Every employee shall be deemed to be a weekly employee unless he falls within the definition of "casual employee" and shall, subject to the provisions of clauses 4 (2) and 5 (2) be paid not less than the full weekly wage prescribed in subclause (1) for an employee of his class and shall be subject to any other conditions (in so far as they may be applicable) prescribed for such an employee, whether he has worked full time or less.

(7) An employer shall not employ a shampooist and/or manicurist and/or beauty culturist to perform any one or more of the operations set out in the definitions of "shampooist" or "manicurist" or "beauty culturist" unless he has been granted permission to do so by the Industrial Council after he has submitted a written application for permission to employ a shampooist and/or manicurist and/or beauty culturist.

All applications to employ shampooists and/or manicurists and/or beauty culturists must be supported by documentary proof that the prospective employee is not a minor.

(8) An employer may agree with his employee, other than a casual employee, to pay such employee, in addition to the wage prescribed for such employee in clause 4, commission on the amount of work performed by such employee: Provided that the employer shall, before the agreement, which shall be in writing, comes into operation, supply the employee with a copy of the agreement, which shall include—

(a) the basic wage agreed upon in the event of such basic wage being higher than the prescribed wage;

(b) die kommissieskaal of -skale waaroor ooreengekom word en die aanspraakvoorwaardes;

(c) die dag van die week of maand waarop die verdiende kommissie verskuldig en betaalbaar is;

(d) die tydperk van kennisgewing, wat minstens een week en skriftelik moet wees, wat die werkgewer of die werknemer moet gee om die voorwaardes waarop die kommissie betaalbaar is, te kanselleer of om oor die wysiging daarvan te onderhandel. Die kommissie wat ingevolge hierdie klousule betaalbaar is, moet in die loonboek aangeteken word op dieselfde wyse as lone wat ingevolge klousule 4 betaalbaar is.

5. BETALING VAN LONE EN GEMAGTIGDE AFTREKKINGS

(1) Lone moet, na gelang van die geval, wekeliks of maandeliks in kontant betaal word, tensy die dienskontrak van 'n werknemer voor die gewone betaaldag beëindig word, in welke geval die lone onmiddellik by beëindiging betaal moet word. Die volle bedrag aan loongeld wat verskuldig is, moet in 'n verseelde koevert geplaas word en die volle naam van die werknemer, die tydperk waarvoor die besondere betaling geskied, bedrae wat ingevolge hierdie Ooreenkoms afgetrek is en die bedrag wat die koevert bevat, moet daarop geskryf staan. 'n Los werknemer moet die besoldiging aan hom verskuldig by beëindiging van elke dienskontrak betaal word.

(2) Geen bedrag van watter aard ook al, uitgesonderd die volgende, mag van die besoldiging aan 'n werknemer verskuldig, afgetrek word nie:

(a) Behoudens andersluidende bepalings in hierdie Ooreenkoms, as 'n werknemer om 'n ander rede van sy werk afwesig is as in opdrag of op versoek van sy werkgewer, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op grondslag van die loon wat die werknemer ten opsigte van sy gewone werkure ten tyde van sy afwesigheid ontvang het;

(b) bydraes tot fondse van die Raad ingevolge klousule 14 van hierdie Ooreenkoms;

(c) ledegeld en ander geld wat die vakvereniging ingevolge klousule 20 toekom;

(d) ledegelde aan M.K. Medical Plan;

(e) ledegelde aan die S.A. Hairdressers' Industrial Union Pension Fund ingevolge die Wet;

(f) voorraad wat deur die werknemer gebruik word by die lewering van toilet dienste aan klante of 'n persentasie van die bruto ontvangste van die werknemer; hierdie aftrekking moet bepaal word in 'n skriftelike ooreenkoms, deur beide werkgewer en werknemer onderteken;

(g) bydraes wat 'n werkgewer ingevolge 'n wet moet maak of 'n ander bedrag wat 'n werkgewer regtens of op bevel van 'n hof met regsbevoegdheid moet of mag aftrek.

(3) Lone verskuldig ingevolge klousule 4 en ander besoldiging verskuldig aan 'n werknemer wat by die week betaal word, moet om 12:00 op Saterdag in elke week betaal word: Met dien verstande dat as Saterdag 'n openbare vakansie is, betaling om 17:00 op die vorige besigheidsdag moet geskied, en indien sodanige werknemer by die maand betaal word, besoldiging wat aan hom verskuldig is om 12:00 op die laaste dag van elke maand betaal moet word: Voorts met dien verstande dat indien sodanige dag van daardie besondere maand nie 'n besigheidsdag is nie, die loon om 12:00 betaal moet word op die besigheidsdag wat sodanige dag onmiddellik voorafgaan.

(4) Lone moet betaal word op die plek waar die werknemer ten tyde van die betaling van die lone werklik in diens of werksaam is.

6. WERKURE

(1) (a) Die gewone werkure van alle werknemers in die Haarkappersbedryf is hoogstens 46 uur per week van ses werkdae en word soos volg ingedeel:

Maandae en Woensdae.—Gewone werkure mag hoogstens agt per dag wees: Tussen die ure 07:00 en 18:00.

Dinsdae.—Gewone werkure mag hoogstens vyf wees: Tussen die ure 07:00 en 13:00.

Donderdae.—Gewone werkure mag hoogstens nege wees: Tussen die ure 07:00 en 18:00.

Vrydae.—Gewone werkure mag hoogstens 10 wees: Tussen die ure 07:00 en 18:00.

Saterdae.—Gewone werkure mag hoogstens ses wees: Tussen die ure 07:00 en 13:00.

(b) the rate or rates of commission agreed upon and the conditions of entitlement;

(c) the day of the week or month when commission earned is due and payable;

(d) the period of notice, which shall not be less than one week and which shall be in writing, to be given by the employer or his employee to cancel or to negotiate for the alteration of the conditions on which the commission is payable. Commission payable in terms of this clause shall be entered in the wage book in the same manner as wages payable in terms of clause 4.

5. PAYMENT OF WAGES AND AUTHORISED DEDUCTIONS

(1) Wages shall be paid in cash weekly or monthly, as the case may be, unless the contract of employment of an employee is terminated before the usual pay-day, when wages shall be paid immediately on such termination. All wages due shall be placed in a sealed envelope upon which shall be inscribed the full name of the employee, the period for which the particular payment is made, any deductions made in terms of this Agreement, and the amount contained in the envelope. A casual employee shall be paid the remuneration due to him upon termination of each contract of employment.

(2) No deduction of any description other than the following may be made from the remuneration due to an employee:

(a) Except where otherwise provided in this Agreement, whenever an employee is absent from work, other than on the instructions or at the request of the employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence:

(b) contributions to Council funds in terms of clause 14 of this Agreement;

(c) subscriptions and other moneys due to the trade union in terms of clause 20;

(d) subscriptions to M.K. Medical Plan;

(e) subscriptions to the S.A. Hairdressers' Industrial Union Pension Fund in terms of the Act;

(f) stock used by the employee in rendering toilet services to clients, or a percentage of the gross takings of the employee; this deduction to be stipulated in a written agreement signed by both employer and employee;

(g) deductions which an employer is required to make in terms of any Act or any other amount which an employer is legally or by order of any competent court required or permitted to make.

(3) Wages due in terms of clause 4 and other remuneration due to a weekly paid employee shall be paid at 12:00 on the Saturday of each and every week: Provided that where Saturday is a public holiday, payment shall be made at 17:00 on the previous business day, and where such employee is paid monthly he shall be paid remuneration due at 12:00 on the last day of each and every month: Provided further that should such day of that particular month be other than a business day, such wages shall be paid at 12:00 on the business day immediately preceding such day.

(4) Payment of wages shall be made at the place where the employee is actually engaged or employed at the time of the payment of wages.

6. HOURS OF WORK

(1) (a) The ordinary hours of work of all employees engaged in the Hairdressing Trade shall not exceed 46 hours per week of six working days as follows:

Mondays and Wednesdays.—Ordinary hours of work not to exceed eight hours per day: Between the hours of 07:00 and 18:00.

Tuesdays.—Ordinary hours of work not to exceed five hours: Between the hours of 07:00 and 13:00.

Thursdays.—Ordinary hours of work not to exceed nine hours: Between the hours of 07:00 and 18:00.

Fridays.—Ordinary hours of work not to exceed 10 hours: Between the hours of 07:00 and 18:00.

Saturdays.—Ordinary hours of work not to exceed six hours: Between the hours of 07:00 and 13:00.

(b) Geen werkgever mag van 'n werknemer vereis of hom toelaat om voor die ure in paragraaf (a) vasgestel, te begin werk of om na die ure daarin genoem, op te hou werk nie, en geen werknemer mag voor daardie ure begin werk of na die ure daarin genoem, ophou werk nie, en 'n werknemer mag ook geen haarkapperswerk, vir besoldiging al dan nie, buite die ure vasgestel in paragraaf (a) onderneem of verrig nie. Geen bedryfsinrigting mag buite die ure in paragraaf (a) voorgeskryf oop wees nie, behalwe om die perseel skoon te maak of te belug. Aansoek kan gedoen word om op Dinsdag- en Saterdagmiddae te werk op voorwaarde dat elke werknemer die eweredige tyd wat hulle meer as 46 uur per week werk, sal afkry.

(c) *Oortydwerk.*—Ondanks die beperkings op werkure in paragraaf (a) hierbo gespesifiseer, kan oortydwerk verrig word behoudens die volgende beperkings:

- (i) 'n Maksimum van 30 uur oortydwerk in 'n bepaalde jaar;
- (ii) 'n maksimum van ses uur oortydwerk gedurende 'n bepaalde week;
- (iii) 'n maksimum van twee uur oortydwerk op 'n bepaalde dag.

Vir oortyd moet daar betaal word teen 'n skaal van minstens een en 'n half maal die gewone uurloon vir daardie bepaalde dag. "Uurloon" beteken die weekloon gedeel deur 46 en in die geval van los werknemers die dagloon gedeel deur die getal gewone ure wat vir die dag waarop oortyd gewerk is, voorgeskryf word.

(2) *Etenspouses.*—Daar moet aan alle werknemers 'n etenspouse van minstens een uur tussen 11:30 en 14:30 op alle werkdag toegestaan word: Met dien verstande dat—

- (i) 'n werkgever nie van 'n werknemer mag vereis of hom mag toelaat om langer as vyf uur aaneen per dag sonder 'n pouse van minstens een uur te werk nie, en dat 'n werknemer nie aldus mag werk nie, en dat daar gedurende sodanige pouse geen werk gedoen mag word nie, en dié pouse moet nie as deel van die gewone werkure beskou word nie;
- (ii) indien so 'n pouse langer as 'n uur duur, alle tydperke van langer as een en 'n kwart uur as gewone werkure beskou moet word;
- (iii) werktydperke wat deur 'n pouse van minder as 'n uur onderbreek word, as aaneenlopend beskou moet word.

(3) *Bywoningsregister.*—Elke werknemer moet elke dag in 'n bywoningsregister, wat sy werkgever moet verskaf, die tyd aanteken wanneer hy begin werk en wanneer hy uiteindelik ophou om die dag te werk, sowel as die aanvangs- en uitsteite van alle tydperke gedurende die dag waarin hy nie op diens was nie.

Elke werknemer moet so 'n inskrywing maak sodra hy begin of ophou werk en werk vir die dag hervat en hy moet dit doen wanneer dit werklik plaasvind.

(4) *Werkure moet agtereenvolgend wees.*—Afgesien van etenspouses, moet 'n werknemer se werkure agtereenvolgend wees.

(5) *Voorbehoudsbepalings.*—Subklousule (2) en (3) van hierdie klousule is nie van toepassing op 'n werknemer wat gereeld 'n basiese loon van meer as R2 000 per maand of R461,60 per week ontvang nie.

7. JAARLIKSE VERLOF EN BESOLDIGING

(1) Alle werknemers, uitgesonderd los werknemers, is geregtig op verlof met volle besoldiging op alle openbare vakansiedae, en dit moet aan hulle toegestaan word en hulle moet dit neem. Behoudens subklousule (2) (a) (ii) moet sodanige openbare vakansiedag, as dit binne die jaarlikse verlof val, by die verlof gevoeg word as 'n verdere tydperk van afwesighedsverlof met volle besoldiging.

(2) (a) (i) Alle werknemers, uitgesonderd los werknemers, is in elke jaar diens by dieselfde werkgever of bedryfsinrigting geregtig op drie agtereenvolgende weke afwesighedsverlof met volle besoldiging, bereken teen die loon wat die werknemer in die week onmiddellik voor die verlof ontvang het, en die verlof moet aan hom toegestaan word. Die drie weke verlof moet 18 volle werkdag insluit.

(ii) 'n Werknemer wat vyf of meer agtereenvolgende jare diens by dieselfde werkgever of in dieselfde bedryfsinrigting voltooi het, moet 24 agtereenvolgende werkdag afwesighedsverlof met volle besoldiging toegestaan word, bereken teen die loon wat die werknemer in die week onmiddellik voor die verlof ontvang het. Vir die toepassing van hierdie subparagraaf moet 'n openbare vakansiedag wat binne die verloftydperk val, geag word 'n werkdag te wees.

(b) No employer shall require or permit an employee to commence work before, or terminate work after the hours laid down in paragraph (a), and no employee shall commence work before or terminate work after these hours, nor shall an employee undertake or perform any hairdressing work, whether for remuneration or not, outside the hours laid down in paragraph (a). No establishment shall remain open outside of the hours prescribed in paragraph (a) except for the purpose of cleaning or airing the premises. An exemption may be applied for to work on Tuesday and Saturday afternoons, with the proviso that each employee will be given the equivalent time off for the hours worked in excess of 46 hours per week.

(c) *Overtime.*—Notwithstanding the limits on hours of work specified in paragraph (a) above, overtime may be worked with the following limitations:

- (i) A maximum of 30 hours' overtime in any one year;
- (ii) a maximum of six hours' overtime during any one week;
- (iii) a maximum of two hours' overtime on any one day.

Overtime shall be paid for at a rate of not less than one and a half times the normal hourly rate for that day. "Hourly rate" means the weekly wage divided by 46 and in the case of casual employees the daily wage divided by the number of ordinary hours prescribed for the day on which overtime was worked.

(2) *Meal intervals.*—All employees shall be allowed an interval of at least one hour for a meal between the hours of 11:30 and 14:30 on all working days: Provided that—

- (i) no employer shall require or permit an employee to work nor shall an employee work for more than five hours continuously on any day without an interval of not less than one hour during which no work shall be performed, and such interval shall not be deemed to be part of the ordinary hours of work;
- (ii) if any such interval be longer than one hour any period in excess of one hour and a quarter shall be deemed to be ordinary hours of work;
- (iii) periods of work interrupted by an interval of less than one hour shall be deemed to be continuous.

(3) *Attendance register.*—Every employee shall each day enter in an attendance register, which his employer shall provide, the time he starts work and the time he finally ceases work for the day, and the commencing and finishing times of any periods during the day on which he was off duty.

Every employee shall make such entry upon commencing work, ceasing and resuming work for the day at the time of occurrence.

(4) *Hours of work to be consecutive.*—All hours of work of an employee shall be consecutive except for meal intervals.

(5) *Savings.*—The provisions of subclauses (2) and (3) of this clause shall not be applicable to an employee who is in receipt of a regular basic wage exceeding R2 000 per month or R461,60 per week.

7. ANNUAL LEAVE AND PAYMENT

(1) Every employee, except casual employees, shall be entitled to and be granted and shall take leave on full pay on all holidays. Subject to subclause (2) (a) (ii), whenever a public holiday falls within the period of annual leave, such holiday shall be added to the said period as a further period of leave of absence on full pay.

(2) (a) (i) Every employee, except casual employees, shall, in each year of employment with the same employer or establishment, be entitled to and be granted three consecutive weeks' leave of absence on full pay reckoned at the wage the employee was receiving the week immediately prior to proceeding on leave. The three weeks' leave shall include 18 clear working days.

(ii) An employee who has completed five or more consecutive years' service with the same employer or in the same establishment shall be granted 24 consecutive working days' leave of absence on full pay, reckoned at the wage the employee was receiving the week immediately prior to proceeding on leave. For the purposes of this subparagraph, a public holiday falling within the leave period shall be regarded as a working day.

(b) Every employer shall remit to the Secretary of the Council, Second Floor, 424 Pretorius Street, Pretoria, 0002, or P.O. Box 26319, Arcadia, 0007, not later than the seventh day of each and every month (being the due date) or the fifteenth day of each and every month (being the second date), on the form prescribed in Annexure A in respect of each of his employees, except casual employees, an amount equal to one quarter of a week's wage and allowance paid to such employee in respect of each month of employment.

(c) Moneys received by the Secretary of the Council in terms of paragraph (b) shall be held in trust by the Council for the employee concerned and shall only be paid to that employee when the employee proceeds on vacation leave, absents himself from the Hair-dressing Trade for the period for which payment in lieu of annual leave is made, leaves the Trade or if the Council so directs.

(d) The Trust Account shall be administered by the Council and all expenses incurred in connection with the administration of the Trust Account shall form a charge against the Council.

(e) All payments from the Trust Account shall be by cheque drawn on the Trust Account and such cheques shall be signed by two persons duly authorised by the Council. The Council shall keep a record of each employee in respect of whom payments are made in terms of this clause and the amount paid to the Trust Account in favour of him.

(f) The Council may invest any of the moneys belonging to the Trust Account from time to time: Provided that such investment shall be made in accordance with the provisions of section 21 (3) of the Act, and any interest accruing from such investment shall accrue to the general funds of the Council in consideration of the Council's administration of the Trust Account.

(g) An employee whose services are terminated before the completion of one month's employment with an employer or establishment shall not be entitled to any leave pay for this period. Any leave pay paid to the Council by the employer in terms of paragraph (b) for such an employee shall be refunded to such employer.

(h) Should any amount paid in to the Council by an employer, in terms of paragraph (b), during the preceding 12 months in respect of an employee be less than the amount such employee would be entitled to receive when proceeding on annual leave, the employer shall forward the difference, if any, to the Secretary of the Council at least two weeks prior to such employee proceeding on annual leave.

(3) (a) The employer shall fix the time when such leave shall be taken, but if the employer shall not have granted to an employee his period of leave at an earlier date, such leave shall be taken and shall commence within two months after the completion of each 12 months of employment, and such an employee shall then absent himself from the employer's place of business during the period of such leave.

(b) The employer shall notify the Secretary of the Council in writing of the time and date on which such employee shall take his leave and shall remit in cash at the same time any difference in leave moneys in terms of subclause (2) (h). Such notice and remittance shall reach the Secretary of the Council at least 14 days before the date when such leave begins.

(4) (a) For the purposes of this clause, employment shall be deemed to commence from the date on which the employee last became entitled to annual leave or the date of engagement, whichever is the latter.

(b) For the purposes of this clause, employment shall be deemed to include up to four months of military service rendered in pursuance of the Defence Act, 1957, in that year, any period during which the employee is on leave in terms of the provisions of this clause, or is absent from work on the instructions or at the request of the employer or is absent from work owing to illness or accident, but any period of absence owing to illness or accident in excess of 36 days in any 12 months or two consecutive days if the employee fails after demand by the employer to produce a certificate by a medical practitioner that he was prevented by illness or accident from doing his work, shall not be deemed to be employment.

(b) Every employer shall remit to the Secretary of the Council, Second Floor, 424 Pretorius Street, Pretoria, 0002, or P.O. Box 26319, Arcadia, 0007, not later than the seventh day of each and every month (being the due date) or the fifteenth day of each and every month (being the second date), on the form prescribed in Annexure A in respect of each of his employees, except casual employees, an amount equal to one quarter of a week's wage and allowance paid to such employee in respect of each month of employment.

(c) Moneys received by the Secretary of the Council in terms of paragraph (b) shall be held in trust by the Council for the employee concerned and shall only be paid to that employee when the employee proceeds on vacation leave, absents himself from the Hair-dressing Trade for the period for which payment in lieu of annual leave is made, leaves the Trade or if the Council so directs.

(d) The Trust Account shall be administered by the Council and all expenses incurred in connection with the administration of the Trust Account shall form a charge against the Council.

(e) All payments from the Trust Account shall be by cheque drawn on the Trust Account and such cheques shall be signed by two persons duly authorised by the Council. The Council shall keep a record of each employee in respect of whom payments are made in terms of this clause and the amount paid to the Trust Account in favour of him.

(f) The Council may invest any of the moneys belonging to the Trust Account from time to time: Provided that such investment shall be made in accordance with the provisions of section 21 (3) of the Act, and any interest accruing from such investment shall accrue to the general funds of the Council in consideration of the Council's administration of the Trust Account.

(g) An employee whose services are terminated before the completion of one month's employment with an employer or establishment shall not be entitled to any leave pay for this period. Any leave pay paid to the Council by the employer in terms of paragraph (b) for such an employee shall be refunded to such employer.

(h) Should any amount paid in to the Council by an employer, in terms of paragraph (b), during the preceding 12 months in respect of an employee be less than the amount such employee would be entitled to receive when proceeding on annual leave, the employer shall forward the difference, if any, to the Secretary of the Council at least two weeks prior to such employee proceeding on annual leave.

(3) (a) The employer shall fix the time when such leave shall be taken, but if the employer shall not have granted to an employee his period of leave at an earlier date, such leave shall be taken and shall commence within two months after the completion of each 12 months of employment, and such an employee shall then absent himself from the employer's place of business during the period of such leave.

(b) The employer shall notify the Secretary of the Council in writing of the time and date on which such employee shall take his leave and shall remit in cash at the same time any difference in leave moneys in terms of subclause (2) (h). Such notice and remittance shall reach the Secretary of the Council at least 14 days before the date when such leave begins.

(4) (a) For the purposes of this clause, employment shall be deemed to commence from the date on which the employee last became entitled to annual leave or the date of engagement, whichever is the latter.

(b) For the purposes of this clause, employment shall be deemed to include up to four months of military service rendered in pursuance of the Defence Act, 1957, in that year, any period during which the employee is on leave in terms of the provisions of this clause, or is absent from work on the instructions or at the request of the employer or is absent from work owing to illness or accident, but any period of absence owing to illness or accident in excess of 36 days in any 12 months or two consecutive days if the employee fails after demand by the employer to produce a certificate by a medical practitioner that he was prevented by illness or accident from doing his work, shall not be deemed to be employment.

(c) Bedrae waarmee 'n werknemer gekrediteer is en wat na verloop van twee jaar vanaf die datum waarop die werkgewer daarop geregtig geword het om sodanige bedrae te ontvang, nog nie uitbetaal is nie, kom die fondse van die Raad toe: Met dien verstande egter dat die Raad 'n eis wat sodanige werknemer na verstryking van genoemde tydperk instel, moet oorweeg en na goeddunke 'n bedrag by wyse van *ex gratia*-betaling uit die fondse van die Raad aan die werknemer soos hierin bedoel kan betaal.

(5) Geen werkgewer mag van 'n werknemer vereis of hom toelaat om, hetsy vir besoldiging of nie, in die Haarkappersbedryf te werk nie, en geen werknemer mag, hetsy vir besoldiging of nie, in genoemde Bedryf werk gedurende 'n verloftydperk wat kragtens hierdie Ooreenkoms toegestaan word nie.

(6) Die Saterdag tussen Goeie Vrydag en Gesinsdag is 'n vakansiedag sonder besoldiging en geen bedryfsinrigting mag op dié dag toilet dienste verskaf nie. 'n Werkgewer kan van die loon van sy werknemer 'n bedrag aftrek wat gelyk is aan die loon vir ses uur se werk.

8. DIENSBEEÏNDIGING

(1) Behoudens—

(a) die reg van 'n werkgewer of 'n werknemer om diens om 'n regsgeldige rede sonder kennisgewing te beëindig; of

(b) die bepaling van 'n skriftelike ooreenkoms tussen werkgewer en werknemer wat 'n langer kennisgewingstermyn bepaal as dié waarvoor hierin voorsiening gemaak word, maar wat hoogstens 12 maande mag wees,

met inagneming van die omskrywing van onbillike arbeidspraktyk soos uiteengesit in die Wet op Arbeidsverhoudinge, 1956, soos gewysig, moet 'n werkgewer of sy werknemer, uitgesonderd 'n los werknemer, minstens 'n week van 46 werkdag skriftelik kennis gee om sy dienskontrak te beëindig en die kennisgewing tree in werking op die werkdag na die dag waarop dit gegee is: Met dien verstande dat kennis nie gegee mag word terwyl die werknemer ingevolge klousule 7 (3) (a) met verlof of ingevolge klousule 7 (4) (b) afwesig is nie.

(2) Indien 'n werkgewer of 'n werknemer, versuim om ingevolge subklousule (1) hiervan kennis te gee, moet hy, in plaas daarvan, 'n bedrag gelyk aan die weekloon wat die werknemer gedurende die week onmiddellik voor diensbeëindiging ontvang het, onderskeidelik betaal of verbeur: Met dien verstande dat, as 'n ooreenkoms ingevolge subklousule (1) (b) hiervan aangegaan is, die betaling of verbeuring in plaas van kennisgewing in verhouding moet wees tot die diensopseggingstermyn waarvoor ooreengekom is, wat hoogstens 12 maande mag wees.

(3) Ondanks andersluidende bepalinge in hierdie Ooreenkoms, het die werkgewer die reg om, indien die bedrag wat die werknemer aan loon toekom nie die volle bedrag van die verbeuring hierin genoem, dek nie, die verskil af te trek van ander voordele (as daar is) wat ten tyde van die werknemer se diensverlating in sy naam aan die oploop was.

(4) Die diensopseggingstermyn in hierdie klousule bedoel, mag nie saamval nie met, en kennis mag ook nie gegee word nie gedurende, 'n werknemer se afwesigheid met jaarlikse verlof of 'n tydperk waarin die werknemer militêre diens ingevolge die Verdedigingswet, 1957, moet verrig, of siekteverlof.

(5) 'n Werkgewer kan 'n werknemersloon betaal vir en in plaas van die termyn van diensopsegging voorgeskryf of waarvoor ingevolge subklousule (1) ooreengekom is.

(6) Elke werkgewer moet 'n dienssertifikaat uitreik aan 'n assistent wat daarom vra. Die sertifikaat moet in die vorm van Aanhangsel B van hierdie Ooreenkoms wees.

9. ONTBINDING VAN DIE RAAD

(1) Indien hierdie Ooreenkoms of 'n verlenging of hernuwing daarvan as gevolg van die verloop van tyd of om 'n ander rede verval, en 'n latere ooreenkoms wat voorsiening maak vir die voortsetting van die Trustrekening nie binne 'n tydperk van 12 maande vanaf sodanige vervaldaum aangegaan word nie, of indien die Trustrekening nie binne sodanige tydperk deur die Raad oorgedra word na 'n ander trustrekening wat vir dieselfde doeleindes ingestel is as dié waarvoor die oorspronklike Trustrekening geopen is nie, of indien die Raad ontbind word, moet die geld wat in die krediet van die Trustrekening oorbly, terugbetaal word aan die werkgewers wat daartoe bygedra het.

(c) Any amount standing to the credit of an employee and not paid to such employee after the expiration of two years from the date of the employee was entitled to receive such amount, shall accrue to the funds of the Council: Provided, however, that the Council shall consider any claim that may be made by such employee after the expiration of the said period and may in its discretion make an *ex gratia* payment from the funds of the Council to such employee as referred to herein.

(5) No employer shall require or permit any employee to work in the Hairdressing Trade, whether for remuneration or not, and no employee shall work in the said Trade for remuneration or not during any period of leave granted in terms of this Agreement.

(6) The Saturday falling between Good Friday and Family Day shall be an unpaid holiday and no establishment may render toilet services on the day. An employer may deduct from the wage of his employee an amount equal to the wage for six hours' work.

8. TERMINATION OF SERVICES

(1) Subject to—

(a) the right of an employer or an employee to terminate employment without notice for any good cause legally recognised as sufficient; or

(b) the provisions of any written agreement between employer and employee stipulating a period of notice in excess of that provided for herein, but not in excess of 12 months,

having regard to the definitions of unfair labour practice as contained in the Labour Relations Act, 1956, as amended, an employer or his employee, other than a casual employee, shall give not less than one week's written notice of 46 working hours, to terminate his contract of employment, such notice to take effect from the working day following the day on which such notice was given: Provided that notice may not be given whilst an employee is on leave in terms of clause 7 (3) (a) or absent in terms of clause 7 (4) (b).

(2) In the event of an employer or an employee failing to give notice as provided for in subclause (1) hereof, he shall pay or forfeit respectively in lieu thereof an amount equal to the weekly remuneration which the employee was receiving during the week immediately preceding the termination of the contract of employment: Provided that if an agreement has been entered into in terms of subclause (1) (b), the payment or forfeiture in lieu of notice shall be proportionate to the period of the notice agreed upon which shall not be in excess of 12 months.

(3) Notwithstanding anything to the contrary in the Agreement, should any money owing by the employer to the employee by way of wages be insufficient to meet the full amount of the forfeiture referred to herein, the employer shall be entitled to recover such amounts from other benefits (if any) which were in the process of accrual to such employee at the time of his desertion.

(4) The period of notice referred to in this clause shall not run concurrently with, nor shall notice be given during, an employee's absence on annual leave, any period during which the employee is required to render military service in pursuance of the Defence Act, 1957, or sick leave.

(5) An employer may pay an employee wages for and in lieu of the period of notice prescribed or agreed upon in terms of subclause (1).

(6) Every employer shall issue a certificate of service to any assistant making such request. The certificate shall be in the form of Annexure B to this Agreement.

9. DISSOLUTION OF COUNCIL

(1) In the event of the expiration of this Agreement or any extension or renewal thereof by effluxion of time or any other cause and a subsequent agreement providing for the continuation of the Trust Account not being negotiated within a period of 12 months from the date of such expiration or the Trust Account not being transferred by the Council within such period to any other trust account constituted for the same purposes as that for which the original Trust Account was created or in the event of the dissolution of the Council, the moneys standing to the credit of the Trust Account shall be refunded to the employers who had contributed thereto.

(2) Die Trustrekening moet deur die Raad geadmistreer word gedurende genoemde tydperk van 12 maande of tot tyd en wyl dit oorgedra word na 'n ander trustrekening, soos hierbo bedoel, of by 'n latere ooreenkoms voortgesit word.

(3) Bedrae wat nie ingevolge hierdie klousule terugbetaal kan word nie na 'n tydperk van ses maande vanaf die datum waarop dit betaalbaar geword het aan die persone wat daarop geregtig is, moet in die Raad se algemene fondse gestort word en, indien die Raad op dié datum ontbind is, moet daar ingevolge artikel 34 (4) van die Wet met dié bedrae gehandel word asof dit deel van die algemene fondse van die Raad uitmaak.

10. BUITEWERK

'n Werknemer mag nie vir eie rekening, of ten behoeve van iemand, of van iemand anders as sy werkgever, terwyl hy in diens is van 'n werkgever wat by die Haarkappersbedryf betrokke is—

(a) bestellings vir werk werf of aanneem of werk in die Haarkappersbedryf onderneem nie; of

(b) vir verkoop, wins of beloning in toiletbenodigdhede handel dryf nie.

11. UITLEG VAN OOREENKOMS

(1) Die Raad is die liggaam wat vir die administrasie van hierdie Ooreenkoms verantwoordelik is en kan, ter leiding van die werkgevers en die werknemers, menings uitspreek wat nie met die bepalings daarvan onbestaanbaar is nie.

(2) Geskille wat in die Haarkappersbedryf ontstaan, moet ingevolge die bepalings van sy Konstitusie vir beslissing na die Raad verwys word.

12. BEVOEGDHEIDSERTIFIKAAT

(1) Die Raad moet 'n komitee aanstel bestaande uit minstens vier lede waarvan twee werkgevers en twee werknemers moet wees, wat die eksamens in subklousules (2) en (3) bedoel, moet afneem en aanbevelings aan die Raad moet doen in verband met die uitreiking van bevoegdheidsertifikate.

(2) Wanneer 'n werkgever of 'n werknemer aansoek doen om 'n bevoegdheidsertificaat, moet hy die bedrag van R100 saam met sodanige aansoek aan die Raad (deur die Sekretaris) stuur, en die Raad moet die aansoeker vra om homself vir 'n eksamen aan te meld.

(3) 'n Aansoeker wat versuim om die eksamen af te lê sonder om 'n rede te verstrek wat vir die komitee bevredigend is, verbeur die eksamengeld.

13. VRYSTELLINGS

(1) Behoudens die voorbehoudsbepaling van artikel 51 (3) van die Wet kan die Raad om 'n goeie en afdoende rede aan iemand vrystelling van enigeen van die bepalings van hierdie Ooreenkoms verleen.

(2) Die Raad moet ten opsigte van enigeen aan wie vrystelling kragtens subklousule (1) van hierdie klousule verleen word, die voorwaardes vasstel waarop die vrystelling verleen word en die geldigheidsduur van die vrystelling. Met dien verstande dat die raad na goeddunke en nadat een week skriftelik kennis aan die betrokke persone gegee is, 'n Vrystellingcertificaat kan intrek.

(3) Die Sekretaris van die Raad moet aan elke persoon aan wie vrystelling ooreenkomstig subklousule (1) van hierdie klousule verleen is 'n vrystellingcertificaat, deur hom onderteken, uitreik waarin die volgende vermeld word:

(a) Die volle naam van die betrokke persoon;

(b) dié bepalings van die Ooreenkoms waarvan vrystelling verleen word;

(c) die voorwaardes vasgestel ingevolge subklousule (2) van hierdie klousule waarop dié vrystelling verleen word; en

(d) die tydperk waarvoor die vrystelling van krag is.

(4) Die Sekretaris van die Raad moet —

(a) 'n afskrif hou van elke sertifikaat wat uitgereik word, en 'n kopie aan die Afdelingsinspekteur, Departement van Mannekrag, Posbus 393, Pretoria, 0001, stuur;

(b) as vrystelling aan 'n werknemer verleen word, 'n kopie van die sertifikaat aan die betrokke werkgever stuur.

14. UITGAWES VAN DIE RAAD

(1) Ten einde die uitgawes van die Raad te bestry, moet elke werkgever R4,20 per maand aftrek van die verdienste van elkeen van sy werknemers vir wie lone in klousule 4 (1) (a) en (c) voorgeskryf word en R2,10 per maand van die verdienste van werknemers vir wie lone in klousule 4 (1) (b) en (d) voorgeskryf word, en vakleerlinge.

(2) The Trust Account shall during the said period of 12 months or until such time as it is transferred to any other trust account referred to above or continued by a subsequent agreement, be administered by the Council.

(3) Any amount which cannot be disposed of in terms of this clause after the expiration of six months from the date it became payable to the person who was entitled thereto shall be paid into the Council's general funds and if the Council has been dissolved by that date, such amount shall be dealt with in terms of section 34 (4) of the Act as if it had formed part of the general funds of the Council.

10. OUTWORK

An employee shall not—

(a) solicit or take orders for or undertake work in the Hairdressing Trade; or

(b) engage in trading in toilet requisites for sale, gain or reward; on his own account or on behalf of any person or from any other person other than his employer whilst such employee is in the employ of an employer engaged in the Hairdressing Trade.

11. INTERPRETATION OF AGREEMENT

(1) The Council shall be the body responsible for the administration of the Agreement and may issue expressions of opinion not inconsistent with the provisions thereof for the guidance of the employers and the employees.

(2) Any dispute which may arise in the Hairdressing Trade shall be referred to the Council to be dealt with in terms of its Constitution.

12. CERTIFICATE OF QUALIFICATION

(1) A committee shall be appointed by the Council consisting of at least four members, two of whom shall be employers and two of whom shall be employees; who shall hold the examinations referred to in subclauses (2) and (3) and make recommendations to the Council as to the issue of certificates of qualification.

(2) Whenever an employer or an employee applies for a certificate of qualification, he shall forward with such application the sum of R100 to the Council (through the Secretary) which shall ask the applicant to submit himself to an examination.

(3) Any applicant who fails to attend an examination without furnishing the committee with a reason considered satisfactory by the committee, shall forfeit the examination fee.

13. EXEMPTIONS

(1) Subject to the proviso to section 51 (3) of the Act, the Council may grant exemptions from any of the provisions of this Agreement in respect of any person for any good and sufficient reason.

(2) The Council shall fix, in respect of any persons granted exemption under the provisions of subclause (1) of this clause, the conditions subject to which such exemption is granted and the period during which such exemption shall operate: Provided that the Council may, if it deems fit, after one week's notice, in writing, has been given to the persons concerned, withdraw any licence of exemption.

(3) The Secretary of the Council shall issue to every person granted exemption in accordance with the provisions of subclause (1) of this clause, a licence of exemption, signed by him, setting out—

(a) the full name of the person concerned;

(b) the provisions of the Agreement from which exemption is granted;

(c) the conditions fixed in accordance with the provisions of subclause (2) of this clause subject to which such exemption is granted; and

(d) the period during which the exemption shall operate.

(4) The Secretary of the Council shall —

(a) retain a copy of each licence issued and forward a copy to the Divisional Inspector, Department of Manpower, P.O. Box 393, Pretoria, 0001;

(b) where the exemption is granted to an employee, forward a copy of the licence to the employer concerned.

14. EXPENSES OF THE COUNCIL

(1) For the purpose of meeting the expenses of the Council, every employer shall deduct R4,20 per month from the earnings of each of his employees from whom wages are prescribed in clause 4 (1) (a) and (c) and R2,10 per month from the earnings of employees for whom wages are prescribed in clause 4 (1) (b) and (d), and apprentices.

(2) (a) Benewens bogenoemde, moet alle werkgewers [uitgesonderd werkgewers wat in paragraaf (b) genoem word] 'n bedrag van R10,50 per maand betaal.

(b) In bedryfsinrigtings wat uit maatskappye of 'n vennootskap bestaan, moet 'n bedrag van R10,50 per maand ten opsigte van elke direkteur of vennoot betaal word.

(c) Benewens die bedrae in subklousule (1) van hierdie klousule bedoel, moet elke werkgewer 'n bedrag betaal wat gelyk is aan dié wat hy van al sy werknemers afgetrek het.

(3) Die bedrae in subklousules (1) en (2) hierbo bedoel, moet voor of op die sewende dag van elke maand, in die vorm in Aanhangsel A van hierdie Ooreenkoms voorgeskryf, aan die Sekretaris van die Raad, Tweede Verdieping, Pretoriusstraat 424, Pretoria, 0002, of Posbus 26319, Arcadia, 0007, gestuur word.

(4) Alle gelde en boetes wat deur die werkgewers en die werknemers aan hul onderskeie liggame betaalbaar is, moet deur die Nywerheidsraad ingevorder word en moet binne 30 dae na ontvangs aan die onderskeie organisasies oorbetal word.

15. BOETES

Indien 'n bedrag wat betaalbaar word ingevolge 'n klousule of ander bepaling van hierdie Ooreenkoms nie op die 15de dag van die maand wat volg op die maand waarvoor die bedrag betaalbaar is, ten volle deur die Raad ontvang is nie, moet die werkgewer 'n boete betaal bereken teen 'n koers van 10 persent van die bedrag wat onbetaald bly.

16. VERTONING VAN OOREENKOMS

Elke werkgewer moet op 'n opvallende plek in sy bedryfsinrigting wat maklik toeganklik is vir sy werknemers, 'n leesbare eksemplaar van hierdie Ooreenkoms in al twee amptelike tale en in die vorm soos in die regulasies ingevolge die Wet voorgeskryf, opplak en opgeplak hou.

17. REGISTRASIE VAN WERKGEWERS

(1) Alle werkgewers, tensy hulle reeds ingevolge die vorige Ooreenkoms geregistreer is, moet binne een maand na die datum van inwerkingtreding van hierdie Ooreenkoms, en alle werkgewers wat na genoemde datum in die Haarkappersbedryf sake doen, moet binne een maand na die datum waarop hulle met hul werksaamhede begin, onderstaande besonderhede aan die Sekretaris van die Raad verstrek:

(a) Sy volle naam en die naam van die besigheid;

(b) besigheidsadres; en

(c) volle naam van elke werknemer, die hoedanigheid waarin hy diens verrig, en die loon wat betaal word.

(2) Elke werkgewer moet maandeliks op die vorm soos in Aanhangsel A hiervan voorgeskryf, die volle name van alle persone in sy diens aantoon.

(3) In die geval van 'n vennootskap moet, benewens die besonderhede in subklousule (1) vereis, die volle name van al die vennote verstrek word.

(4) In die geval van 'n maatskappy met beperkte aanspreeklikheid moet, benewens die besonderhede in subklousule (1) vereis, die volgende besonderhede verstrek word:

(a) Die adres van die geregistreerde kantore van die maatskappy;

(b) die volle name van die direkteure en die volle naam van die persoon werklik in beheer van elke tak van die besigheid;

(c) die volle name van die sekretaris van die maatskappy en alle ander ampsbekleërs van die maatskappy.

(5) Elke werkgewer moet, in die geval van 'n verandering in enig- een van die besonderhede wat hy ingevolge hierdie klousule moet verstrek, binne 14 dae vanaf die datum waarop die verandering van krag geword het, skriftelik aan die Sekretaris van die Raad kennis van die verandering gee.

18. AGENTE

Die Raad moet een of meer aangewese persone as agente aanstel om met die administrasie van hierdie Ooreenkoms behulpsaam te wees. Dit is die plig van elke werkgewer en elke werknemer om sodanige persone toe te laat om dié persele te betree, dié navrae te doen en te voltooi en dié boeke, dokumente, loonstate en betaalstate te ondersoek en alles te doen wat nodig mag wees om vas te stel of hierdie Ooreenkoms nagekom word, en geen persoon mag aan 'n agent in die loop van sy ondersoek 'n valse verklaring doen nie.

(2) (a) In addition to the above, all employers [except those provided for in paragraph (b)] shall pay a fee of R10,50 per month.

(b) In establishments composed of companies or a partnership, a fee of R10,50 per month shall be paid in respect of each director or partner.

(c) In addition to the fees referred to in subclause (1) of this clause, every employer shall pay an amount equal to that deducted from all his employees.

(3) The amounts referred to in subclauses (1) and (2) above shall be remitted to the Secretary of the Council, Second Floor, 424 Pretorius Street, Pretoria, 0002, or to P.O. Box 26319, Arcadia, 0007, not later than the seventh day of each and every month, in the form prescribed in Annexure A to this Agreement.

(4) All dues and fines payable by employers and employees to their respective bodies shall be collected by the Industrial Council and shall be paid over to the respective organisations within 30 days of receipt.

15. PENALTY

If any amount which falls due in terms of any clause or any other provision of this Agreement is not received in full by the Council by the 15th day of the month following the month for which the amount is payable, the employer shall be liable to pay a penalty calculated at the rate of 10 per cent of the amount which remains unpaid.

16. EXHIBITION OF AGREEMENT

Every employer shall affix and keep affixed in his establishment in a conspicuous place readily accessible to his employees, a legible copy of this Agreement in both official languages, and in the form prescribed in the regulations under the Act.

17. REGISTRATION OF EMPLOYERS

(1) All employers, unless already registered under the previous Agreement, shall within one month from the date on which this Agreement comes into operation, and any employer operating in the Hairdressing Trade after that date shall within one month from the date of commencing operations, forward to the Secretary of the Council the following particulars:

(a) His full name and title of the business;

(b) business address; and

(c) full name of each employee, the capacity in which he is employed and the wages paid.

(2) Every employer shall enclose on the form prescribed in Annexure A hereto, monthly, the full names of all persons employed.

(3) In the case of a partnership, the full names of all the partners shall, in addition to the particulars required in subclause (1), be furnished.

(4) In the case of a limited liability company, the following particulars, in addition to those required in subclause (1), shall be furnished:

(a) Address of the registered offices of the company;

(b) the full names of the directors and the full name of the person in actual control of each branch of the business;

(c) the full names of the secretary of the company and all other officebearers of the company.

(5) Every employer shall, in the event of a change in any of the particulars required to be furnished in terms of this clause, forward to the Secretary of the Council within 14 days of the date upon which such change took effect, a notification in writing of any such change.

18. AGENTS

The Council shall appoint one or more specified persons as agents to assist in the administration of the Agreement. It shall be the duty of every employer and every employee to permit such persons to enter such premises, institute and complete such enquiries, and examine such books, documents, wage sheets and pay tickets and do all such acts as may be necessary for ascertaining whether the conditions of the Agreement are being observed and complied with, and no person shall make a false statement to such agent during the course of his investigation.

19. LIDMAATSKAP

(1) Geen werkgever wat lid is van die werkgewersorganisasie mag 'n werknemer in diens hou wat, terwyl hy tot lidmaatskap van die vakvereniging toelaatbaar is, nie op die datum waarop hierdie Ooreenkoms in werking tree lid van die vakvereniging is nie, of wat nie binne 'n tydperk van 90 dae vanaf sodanige datum of vanaf die datum van indienstreding waar die indienstreding na die datum van inwerkingtreding van die Ooreenkoms geskied, lid van die vakvereniging word nie; en geen lid van die vakvereniging mag in diens bly by 'n werkgever wat nie lid is van die werkgewersorganisasie op die datum waarop hierdie Ooreenkoms in werking tree of wat nie binne 'n tydperk van 90 dae na sodanige datum of na die datum van indiensneming van die betrokke werknemer waar sodanige indiensneming na die datum van inwerkingtreding van hierdie Ooreenkoms geskied, lid van die werkgewersorganisasie word nie.

(2) Hierdie klousule is nie van toepassing nie—

(a) op 'n immigrant gedurende die eerste jaar na sy binnekoms in die Republiek van Suid-Afrika: Met dien verstande dat as 'n immigrant te eniger tyd na die eerste 90 dae wat hy in die Bedryf begin werk het, weier om op uitnodiging van die vakvereniging lid daarvan te word, hierdie klousule onmiddellik van toepassing word;

(b) op persone wat ingevolge die vakvereniging se konstitusie nie vir lidmaatskap in aanmerking kom nie, of aan wie lidmaatskap daarvan geweier is of wat uit die vakvereniging gesit is.

20. VAKVERENIGINGVERTEENWOORDIGERS IN DIE RAAD

Elke werkgever moet aan enigeen van sy werknemers wat 'n verteenwoordiger of plaasvervanger in die Raad is, alle redelike fasiliteite verleen om sy pligte in verband met die Raad se werk na te kom.

21. GELD BETAALBAAR AAN DIE WERKGEWERS-ORGANISASIE EN DIE VAKVERENIGING

(1) Elke werkgever moet weekliks of maandeliks, na gelang van die geval, van die lone van sy werknemers die ledegeld en ander geld aftrek wat aan die vakvereniging verskuldig is ooreenkomstig sy konstitusie soos van tyd tot tyd deur die sekretaris van die vakvereniging meegedeel, en moet die bedrag wat aldus afgetrek is in die vorm in Aanhangsel A hiervan voorgeskryf, voor of op die sewende dag van elke maand wat volg op die maand waarin die afrekkings gedoen is, aan die Sekretaris van die Raad, Tweede Verdieping, Pretoriusstraat 424, Pretoria, 0002, of Posbus 26319, Arcadia, 0007, stuur.

(2) (a) Elke werkgever wat lid van die werkgewersorganisasie is, moet gedurende die maand Januarie van elk en iedere jaar, die jaarlikse ledegeld, ingevolge die konstitusie van die organisasie verskuldig aan die Sekretaris van die Raad stuur.

(b) Elke werkgever wat lid van die werkgewersorganisasie is, moet die maandelikse ledegeld, onderwys- of ander heffings voor of op die sewende dag van elke maand in die vorm voorgeskryf in Aanhangsel A van hierdie Ooreenkoms aan die Sekretaris van die Raad stuur.

(3) Alle bedrae wat die Raad ingevolge subklousules (1), (2) (a) en (b) ontvang, moet binne 30 dae na ontvangs aan onderskeidelik die vakvereniging en die werkgewersorganisasie oorbetal word.

22. BEHEER OOR PERSELE

Geen werkgever mag die Haarkappersbedryf uitoefen in 'n perseel—

(a) wat nie behoorlik verlig en geventileer is nie en nie 'n toereikende toevoer van lopende koue en warm water het nie;

(b) wat nie met geglasuurde wasbakke met afvoerpype en 'n stelsel vir die onskadelike afvoer van vuilwater toegerus is nie;

(c) waarvan die mure en vloere gebou is van materiaal wat nie skoongehou kan word nie;

(d) wat toegerus is met rakke, los of vaste toebehore wat nie van glas, marmer of leiklip gemaak of met emalje afgewerk of met sink of ander maklik afwasbare en duursame materiaal bedek is nie;

(e) waarvan enige gedeelte as 'n slaapvertrek of 'n plek vir die bewaring of bereiding van voedsel gebruik word, tensy die gedeelte wat vir die Haarkappersbedryf in gebruik is, van sodanige plek of vertrek afgeskei is deur 'n muur of mure sonder deure, vensters, openinge of ander verbindings daarmee.

19. MEMBERSHIP

(1) No employer who is a member of the employers' organisation shall continue to employ an employee who, while being eligible for membership of the trade union, is not a member of the trade union as at the date of coming into operation of this Agreement or who does not become a member of the trade union within a period of 90 days from such date or from the date of entering into employment where the entering into employment takes place after the date of coming into operation of this Agreement; and no member of the trade union may continue his employment with an employer who is not a member of the employers' organisation as at the date of coming into operation of this Agreement or who does not within a period of 90 days after such date or after the date of employment of the employee concerned where the employment takes place after the date of coming into operation of this Agreement, become a member of the employer's organisation.

(2) The provisions of this clause shall not apply—

(a) in respect of an immigrant during the first year after the date of his entry into the Republic of South Africa: Provided that if any immigrant has at any time after the first 90 days of commencement of his employment in the Trade refused any invitation from the trade union to become a member of it, the provisions of this clause shall immediately come into operation;

(b) to persons who are not eligible in terms of the trade union's constitution for membership, or who have been refused membership of or expelled from the trade union.

20. TRADE UNION REPRESENTATIVES ON THE COUNCIL

Every employer shall give to any of his employees who are representatives or alternates on the Council every reasonable facility to attend to their duties in connection with the work of the Council.

21. MONEYS PAYABLE TO THE EMPLOYERS' ORGANISATION AND THE TRADE UNION

(1) Every employer shall deduct weekly or monthly, as the case may be, from the wages of his employees the amount of the subscriptions and other moneys due to the trade union in terms of its constitution as advised by the secretary of the trade from time to time, and shall forward on the form prescribed in Annexure A hereto, the amount thus deducted to the Secretary of the Council, Second Floor, 424 Pretorius Street, Pretoria, 0002, or P.O. Box 26319, Arcadia, 0007, not later than the seventh day of each and every month following on the month in which the deductions were made.

(2) (a) Every employer who is a member of the employers' organisation shall, during the month of January of each and every year, forward to the Secretary of the Council the annual subscriptions due in terms of the constitution of the organisation.

(b) Every employer who is a member of the employers' organisation shall remit the monthly subscription, education levies or any other levies to the Secretary of the Council not later than the seventh day of each and every month in the form prescribed in Annexure A to this Agreement.

(3) Any amount received by the Council in terms of subclauses (1), (2) (a) and (b) shall be paid over to the trade union and employers' organisation, respectively, within 30 days of receipt thereof.

22. CONTROL OF PREMISES

No employer shall carry on the Hairdressing Trade in premises—

(a) which are not adequately lighted and ventilated and provided with an adequate supply of hot and cold running water.

(b) which are not fitted with glazed washbasins with waste pipes and a system for the innocuous disposal of waste water;

(c) the walls and floors of which are not constructed of material which will permit of their being kept clean;

(d) which are fitted with shelves, fittings or other fixtures which are not made of glass, marble or slate or finished with enamel, or covered with zinc or other readily cleansable and durable material;

(e) any part of which is used as a sleeping apartment or place for the storage or preparation of food, unless the part used for carrying on the Hairdressing Trade is separated from such apartment or place by a wall or walls having no doors, windows, apertures or other means of communication therewith.

23. VERSKAFFING VAN UITRUSTING

(1) (a) 'n Werkgewer moet vir die gebruik van elke haarkapper-assistent alle gereedskap en uitrusting verskaf wat vir die verrigting van sy werk nodig is, uitgesonderd—

- (i) krultange;
- (ii) skêre;
- (iii) kamme;
- (iv) knippers (nie-elektries);
- (v) skeermesse;
- (vi) nekborsels;
- (vii) slypstrop;
- (viii) skeermessylpsteen;
- (ix) handdroërs.

(b) Waar die werkgewer 'n kleurskema vir baadjies en oorklere invoer wat by die kleurskema van sy salon pas, moet hy die nodige oorjasse en baadjies aan sy assistente verskaf en dit was en stryk.

(2) 'n Werkgewer moet waar van toepassing die volgende verskaf:

(a) Minstens een ontsmettingskassie wat te alle tye vir die ontsmetting van alle gereedskap, uitgesonderd skeerwaste, 'n oplossing van minstens 40 persent formalien bevat;

(b) 'n antiseptiese bad, wat 'n formalienoplossing bevat in die verhouding van 2,25 liter water tot 56 milliliter formalien vir die ontsmetting van skeerwaste;

(c) minstens twee skeerwaste, sodat een kwas wat nie in gebruik is nie, in die antiseptiese bad gehou kan word;

(d) 'n skoon handdoek vir elke klant vir gebruik deur die werknemer;

(e) vloeiware, poeier- of buisseep of skeerroom;

(f) 'n voorraad skoon papier om gereedskap mee af te vee, in besonder die skeermesse, iedere keer nadat dit geslyp is;

(g) 'n bloedstelpende middel in die vorm van poeier of vloeistof vir gebruik as 'n spuitmiddel of op 'n skoon propjie watte; en

(h) 'n bedekte houër waarin, na elke behandeling, alle vuil papier, watte en hare gegooi kan word.

24. SIEKTEVERLOF

(1) 'n Werkgewer moet aan elke werknemer, uitgesonderd 'n los werknemer wat in sy diens is en wat weens ongeskiktheid van sy werk afwesig is, siekteverlof van altesaam minstens 36 werkdag gedurende 'n tydperk van 36 agtereenvolgende maande diens by hom toestaan en sodanige werknemer ten opsigte van die afwesigheidstydperk ingevolge hierdie subklousule 'n bedrag betaal wat minstens gelyk is aan die loon wat hy sou ontvang het as hy gedurende sodanige tydperk gewerk het: Met dien verstande dat—

(i) 'n werknemer gedurende die eerste 12 agtereenvolgende maande diens nie op meer siekteverlof met volle besoldiging as een werkdag ten opsigte van elke voltooide maand diens geregtig is nie;

(ii) ten opsigte van aaneenlopende diens daarna, altesaam minstens 12 werkdag gedurende die daaropvolgende 12 agtereenvolgende maande diens by die werkgewer;

(iii) 'n werkgewer as 'n opskortende voorwaarde vir die betaling deur hom van 'n bedrag wat kragtens hierdie subklousule deur 'n werknemer geëis word ten opsigte van afwesigheid van werk vir 'n tydperk wat oor meer as twee agtereenvolgende dae strek, kan vereis dat so 'n werknemer 'n sertifikaat toon wat deur 'n mediese praktisyn onderteken is en waarin die aard en duur van die werknemer se ongeskiktheid gemeld word: Met dien verstande dat wanneer 'n werknemer gedurende 'n tydperk van hoogstens agt weke betaling ingevolge hierdie subklousule by twee of meer geleenthede ontvang het sonder om so 'n sertifikaat te toon, sy werkgewer gedurende die tydperk van agt weke wat onmiddellik op die laaste sodanige geleentheid volg, van hom kan vereis om so 'n sertifikaat ten opsigte van alle afwesigheid van werk te toon;

(iv) hierdie subklousule nie van toepassing is nie ten opsigte van 'n werknemer op wie se skriftelike versoek die werkgewer bydraes wat minstens gelyk is aan dié van die werknemer, betaal aan 'n fonds of organisasie wat die werknemer aangewys het en wat aan die werknemer, in geval van sy ongeskiktheid onder die omstandighede in hierdie subklousule bedoel, die waarborg gee dat altesaam minstens die ekwivalent van sy loon vir 36 werkdag aan hom betaal sal word in elke tydperk van 36 maande diens.

23. PROVISION OF EQUIPMENT

(1) (a) An employer shall provide, for the use of every hairdresser's assistant, all tools and equipment necessary for the carrying out of his work, except—

- (i) curling tongs;
- (ii) scissors;
- (iii) combs;
- (iv) clippers (not electric);
- (v) razors;
- (vi) neck brushes;
- (vii) strop;
- (viii) razor hone;
- (ix) hand driers;

(b) Where the employer has instituted a colour scheme in coats and overalls fitting in with the colour scheme of his salon, he shall supply and launder the required overalls and coats of his assistants.

(2) An employer shall provide where applicable—

(a) at least one sterilising cabinet containing at all times a solution of at least 40 per cent formalin for the purpose of sterilising all tools, other than shaving brushes;

(b) an antiseptic bath containing a solution of formalin in the proportion of 2,25 litres of water to 56 millilitres of formalin for the purpose of sterilising shaving brushes;

(c) at least two shaving brushes so as to allow one brush not in use to be kept in the antiseptic bath;

(d) a freshly laundered towel for the use of the employee with each customer;

(e) liquid, powdered or tube soap or shaving cream;

(f) a supply of clean paper to wipe the tools and in particular the razor after each stropping operation;

(g) styptic in the form of powder or liquid to be used as a spray or on a fresh clean piece of cotton wool; and

(h) a covered receptacle for the purpose of receiving all soiled paper and cotton wool and hair after each operation.

24. SICK LEAVE

(1) An employer shall grant to any employee, other than a casual employee, employed by him who is absent from work through incapacity, not less than 36 work-days sick leave in the aggregate during any period of 36 consecutive months of employment with him and shall pay such employee in respect of the period of absence in terms of this subclause an amount of not less than the wage he would have received had he worked during such period: Provided that—

(i) in the first 12 consecutive months of employment an employee shall not be entitled to sick leave on full pay at a rate of more than one work-day in respect of each completed month of employment;

(ii) in respect of continued employment, thereafter, not less than 12 working days in the aggregate during any succeeding period of 12 consecutive months of employment with the employer;

(iii) an employer may as a condition precedent to the payment by him of any amount claimed in terms of this subclause by an employee in respect of any absence from work for a period covering more than two consecutive days, require such employee to produce a certificate signed by a medical practitioner stating the nature and duration of the employee's incapacity: Provided that when an employee has during any period of up to eight weeks received payment in terms of this subclause on two or more occasions without producing such a certificate his employer may during the period of eight weeks immediately succeeding the last such occasion require him to produce such a certificate in respect of any absence from work;

(iv) this subclause shall not apply in respect of an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee in the event of his incapacity in the circumstances set out in this subclause the payment to him of not less than in the aggregate the equivalent of his wages for 36 work-days in each period of 36 months of employment.

(2) Vir die toepassing van hierdie klousule—

(a) omvat "besoldiging" of "loon" ook 'n lewenskostetoelae wat ingevolge 'n wet of op 'n ander wyse aan 'n werknemer betaal word of aan hom betaalbaar is;

(b) omvat "diens" ook 'n tydperk wat 'n werknemer—

(i) ingevolge klousule 7 van hierdie Ooreenkoms met verlof afwesig is; of

(ii) ingevolge subklousule (1) met siekteverlof afwesig is; of

(iii) op las of op versoek van sy werkgever van sy werk afwesig is; of

(iv) militêre diens verrig;

en wat in 'n bepaalde jaar altesaam hoogstens 10 weke beloop ten opsigte van die tydperke in subparagrafe (i), (ii), en (iii) bedoel, plus hoogstens vier maande van 'n tydperk van militêre diens wat in subparagraaf (iv) bedoel word en wat in daardie jaar verrig is; en aaneenlopende diens wat 'n werknemer by dieselfde werkgever gehad het onmiddellik voor die datum van inwerkingtreding van hierdie Ooreenkoms, moet vir die toepassing van hierdie klousule geag word diens te wees, en siekteverlof met volle besoldiging wat gedurende sodanige tydperk aan sodanige werknemer toegestaan is, moet vir die toepassing van hierdie klousule geag word siekteverlof te wees wat ingevolge hierdie Ooreenkoms toegestaan is; en

(c) beteken "ongeskiktheid" onvermoë om te werk weens siekte of besering, uitgesonderd siekte of besering veroorsaak deur die werknemer se eie wangedrag; Met dien verstande dat, in gevalle van ongelukke, slegs dié voordele betaalbaar is wat nie as vergoeding ingevolge die Ongevalwet, 1941, of die Motorvoertuigassuransiewet, 1942, betaalbaar is nie.

25. AANSTELLINGSBRIEF

(1) Elke werkgever moet 'n aanstellingsbrief aan elke nuwe werknemer gee waarin die volgende uiteengesit word:

Die werknemer se volle naam, aanvangsdatum van diens, aanvanklike werktoewysing, basiese salaris, gewone werkure en proeftydperk.

(2) 'n Afskrif van sodanige brief wat deur die werknemer onderteken is, moet deur die werkgever gehou word en te alle redelike tye toeganklik wees vir die werknemer vir inspeksie.

(3) Die bepalinge van die aanstellingsbrief moet aan die Raad voorgelê word vir goedkeuring en kommentaar. Sodanige kommentaar moet binne 30 dae na ontvangs van die aanstellingsbrief deur die Raad, aan die partye voorgelê word.

26. ULTRA VIRES

Indien 'n bepaling van hierdie Ooreenkoms deur 'n bevoegde gereghof *ultra vires* verklaar word, moet die oorblywende bepalinge van hierdie Ooreenkoms as die Ooreenkoms beskou word en bly dit van krag vir die onverstreke tydperk van die Ooreenkoms.

27. GETALSVERHOUDING

(1) 'n Werkgever mag nie 'n sjampoeis in diens neem nie, tensy hy 'n gekwalifiseerde haarkapper in sy diens het, en vir die eerste gekwalifiseerde haarkapper in sy diens mag hy hoogstens een sjampoeis in diens neem en daarna hoogstens een sjampoeis vir elke twee gekwalifiseerde haarkappers in sy diens.

(2) 'n Werkgever mag nie 'n deeltydse haarkapper in diens neem nie, tensy hy 'n gekwalifiseerde haarkapper in sy diens het, en vir elke gekwalifiseerde haarkapper in sy diens mag hy hoogstens een deeltydse haarkapper in diens neem.

(3) 'n Werkgever of bestuurder wat uitsluitlik of hoofsaaklik die werk van 'n haarkapper verrig, kan geag word 'n gekwalifiseerde haarkapper te wees.

(4) Hierdie klousule is op elke bedryfsinrigting afsonderlik van toepassing, en 'n werkgever of bestuurder mag nie as 'n gekwalifiseerde werknemer in meer as een bedryfsinrigting of in meer as een klas werk geag word nie.

28. VERBOD OP INDIENSNEMING

'n Werkgever mag niemand onder die ouderdom van 16 jaar in diens neem nie.

(2) For the purposes of this clause—

(a) "pay" or "wage" includes any cost of living allowance which is paid or payable to an employee in terms of any law or otherwise;

(b) "employment" includes any period during which an employee—

(i) is on leave in terms of clause 7 of this Agreement; or

(ii) is on sick leave in terms of subclause (1); or

(iii) is absent from work on the instructions or at the request of his employer; or

(iv) is rendering military service;

amounting in the aggregate in any year to not more than 10 weeks in respect of the periods referred to in subparagraphs (i), (ii) and (iii), plus up to four months of any period of military service referred to in subparagraph (iv) undergone in that year, and any continuous employment which an employee has had with the same employer immediately before the date of commencement of this Agreement shall, for the purposes of this clause, be deemed to be employment, and any sick leave on full pay granted to such an employee during such period shall, for the purposes of this clause, be deemed to have been granted under this Agreement; and

(c) "incapacity" means inability to work owing to any sickness or injury other than sickness or injury caused by an employee's own misconduct: Provided that in cases of accidents only such benefits shall be payable as are not compensable under the Workmen's Compensation Act, 1941, or Motor Vehicle Insurance Act, 1942.

25. LETTER OF APPOINTMENT

(1) Every employer shall provide each new employee with a letter of appointment showing the following:

The employee's full name, date of commencement of service, initial job title, basic salary, normal hours of work and trial period.

(2) A copy of such letter, signed by the employee, shall be retained by the employer and be available for inspection by the employee at all reasonable times.

(3) The terms of the letter of appointment shall be submitted to the Council for approval and comment. Such comment shall be submitted to the parties within 30 days of date of receipt of the letter of appointment by the Council.

26. ULTRA VIRES

Should any provision of this Agreement be declared *ultra vires* by any competent court of law, the remaining provisions of this Agreement shall be deemed to be the Agreement and shall remain in force for the unexpired period of the Agreement.

27. RATIO

(1) An employer shall not employ a shampooist unless he has in his employ a qualified hairdresser, and for the first qualified hairdresser in his employ he shall not employ more than one shampooist and thereafter for every two qualified hairdressers in his employ he shall not employ more than one shampooist.

(2) An employer shall not employ a part-time hairdresser unless he has in his employ a qualified hairdresser and for each qualified hairdresser in his employ he shall not employ more than one part-time hairdresser.

(3) An employer or manager who is wholly or mainly engaged in performing the work of a hairdresser may be deemed to be a qualified hairdresser.

(4) This clause shall apply to each establishment separately, and an employer or manager shall not be deemed to be a qualified employee in more than one establishment or in more than one class of work.

28. PROHIBITION OF EMPLOYMENT

An employer shall not employ any person under the age of 16 years.

29. MEDIESE FONDS

(1) Nademaal die Raad besluit het dat die werkgewers en die werknemers in die Haarkappersbedryf kan deelneem in die M.K.-Mediese Skema wat ingevolge die Wet op Mediese Skemas, 1967, geregistreer is (hierna "die Skema" genoem), magtig hy hierby die invordering van bydraes ooreenkomstig die prosedure wat hieronder uiteengesit word, ten einde uitvoering te gee aan die doelstellings in die Reëls van die Skema vervat:

(a) Elke werkgewer moet elke week of maand, na gelang van die geval, van die loon van elkeen van sy werknemers wat vrywilliglik skriftelik aansoek gedoen het om in die Skema deel te neem, die bedrag aftrek wat ingevolge die Reëls van die Skema bereken is en waarvan die administrateurs van die Skema hom verwittig het. By die bedrag aldus afgetrek moet die werkgewer die bedrag, indien daar is, hy ingestem het om aan die Skema te betaal ten opsigte van elke lid van die Skema in sy diens, byvoeg.

(b) Die werkgewer moet die totaal van die bedrae in subklousule (2) bedoel aan die administrateurs van die Skema stuur voor of op die 15de dag van die maand wat volg op die maand waarin die aftrekkings gedoen is.

30. PENSIOENFONDS

Elke werkgewer moet aan die einde van elke betaaltydperk die bedrag vermeld in die reëls van die Pensioenfonds van die S.A. Hairdressers' Industrial Union, wat deur Ou Mutual onderskryf word, van elke lid van die vakvereniging in sy diens aftrek. Die bedrag aldus afgetrek moet onmiddellik aan die Raad oorbetal word.

Vir en namens die partye op hede die 28ste dag van September 1989 te Pretoria onderteken.

Y. VAN SCHALKWYK,
Voorsitter van die Raad.

J. WEINTRAUD,
Ondervoorsitter van die Raad.

J. P. FORBES,
Sekretaris van die Raad.

29. MEDICAL FUND

(1) The Council, having resolved that employers and employees in the Hairdressing Industry may participate in the M.K. Medical Plan registered in terms of the Medical Schemes Act, 1967 (hereinafter referred to as "the Scheme"), hereby authorises, for the purpose of implementing the objects set forth in the Rules of the Scheme, the collection of contributions in accordance with the procedure detailed hereunder:

(a) Every employer shall each week or month, as the case may be deduct from the wage of each of his employees, who has voluntarily applied in writing to participate in the Scheme, the amount calculated in terms of the Rules of the Scheme and notified to him by the administrators of the Scheme. To the amount so deducted the employer shall add the amount which he has agreed to pay to the Scheme, if any, in respect of members of the Scheme in his employ.

(b) The total of the amounts referred to in subclause (2) shall be forwarded by the employer to the administrators of the Scheme not later than the 15th day of the month following the month during which the deductions were made.

30. PENSION FUND

Every employer shall at the end of each pay period deduct from the wages of every member of the trade union in his employ the amount referred to in the rules of the S.A. Hairdresser's Industrial Union Pension Fund, underwritten by Old Mutual. The amount so deducted shall immediately be paid over to the Council.

Signed at Pretoria, for and on behalf of the parties, this 28th day of September 1989.

Y. VAN SCHALKWYK,
Chairman of the Council.

J. WEINTRAUD,
Vice-Chairman of the Council.

J. P. FORBES,
Secretary of the Council.

Opgawe vir maand
 Salonnommer.....
 Telefoon

Gebruik asseblief die volgende adres vir alle korrespondensie:

(Naam van salon)
(Adres van salon)

[illegible]

Onderwysheffing	
Internasionale heffing	
Boeteheffing	
N.O.R.-heffing	
Algemene heffing	
Salonkoste	
Werkgewersintreefooi	
Werkgewersledegeld	
Salontotaal	
Werknemertotaal	
Totale bedrag verskuldig	

(Betaal asseblief hierdie bedrag)

GOVERNMENT GAZETTE, 26 JANUARY 1990

Return for the month of.....
Salon Number.....
Telephone.....

(Salon's name)
(Salon's address)

P.O. BOX 26319
ARCADIA
0007

[illegible]

Educational levy	
International levy	
Penalty levy	
I.T.B. levy	
General levy	
Salon charge	
Employers' entrance fee	
Employers' subscription	
Salon total	
Employee total	
Total amount due	

(Please remit this amount)

48 No. 12265

AANHANGSEL B
NYWERHEIDSRAAD VIR DIE HAARKAPPERSBEDRYF (PRETORIA)
DIENSSERTIFIKAAT

No.

Naam van salon

Adres van salon

Volle naam van werknemer

Geslag Ouderdom

In diens as

Loon per week/maand.

Datum van indienstreding

Datum van diensverlating

Opmerkings

.....
Handtekening van werkgever

.....
Handtekening van werknemer

L. W.: 'n Afskrif van hierdie sertifikaat moet aan die Sekretaris van die Raad gestuur word.

ANNEXURE B
INDUSTRIAL COUNCIL FOR THE HAIRDRESSING TRADE (PRETORIA)
CERTIFICATE OF SERVICE

No.

Name of salon

Address of salon

Name of employee (in full)

Sex Age

Employed as

Wages per week/per month.

Date started

Date left

Remarks

.....
Signature of employer

.....
Signature of employee

N.B.: A copy of this certificate to be forwarded to the Secretary of the Council.

No. R. 166

26 Januarie 1990

WET OP ARBEIDSVERHOUDINGE, 1956

MOTORNYPWERHEID. — WYSIGING VAN SIEKTE EN ONGEVALLEBYSTANDFONDS-OOREENKOMS VIR DIE MOTORNYPWERHEID

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van 29 Januarie 1990 en vir die tydperk wat op 30 Junie 1992 eindig, bindend is vir die werkgewers-

No. R. 166

26 January 1990

LABOUR RELATIONS ACT, 1956

MOTOR INDUSTRY. — AMENDMENT OF MOTOR INDUSTRY SICK AND ACCIDENT PAY FUND AGREEMENT

I, Eli van der Merwe Louw, Minister of Manpower, hereby, in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from 29 January 1990 and for the period ending 30 June 1992, upon the em-

organisasies en die vakverenigings wat die Wysigings-ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is.

E. VAN DER M. LOUW,
Minister van Mannekrag.

BYLAE

DIE NASIONALE NYWERHEIDSRAAD VIR DIE MOTORNYWERHEID

SIEKTE- EN ONGEVALLEBYSTANDFONDS VIR DIE MOTORNYWERHEID

OOREENKOMS

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

South African Motor Industry Employers' Association

en die

South African Vehicle Builders' and Repairers' Association

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

Motor Industry Employees' Union of South Africa

Motor Industry Staff Association

en die

National Union of Metalworkers of South Africa

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

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid,

om die Siekte- en Ongevallebystandfondsooreenkoms vir die Motornywerheid, gepubliseer by Goewermenskennisgewing No. R. 1600 van 30 Julie 1982, soos gewysig en verleng by Goewermenskennisgewings Nos. R. 2797 van 31 Desember 1982, R. 1727 van 15 Augustus 1986, R. 973 van 30 April 1987, R. 1805 van 21 Augustus 1987, R. 1338 van 30 Junie 1989 en R. 1476 van 5 Julie 1989, te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet in die Streke wat hierin omskryf word, nagekom word deur alle werkgewers in die motornywerheid wat lede van die werkgewersorganisasies is en deur alle werknemers in genoemde Nywerheid wat lede van die vakvereniging is.

2. KLOUSULE 6.—BYDRAES

2.1 In subklousule (1) (a), vervang die syfer "R1,00" deur die syfer "R1,50".

2.2 Voeg die volgende voorbehoudsbepaling in aan die einde van subklousule (1):

"Met dien verstande dat waar 'n werknemer loon ontvang of geregtig is om dit te ontvang vir minder as 23 uur in 'n week, geen bydraes ten opsigte van so 'n werknemer vir daardie week betaalbaar is nie."

Namens die partye op hede die 29ste dag van November 1989 te Johannesburg onderteken.

W. DE KLERK,
President van die Raad.

L. A. COETZER,
Lid van die Raad.

H. C. L. LOOCK,
Hoofsekretaris van die Raad.

ployers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions.

E. VAN DER M. LOUW,
Minister of Manpower.

SCHEDULE

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY

MOTOR INDUSTRY SICK AND ACCIDENT PAY FUND AGREEMENT

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

South African Motor Industry Employers' Association

and the

South African Vehicle Builders' and Repairers' Association

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

Motor Industry Employees' Union of South Africa

Motor Industry Staff Association

and the

National Union of Metalworkers of South Africa

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

being the parties to the National Industrial Council for the Motor Industry,

to amend the Motor Industry Sick and Accident Pay Fund Agreement published under Government Notice No. R. 1600 of 30 July 1982, as amended and extended by Government Notices Nos. R. 2797 of 31 December 1982, R. 1727 of 15 August 1986, R. 973 of 30 April 1987, R. 1805 of 21 August 1987, R. 1338 of 30 June 1989 and R. 1476 of 5 July 1989.

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Regions defined herein by all employers in the Motor Industry who are members of the employers' organisations and by all employees in the said Industry who are members of the trade unions.

2. CLAUSE 6.—CONTRIBUTIONS

2.1 In subclause (1) (a), substitute the figure "R1,50" for the figure "R1,00".

2.2 Insert the following proviso at the end of subclause (1):

"Provided that where an employee receives or is entitled to receive wages for less than 23 hours in any week, no contributions shall be payable in respect of such employee for that week."

Signed at Johannesburg, on behalf of the parties, this 29th day of November 1989.

W. DE KLERK,
President of the Council.

L. A. COETZER,
member of the Council.

H. C. L. LOOCK,
General Secretary of the Council.

SENTRALE STATISTIEKDIENS

No. R. 127

26 January 1990

WET OP STATISTIEKE, 1976
(WET No. 66 VAN 1976)**REGULASIES BETREFFENDE STATISTIEKE
IN VERBAND MET FABRIEKSINRICHTINGS,
1989**

Die Minister van Binnelandse Sake het kragtens artikel 17 van die Wet op Statistieke 1976 (Wet No. 66 van 1976), saamgelees met Goewermentskennisgewing No. R. 139 van 4 Februarie 1977, die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

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

“fabrieksinrigting” ’n inrigting wat een of meer van die volgende werksaamhede verrig—

- (a) die vervaardiging, verwerking, maak of verpakking van goedere of handelsartikels;
- (b) die slag van diere, met inbegrip van pluimvee; en
- (c) installerings-, monterings-, voltooiings-, herstel- en ander verwante werk;

“persoon in beheer van ’n fabrieksinrigting”—

- (a) die persoon wat gedurende die jaar bedoel in regulasie 2(2) die eienaar van die fabrieksinrigting was; of
- (b) die persoon aan wie die toesig of beheer oor die administrasie, leiding of bestuur van sodanige fabrieksinrigting gedurende bedoelde jaar toevertrou is; of
- (c) indien die fabrieksinrigting gedurende bedoelde jaar—
 - (i) ’n insolvente of gestowe boedel was, die betrokke kurator, eksekuteur of administrateur, na gelang van die geval;
 - (ii) ’n maatskappy onder geregtelike bestuur was, die betrokke geregtelike bestuurder; of
 - (iii) ’n maatskappy, vereniging sonder winsoogmerk, beslote korporasie of koöperasie in likwidasie was, die betrokke likwidateur.

Toepassing van regulasies

2. (1) Hierdie regulasies is van toepassing ten opsigte van die versameling van statistieke in verband met fabrieksinrigtings, met inbegrip van die versameling van besonderhede en inligting betreffende ’n fabrieksinrigting en die aard van sy werksaamhede, sy aankope en oorplasings-in van materiaal, sy produkte vervaardig, en sy invoere en uitvoere.

(2) Die statistieke moet versamel word ten opsigte van die jaar 1 January 1989 tot 31 Desember 1989.

Verstreking van statistieke

3. (1) ’n Persoon in beheer van ’n fabrieksinrigting moet voor of op 31 Maart 1990, of voor of op sodanige later datum wat deur die Hoof van die Sentrale Statistiekdiens bepaal mag word, die statistieke voorgeskryf in die Vraelys in verband met die Sensus van Fabrieksweseproduksie, 1989, aan genoemde Hoof verstrek.

(2) Bedoelde Vraelys is by die Hoof van die Sentrale Statistiekdiens, Privaatsak X44, Pretoria, 0001, verkrygbaar.

CENTRAL STATISTICAL SERVICE

No. R. 127

26 January 1990

STATISTICS ACT, 1976
(ACT No. 66 OF 1976)**REGULATIONS RELATING TO STATISTICS IN
CONNECTION WITH MANUFACTURING
ESTABLISHMENTS, 1989**

The Minister of Home Affairs has, under section 17 of the Statistics Act, 1976 (Act No. 66 of 1976), read with Government Notice No. R. 139 of 4 February 1977, made the regulations in the Schedule.

SCHEDULE**Definitions**

1. In these regulations, unless the context otherwise indicates—

“manufacturing establishment” means any establishment performing one or more of the following activities—

- (a) the manufacture, processing, making or packing of goods or commodities,
- (b) the slaughter of animals, including poultry; and
- (c) installation, assembly, completion, repair and other related work;

“person in charge of manufacturing establishment” means—

- (a) the person who was the owner of the manufacturing establishment during the year referred to in regulation 2 (2); or
- (b) the person to whom the supervision of or control over the administration, direction or management of such manufacturing establishment was entrusted during such year; or
- (c) if during such year the manufacturing establishment was—
 - (i) an insolvent or deceased estate, the trustee, executor or administrator concerned, as the case may be;
 - (ii) a company under judicial management, the judicial manager concerned; or
 - (iii) a company, association not for gain, close corporation or co-operative in liquidation, the liquidator concerned.

Application of regulations

2. (1) These regulations shall apply in respect of the collection of statistics in connection with manufacturing establishments, including the collection of particulars and information relating to a manufacturing establishment and the nature of its activities, its purchases and transfers-in of materials, its products manufactured, and its imports and exports.

(2) The statistics shall be collected in respect of the year 1 January 1989 to 31 December 1989.

Furnishing of statistics

3. (1) Any person in charge of a manufacturing establishment shall on or before 31 March 1990, or on or before such later date as may be determined by the Head of the Central Statistical Service, furnish the said Head with the statistics prescribed by the Questionnaire in connection with the Census of Manufacturing Production, 1989.

(2) The said Questionnaire can be obtained from the Head of the Central Statistical Service, Private Bag X44, Pretoria, 0001.

Misdrywe en strawwe

4. 'n Persoon in beheer van 'n fabrieksinrigting wat, sonder redelike oorsaak, versuim om aan 'n bepaling van regulasie 3 (1) te voldoen, is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R1 000 en, in die geval van 'n voortdurende versuim om aan sodanige bepaling te voldoen, met 'n boete van hoogstens R50 vir elke dag waarop die versuim voortduur.

SUID-AFRIKAANSE POLISIE

No. R. 126

26 Januarie 1990

VERBETERINGSKENNISGEWING

In *Staatskoerant* No. 12250 van 12 Januarie 1990, bladsy 3, Goewermmentskennisgewing No. R. 45, is die bewoording "Major-General" tussen die woorde "Lieutenant-General" en "Brigadier" in die Engelse teks per abuis weggelaat.

SUID-AFRIKAANSE VERVOERDIENSTE

No. R. 106

26 Januarie 1990

PENSIOENREGULASIES. — WYSIGINGSLSYS

Kragtens die bevoegdheid aan my verleen by artikel 4 (3) van die Spoorweg- en Hawepensioenwet, 1971 (Wet No. 35 van 1971), verleen ek, Dawid Jacobus de Villiers, Minister van Mineraal- en Energiesake en Openbare Ondernemings van die Republiek van Suid-Afrika, na raadpleging met die Raad van die Suid-Afrikaanse Vervoerdienste, goedkeuring daaraan dat die Pensioenregulasies, gepubliseer in Goewermmentskennisgewing No. R. 1102 van 10 Junie 1988, soos volg gewysig word terugwerkend vanaf 1 Oktober 1989 ooreenkomstig die bepaling van artikel 4 (3A) van dieselfde wet.

REGULASIE 18

Die volgende paragraaf word na paragraaf (7) ingevoeg:

8. (1) 'n Lid, wat nie 'n burger van die Republiek van Suid-Afrika is nie en wat buite die grense van die Republiek van Suid-Afrika in diens is, mag met die toestemming van die Administrasie sy lidmaatskap voor bereiking van die voorgeskrewe aftreeouderdom kanselleer.
- (2) 'n Lid wat in die gebied Suidwes-Afrika in diens van die Suid-Afrikaanse Lugdiensdivisie van die Administrasie is, mag met die toestemming van die Administrasie sy lidmaatskap voor bereiking van die voorgeskrewe aftreeouderdom kanselleer binne ses maande vanaf die datum waarop daardie gebied 'n onafhanklike staat word.
- (3) In die geval waar lidmaatskap gekanselleer word kragtens subparagraaf (1) of (2) betaal die Nuwe Fonds die bedrag soos bepaal kragtens subparagraaf (4) aan die Administrasie oor wat op sy beurt die genoemde bedrag aan die lid oorbetaal of aanwend soos met die lid ooreengekom en daarna het die lid geen verdere eis teen die Nuwe Fonds nie.
- (4) Die bedrag waarna daar in subparagraaf (3) verwys word is die bedrag bepaal deur 'n aktuaris aangestel deur die Hoofbestuurder as die aktuariële verpligting vir verstreke diens ten opsigte van die betrokke lid gebaseer op die mees onlangse aktuariële waardering van die Nuwe Fonds kragtens die bepalings van artikel 11 van die Wet.

Offences and penalties

4. Any person in charge of a manufacturing establishment who, without reasonable cause, fails to comply with any provision of regulation 3 (1) shall be guilty of an offence and liable on conviction to a fine not exceeding R1 000 and, in the case of a continuing failure to comply with such provision, to a fine not exceeding R50 for every day during which the failure continues.

SOUTH AFRICAN POLICE

No. R. 126

26 January 1990

CORRECTION NOTICE

In *Government Gazette* No. 12250 of 12 January 1990, page 3, Government Notice No. R. 45, the words "Major-General" were inadvertently omitted between the words "Lieutenant-General" and "Brigadier" in the English text.

SOUTH AFRICAN TRANSPORT SERVICES

No. R. 106

26 January 1990

PENSION REGULATIONS. — SCHEDULE OF AMENDMENT

Under the power vested in me by section 4 (3) of the Railways and Harbours Pensions Act, 1971 (Act No. 35 of 1971), I, Dawid Jacobus de Villiers, Minister of Mineral and Energy Affairs and Public Enterprises of the Republic of South Africa, do hereby, after consultation with the South African Transport Services Board, approve of the Pension Regulations, published in Government Notice No. R. 1102 of 10 June 1988 being amended as follows, retrospective from 1 October 1989 in terms of the provisions of section 4 (3A) of the said act.

REGULATION 18

The following paragraph shall be inserted after paragraph (7):

8. (1) A member who is not a South African citizen and who is employed outside the borders of the Republic of South Africa may with the permission of the Administration cancel his membership before attaining the prescribed retiring age.
- (2) A member who is employed by the South African Airways division of the Administration in the territory of South West Africa, may with the permission of the Administration, cancel his membership before attaining the prescribed retiring age within six months after the date that, that territory becomes an independent state.
- (3) In the event of a cancellation of membership in terms of subparagraph (1) or (2) the New Fund shall pay the amount determined in terms of subparagraph (4) to the Administration who in turn shall pay the said amount to the member or utilize it as agreed with the member and thereafter such member shall have no further claim upon the New Fund.
- (4) The amount referred to in subparagraph (3) is the amount determined by an actuary appointed by the General Manager as the actuarial liability for past service in respect of the relevant member on the basis of the most recent actuarial valuation of the Fund in terms of section 11 of the Act.

**Help om ons land, Suid-Afrika,
skoon te hou!**



**Please keep our country, South
Africa, clean!**

BELANGRIK!!

Plasing van tale:

Staatskoerante

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.
2. Vir die tydperk 1 Oktober 1989 tot 30 September 1990 word Afrikaans EERSTE geplaas.
3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. *Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.*

—oOo—

IMPORTANT!!

Placing of languages:

Government Gazettes

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1989 to 30 September 1990, Afrikaans is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Act of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. *It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.*

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