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GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN FINANSIES

No. R. 2450 **24 Desember 1993**

RAAD OP FINANSIËLE DIENSTE

WYSIGING VAN REGULASIES UITGEVAARDIG
KRAGTENS DIE WET OP BEHEER VAN EFFEKTE-
BEURSE, 1985

Die Adjunkminister van Finansies, handelende
namens en in opdrag van die Minister van Finansies,
het kragtens artikel 51 van die Wet op Beheer van
Effektebeurse, 1985 (Wet No. 1 van 1985), die regula-
sies in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie regulasies beteken "die Regulasies"
die Regulasies gepubliseer by Goewermentskennis-
gewing No. R. 1493 van 18 Julie 1986, soos gewysig
deur Goewermentskennisgewing No. R. 3072 van
6 November 1992 en Goewermentskennisgewing No.
R. 1650 van 3 September 1993.

Wysiging van regulasie 4 van die Regulasies

2. Regulasie 4 van die Regulasies word hierby
gewysig deur subregulasie (10) deur die volgende sub-
regulasie te vervang:

"(10) Die Raad moet binne drie maande na aanhoor
van die appèl sy beslissing skriftelik tot beskik-
king stel vir meedeling deur die Sekretaris van
die Raad ingevolge subregulasie (13)."

58984—A

GOVERNMENT NOTICES

DEPARTMENT OF FINANCE

No. R. 2450 **24 December 1993**

FINANCIAL SERVICES BOARD

AMENDMENT OF REGULATIONS MADE UNDER
THE STOCK EXCHANGES CONTROL ACT, 1985

The Deputy Minister of Finance, acting on behalf and
on assignment of the Minister of Finance, has under
section 51 of the Stock Exchanges Control Act, 1985
(Act No. 1 of 1985), made the regulations in the
Schedule.

SCHEDULE

Definition

1. In these regulations "the Regulations" means the
Regulations published under Government Notice No.
R. 1493 of 18 July 1986, as amended by Government
Notice No. R. 3072 of 6 November 1992 and Govern-
ment Notice No. R. 1650 of 3 September 1993.

Amendment of regulation 4 of the Regulations

2. Regulation 4 of the Regulations is hereby
amended by the substitution for subregulation (10) of
the following subregulation:

"(10) After hearing the appeal, the Board shall make
its decision available in writing within three
months after such hearing for communication by
the Secretary of the Board in terms of regulation
(13)."

15362—1

No. R. 2451**24 Desember 1993****RAAD OP FINANSIËLE DIENSTE****WYSIGING VAN REGULASIES UITGEVAARDIG Kragtens die Wet op Beheer van Finansiële Markte, 1989**

Die Adjunkminister van Finansies, handelende namens en in opdrag van die Minister van Finansies, het kragtens artikel 37 van die Wet op Beheer van Finansiële Markte, 1989 (Wet No. 55 van 1989), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie regulasies beteken "die Regulasies" die Regulasies gepubliseer by Goewermmentskennisgewing No. R. 1885 van 10 Augustus 1990, soos gewysig deur Goewermmentskennisgewing No. R. 1652 van 3 September 1993.

Wysiging van regulasie 4 van die Regulasies

2. Regulasie 4 van die Regulasies word hierby gewysig deur subregulasie (10) deur die volgende subregulasie te vervang:

"(10) Die raad moet binne drie maande na aanhoor van die appèl sy beslissing skriftelik tot beskikking stel vir meedeling deur die sekretaris van die raad ingevolge subregulasie (13)."

DEPARTEMENT VAN JUSTISIE**No. R. 2462****24 Desember 1993****VERKLARING VAN VREDESBEAMPTES Kragtens Artikel 334 van die Strafproseswet, 1977 (Wet No. 51 van 1977)**

Kragtens artikel 334 (1) (a) van die Strafproseswet, 1977 (Wet No. 51 van 1977), wysig ek, Sheila Margaret Camerer, Adjunkminister van Justisie handelende namens en in opdrag van die Minister van Justisie, hierby die Bylae by Goewermmentskennisgewing No. R. 159 van 2 Februarie 1979, soos gewysig deur Goewermmentskennisgewings Nos. R. 1749 van 12 Augustus 1983, R. 500 van 8 Maart 1985, R. 684 en R. 685 van 29 Maart 1985, R. 1281 van 14 Junie 1985, R. 1845 van 23 Augustus 1985, R. 2227 van 4 Oktober 1985, R. 2597 van 22 November 1985, R. 4 van 3 Januarie 1986, R. 950 van 23 Mei 1986, R. 1315 van 19 Junie 1987, R. 2697 van 4 Desember 1987, R. 1860 van 16 September 1988, R. 550 van 31 Maart 1989, R. 1620 van 21 Julie 1989, R. 543 van 16 Maart 1990, R. 731 van 30 Maart 1990, R. 1853 van 10 Augustus 1990, R. 2229 van 21 September 1990, R. 2483 van 26 Oktober 1990, R. 2663 van 16 November 1990, R. 1966 en R. 1967 van 17 Julie 1992, R. 2270 van 14 Augustus 1992, R. 2599 en R. 2600 van 18 September 1992, R. 2828 van 9 Oktober 1992, R. 2912 van 23 Oktober 1992, R. 3320 van 27 November 1992, R. 1170 van 2 Julie 1993, R. 1890 van 8 Oktober 1993, R. 2204 van 19 November 1993 en R. 2285 van 3 Desember 1993, deur Deel 2 van genoemde Bylae deur die volgende Deel te vervang:

No. R. 2451**24 December 1993****FINANCIAL SERVICES BOARD****AMENDMENT OF REGULATIONS MADE UNDER THE FINANCIAL MARKETS CONTROL ACT, 1989**

The Deputy Minister of Finance, acting on behalf and on assignment of the Minister of Finance, has under section 37 of the Financial Markets Control Act, 1989 (Act No. 55 of 1989), made the regulations set out in the Schedule.

SCHEDULE**Definition**

1. In these regulations "the Regulations" means the Regulations published under Government Notice No. R. 1885 of 10 August 1990, as amended by Government Notice No. R. 1652 of 3 September 1993.

Amendment of regulation 4 of the Regulations

2. Regulation 4 of the Regulations is hereby amended by the substitution for subregulation (10) of the following subregulation:

"(10) After hearing the appeal, the board shall make its decision available in writing within three months after such hearing for communication by the secretary of the board in terms of subregulation (13)."

DEPARTMENT OF JUSTICE**No. R. 2462****24 December 1993****DECLARATION OF PEACE OFFICERS UNDER SECTION 334 OF THE CRIMINAL PROCEDURE ACT, 1977 (ACT No. 51 OF 1977)**

Under section 334 (1) (a) of the Criminal Procedure Act, 1977 (Act No. 51 of 1977), I, Sheila Margaret Camerer, Deputy Minister of Justice, acting on behalf of and on the assignment of the Minister of Justice, hereby amend the Schedule to Government Notice No. R. 159 of 2 February 1979, as amended by Government Notices Nos. R. 1749 of 12 August 1983, R. 500 of 8 March 1985, R. 684 and R. 685 of 29 March 1985, R. 1281 of 14 June 1985, R. 1845 of 23 August 1985, R. 2227 of 4 October 1985, R. 2597 of 22 November 1985, R. 4 of 3 January 1986, R. 950 of 23 May 1986, R. 1315 of 19 June 1987, R. 2697 of 4 December 1987, R. 1860 of 16 September 1988, R. 550 of 31 March 1989, R. 1620 of 21 July 1989, R. 543 of 16 March 1990, R. 731 of 30 March 1990, R. 1853 of 10 August 1990, R. 2229 of 21 September 1990, R. 2483 of 26 October 1990, R. 2663 of 16 November 1990, R. 1966 and R. 1967 of 17 July 1992, R. 2270 of 14 August 1992, R. 2599 and R. 2600 of 18 September 1992, R. 2828 of 9 October 1992, R. 2912 of 23 October 1992, R. 3320 of 27 November 1992, R. 1170 of 2 July 1993, R. 1890 of 8 October 1993, R. 2204 of 19 November 1993 and R. 2285 of 3 December 1993, by the substitution for Part 2 of the said Schedule of the following Part:

"Deel 2"

Immigrasiebeamptes kragtens artikel 3 van die Wet op Vreemdelinge-beheer, 1991 (Wet No. 96 van 1991), aangestel, of wat geag word aldus aangestel te wees.

Die Republiek van Suid-Afrika

(1) Enige misdryf ingevolge artikel 32 van die Wet op Vreemdelinge-beheer, 1991

Die uitreiking van skriftelike kennisgewings ingevolge artikel 56 van die Strafproseswet, 1977.

(2) Enige misdryf ingevolge artikel 35 van die Wet op Vreemdelinge-beheer, 1991

Die inhegtenisneming sonder lasbrief van iemand ingevolge artikel 40 (1) (a) van die Strafproseswet, 1977."

"Part 2"

Immigration officers appointed under section 3 of the Aliens Control Act, 1991 (Act No. 96 of 1991), or who are deemed to be so appointed

The Republic of South Africa

(1) Any offence in terms of section 32 of the Aliens Control Act, 1991

The issue of written notices in terms of section 56 of the Criminal Procedure Act, 1977.

(2) Any offence in terms of section 35 of the Aliens Control Act, 1991

The arrest without warrant of any person in terms of section 40 (1) (a) of the Criminal Procedure Act, 1977."

S. M. CAMERER,

Adjunkminister van Justisie.

S. M. CAMERER,

Deputy Minister of Justice.

DEPARTEMENT VAN MINERAAL- EN ENERGIESAKE

No. R. 2449

24 Desember 1993

MINERAALWET, 1991
(WET No. 50 VAN 1991)

WYSIGING VAN REGULASIES

Ek, George Shepstone Bartlett, Minister van Mineraal- en Energiesake, vaardig hierby kragtens artikel 63 van die Mineraalwet, 1991 (Wet No. 50 van 1991), die regulasies in die Bylae uit.

BYLAE

WOORDOMSKRYWING

1. In hierdie regulasies beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 992 van 26 Junie 1970, soos gewysig deur Goewermentskennisgewings Nos. R. 303, R. 304 en R. 305 van 1 Maart 1972, R. 1346 van 4 Augustus 1972, R. 2101, R. 2102 en R. 2103 van 1 November 1974, R. 513 van 1 April 1977, R. 1189 van 8 Junie 1979, R. 537 van 21 Maart 1980, R. 2227 en R. 2228 van 31 Oktober 1980, R. 2703 van 11 Desember 1981, R. 2264 van 31 Oktober 1986, R. 367 van 27 Februarie 1987, R. 2566 van 20 November 1987, R. 1352 van 8 Julie 1988, R. 1889 van 16 September 1988, R. 1130 van 2 Junie 1989, R. 1339 van 22 Junie 1990, R. 1644 van 13 Julie 1990, R. 2706 van 23 November 1990, R. 2923 van 10 Desember 1990, Kennisgewing 160 van 1 Februarie 1991, R. 398 van 1 Maart 1991, R. 1263 van 7 Junie 1991, R. 2026 van 23 Augustus 1991 en R. 3083 van 20 Desember 1991, R. 814 van 13 Maart 1992, R. 110 van 16 April 1992, R. 2223 van 7 Augustus 1992 en R. 1556 van 20 Augustus 1993.

DEPARTMENT OF MINERAL AND ENERGY AFFAIRS

No. R. 2449

24 December 1993

MINERALS ACT, 1991
(ACT No. 50 OF 1991)

AMENDMENT OF REGULATIONS

Under section 63 of the Minerals Act, 1991 (Act No. 50 of 1991), I, George Shepstone Bartlett, Minister of Mineral and Energy Affairs, hereby make the regulations in the Schedule.

SCHEDULE

DEFINITION

1. In these regulations "the Regulations" means the regulations published by Government Notice No. R. 992 of 26 June 1970, as amended by Government Notices Nos. R. 303, R. 304 and R. 305 of 1 March 1972, R. 1346 of 4 August 1972, R. 2101, R. 2102 and R. 2103 of 15 November 1974, R. 513 of 1 April 1977, R. 1189 of 8 June 1979, R. 537 of 21 March 1980, R. 2227 and R. 2228 of 31 October 1980, R. 2703 of 11 December 1981, R. 2264 of 31 October 1986, R. 367 of 27 February 1987, R. 2566 of 20 November 1987, R. 1352 of 8 July 1988, R. 1889 of 16 September 1988, R. 1130 of 2 June 1989, R. 1339 of 22 June 1990, R. 1644 of 13 July 1990, R. 2706 of 23 November 1990, R. 2923 of 10 December 1990, Notice 160 of 1 February 1991, R. 398 of 1 March 1991, R. 1263 of 7 June 1991, R. 2026 of 23 August 1991 and R. 3083 of 20 December 1991, R. 814 of 13 March 1992, R. 110 of 16 April 1992, R. 2223 of 7 August 1992 and R. 1556 of 20 August 1993.

WYSIGING VAN REGULASIE 1 VAN DIE REGULASIES

2. Regulasie 1 van die Regulasies word hierby gewysig—

- (a) Deur die volgende woordomskeywing in te voeg voor die woordomskeywing van "hystoestel":

"(15) 'hysinstallasie' enige hysmasjien of ander toestel wat gebruik word of bedoel is om gebruik te word vir die vervoer van persone, materiaal, plofstowwe of minerale deur middel van 'n hysbok, skip of ander soort vervoermiddel in enige skag of daalgang waar die beheerstelsel van die dryfmasjinerie normaalweg met die hand vanaf die motor- of enjinkamer gewerk kan word, maar uitgesonderd enige hyser, hystoestel, ringtouvervoer en skrapeerwenaasaanleg; (37)";

- (b) deur die volgende woordomskeywing in te voeg na die woordomskeywing van "gevaargebied":

"(14) 'hyser' enige installasie wat gebruik word of bedoel is om gebruik te word vir die vervoer van persone, materiaal, plofstowwe of minerale deur middel van 'n hysbak wat toegerus is met veiligheidsknippe en wat in 'n luikgang op vaste soliede leispore beweeg en bepaalde vlakke bedien, waarvan die beheerstelsel van die dryfmasjinerie nie normaalweg met die hand vanaf die motor- of enjinkamer gewerk word nie; (6)";

- (c) deur die woordomskeywing van luikgang deur die volgende woordomskeywing te vervang:

"(20) 'luikgang' enige put, kompartement van 'n skag of daalgang of 'n vertikale of hellende vervoerweg waarin 'n hysbak of teenwig loop' (11)";

- (d) deur die volgende woordomskeywing in te voeg na die woordomskeywing van "steilhellend":

"(33A) 'stoelhyser' enige toestel of kombinasie van toestelle wat gebruik word of bedoel is om gebruik te word vir die vervoer van persone of materiaal deur middel van stoele of ander soort vervoermiddels wat van 'n ringtrekhou hang of stoele of vervoermiddels wat op 'n tou of in of op 'n spoorbaan loop en voorsien is van 'n trekhou of trekketting; (4A)";

- (e) deur die volgende woordomskeywing in te voeg na die woordomskeywing van "stoelhyser":

"(33B) 'stoomketel'

- (a) 'n apparaat geskik gemaak om ononderbroke enige vloeistof te verander in stoom, damp of gas teen 'n hoër druk as die aan die atmosfeer toe te skrywe, waar die hitte verkry word uit 'n ander bron as stoom of die omringende temperatuur van die atmosfeer, met inbegrip van enige oorverhitter of hitteverhaler wat 'n integrerende deel daarvan uitmaak; of

AMENDMENT OF REGULATION 1 OF THE REGULATIONS

2. Regulation 1 of the Regulations is hereby amended by—

- (a) the insertion after the definition of "blasting material" of the following definition:

"(2A) 'boiler' means—

- (a) any apparatus adapted to convert continuously any liquid into steam, vapour or gas at a pressure higher than that due to the atmosphere, where the heat is derived from a source other than steam or the ambient temperature of the atmosphere, including any super-heater or economizer comprising an integral part thereof; or

- (b) any economizer or separately-fired super-heater not comprising an integral part of such apparatus,

and includes every fitting and appurtenance pertaining to any such apparatus, economizer or super-heater: Provided that if any apparatus consists of a combination of two or more parts each of which is capable of adaption for use as a separate boiler by the closing of one or more stop valves or stop cocks, each of the said parts shall be deemed to be a boiler: Provided further that—

- (i) a steam generator fitted with a standpipe or riser which is vented directly to the atmosphere and the vent of which is of such dimensions as to prevent the development of any pressure exceeding 35 kPa within the vessel, and provided that no valve or other obstruction is inserted in the standpipe or riser to prevent the vessel from freely venting to the atmosphere; or

- (ii) any apparatus of which the product of the manufacturer's intended maximum working pressure in kilopascal and the volume in cubic metres does not exceed the figure 10,

shall not be deemed to be a boiler; (33B)";

- (b) the insertion before the definition of "competent person" of the following definition:

"(4A) 'chair lift' means any appliance or combination of appliances used or intended to be used for the conveyance of persons or material by means of chairs or other means of conveyances suspended from an endless hauling rope or with chairs or conveyances running on a rope or in or on a rail circuit and provided with a hauling rope or chain; (33A)";

- (b) 'n hitteverhaler of apart gestookte oorverhitter wat nie 'n integreerende deel van so 'n apparaat uitmaak nie,

en ook alle by- en toebehore wat by so 'n apparaat, hitteverhaler of oorverhitter hoort. Met dien verstande dat indien enige apparaat uit 'n kombinasie van twee of meer dele bestaan waarvan elkeen vir gebruik as 'n aparte stoomketel geskik gemaak kan word deur die afsluiting van een of meer afsluitkleppe of -krane, elkeen van genoemde dele geag word 'n stoomketel te wees. Met dien verstande verder dat—

- (i) 'n stoomontwikkelaar toegerus met 'n staan- of stygpyp wat regstreeks in die atmosfeer ontlug en waarvan die afmetings van die ontlugter sodanig is dat die ontwikkeling van 'n druk hoër as 35 kPa binne die houer voorkom word, en mits geen klep of ander versperring in die staan- of stygpyp geplaas word wat verhoed dat die houer vrylik in die atmosfeer ontlug nie; of

- (ii) 'n apparaat waarvan die produk van die vervaardiger se bedoelde maksimum werkdruk in kilopascal en die volume in kubieke meter nie die syfer 10 oorskry nie,

geag word nie 'n stoomketel te wees nie; (2A)''.

- (f) deur die volgende woordskrywing in te voeg na die woordskrywing van "Vlambaregasmeetinstrument":

"(37C) 'Voorgeskrewe permit' 'n permit by regulasie 34.1 voorgeskryf; (21B)".

WYSIGING VAN REGULASIE 16 VAN DIE REGULASIES

3. Regulasie 16 van die Regulasies word hierby gewysig—

- (a) deur subregulasie 16.1 deur die volgende subregulasie te vervang:

"16.1 Niemand mag ry of iemand laat ry of toelaat om te ry in of op 'n voertuig van 'n hysinstallasie tensy die voorgeskrewe permit of regulasie 16.94 dit toelaat nie.";

- (b) deur die volgende subregulasie na subregulasie 16.1 by te voeg:

"16.2.1 Behoudens regulasie 16.94 mag die bestuurder van 'n myn nie 'n hysinstallasie gebruik of toelaat dat 'n hysinstallasie gebruik word nie tensy hy in besit is van 'n voorgeskrewe permit wat deur die streekdirekteur uitgereik is.";

- (c) deur subregulasie 16.83.1 deur die volgende subregulasie te vervang:

"16.83.1 Niemand mag 'n hysinstallasie waarvoor 'n voorgeskrewe permit toegestaan is, dryf of toegelaat of verplig word om dit te dryf nie, tensy hy 'n gediplomeerde hysmasjien-

- (c) the insertion after the definition of "controlled mine" or "controlled works" of the following definition:

"(6) 'elevator' means any installation used or intended to be used for the conveyance of persons, material, explosives or mineral by means of a car fitted with safety catches running in a hatchway on fixed solid guides and serving defined landing levels, where the control system of the driving machinery is not normally operated manually from the motor or engine room; (14)";

- (d) the substitution for the definition of "hatchway" of the following definition:

"(11) 'hatchway' means any well, compartment of a shaft or winze or any vertical or inclined way in which a car or counterpoise is operated; (20)";

- (e) the insertion after the definitions of "onsetter" of the following definition:

"(21B) 'prescribed permit' means a permit prescribed by regulation 34.1; (37C)";

- (f) the insertion before the definition of "winze" of the following definition:

"(37) 'winding plant' means any hoist or other appliance used or intended to be used for the conveyance of persons, material, explosives or mineral by means of a cage, skip or other means of conveyance in any shaft or winze where the control system of the driving machinery can normally be operated manually from the motor or engine room, but excluding any elevator, lifting machine, endless rope haulage and scraper winch installation; (15)".

AMENDMENT OF REGULATION 16 OF THE REGULATIONS

3. Regulation 16 of the Regulations is hereby amended by—

- (a) the substitution for subregulation 16.1 of the following subregulation:

"16.1 No person shall ride or cause or permit any person to ride in or on a conveyance operated by a winding plant, unless it is permitted by a prescribed permit or by regulation 16.94.";

- (b) the insertion after subregulation 16.1 of the following subregulation:

"16.2.1 Except as provided for in regulation 16.94, the manager of a mine shall not use a winding plant nor permit a winding plant to be used unless he is in possession of a prescribed permit issued by a regional director.";

- (c) the substitution for subregulation 16.83.1 of the following subregulation:

"16.83.1 Nobody shall drive or be caused or permitted to drive a winding plant, for which a prescribed permit has been issued unless he is a certificated winding-engine driver: Provided

drywer is: Met dien verstande dat 'n leerling hysmasjiendrywer sodanige hysinstallasie onder die direkte toesig van 'n gediplomeerde hysmasjiendrywer mag dryf wanneer niemand vervoer word nie.”;

- (d) deur die volgende subregulasie na subregulasie 16.93.6 by te voeg:

“16.94 Die voorgeskrewe permit is nie 'n vereiste vir 'n hysinstallasie wat bedien word deur 'n masjien of motor wat hoogstens 250 kilowatt ontwikkel nie, met dien verstande dat so 'n hysinstallasie—

- (a) nie gebruik word vir die hys of neerlaat van persone anders as persone wat besig is met herstel of onderzoekwerk aan 'n skag of daalgang nie; en
- (b) nie in enige deel van 'n skag of daalgang werk op 'n wyse wat moontlik die werk van 'n voertuig of voertuie kan belemmer wat in daardie skag of daalgang werk wat bedien word deur 'n hysinstallasie waarvoor 'n voorgeskrewe permit toegestaan is nie.”;

- (e) deur subregulasie 16.95.1 deur die volgende subregulasie te vervang:

“16.95.1 'n Hysinstallasie bedoel in regulasie 16.94 is nie onderworpe aan die bepalings van regulasies 16.5.1, 16.5.2, 16.7, 16.9 tot en met 16.15, 16.18, 16.19, 16.24 tot en met 16.29, 16.41.1, 16.41.2, 16.49.1, 16.58 tot en met 16.61, 16.74, 16.75 en 16.81 nie: Met dien verstande dat die bestuurder, of onderbestuurder kragtens regulasie 2.6.1 aangestel 'n bevoegde persoon skriftelik moet aanstel om die pligte en ondersoeke uit te voer wat in regulasie 16.74 voorgeskryf word en met dien verstande voorts dat die ingenieur, of persoon kragtens regulasie 2.13.2 aangestel 'n bevoegde persoon skriftelik moet aanstel om minstens een keer per week die items gespesifiseer in regulasie 16.74.1 te ondersoek”.

- (f) deur die volgende subregulasie na subregulasie 16.104 by te voeg:

“16.105 Geen stoelhyserinstallasie mag gebruik word vir die vervoer van persone nie tensy die voorgeskrewe permit vir sodanige installasie dit toelaat.”.

WYSIGING VAN REGULASIE 17 VAN DIE REGULASIES

4. Regulasie 17 van die Regulasies word hierby gewysig—

- (a) deur die volgende subregulasies voor subregulasie 17.2.1 by te voeg:

“17.1.1 Geen hyser mag gebruik word nie, tensy 'n voorgeskrewe permit vir die gebruik daarvan deur die streekdirekteur uitgereik is.

17.1.2 Geen hyser mag gebruik word vir die vervoer van persone nie tensy die voorgeskrewe permit dit toelaat.”.

that a learner winding-engine driver may drive such a winding plant under the direct supervision of a certificated winding-engine driver while no persons are being conveyed.”;

- (d) the insertion after subregulation 16.93.6 of the following subregulation:

“16.94 The prescribed permit shall not be required for a winding plant that is driven by an engine or motor developing not more than 250 kilowatt, provided that such winding plant—

- (a) is not used for the raising or lowering of persons other than persons engaged in repairing or examining a shaft; and
- (b) does not operate in any portion of a shaft or winze in any manner likely to interfere with the conveyance operated in that shaft served by a winding plant for which a prescribed permit has been granted.”;

- (e) the substitution for subregulation 16.95.1 of the following subregulation:

“16.95.1 A winding plant, referred to in regulation 16.94, shall not be subject to the provisions of regulations 16.5.1, 16.5.2, 16.7, 16.9 to 16.15 inclusive, 16.18, 16.19, 16.24 to 16.29 inclusive, 16.41.1, 16.41.2, 16.49.1, 16.58 to 16.61 inclusive, 16.74, 16.75 and 16.81: Provided that the manager, or subordinate manager appointed in terms of regulation 2.6.1 shall appoint in writing any competent person to carry out the duties and examinations prescribed in regulation 16.74 and provided further that the engineer, or person appointed in terms of regulation 2.13.2 shall appoint in writing any competent person to examine at least once each week the item specified in regulation 16.74.1.”;

- (f) the insertion after subregulation 16.104 of the following subregulation:

“16.105 No chairlift installation shall be used for the conveyance of persons unless it is permitted by a prescribed permit for such installation.”.

AMENDMENT OF REGULATION 17 OF THE REGULATIONS

4. Regulation 17 of the Regulations is hereby amended by—

- (a) the insertion before subregulation 17.2.1 of the following subregulations:

“17.1.1 No elevator shall be used unless a prescribed permit for its use has been issued by the regional director.

17.1.2 No elevator shall be used for the conveyance of persons unless it is permitted by a prescribed permit for such elevator.”.

WYSIGING VAN REGULASIE 22 VAN DIE REGULASIES

5. Regulasie 22 van die Regulasies word hierby gewysig—

- (a) deur die volgende subregulasie voor subregulasie 12.1.2 by te voeg:

“22.1.1 Geen stoomketel mag gebruik word nie, tensy 'n voorgeskrewe permit vir die gebruik daarvan deur die streekdirekteur uitgereik is.”.

WYSIGING VAN REGULASIE 34 VAN DIE REGULASIES

6. Regulasie 34 van die Regulasies word hierby gewysig—

deur in subregulasie 34.1 “Vorm 6” te vervang deur die volgende vorm:

AMENDMENT OF REGULATION 22 OF THE REGULATIONS

5. Regulation 22 of the Regulations is hereby amended by—

- (a) the insertion before subregulation 22.1.2 of the following subregulation:

“22.1.1 No boiler shall be used unless a prescribed permit for its use has been issued by the regional director.”.

AMENDMENT OF REGULATION 34 OF THE REGULATIONS

6. Regulation 34 of the Regulations is hereby amended by—

the substitution in subregulation 34.1 for “Form 6” of the following form:

SUID-AFRIKAANSE POLISIE**No. R. 2452****24 Desember 1993****WYSIGING VAN REGULASIES VIR DIE SUID-AFRIKAANSE POLISIE**

Die Minister van Wet en Orde het kragtens artikel 33 (1) (w) van die Polisiewet, 1958 (Wet No. 7 van 1958), die regulasies in die Bylae uitgevaardig.

H. J. KRIEL,

Minister van Wet en Orde.

BYLAE**Woordbepaling**

1. In hierdie regulasies beteken die "Regulasies" die Regulasies afgekondig by Goewermentskennisgewing No. R. 203 van 14 Februarie 1964 soos gewysig.

Invoeging van regulasie 68A na regulasie 68 van die Regulasies

2. Die volgende regulasie word hierby na regulasie 68 ingevoeg:

"68A KOMITEE VAN ONDERSOEK

- (1) Die Minister kan 'n komitee byeenroep om ondersoek in te stel na bewerings van wan-gedrag, nalatigheid of versuim om op te tree deur 'n lid of lede van die Suid-Afrikaanse Polisie of enige ander aangeleentheid wat die Minister nodig ag.
- (2) Die Komitee bestaan uit ten minste drie (3) persone deur die Minister aangewys waarvan ten minste een (1) 'n lid van die Suid-Afrikaanse Polisie moet wees. Die Minister stel 'n persoon wat hy geskik ag as voorsitter van die komitee aan en ander persone na sy goeë dunks wat na sy oordeel bedrewe is in die een of ander onderwerp wat moontlik by die ondersoek oorweeg sal moet word.
- (3) Die Komitee vergader op die datum, tyd en plek wat die voorsitter bepaal.
- (4) Die verrigtinge van die Komitee word genotuleer op 'n wyse deur die voorsitter bepaal.
- (5) Na afloop van die verrigtinge van die Komitee stel die voorsitter 'n verslag op waarin hy aanbevelings maak en die Minister adviseer.
- (6) Die bepalings van artikel 11 van die Wet is *mutatis mutandis* van toepassing ten opsigte van 'n ondersoek ingevolge hierdie regulasie.
- (7) Die Komitee oefen sy werksaamhede op so 'n wyse uit dat bestaande, ingestelde of hangende regsprosedure of ondersoeke nie nadelig geraak word nie.
- (8) Vergoeding van lede van die Komitee is soos voorgeskryf deur Tesourie."

SOUTH AFRICAN POLICE**No. R. 2452****24 December 1993****AMENDMENT OF THE REGULATIONS FOR THE SOUTH AFRICAN POLICE**

The Minister of Law and Order has, under section 33 (1) (w) of the Police Act, 1958 (Act No. 7 of 1958), made the regulations contained in the Schedule hereto.

H. J. KRIEL,

Minister of Law and Order.

SCHEDULE**Definition**

1. In these regulations, the "Regulations" means the Regulations promulgated by Government Notice No. R. 203 of 14 February 1964, as amended.

Insertion of regulation 68A after regulation 68 of the Regulations

2. The following regulation is hereby inserted in the Regulations after regulation 68:

"68A COMMITTEE OF INQUIRY

- (1) The Minister may convene a Committee to inquire into allegations of misconduct, negligence or failing to take action by a member or members of the South African Police or any other matter which the Minister deems necessary.
- (2) The Committee shall consist of at least three (3) persons appointed by the Minister of which at least one (1) shall be a member of the South African Police. The Minister shall appoint a person which he deems suitable as chairman of the Committee and other persons who in his discretion is well-versed in any matter which may have to be considered at the inquiry.
- (3) The Committee shall meet on the date, time and place determined by the chairman.
- (4) The proceedings of the Committee shall be recorded in the manner determined by the chairman.
- (5) After conclusion of the proceedings the Chairman shall draft a report in which he shall make recommendations and advise the Minister.
- (6) The provisions of section 11 of the Act shall apply *mutatis mutandis* in respect of an inquiry contemplated in this regulation.
- (7) The Committee shall perform its functions in such a manner that existing, established or pending legal process or investigations are not prejudiced.
- (8) Remuneration of members of the Committee are those prescribed by Treasury."

DEPARTEMENT VAN LANDBOU**No. R. 2459****24 Desember 1993**BEMARKINGSWET, 1986
(WET No. 59 VAN 1968)**LUSERNSAADSKEMA: PRYSE VIR LUSERNSAAD**

Ek, André Isak van Niekerk, Minister van Landbou, maak hierby ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

- die Lusernsaadraad bedoel in artikel 3 van die Lusernsaadskema gepubliseer by Proklamasie No. R. 30 van 1963, soos gewysig, kragtens artikel 18 van genoemde Skema die verbod in die Bylae uiteengesit, opgelê het;
- genoemde verbod deur my goedgekeur is en op die datum van publikasie hiervan in werking tree; en
- Goewermentskennisgewing No. R. 3369 van 18 Desember 1992 met ingang van genoemde datum van inwerkingtreding herroep word.

A. I. VAN NIEKERK,
Minister an Landbou.

BYLAE**Woordomskeywing**

1. In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

“**die Skema**” die lusernsaadskema gepubliseer by Proklamasie No. R. 30 van 1963, soos gewysig; en

“**gesertifiseer**” ingevolge die Suid-Afrikaanse Saadsertifiseringskema ingestel by artikel 23 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), as gesertifiseerde saad gesertifiseer.

Pryse vir lusernsaad

2. (1) Geen persoon wat ingevolge artikel 18*bis* van die Skema as 'n skoonmaker geregistreer is, mag lusernsaad van 'n klas in kolom 1 van die Tabel hieronder vermeld, wat in die Republiek geproduseer en vir herverkoop bestem is, verkoop nie teen 'n hoër prys as die toepaslike maksimum prys in kolom 2 van die Tabel daarteenoor vermeld:

TABEL

Klas lusernsaad	Maksimum prys per 25 kg
1	2
1. Lusernsaad van die variëteit S. A. Standaard.....	R307,99
2. Lusernsaad van die variëteit CUF101 wat nie gesertifiseer is nie.....	R307,99
3. Lusernsaad van die variëteit S. A. Standaard wat gesertifiseer is.....	R360,46

* BTW ingesluit

DEPARTMENT OF AGRICULTURE**No. R. 2459****24 December 1993**MARKETING ACT, 1986
(ACT No. 59 OF 1968)**LUCERNE SEED SCHEME: PRICES FOR LUCERNE SEED**

I, André Isak van Niekerk, Minister of Agriculture, hereby make known in terms of the section 79 of the Marketing Act, 1968 (Act No. 59 of 1968) that—

- the Lucerne Seed Board referred to in section 3 of the Lucerne Seed Scheme published by Proclamation No. R. 30 of 1963, as amended, has under section 18 of the said Scheme imposed the prohibition set out in the Schedule;
- the said prohibition has been approved by me and shall come into operation on the date of the publication hereof; and
- Government Notice No. R. 3369 of 18 December 1992 is repealed with effect from the said date of commencement.

A. I. VAN NIEKERK,
Minister of Agriculture.

SCHEDULE**Definitions**

1. Any word or expression in this Schedule to which a meaning has been assigned in the Scheme shall have that meaning, and unless the context otherwise indicates—

“**certified**” means certified seed terms of the South African Seed Certification Scheme established under section 23 of the Plant Improvement Act, 1976 (Act No. 53 of 1976); and

“**the Scheme**” means the Lucerne Seed Scheme published by Proclamation No. R. 30 of 1963, as amended.

Prices for lucerne seed

2. (1) No person registered as a cleaner in terms of section 18*bis* of the Scheme shall sell lucerne seed of a class specified in column 1 of the Table hereunder, that is produced in the Republic and is intended for resale, at a price above the applicable maximum price specified in column 2 of the Table opposite thereto:

TABLE

Class of lucerne seed	Maximum price per 25 kg
1	2
1. Lucerne seed of the variety S. A. Standard.....	R307,99
2. Lucerne seed of the variety CUF101 that is not certified.....	R307,99
3. Lucerne seed of the variety S. A. Standard that is certified.....	R360,46

* VAT included

(2) Geen persoon aan wie 'n vrystelling ingevolge artikel 19 (2) van die Skema verleen is, mag lusern-saad van 'n variëteit ten opsigte waarvan 'n planttelersreg kragtens die Wet op Planttelersregte, 1976 (Wet No. 15 van 1976), toegestaan is, en wat vir herverkoop bestem is, verkoop nie teen 'n laer prys as die toepaslike maksimum prys wat in subklousule (1) aangedui is vir lusernsaad van die variëteite S. A. Standaard en CUF101 wat nie gesertifiseer is.

Vervoerkoste

3. Iemand in klousule 2 (1) bedoel, kan die koste werklik deur hom aangegaan in verband met die vervoer van lusernsaad na die perseel van die koper daarvan, byvoeg by 'n prys in daardie klousule bedoel.

No. R. 2460

24 Desember 1993

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

LUSERNSAADSKEMA: HEFFING EN SPESIALE HEFFING: WYSIGING

Ek, André Isak van Niekerk, Minister van Landbou, maak hiermee ingevolge artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), bekend dat—

(a) die Lusernsaadraad bedoel in artikel 3 van die Lusernsaadskema gepubliseer by Proklamasie No. R. 30 van 1963, soos gewysig, kragtens artikels 15 en 16 van genoemde Skema die Bylae by Goewermentskennissgewing No. R. 2696 van 19 Desember 1986, soos gewysig, verder gewysig het in die mate in die Bylae hierby uiteengesit; en

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

A. I. VAN NIEKERK,
Minister van Landbou.

BYLAE

Die Bylae by Goewermentskennissgewing No. R. 2696 van 19 Desember 1986, soos gewysig by Goewermentskennissgewings Nos. R. 2751 van 11 Desember 1987, R. 2682 van 16 November 1990 en R. 3370 van 18 Desember 1992 word hierby verder gewysig deur die Tabel daarin deur die volgende Tabel te vervang:

TABEL

HEFFING EN SPESIALE HEFFING

Klas lusernsaad	Heffing per 70 kg		Spesiale heffing per 70 kg	
	BTW uit-gesluit	BTW in-gesluit	BTW uit-gesluit	BTW in-gesluit
1. A	R19,60	R22,34	R3,30	R3,76
2. B	R19,60	R22,34	R3,30	R3,76
3. C	R19,60	R22,34	R5,80	R6,61
4. Alle ingevoerde lusernsaad	R19,60	R22,34	—	—

(2) No person to whom an exemption was granted in terms of section 19 (2) of the Scheme shall sell lucerne seed of a variety in respect of which a plant breeder's right was granted under the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), and that is intended for resale, at a price below the applicable maximum price indicated in subclause (1) for lucerne seed of the varieties S. A. Standard and CUF101 that is not certified.

Cost of conveyance

3. A person referred to in clause (2) may add to a price indicated in that clause the cost actually incurred by him in connection with the conveyance of lucerne seed to the premises of the buyer thereof.

No. R. 2460

24 December 1993

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

LUCERNE SEED SCHEME: LEVY AND SPECIAL LEVY: AMENDMENT

I, André Isak van Niekerk, Minister of Agriculture, hereby make known in terms of section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), that—

(a) the Lucerne Seed Board referred to in section 3 of the Lucerne Seed Scheme published by Proclamation No. R. 30 of 1963, as amended, has under sections 15 and 16 of the said Scheme further amended the Schedule to Government Notice No. R. 2696 of 19 December 1986, as amended, to the extent set out in the Schedule hereto; and

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

A. I. VAN NIEKERK,
Minister of Agriculture.

SCHEDULE

The Schedule to Government Notice No. R. 2696 of 19 December 1986, as amended by Government Notices Nos. R. 2751 of 11 December 1987, R. 2682 of 16 November 1990 and R. 3370 of 18 December 1992, is hereby further amended by the substitution for the Table therein of the following Table:

TABLE
LEVY AND SPECIAL LEVY

Class of lucerne seed	Levy per 70 kg		Special levy per 70 kg	
	VAT excluded	VAT included	VAT excluded	VAT included
1. A	R19,60	R22,34	R3,30	R3,76
2. B	R19,60	R22,34	R3,30	R3,76
3. C	R19,60	R22,34	R5,80	R6,61
4. All imported lucerne seed	R19,60	R22,34	—	—

No. R. 2461**24 Desember 1993**

WET OP BEHEER OOR WYN EN SPIRITUS, 1970
(WET No. 47 VAN 1970)

**PRYS- EN BETALINGSREËLINGS MET BETREK-
KING TOT GOEIEWYN, 1993/94: WYSIGING**

Ek, André Isak van Niekerk, Minister van Landbou, handelende ingevolge artikel 18 van die Wet op Beheer oor Wyn en Spiritus, 1970 (Wet No. 47 van 1970), maak hiermee bekend dat die wysiging van prys- en betalingsreëlins met betrekking tot goeiewyn vir 1993/94, soos deur die "Ko-operatiewe Wijnbouwers Vereniging van Zuid-Afrika, Beperkt" kragtens genoemde artikel vasgestel en in Goewermentskennisgewing No. R. 2103 van 5 November 1993 bekendgemaak, deur my goedgekeur is.

A. I. VAN NIEKERK,

Minister van Landbou.

No. R. 2461**24 December 1993**

WINE AND SPIRIT CONTROL ACT, 1970
(ACT No. 47 OF 1970)

**PRICE AND PAYMENT ARRANGEMENTS WITH
REGARD TO GOOD WINE, 1993/94: AMENDMENT**

I, André Isak van Niekerk, Minister of Agriculture, acting in terms of section 18 of the Wine and Spirit Control Act, 1970 (Act No. 47 of 1970), hereby make known that the amendment to the price and payment arrangements with regard to good wine for 1993/1994, as fixed by the "Ko-operatiewe Wijnbouwers Vereniging van Zuid-Afrika, Beperkt" under the said section and made known in Government Notice No. R. 2103 of 5 November 1993, was approved by me.

A. I. VAN NIEKERK,

Minister of Agriculture.

No. R. 2479**24 Desember 1993**

BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)

SUIWELSKEMA: HERROEPING

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 17 (3) van die Bemarkingswet, 1968 (Wet No. 59 van 1968), herroep hierby, met ingang van 1 Januarie 1994, die Suiwelskema gepubliseer by Proklamasie No. R. 290 van 1978, en die wysigings daarvan gepubliseer by Proklamasies Nos. R. 276 van 1979, R. 71 van 1980, R. 72 van 1980, R. 96 van 1980, R. 139 van 1980, R. 234 van 1980, R. 240 van 1980, R. 113 van 1982, R. 207 van 1982 en R. 188 van 1984, en Goewermentskennisgewings Nos. R. 1437 van 28 Junie 1985, R. 2302 van 11 Oktober 1985, R. 1804 van 29 Augustus 1986, R. 2506 van 5 Desember 1986, R. 297 van 13 Februarie 1987, R. 808 van 10 April 1987, R. 989 van 27 Mei 1988, R. 1506 van 29 Julie 1988, R. 1752 van 31 Augustus 1988, R. 443 van 17 Maart 1989, R. 1583 van 21 Julie 1989, R. 2075 van 29 September 1989, R. 2820 van 29 November 1991 en R. 508 van 19 Maart 1993.

A. I. VAN NIEKERK,

Minister van Landbou.

No. R. 2479**24 December 1993**

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

DAIRY SCHEME: REVOCATION

I, André Isak van Niekerk, Minister of Agriculture, acting under section 17 (3) of the Marketing Act, 1968 (Act No. 59 of 1968), hereby revoke, with effect from 1 January 1994, the Dairy Scheme published by Proclamation No. R. 290 of 1978, and the amendments thereof published by Proclamations Nos. R. 276 of 1979, R. 71 of 1980, R. 72 of 1980, R. 96 of 1980, R. 139 of 1980, R. 234 of 1980, R. 240 of 1980, R. 113 of 1982, R. 207 of 1982 and R. 188 of 1984, and Government Notices Nos. R. 1437 of 28 June 1985, R. 2302 of 11 October 1985, R. 1804 of 29 August 1986, R. 2506 of 5 December 1986, R. 297 of 13 February 1987, R. 808 of 10 April 1987, R. 989 of 27 May 1988, R. 1506 of 29 July 1988, R. 1752 of 31 August 1988, R. 443 of 17 March 1989, R. 1583 of 21 July 1989, R. 2075 of 29 September 1989, R. 2820 of 29 November 1991 and R. 508 of 19 March 1993.

A. I. VAN NIEKERK,

Minister of Agriculture.

No. R. 2492**24 Desember 1993**BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)**MELKSKEMA**

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 14 (1), gelees met artikel 15 (2) (g), van die Bemarkingswet, 1968 (Wet No. 59 van 1968)—

- (a) publiseer hierby die Melkskema in die Bylae uiteengesit, ter vervanging van die Suiwelskema gepubliseer by Proklamasie No. R. 290 van 1978, soos gewysig;
- (b) verklaar hierby dat die Melkskema met ingang van **1 Januarie 1994** in werking tree; en
- (c) herroep hierby Proklamasies Nos. R. 290 van 1978, R. 276 van 1979, R. 71 van 1980, R. 72 van 1980, R. 96 van 1980, R. 139 van 1980, R. 234 van 1980, R. 240 van 1980, R. 113 van 1982, R. 207 van 1982, R. 188 van 1984, en Goewermentskenningsgewings Nos. R. 1437 van 28 Junie 1985, R. 2302 van 11 Oktober 1985, R. 1804 van 29 Augustus 1986, R. 2506 van 5 Desember 1986, R. 297 van 13 Februarie 1987, R. 808 van 10 April 1987, R. 989 van 27 Mei 1988, R. 1506 van 29 Julie 1988, R. 1752 van 31 Augustus 1988, R. 443 van 17 Maart 1989, R. 1583 van 21 Julie 1989, R. 2075 van 29 September 1989, R. 2820 van 29 November 1991 en R. 508 van 19 Maart 1993 met ingang van genoemde datum van inwerkingtreding.

A. I. VAN NIEKERK,
Minister van Landbou.

BYLAE

[**Nota:** Die syfers in vierkantige hakies by die opskrifte van artikels van hierdie skema vermeld, dui die nommers van die toepaslike magtigende artikels in die Wet daarvoor aan.]

Woordomskrywing

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

“**as 'n besigheid handel**” met betrekking tot melk, elke aankoop van melk vanaf 'n produsent deur 'n persoon wat nie 'n produsent is nie;

“**die Raad**” die Melkraad bedoel in artikel 6 van hierdie Skema;

“**die Wet**” die Bemarkingswet, 1968 (Wet No. 59 van 1968);

“**kalendermaand**” die tydperk wat strek van die eerste tot die laaste dag, albei dae ingesluit, van enigeen van die 12 maande van die jaar;

“**melk**” die melk van beeste; en

“**produsent**”, ook—

- (a) met betrekking tot 'n hoeveelheid melk wat in die Republiek ingevoer word, die persoon wat daardie hoeveelheid aldus invoer;
- (b) met betrekking tot 'n hoeveelheid melk wat in 'n selfregerende gebied geproduseer en in die Republiek ingebring word vir verkoop of verwerking, die persoon wat daardie hoeveelheid aldus inbring.

No. R. 2492**24 December 1993**MARKETING ACT, 1968
(ACT No. 59 OF 1968)**MILK SCHEME**

I, André Isak van Niekerk, Minister of Agriculture, acting under section 14 (1), read with section 15 (2) (g), of the Marketing Act, 1968 (Act No. 59 of 1968), hereby—

- (a) publish the Milk Scheme set out in the Schedule, in substitution for the Dairy Scheme published by Proclamation No. R. 290 of 1978, as amended;
- (b) declare that the Milk Scheme shall come into operation with effect from **1 January 1994**; and
- (c) repeal Proclamations Nos. R. 290 of 1978, R. 276 of 1979, R. 71 of 1980, R. 72 of 1980, R. 96 of 1980, R. 139 of 1980, R. 234 of 1980, R. 240 of 1980, R. 113 of 1982, R. 207 of 1982, R. 188 of 1984, and Government Notices Nos. R. 1437 of 28 June 1985, R. 2302 of 11 October 1985, R. 1804 of 29 August 1986, R. 2506 of 5 December 1986, R. 297 of 13 February 1987, R. 808 of 10 April 1987, R. 989 of 27 May 1988, R. 1506 of 29 July 1988, R. 1752 of 31 August 1988, R. 443 of 17 March 1989, R. 1583 of 21 July 1989, R. 2075 of 29 September 1989, R. 2820 of 29 November 1991 and R. 508 of 19 March 1993 with effect from the said date of commencement.

A. I. VAN NIEKERK,
Minister of Agriculture.

SCHEDULE

[**Note:** The figures specified in square brackets at the headings of sections of this Scheme denote the numbers of the applicable authorizing sections in the Act therefor.]

Definitions

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

“**calendar month**” means the period extending from the first to the last day, both days included, of any of the 12 months of the year;

“**dealing in the course of trade**”, in relation to milk, means every purchase of milk from a producer by a person who is not a producer;

“**milk**” means milk from bovines;

“**producer**” also means—

- (a) in relation to any quantity of milk which is imported into the Republic, the person who so imports that quantity;
- (b) in relation to any quantity of milk which has been produced in a self-governing territory and is introduced into the Republic for the purpose of sale or processing, the person who so introduces that quantity;

“**the Act**” means the Marketing Act, 1968 (Act No. 59 of 1968); and

“**the Board**” means the Milk Board referred to in section 6 of this Scheme.

Naam van Skema [art. 18]

2. Hierdie Skema heet die Melkskema.

Produk waarop Skema betrekking het [art. 18, 19]

3. (1) Hierdie Skema het betrekking op melk wat in die Republiek geproduseer is, insluitende 'n hoeveelheid daarvan wat—

- (a) in die Republiek ingevoer is; of
- (b) in 'n selfregerende gebied geproduseer en in die Republiek ingebring is vir verkoop of verwerking daarvan in die Republiek.

(2) 'n Voorskrif van of verbod opgelê of besluit geneem deur die Raad—

- (a) met betrekking tot 'n klas melk kan verskil van so 'n voorskrif of verbod of besluit met betrekking tot 'n ander klas melk; of
- (b) kan op slegs 'n aangegewe klas melk betrekking hê.

Gebied waarin Skema van toepassing is [art. 18, 20]

4. (1) Hierdie Skema is in die Republiek van toepassing.

(2) 'n Voorskrif van of besluit geneem deur die Raad—

- (a) met betrekking tot 'n gedeelte van die Republiek kan verskil van so 'n voorskrif of besluit met betrekking tot 'n ander gedeelte van die Republiek; of
- (b) kan op slegs 'n aangegewe gedeelte van die Republiek van toepassing wees.

Persone op wie Skema van toepassing is [art. 21]

5. Hierdie Skema is van toepassing op—

- (a) alle produsente van melk; en
- (b) alle persone wat met melk as 'n besigheid handel.

Instelling van Raad [art. 25]

6. Daar word hierby 'n raad wat die Melkraad heet, ingestel om hierdie Skema uit te voer.

Samestelling van Raad [art. 28]

7. (1) Die Raad bestaan uit 13 persone wat produsente van melk verteenwoordig.

(2) 'n Persoon mag slegs as 'n lid van die Raad in subartikel (1) bedoel, aangestel word indien hy melk produseer.

(3) (a) Die Raad kan met die Minister se goedkeuring een persoon vir 'n bepaalde doel as 'n adviseerende lid van die Raad koöpteer.

(b) So 'n adviseerende lid het die reg om aan die verrigtinge van die Raad deel te neem, maar het nie die reg om 'n stem uit te bring nie.

Ampstermyn van lede van Raad [art. 28 (1) (b)]

8. (1) 'n Lid van die Raad en 'n addisionele lid bedoel in artikel 28 (1) (b) (ii) van die Wet dien, behoudens die bepalings van artikels 28 en 28A van die Wet, in die Raad vir die tydperk deur die Minister by die aanstelling van daardie lid of addisionele lid kragtens artikel 28 (1) (b) van die Wet bepaal.

Name of Scheme [sect. 18]

2. This Scheme shall be known as the Milk Scheme.

Product to which Scheme relates [sect 18, 19]

3. (1) This Scheme shall relate to milk which is produced in the Republic, including any quantity thereof which has been—

- (a) imported into the Republic; or
- (b) produced in a self-governing territory and introduced into the Republic for the purpose of sale or processing thereof in the Republic.

(2) Any requirement of or decision taken by the Board—

- (a) relating to any class of milk, may differ from any such instruction or decision which relates to any other class of milk; or
- (b) may relate only to a specified class of milk.

Area in which Scheme applies [sect. 18, 20]

4. (1) This Scheme shall apply in the Republic.

(2) Any requirement of or decision taken by the Board—

- (a) relating to any portion of the Republic may differ from any such requirement or decision which relates to any other portion of the Republic; or
- (b) may apply only to a specified portion of the Republic.

Persons to whom the Scheme applies [sect. 21]

5. This Scheme shall apply to—

- (a) all producers of milk; and
- (b) all persons dealing in the course of trade with milk.

Establishment of Board [sect. 25]

6. A board, known as the Milk Board is hereby established to administer this Scheme.

Constitution of the Board [sect. 28]

7. (1) The Board shall consist of 13 persons representing producers of milk.

(2) Only persons who produce milk shall be appointed as members of the Board referred to in subsection (1).

(3) (a) The Board may with the approval of the Minister co-opt one person as an advisory member of the Board for any particular purpose.

(b) Such advisory member shall have the right to take part in the proceedings of the Board, but shall not have the right to vote.

Period of office of members of the Board [sect. 28 (1) (b)]

8. (1) A member of the Board and an additional member referred to in section 28 (1) (b) (ii) of the Act shall, subject to the provisions of sections 28 and 28A of the Act, serve on the Board for the period determined by the Minister at the appointment of that member under section 28 (1) (b) of the Act.

(2) 'n Adviserende lid dien in die Raad vir die tydperk deur die Raad by die koöptering van daardie adviserende lid kragtens artikel 7 (3) van hierdie Skema bepaal.

(3) 'n Lid, addisionele lid en adviserende lid van die Raad kan by verstryking van sy ampstermyn weer aangestel of gekoöpteer word.

Toelaes aan lede en addisionele lid en adviserende lid [art. 30]

9. Aan die lede en addisionele lid en adviserende lid van die Raad kan daar ten opsigte van hulle dienste in daardie hoedanigheid, uit 'n algemene fonds in artikel 28 van hierdie Skema bedoel, die toelaes betaal word wat die Raad met die goedkeuring van die Minister vasstel.

Vulling van vakatures [art. 28A]

10. (1) 'n Vakature in die Raad wat ontstaan uit hoofde van die bepalings van artikel 28A (1) of (2) van die Wet of as gevolg van die dood van 'n lid, word gevul by wyse van aanstelling op dieselfde wyse as dié waarop die lid wat sy amp ontruim of te sterwe gekom het, aangestel moes word.

(2) 'n Lid van die Raad wat kragtens subartikel (1) aangestel word om 'n vakature te vul, beklee sy amp vir die onverstreke gedeelte van die tydperk waarvoor die lid wat sy amp ontruim of te sterwe gekom het, aangestel was.

(3) Die bepalings van subartikel (2) is *mutatis mutandis* van toepassing op 'n addisionele en adviserende lid van die Raad.

Voorsitter en ondervoorsitter [art. 24]

11. (1) Die Raad kies so dikwels as wat die amp van voorsitter of ondervoorsitter om welke rede ookal vakant geraak het, een van sy lede as voorsitter en een van sy lede as ondervoorsitter van die Raad.

(2) Sodanige verkiesing moet geskied op die eerste vergadering van die Raad nadat die amp van voorsitter of ondervoorsitter vakant geraak het.

(3) Die voorsitter en die ondervoorsitter van die Raad beklee hul ampte tot by en gedurende die eerste gewone vergadering van die Raad wat gehou word na verstryking van 'n tydperk van 11 maande na die datum waarop hulle as sodanig verkies is, en kan in hul ampte herkies word indien hulle ten tyde van sodanige verkiesing steeds lede van die Raad is.

(4) 'n Beampte van die Raad wat deur die Raad aangewys word, sit voor tydens die verkiesing van die voorsitter van die Raad.

(5) Die voorsitter en die ondervoorsitter van die Raad kan hul ampte as sodanig ontruim sonder om hul lidmaatskap van die Raad te beëindig.

Byeenroep van vergaderings [art. 31]

12. (1) Die gewone vergaderings van die Raad word so dikwels en op dié tye en plekke gehou as wat die Raad van tyd tot tyd bepaal.

(2) Ondanks die bepalings van subartikel (1), kan die voorsitter van die Raad na goeddunke 'n spesiale vergadering van die Raad belê op die tyd en plek wat hy bepaal, met die oog op die behandeling van spesiale of dringende aangeleenthede, en moet 'n spesiale vergadering belê binne 14 dae na die datum waarop hy 'n skriftelike versoek te dien effekte deur die Minister of minstens drie lede van die Raad ontvang het.

(2) An advisory member shall serve on the Board for the period determined by the Board at the co-opting of that advisory member under section 7 (3) of this Scheme.

(3) A member, additional member and advisory member of the Board may at the expiry of his period of office be reappointed or re-co-opted.

Allowances to members and additional and advisory member [sect. 30]

9. Members and the additional and advisory member of the Board may in respect of their services in the said capacity be paid from a general fund referred to in section 28 of this Scheme such allowances as the Board may determine with the approval of the Minister.

Filling of vacancies [sect. 28A]

10. (1) A vacancy on the Board arising by virtue of the provisions of section 28A (1) or (2) of the Act or as a result of the death of a member shall be filled by appointment in the same manner as that in which the member who vacated his office or died, was required to be appointed.

(2) A member of the Board who is appointed under subsection (1) to fill a vacancy shall hold office for the unexpired portion of the period for which the member who vacated his office or died, was appointed.

(3) The provisions of subsection (2) shall apply *mutatis mutandis* to an additional and advisory member of the Board.

Chairman and Vice-chairman [sect. 24]

11. (1) The Board shall whenever the office of chairman or vice-chairman has become vacant for any reason whatsoever, elect one of its members to be the chairman and one of its members to be the vice-chairman of the Board.

(2) Such election shall take place at the first meeting of the Board after the office of chairman or vice-chairman has become vacant.

(3) The chairman and the vice-chairman of the Board shall hold office until and during the first ordinary meeting of the Board held after the expiry of a period of 11 months after the date on which they have been elected as such, and may be re-elected to their offices if at the time of such election they are still members of the Board.

(4) An official of the Board who is appointed by the Board shall preside during the election of the chairman of the Board.

(5) The chairman and the vice-chairman of the Board may vacate their offices as such without terminating their membership of the Board.

Calling of meetings [sect. 31]

12. (1) The ordinary meetings of the Board shall be held as often and at such times and places as the Board may from time to time determine.

(2) Notwithstanding the provisions of subsection (1), the chairman of the Board may at his discretion call a special meeting of the Board at such time and place as he may determine, with a view to dealing with special or urgent matters, and he shall call a special meeting within 14 days of the date on which he has received a written request to that effect by the Minister or at least three members of the Board.

(3) Die persoon wat die pligte van sekretaris van die Raad verrig, moet elke lid van die Raad, die voorsitter van die Nasionale Bemerkingsraad en, indien van toepassing, die adviserende lid en addisionele lid van die Raad—

- (a) in die geval van 'n gewone vergadering, minstens sewe dae voor die tyd; en
- (b) in die geval van 'n spesiale vergadering, minstens 48 uur voor die tyd,

in kennis stel van die datum, tyd en plek van elke sodanige vergadering.

Kworum vir vergaderings [art. 31]

13. (1) Behalwe waar in hierdie artikel uitdruklik anders bepaal word, maak die meerderheid van die stemgeregtigde lede van die Raad 'n kworum vir 'n vergadering van die Raad uit.

(2) (a) Indien 'n kworum nie op die bepaalde tyd vir 'n vergadering teenwoordig is nie, moet die voorsitter van die Raad, behoudens die bepalings van subartikel (4), na goeddunke—

- (i) die aanvang van die vergadering tot 'n latere tyd deur hom bepaal, op daardie dag uitstel; of
- (ii) 'n verdere vergadering van die Raad vir 'n toekomstige datum belê.

(b) Indien 'n vergadering vir 'n toekomstige datum belê word soos in paragraaf (a) (ii) beoog—

- (i) is die bepalings van artikel 12 (3) van hierdie Skema *mutatis mutandis* van toepassing met betrekking tot 'n kennisgewing van die datum, tyd en plek van sodanige verdere vergadering; en
- (ii) maak die stemgeregtigde lede van die Raad wat by daardie vergadering teenwoordig is, 'n kworum uit.

(3) Indien daar te eniger tyd gedurende die loop van 'n vergadering van die Raad anders as 'n verdere vergadering in subartikel (2) (b) bedoel, nie 'n kworum teenwoordig is nie—

(a) moet die persoon wat by daardie vergadering voorsit, behoudens die bepalings van subartikel (4)—

- (i) die werksaamhede van daardie vergadering opskort totdat 'n kworum aanwesig is; of
- (ii) die vergadering tot 'n toekomstige datum verdaag; en

(b) is die bepalings van subartikel (2) (b) *mutatis mutandis* van toepassing met betrekking tot 'n vergadering wat aldus verdaag is.

(4) Indien daar nie 'n kworum by 'n vergadering van die Raad is nie as gevolg van die onttrekking van stemgeregtigde lede op grond daarvan dat hulle 'n belang in die aangeleentheid het wat deur die Raad oorweeg word, maak die oorblywende lede by daardie vergadering 'n kworum uit vir die doeleindes van 'n besluit ingevolge artikel 7C (2) van die Wet op die betrokke aangeleentheid na die Landbouwerwysingsraad ingestel by artikel 7A van die Wet, te verwys.

(3) The person who performs the duties of secretary of the Board shall notify each member of the Board, the chairman of the National Marketing Council and, if applicable, the advisory member and additional member of the Board—

- (a) in the case of an ordinary meeting, at least seven days in advance; and
- (b) in the case of a special meeting, at least 48 hours in advance,

of the date, time and place of each such meeting.

Quorum for meetings [sect. 31]

13. (1) Except where expressly provided otherwise in this section, the majority of the members of the Board with the right to vote shall constitute a quorum for a meeting of the Board.

(2) (a) If a quorum is not present at the appointed time for a meeting, the chairman of the Board shall, subject to the provisions of subsection (4), at his discretion—

- (i) postpone the beginning of the meeting to a later time determined by him, on that day; or
- (ii) convene a further meeting of the Board for a future date.

(b) If a meeting has been convened for a future date as contemplated in paragraph (a) (ii)—

- (i) the provisions of section 12 (3) of this Scheme shall apply *mutatis mutandis* in respect of a notice of the date, time and place of such further meeting; and
- (ii) the members of the Board with the right to vote who are present at that meeting shall constitute a quorum.

(3) If at any time during the course of a meeting of the Board other than a further meeting referred to in subsection (2) (b), a quorum is not present—

- (a) the person presiding at that meeting shall, subject to the provisions of subsection (4)—
 - (i) suspend the business of that meeting until a quorum is present; or
 - (ii) adjourn the meeting to a future date; and
- (b) the provisions of subsection (2) (b) shall apply *mutatis mutandis* in respect of a meeting thus adjourned.

(4) If there is not a quorum at a meeting of the Board because of the recusal of members with the right to vote on the ground of having an interest in the matter being considered by the Board, the remaining members at that meeting shall constitute a quorum for the purpose of a decision in terms of section 7C (2) of the Act, to refer the matter concerned to the Agricultural Reference Board established under section 7A of the Act.

Vorsitter by vergaderings [art. 24,31]

14. (1) Behoudens die bepalings van artikel 11 (4) van hierdie Skema, moet die vorsitter van die Raad op alle vergaderings daarvan waarop hy teenwoordig is, vorsit.

(2) Indien die vorsitter van die Raad afwesig is of nie in staat is om 'n vergadering of 'n gedeelte van 'n vergadering van die Raad by te woon of daarop voor te sit nie, moet die ondervorsitter van die Raad daarop vorsit.

(3) Indien die ondervorsitter ook nie in staat is om so 'n vergadering by te woon of daarop voor te sit nie, moet die aanwesige stemgeregtigde lede uit hulle midde iemand kies om voor te sit vir die tydperk waartydens die vorsitter sowel as die ondervorsitter afwesig is of nie in staat is om voor te sit nie.

(4) Die ondervorsitter van die Raad of iemand wat ingevolge subartikel (3) verkies is, kan vir die duur van die tydperk waartydens hy vorsit, al die bevoegdhede van die vorsitter uitoefen en al sy pligte verrig.

(5) Behalwe vir sover daar uitdruklik in hierdie Skema ander voorsiening bestaan, bepaal die persoon wat by 'n vergadering van die Raad vorsit, die prosedure op daardie vergadering.

Bywoning van vergaderings [art. 31]

15. (1) Die Raad kan aan enigeen van sy lede verlof tot afwesigheid van enigeen van sy vergaderings of van agtereenvolgende vergaderings vir 'n aaneenlopende tydperk van hoogstens ses maande verleen.

(2) Wanneer 'n lid van die Raad verhinder word of na verwagting verhinder sal word om 'n vergadering by te woon waarvan hy in kennis gestel is soos in artikel 12 (3) van hierdie Skema beoog, moet hy die vorsitter van die Raad of die persoon wat die pligte van sekretaris van die Raad verrig, so spoedig moontlik in kennis stel van die omstandighede wat hom verhinder of wat hy verwag hom sal verhinder om sodanige vergadering by te woon.

(3) Die afwesigheid van 'n lid van die Raad van 'n bepaalde vergadering moet in die notule van daardie vergadering aangeteken word.

(4) Die bepalings van subartikels (1), (2) en (3) is *mutatis mutandis* van toepassing op 'n adviserende lid van die Raad.

Besluite van die Raad [art. 31]

16. 'n Besluit van die meerderheid van stemgeregtigde lede van die Raad wat op 'n vergadering daarvan teenwoordig is, maak die besluit van die Raad uit: Met dien verstande dat by 'n staking van stemme die lid wat op daardie vergadering vorsit, benewens sy beraadslagende stem ook 'n beslissende stem het.

Komitees [art. 24, 29 (2)]

17. (1) Die Raad kan van tyd tot tyd met die Minister se toestemming en onderworpe aan die voorwaardes wat die Raad opleë, een of meer komitees uit sy lede aanstel en na goeë dunks van sy bevoegdhede aan so 'n komitee oordra: Met dien verstande dat die Raad nie ontdoen word van 'n bevoegdheid wat hy aan so 'n komitee oordra nie.

Chairman at meetings [sect. 24, 31]

14. (1) Subject to the provisions of section 11 (4) of this Scheme, the chairman of the Board shall preside at all meetings thereof at which he is present.

(2) If the chairman of the Board is not able to attend a meeting or part of a meeting of the Board or to preside thereat, the vice-chairman of the Board shall preside thereat.

(3) If the vice-chairman is also unable to attend such meeting or to preside thereat, the members with the right to vote who are present shall elect a person from among themselves to preside for the period during which the chairman as well as the vice-chairman is absent or unable to preside.

(4) The vice-chairman of the Board or a person elected in terms of subsection (3) may for the duration of the period during which he presides, exercise all the powers and perform all the functions of the chairman.

(5) Except in so far as there exists other express provision in this Scheme, the person who presides at a meeting of the Board shall determine the procedure at that meeting.

Attendance of meetings [sect. 31]

15. (1) The Board may grant to any of its members leave of absence from any of its meetings or from consecutive meetings for a continuous period not exceeding six months.

(2) When a member of the Board is or expects to be prevented from attending a meeting of which he has been notified as contemplated in section 12 (3) of this Scheme, he shall as soon as possible notify the chairman of the Board or the person who performs the duties of secretary of the Board of the circumstances that are preventing him or that he expects will prevent him from attending such meeting.

(3) The absence of a member of the Board from a particular meeting shall be recorded in the minutes of that meeting.

(4) The provisions of subsections (1), (2) and (3) shall apply *mutatis mutandis* to an advisory member of the Board.

Decisions of Board [sect. 31]

16. A decision of the majority of the members of the Board with the right to vote, who are present at any meeting thereof, shall constitute the decision of the Board: Provided that in the event of an equality of votes the member presiding at that meeting shall have a casting vote in addition to his deliberative vote.

Committees [sect. 24, 29 (2)]

17. (1) The Board may from time to time with the consent of the Minister and subject to such conditions as the Board may impose, appoint one or more committees from among its members, and invest any such committee with such of its powers as it may deem fit: Provided that the Board shall not be divested of any power with which it may invest any such committee.

(2) Die Raad moet ten opsigte van elke afsonderlike komitee reëls bepaal met betrekking tot—

- (a) die verkiesing of aanstelling, ampstermyn en status van 'n voorsitter en, indien van toepassing, 'n ondervoorsitter;
- (b) die byeenroep van vergaderings; en
- (c) die vulling van vakatures.

(3) 'n Oordrag van bevoegdhede van die Raad aan so 'n komitee word nie uitgelê word nie uitgelê nie as sou dit daardie komitee magtig om enige besluit van die Raad te wysig of tersyde te stel.

(4) Enige besluit geneem of handeling verrig deur of op gesag van so 'n komitee is ten volle van krag tensy dit deur die Raad tersyde gestel of gewysig word.

(5) Die bepalinge van artikels 13 (1), (2) en (3), 14, 15 en 16 van hierdie Skema is *mutatis mutandis* op so 'n komitee van toepassing.

Adviserende komitees [art. 24, 29 (1)]

18. (1) Die Raad kan een of meer komitees instel ten einde die Raad te adviseer aangaande enige aangeleentheid betreffende die uitvoering van hierdie Skema of 'n bepaling daarvan in die algemeen of in 'n gedeelte van die Republiek waarin die Skema of 'n bepaling daarvan van toepassing is, of ten opsigte van melk of iets wat van melk verkry word.

(2) So 'n adviserende komitee word saamgestel op die wyse deur die Raad met die goedkeuring van die Minister bepaal.

(3) (a) Die lede van 'n adviserende komitee word deur die Raad aangestel.

(b) 'n Lid van 'n adviserende komitee word vir die tydperk wat die Raad bepaal, maar hoogstens drie jaar, aangestel.

(c) So 'n lid kan by verstryking van sy ampstermyn weer aangestel word.

(4) Die bepalinge van artikel 9 en 17 (2) van hierdie Skema en artikel 28A van die Wet is *mutatis mutandis* van toepassing op 'n adviserende komitee en die lede daarvan.

(5) Die Raad moet ten opsigte van elke afsonderlike adviserende komitee reëls bepaal met betrekking tot—

- (a) die kworum vir vergaderings;
- (b) die besluite van sodanige adviserende komitee;
- (c) die bywoning van vergaderings van sodanige adviserende komitee; en
- (d) enige ander aangeleentheid wat hy nodig of dienstig ag, en die algemeenheid van hierdie bepaling word nie deur die voorafgaande paragrafe van hierdie subartikel beperk nie.

Indiensneming van persone [art. 33]

19. (1) Die Raad kan, behoudens die voorskrifte wat die Minister in 'n bepaalde geval uitreik, die persone in diens neem wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema.

(2) Sodanige persone word—

- (a) op 'n voltijdse grondslag en op die voorwaardes wat die Raad bepaal, in diens geneem; of

(2) The Board shall in respect of each separate committee determine rules relating to—

- (a) the election or appointment, period of office and status of a chairman and, if applicable, a vice-chairman;
- (b) the calling of meetings; and
- (c) the filling of vacancies.

(3) Any investment of powers of the Board in any such committee shall not be construed as empowering that committee to amend or set aside any decision of the Board.

(4) Any decision taken or act performed by or on authority of any such committee shall be of full force and effect unless it is set aside or amended by the Board.

(5) The provisions of sections 13 (1), (2) and (3), 14, 15 and 16 of this Scheme shall apply *mutatis mutandis* to such committee.

Advisory committees [sect. 24, 29 (1)]

18. (1) The Board may establish one or more committees for the purpose of advising the Board in regard to any matter relating to the administration of this Scheme or any of its provisions in general or in a part of the Republic in which the Scheme or a provision thereof applies, or in respect of milk or anything which is derived from milk.

(2) Such advisory committee shall be constituted in such manner as may be determined by the Board with the approval of the Minister.

(3) (a) The members of an advisory committee shall be appointed by the Board.

(b) A member of an advisory committee shall be appointed for such period, but not exceeding three years, as the Board may determine.

(c) Such member may be reappointed at the expiry of his period of office.

(4) The provisions of sections 9 and 17 (2) of this Scheme and section 28A of the Act shall apply *mutatis mutandis* to an advisory committee and the members thereof.

(5) The Board shall in respect of each separate advisory committee determine rules relating to—

- (a) the quorum for meetings;
- (b) the decisions of such advisory committee;
- (c) the attendance of meetings of such advisory committee; and
- (d) any other matter which it considers necessary or expedient, and the generality of this provision shall not be limited by the preceding paragraphs of this subsection.

Employment of persons [sect. 33]

19. (1) The Board may employ such persons as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme.

(2) Such persons shall be employed—

- (a) on a full-time basis and on the conditions determined by the Board; or

- (b) in diens geneem vir die verrigting van 'n besondere handeling of besondere werk of die lewering van besondere dienste.

(3) Die persone aldus in diens geneem, verrig hul werk op die koste en onderworpe aan die opdragte en beheer van die Raad, en word besoldig uit 'n algemene fonds bedoel in artikel 28 van hierdie Skema.

Pensioenfonds [art. 24]

20. Wanneer die Raad iemand ingevolge artikel 19 van hierdie Skema op 'n voltydse grondslag in diens neem—

- (a) moet die Raad reëlings tref vir die toelating van daardie persoon as 'n lid van 'n pensioenfonds;
- (b) moet sodanige persoon die geldelike bydrae wat ingevolge die reëls van sodanige pensioenfonds bepaal word, in daardie pensioenfonds stort; en
- (c) moet die Raad ten opsigte van sodanige geldelike bydrae van die betrokke persoon uit 'n algemene fonds in artikel 28 van hierdie Skema bedoel, die bedrag wat ingevolge die reëls van sodanige pensioenfonds bepaal word, in daardie pensioenfonds stort.

Verkryging van eiendom [art. 34]

21. (1) Behoudens die bepalings van artikel 34 (2) van die Wet, kan die Raad die eiendom aanskaf of huur wat hy nodig ag vir die behoorlike verrigting van sy werksaamhede en vir die bereiking van die oogmerke van hierdie Skema.

(2) Die Raad kan—

- (a) geld of eiendom aanneem wat by wyse van geskenk, toekenning of andersins aan die Raad gegee word; en
- (b) sodanige geld of eiendom gebruik op die wyse wat die Minister goedkeur.

Bystand aan sekere ondernemings en navorsingswerk [art. 35]

22. (1) Die Raad kan met die Minister se goedkeuring, deur middel van toekenning of lening of op 'n ander wyse, bystand verleen—

- (a) in verband met die navorsingswerk met betrekking tot die verbetering, produksie, vervaardiging, verwerking, opberging of bemarking van melk of iets wat van melk verkry word;
- (b) aan 'n komitee of organisasie wat deur die Suid-Afrikaanse Landbou-unie ingestel of in die lewe geroep is om die suiwelbedryf te bevorder; en
- (c) aan 'n organisasie wat ingestel of in die lewe geroep is om die suiwelbedryf te bevorder, en wat by die Suid-Afrikaanse Landbou-unie of 'n provinsiale landbou-unie geaffilieer is.

(2) Ondanks die bepalings van subartikel (1) verleen die Raad nie bystand aan 'n komitee of organisasie in paragraaf (b) of (c) van daardie subartikel bedoel nie tensy dié komitee of organisasie deur en met die goedkeuring van die Suid-Afrikaanse Landbou-unie vertoë daarvoor tot die Raad gerig het.

- (b) for the performance of any particular act or particular work or the rendering of particular services.

(3) The persons thus employed shall perform their work at the expense and subject to the directions and control of the Board, and shall be remunerated out of a general fund referred to in section 28 of this Scheme.

Pension fund [sect. 24]

20. When the Board employs a person on a full-time basis in terms of section 19 of this Scheme—

- (a) the Board shall arrange for the admission of such person as a member of a pension fund;
- (b) such person shall pay into that pension fund the monetary contribution determined in terms of the rules of such pension fund; and
- (c) the Board shall in respect of such monetary contribution of the person concerned pay out of a general fund referred to in section 28 of this Scheme into that pension fund the amount determined in terms of the rules of such pension fund.

Acquisition of property [sect. 34]

21. (1) Subject to the provisions of section 34 (2) of the Act, the Board may acquire or hire such property as it may consider necessary for the proper performance of its functions and for the attainment of the objects of this Scheme.

(2) The Board may—

- (a) accept money or property given to the Board by way of donation, grant or otherwise; and
- (b) utilise such money or property in such manner as the Minister may approve.

Assistance to certain undertakings and research work [sect. 35]

22. (1) The Board may, with the approval of the Minister, assist by way of grant or loan or in any other manner—

- (a) research work relating to the improvement, production, manufacture, processing, storing or marketing of milk or anything which is derived from milk;
- (b) a committee or organization established or instituted by the South African Agricultural Union to promote the dairy industry; and
- (c) any organization established or instituted to promote the dairy industry, and which is affiliated with the South African Agricultural Union or a provincial agricultural union.

(2) Notwithstanding the provisions of subsections (1) the Board shall not grant assistance to a committee or organization referred to in paragraph (b) or (c) of that subsection unless the committee or organization has through and with the approval of the South African Agricultural Union made representations therefor to the Board.

Verstreking van inligting en advies [art. 36]**23. Die Raad kan —**

- (a) 'n inligtingsdiens instel ten einde produsente van tyd tot tyd in te lig aangaande bemerkings-toestande oor die algemeen of aangaande die toestand ten opsigte van 'n besondere mark; en
- (b) die Minister van advies dien aangaande —
 - (i) die voorwaardes wat betref klasse, grade, kwaliteitstandaarde, verpakkingsmetodes en die merk van melk of van 'n houer of omhulsel wat melk bevat, en waarop melk verkoop of vir verkoop ingevoer mag word;
 - (ii) die uitreiking, wysiging of intrekking van 'n kennisgewing kragtens artikel 87 van die Wet; en
 - (iii) alle aangeleenthede betreffende die bemerking of verwerking van melk of iets wat van melk verkry word.

Bevordering van vraag na melk [art. 37]

24. Die Raad kan die stappe doen wat die Minister goedkeur ten bevordering of stimulering van die vraag na melk of iets wat van melk verkry word.

Samewerking deur Raad [art. 38]**25. Die Raad kan met die Minister se goedkeuring —**

- (a) met enigeen meedoen aan 'n handeling wat die Raad kan verrig; en
- (b) namens 'n ander raad wat kragtens 'n wetsbepaling vir of ten opsigte van 'n landbou- of verwante bedryf ingestel is, alle handelinge verrig wat daardie ander raad kan verrig.

Oplegging van heffing [art. 41, 42, 79]

26. (1) Die Raad kan met die goedkeuring van die Minister, 'n heffing op die grondslag wat die Raad bepaal, opleë op melk, of op melk van 'n bepaalde klas, graad of kwaliteitstandaard.

(2) 'n Heffing wat ingevolge subartikel (1) opgelê is, is —

- (a) deur 'n produsent betaalbaar op melk wat deur hom vir verkoop —
 - (i) geproduseer is; en
 - (ii) verwerk is;
- (b) deur 'n persoon wat melk invoer, betaalbaar op melk wat deur hom in die Republiek ingevoer word.

(3) 'n Heffing wat ingevolge subartikel (2) (a) (i) deur 'n produsent in daardie subartikel bedoel, betaalbaar is, word deur die eerste persoon wat met daardie melk as 'n besigheid handel van so 'n produsent verhaal.

(4) 'n Heffing wat ingevolge subartikel (2) of (3) betaalbaar of verhaal is, word aan die Raad oorbetal op die tye en wyse by regulasie kragtens artikel 89 van die Wet voorgeskryf.

Oplegging van spesiale heffing [art. 42, 44, 79]

27. (1) Die Raad kan met die goedkeuring van die Minister, 'n spesiale heffing opleë op melk, of op melk van 'n bepaalde klas, graad of kwaliteitstandaard.

Furnishing of information and advice [sect. 36]**23. The Board may —**

- (a) establish an information service in order to inform producers from time to time about marketing conditions in general or about the condition of any particular market; and
- (b) advise the Minister as to —
 - (i) the conditions regarding classes, grades, standards of quality, methods of packing and the marking of milk or of any receptacle containing milk and subject to which milk may be sold or imported for sale;
 - (ii) the issue, amendment or withdrawal of a notice under section 87 of the Act; and
 - (iii) all matters relating to the marketing or processing of milk or anything which is derived from milk.

Stimulating demand for milk [sect. 37]

24. The Board may take such steps as may be approved by the Minister for fostering or stimulating the demand for milk or anything which is derived from milk.

Co-operation by Board [sect. 38]

25. The Board may, with the approval of the Minister —

- (a) co-operate with any person in doing any act which the Board may perform; and
- (b) on behalf of any other board established under any law for or in respect of any agricultural or related industry, do any act which such other board may perform.

Imposition of levy [sect. 41, 42, 79]

26. (1) The Board may with the approval of the Minister, impose a levy on such basis as the Board may determine, on milk or on milk of a particular class, grade or standard of quality.

(2) A levy imposed in terms of subsection (1) shall —

- (a) be payable by a producer on milk —
 - (i) produced by him for the purpose of sale; and
 - (ii) processed by him for the purpose of sale;
- (b) be payable by a person on milk which is imported by him into the Republic.

(3) A levy which is in terms of subsection (2) (a) (i) payable by a producer referred to in that subsection, shall be recovered by the first person dealing in the course of trade with such milk from such producer.

(4) A levy which is in terms of subsection (2) or (3) payable or recovered, shall be paid over at the time and in the manner prescribed by regulation under section 89 of the Act.

Imposition of special levy [sect. 42, 44, 79]

27. (1) The Board may with the approval of the Minister, impose a special levy on milk or on milk of a particular class, grade or standard of quality.

(2) Die bepalings van artikel 26 (2), (3) en (4) is *mutatis mutandis* van toepassing op 'n spesiale heffing wat ingevolge subartikel (1) opgelê is.

Alemene fondse [art. 46 (1)]

28. (1) Die Raad moet een of meer algemene fondse instel wat deur die Raad bestuur en beheer word, en—

- (a) waarin alle gelde gestort moet word wat deur die Raad ontvang word, behalwe die gelde wat in 'n reserwefonds in artikel 29 van hierdie Skema bedoel, of 'n spesiale fonds in artikel 30 van hierdie Skema bedoel, gestort moet word; en
- (b) waaruit alle administratiewe uitgawes van die Raad betaal moet word.

(2) Die Raad kan met die Minister se goedkeuring geld in so 'n algemene fonds vir enige ander doel aanwend wat na die oordeel van die Raad tot voordeel sal strek van persone wat belang het by melk.

Reserwefondse [art. 46 (2)]

29. (1) Die Raad moet een of meer reserwefondse instel wat deur die Raad bestuur en beheer word, en waarin die gelde deur die Raad ontvang wat die Minister bepaal, en die bedrae tot die beskikking van die Raad wat die Minister van tyd tot tyd goedkeur of wat die Minister na die einde van 'n boekjaar ingevolge hierdie Skema en na oorlegpleging met die Raad bepaal, gestort moet word.

(2) Die Raad kan oor geld in so 'n reserwefonds beskik op 'n wyse wat die Minister goedkeur.

Spesiale fondse [art. 46 (3)]

30. (1) Die Raad moet—

- (a) een of meer spesiale fondse instel wat deur die Raad bestuur en beheer word; en
- (b) die gelde uit 'n spesiale heffing in artikel 27 van hierdie Skema bedoel, verkry, die ander gelde deur die Raad ontvang wat die Minister bepaal, en die bedrae tot die beskikking van die Raad wat die Minister goedkeur, in sodanige spesiale fonds of fondse stort.

(2) Die Raad kan oor geld in sodanige spesiale fonds beskik op 'n wyse wat die Minister goedkeur.

Boekjaar [art. 50]

31. Die boekjaar ingevolge hierdie Skema is die tydperk van 1 Maart in enige jaar tot die laaste dag van Februarie van die daaropvolgende jaar, beide dae ingesluit.

Raming van inkomste en uitgawes [art. 24]

32. (1) Die Raad moet jaarliks 'n raming van sy verwagte inkomste en uitgawes vir die daaropvolgende boekjaar aan die Nasionale Bemarkingsraad vir goedkeuring deur die Minister voorlê.

(2) So 'n raming moet—

- (a) in die vorm uiteengesit word wat vir dié doel deur die Minister bepaal is; en
- (b) minstens 30 dae voor die aanvang van die betrokke boekjaar aan die Nasionale Bemarkingsraad voorgelê word.

(2) The provision of section 26 (2), (3) and (4) shall apply *mutatis mutandis* to a special levy imposed in terms of subsection (1).

General funds [sect. 46 (1)]

28. (1) The Board shall establish one or more general funds to be administered and controlled by the Board, and—

- (a) into which all moneys received by the Board shall be paid, except such moneys as are to be paid into a reserve fund referred to in section 29 or a special fund referred to in section 30 of this Scheme; and
- (b) from which all administrative expenses of the Board shall be paid.

(2) The Board may, with the approval of the Minister, utilize money in such a general fund for any other object which in the opinion of the Board will be to the advantage of persons who have an interest in milk.

Reserve funds [sect. 46 (2)]

29. (1) The Board shall establish one or more reserve funds to be administered and controlled by the Board, and into which the Board shall pay such moneys received by the Board as may be determined by the Minister, and such amounts at the disposal of the Board as may from time to time be approved by the Minister or as may after the end of any financial year under this Scheme be determined by the Minister after consultation with the Board.

(2) The Board may deal with money in such special fund in such manner as may be approved by the Minister.

Special funds [sect. 46 (3)]

30. (1) The Board shall—

- (a) establish one or more special funds to be administered and controlled by the Board; and
- (b) pay into such special fund or funds the money derived from a special levy referred to in section 27 of this Scheme, such other moneys received by the Board as may be determined by the Minister and such amounts at the disposal of the Board as may be approved by the Minister.

(2) The Board may deal with money in such reserve fund in such manner as may be approved by the Minister.

Financial year [sect. 50]

31. The financial year under this Scheme shall be the period from 1 March in any year until the last day of February of the ensuing year, both days included.

Estimates of income and expenditure [art. 24]

32. (1) The Board shall annually submit to the National Marketing Council for approval by the Minister an estimate of its expected income and expenditure for the following financial year.

(2) Such estimate shall—

- (a) be set out in the form determined by the Minister for this purpose; and
- (b) be submitted to the National Marketing Council at least 30 days prior to the commencement of the financial year concerned.

(3) Die Raad moet jaarliks binne 120 dae na die einde van elke boekjaar 'n vergelykende staat van sy geraamde en werklike inkomste en uitgawes vir daardie boekjaar aan die Nasionale Bemarkingsraad voorleë tesame met, indien nodig, verduidelikings van enige afwykings.

Leen van geld [art. 45]

33. Die Raad kan met die Minister se goedkeuring geld leen wat ter verwesenliking van die oogmerke van hierdie Skema aangewend moet word.

Beskikking oor oorblywende bates by opheffing van Skema [art. 49]

34. Ingeval hierdie Skema opgehef word—

- (a) word die oorblywende bates van die Raad nadat al sy skulde betaal is onder persone in artikel 26 (2) bedoel verdeel in verhouding tot die onderskeie bedrae wat hulle gedurende die tydperk van drie jaar onmiddellik voor die datum waarop hierdie Skema opgehef is, in heffings en spesiale heffings kragtens artikels 26 en 27 aan die Raad betaal het; en
- (b) word enige tekort wat bestaan nadat al die bates van die Raad te gelde gemaak is, onderskeidelik aangesuiwer deur bydraes deur persone in artikel 26 (2) bedoel, deur wie 'n heffing en spesiale heffing kragtens artikels 26 en 27 van hierdie Skema aan die Raad betaalbaar is, in verhouding tot die onderskeie bedrae in die vorm van heffings en spesiale heffings wat kragtens hierdie Skema gedurende die tydperk van drie jaar onmiddellik voor die datum waarop hierdie Skema opgehef is, deur hulle betaalbaar was.

Aantekeninge, opgawes en inligting [art. 52 (2), 79]

35. Die Raad kan met die Minister se goedkeuring—

- (a) enigiemand, of enigiemand wat tot 'n klas of groep persone behoort, of enigiemand behalwe iemand wat tot 'n klas of groep persone behoort, gelas om aan die Raad dié inligting met betrekking tot melk te verstrek waarvoor bedoelde persoon beskik en wat die Raad spesifiseer; en
- (b) aantekeninge wat in verband met melk gehou moet word, die tydperk waarvoor sodanige aantekeninge gehou moet word en die opgawes wat ten opsigte daarvan aan die Raad verstrek moet word deur enigiemand, of deur enigiemand wat tot 'n klas of groep persone behoort, of deur enigiemand behalwe iemand tot 'n klas of groep persone behoort, voorgeskryf, asook die tye waarop, die vorm waarin en die wyse waarop bedoelde opgawes aldus verstrek moet word.

Aanstelling van agente [art. 53]

36. Die Raad kan, op die voorwaardes deur hom bepaal, die agent of agente aanstel wat hy nodig ag vir die behoorlike verrigting van dié van sy werksaamhede wat die Raad met die goedkeuring van die Minister bepaal.

(3) The Board shall annually within 120 days of the end of each financial year submit to the National Marketing Council a comparative statement of its estimated and actual income and expenditure for that financial year together with, if necessary, explanations of any deviations.

Borrowing of money [sect. 45]

33. The Board may, with the approval of the Minister, borrow money to be utilised for the purpose of attaining the objects of this Scheme.

Disposal of remaining assets in event of the discontinuance of Scheme [sect. 49]

34. In the event of the discontinuance of this Scheme—

- (a) any assets of the Board remaining after all its debts have been paid shall be divided among persons referred to in section 26 (2), *pro rata* to the respective amounts paid by them to the Board in the form of a levy and special levy under sections 26 and 27 during the period of three years immediately preceding the date on which this Scheme is discontinued; and
- (b) any deficit which may exist after all the assets of the Board have been realised shall be made good by contributions by persons referred to in section 26 (2) who were liable to pay a levy and special levy to the Board under sections 26 and 27 of this Scheme, *pro rata* to the respective amounts payable by them in the form of levies and special levies under this Scheme during the period of three years immediately preceding the date on which this Scheme is discontinued.

Records, returns and information [sect. 52 (2), 79]

35. The Board may, with the approval of the Minister—

- (a) require any person, or any person belonging to any class or group of persons, or any person other than a person belonging to any class or group of persons, to furnish the Board with such information relating to milk which may be available to such person and as the Board may specify; and
- (b) prescribe the records to be kept in connection with milk, the period for which any such records shall be retained and the returns to be rendered in regard thereto to the Board by any person, or by any person belonging to any class or group of persons, or by any person other than a person belonging to any class or group of persons, and the times at which and the form and manner in which such returns shall be thus rendered.

Appointment of agents [sect. 53]

36. The Board may appoint, on the conditions determined by it, such agent or agents as it may consider necessary for the proper performance of such of its functions as the Board may determine with the approval of the Minister.

Magtiging van inspekteurs [art. 54]

37. Die Raad kan, vir die uitvoering van die bepalings van hierdie Skema, enigiemand in die algemeen of in 'n besondere geval magtig om te alle redelike tye—

- (a) 'n plek te betree wat geokkupeer word deur iemand wat 'n produsent van melk is of vermoed word so 'n produsent te wees, of deur iemand wat as 'n besigheid handel of vermoed word as 'n besigheid te handel met melk, of 'n plek of voertuig waarin of waarop daar 'n hoeveelheid van melk deur iemand gehou of vervoer word of na vermoede gehou of vervoer word;
- (b) sodanige melk te inspekteer en alle boeke en stukke op bedoelde plek of in of op bedoelde voertuig na te gaan wat op redelike gronde vermoed word op sodanige melk betrekking het, en afskrifte van of uittreksels uit dié boeke en stukke te maak;
- (c) van die eienaar van sodanige melk of van die persoon wat dit in sy bewaring het, inligting aangaande sodanige melk te eis;
- (d) van die eienaar van so 'n boek of stuk of van die persoon wat dit in sy bewaring het, 'n verklaring van 'n inskrywing daarin te eis;
- (e) beslag te lê op boeke, stukke of artikels wat bewys kan lewer van die pleeg van 'n misdryf ingevolge die Wet of hierdie Skema of 'n regulasie wat kragtens artikel 89 van die Wet uitgevaardig is, of op 'n hoeveelheid van melk ten opsigte waarvan so 'n misdryf vermoedelik gepleeg is, en om boeke, stukke of artikels of 'n hoeveelheid van sodanige melk waarop aldus beslag gelê is, van die betrokke plek of voertuig te verwyder of dit op bedoelde plek of voertuig te laat en na goeë dunde 'n identifikasiemerk wat hy nodig ag, aan te bring op so 'n boek, stuk, artikel of op die houer van sodanige melk.

Registrasie van sekere persone [art. 59, 79]

38. (1) Elke produsent en persoon wat met melk as 'n besigheid handel moet by die Raad geregistreer wees.

(2) Die Raad kan met die Minister se goedkeuring die prosedure in verband met registrasie in subartikel (1) bedoel, voorskryf.

Misdrywe en strawwe [art. 23]

39. Iemand wat—

- (a) versuim om 'n heffing of spesiale heffing wat kragtens artikels 26 en 27 van hierdie Skema opgelê is, te betaal;
- (b) versuim om aan 'n vereiste van 'n lasgewing of voorskrif kragtens artikel 35 van hierdie Skema te voldoen;
- (c) 'n bepaling van artikel 38 (1) van hierdie Skema oortree,

is aan 'n misdryf skuldig en by skuldigbevinding strafbaar met 'n boete van hoogstens R5 000 of met gevangenisstraf vir 'n tydperk van hoogstens twee jaar, of met sowel sodanige boete as sodanige gevangenisstraf.

Authorization of inspectors [sect. 54]

37. The Board may, for the purpose of the enforcement of the provisions of this Scheme, empower any person generally or in any particular case, at all reasonable hours—

- (a) to enter any place occupied by any person who is or is suspected of being a producer of milk or a person dealing or suspected of dealing in the course of trade with milk or any place or vehicle in or on which any quantity of milk is kept or transported or is suspected of being kept or transported by any person;
- (b) to inspect any such milk and to examine all books and documents at any such place or in or on any such vehicle, which are believed on reasonable grounds to relate to such milk and to make copies of or take extracts from such books and documents;
- (c) to demand from the owner or custodian of such milk any information concerning such milk;
- (d) to demand from the owner or custodian of any such book or document an explanation of any entry therein; and
- (e) to seize any books, documents or articles which may afford evidence of the commission of an offence under the Act or this Scheme or any regulation, or any quantity of milk in respect of which any such offence is suspected to have been committed, and to remove from the place or vehicle in question or to leave at such place or on such vehicle any books, documents or articles or any quantity of such milk which have been so seized, and, if he deems fit, to place on any such book, document, article or on the container of such milk, any identification mark which he may consider necessary.

Registration of certain person [sect. 59, 79]

38. (1) Each producer and person dealing in the course of trade with milk shall be registered with the Board.

(2) The Board may, with the approval of the Minister, prescribe the procedure in connection with the registration referred to in subsection (1).

Offences and penalties [sect. 23]

39. Any person who—

- (a) fails to pay a levy or special levy imposed under sections 26 and 27 of this Scheme;
- (b) fails to comply with a requirement of a direction or prescription imposed under section 5 of this Scheme;
- (c) contravenes a provision of section 38 (1) of this Scheme,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding R5 000 or to imprisonment for a period not exceeding two years or to both such fine and such imprisonment.

No. R. 2493**24 Desember 1993****WET OP DIE BEWARING VAN LANDBOUHULP-
BRONNE, 1983**

(WET No. 43 VAN 1983)

**WYSIGING: VLOEDHULPSKEMA VIR VLOEDRAMP-
GEBIEDE**

Ek, André Isak van Niekerk, Minister van Landbou, wysig hiermee kragtens artikel 8, gelees met artikel 9, van die Wet op die Bewaring van Landbouhulpbronne, 1983 (Wet No. 43 van 1983), die Tabel van die Vloedhulpskema vir Vloedrampgebiede afgekondig by Goewermentskennisgewing No. 47 van 15 Januarie 1988, soos in die Bylae uiteengesit.

A. I. VAN NIEKERK,

Minister van Landbou.

BYLAE

Die volgende inskrywing word hierby aan die einde van die Tabel, in die kolomme soos aangedui, ingevoeg:

Gebied waarin skema van toepassing is	Datum of datums waarop vloedskade aan grondbewaringswerke voorgekom het	Instellingsdatum
1	2	3
13. Die Landdrosdistrik Hofmeyr	17 Maart 1993	13 Desember 1993

DEPARTEMENT VAN MANNEKRAG**No. R. 2495****24 Desember 1993****WET OP MANNEKRAGOPLEIDING, 1981****OPLEIDINGSRAAD VIR DIE DRUK-, NUUSBLAD-
EN VERPAKKINGSNYWERHEID: WYSIGING VAN
LEERVOORWAARDES****VERBETERINGSKENNISGEWING**

Onderstaande verbetering aan Goewermentskennisgewing No. R. 2311 wat in *Staatskoerant* No. 15291 van 3 Desember 1993 verskyn het, word vir algemene inligting gepubliseer:

In die Afrikaanse teks, vervang klousule 3 (1) met die volgende klousule:

- “3. (1) 'n Werkgewer moet 'n vakleerling wat ingeboek is volgens die bepalings van die Bevoegdheidsgerigte Modulêre Opleidingsstelsel, 'n weeklikse besoldiging van nie minder nie as die volgende betaal:

Fase 1 en 2: R258,00;

Fase 3: R289,00;

Fase 4: R395,00.

No. R. 2493**24 December 1993****CONSERVATION OF AGRICULTURAL
RESOURCES ACT, 1983**

(ACT No. 43 OF 1983)

**AMENDMENT; FLOOD RELIEF SCHEME FOR
FLOOD DISASTER AREAS**

I, André Isak van Niekerk, Minister of Agriculture, in terms of section 8, read with section 9, of the Conservation of Agricultural Resources Act, 1983 (Act No. 43 of 1983), hereby amend the Table of the Flood Relief Scheme for Flood Disaster Areas published by Government Notice No. 47 of 15 January 1988, as specified in the Schedule.

A. I. VAN NIEKERK,

Minister of Agriculture.

SCHEDULE

The following insertion is hereby made at the end of the Table, in the columns as specified:

Area in which scheme is applicable	Date or dates on which flood damage to soil conservation works occurred	Date of inception
1	2	3
13. The Magisterial District of Hofmeyr	17 March 1993	13 December 1993

DEPARTMENT OF MANPOWER**No. R. 2495****24 December 1993****MANPOWER TRAINING ACT, 1981****PRINTING, NEWSPAPER AND PACKAGING
INDUSTRIES TRAINING BOARD: AMENDMENT OF
CONDITIONS OF APPRENTICESHIP****CORRECTION NOTICE**

The following correction to Government Notice No. R. 2311 which appeared in *Gazette* No. 15291 of 3 December 1993, is published for general information:

In the English text, replace clause 3 (1) with the following clause:

- “3. (1) An employer shall pay an apprentice indentured in terms of the Competency Based Modular Training System, a weekly remuneration of not less than the following:

Phase 1 and 2: R258,00;

Phase 3: R289,00;

Phase 4: R395,00.

No. R. 2496**24 Desember 1993****WET OP MANNEKRAGOPLEIDING, 1981**

OPLEIDINGSRAAD VIR DIE DRUK-, NUUSBLAD- EN VERPAKKINGSNYWERHEID: WYSIGING VAN LEERVOORWAARDES

VERBETERINGSKENNISGEWING

Onderstaande verbetering aan Goewermentskennisgewing No. R. 2298 wat in *Staatskoerant* No. 15291 van 3 Desember 1993 verskyn het, word vir algemene inligting gepubliseer.

In die Afrikaanse teks, vervang klousule 3 (1) met die volgende klousule:

- “3. (1) 'n Werkgewer moet 'n vakleerling 'n weeklikse besoldiging van nie minder nie as die volgende betaal:

Eerste jaar: R258,00;

Tweede jaar: R289,00;

Derde jaar: R319,00;

Vierde jaar: R395,00.

Met dien verstande dat vakleerlinge wat ingeboek is na voltooiing van hul aanvanklike diens ingevolge die Verdedigingswet, 1957 (Wet No. 44 van 1957), of die Polisie wet, 1958 (Wet No. 7 van 1958), 'n weeklikse besoldiging van nie minder nie as die volgende betaal moet word:

Eerste jaar: R284,00;

Tweede jaar: R316,00;

Derde jaar: R387,00;

Vierde jaar: R441,00.

No. R. 2497**24 Desember 1993****WET OP MANNEKRAGOPLEIDING, 1981**

WYSIGING VAN DIE OPLEIDINGSKEMA VIR DIE BOUNYWERHEID

Ek, Leon Wessels, Minister van Mannekrag, handelende kragtens artikel 39 (3) van die Wet op Mannekragopleiding, 1981, wysig hierby, met ingang van die datum van publikasie van hierdie kennisgewing die skema gepubliseer by Goewermentskennisgewing No. R. 1948 van 11 September 1987—

- (a) deur die vervanging van klousule 2 met die volgende:

“2. WOORDOMSKRYWING

In hierdie Skema beteken “die Wet” die Wet op Mannekragopleiding, 1981 (Wet No. 56 van 1981), insluitende enige regulasies daarkragtens uitgevaardig, en het enige uitdrukking in die Wet omskryf, die betekenis in die Wet daaraan geef, en, tensy uit die samehang ander blyk beteken—

- (1) “**BIFSA**” die Bou-Industrieë Federasie (Suid-Afrika);
- (2) “**Bounywerheid**” of “**Nywerheid**”, sonder om die gewone betekenis van die uitdrukking enigsins te beperk, die nywer-

No. R. 2496**24 December 1993****MANPOWER TRAINING ACT, 1981**

PRINTING, NEWSPAPER AND PACKAGING INDUSTRIES TRAINING BOARD: AMENDMENT OF CONDITIONS OF APPRENTICESHIP

CORRECTION NOTICE

The following correction to Government Notice No. R. 2298 which appeared in *Gazette* No. 15291 of 3 December 1993, is published for general information:

In the English text, replace clause 3 (1) with the following clause:

- “3. (1) An employer shall pay an apprentice a weekly remuneration of not less than the following:

First year: R258,00;

Second year: R289,00;

Third year: R319,00;

Fourth year: R395,00.

Provided that apprentices indentured after having completed their initial training of service in terms of the Defence Act, 1957 (Act No. 44 of 1957), or the Police Act, 1958 (Act No. 7 of 1958), shall be paid a weekly remuneration of not less than the following:

First year: R284,00;

Second year: R316,00;

Third year: R387,00;

Fourth year: R441,00.

No. R. 2497**24 December 1993****MANPOWER TRAINING ACT, 1981**

AMENDMENT OF THE TRAINING SCHEME FOR THE BUILDING INDUSTRY

I, Leon Wessels, Minister of Manpower, acting in terms of section 39 (3) of the Manpower Training Act, 1981, hereby amend with effect from the date of publication of this notice, the scheme published in Government Notice No. R. 1948 of 11 September 1987—

- (a) by the substitution for clause 2 of the following:

“2. DEFINITIONS

In this Scheme “The Act” means the Manpower Training Act, 1981 (Act No. 56 of 1981), including any regulations made thereunder, and any expression defined in the Act has the meaning assigned to it in the Act, and, unless the context otherwise indicates—

- (1) “**BIFSA**” means the Building Industries Federation (South Africa);
- (2) “**Building Industry**” or “**Industry**”, means, without in any way limiting the ordinary meaning of the terms, the industry in

heid waarin werkgewers en werknemers met mekaar geassosieer is met die doel om bouwerksaamhede te verrig, insluitende—

- (a) die konstruksie van geboue en strukture, ongeag die materiaal of materiaal kombinasies wat gebruik word en die metodes of tegnieke wat toegepas word;
- (b) die sloping van geboue of strukture;
- (c) die vervaardiging van—
 - (i) alle skrynwerkstukke, hetsy vir verkoping of volgens spesifikasie, en los winkel-, kantoor en banktoebere, insluitende beweegbare toonbanke, vertoonkaste, rakke en soortgelyke artikels;
 - (ii) alle boumetaalwerkstukke bedoel vir inkorporering in geboue of strukture, hetsy tesame met of ter vervanging van die artikels vermeld in paragraaf (i) hierbo;
 - (iii) kombuiske en vaste toebere en meubels wat in geboue of strukture ingebou of daarin aangeheg moet word, insluitende kopstukke vir beddens;
 - (iv) enige artikel vervaardig op die perseel van 'n gebou of struktuur vir inkorporering daarin;
 - (v) alle vaste loodgieterstoebere, insluitende plaatmetaal-komponente wat spesifiek vervaardig is vir die installering daarvan in 'n bepaalde gebou of struktuur;
 - (vi) opslaangeboue, of -strukture, of dele van geboue of strukture, insluitende afskortings, ongeag die materiaal of materiaal kombinasies wat gebruik word; en
 - (vii) voorafgegieste en voorgespanne betonbalke, sementprodukte, fineerklip en terrasowerk, gipsmodelleerwerk en alle soortgelyke artikels bedoel vir permanente inkorporering as 'n integrerende deel van 'n gebou of struktuur;
- (d) die ontwerp, voorbereiding (behalwe vervaardiging vir verkoping) en oprigting van elektriese installasies wat 'n integrerende en permanente deel van geboue vorm, en die herstel en instandhouding van sodanige installasies, insluitende enige kabelaswerk of elektriese bedrading in verband daarmee; en

which employers and employees are associated for the purpose of carrying on building operations, including—

- (a) the construction of buildings and structures, irrespective of the materials or combinations of materials used and the methods or techniques employed;
- (b) the demolition of buildings or structures;
- (c) the manufacture of—
 - (i) all items of joinery, whether for sale or according to specification, and shop, office and bank fittings, including movable counters, display cases, shelving and similar articles;
 - (ii) all items of architectural metal work intended for incorporation in buildings or structures, whether associated with or in substitution for the items listed under paragraph (i) above;
 - (iii) kitchen dressers and fixtures and furniture to be built or affixed in buildings or structures, including headboards for beds;
 - (iv) any article manufactured on the site of a building or structure for incorporation therein;
 - (v) all plumbing fixtures, including sheetmetal components specifically made for installation in a particular building or structure;
 - (vi) prefabricated buildings or structures, or portions of buildings or structures, including partitions, irrespective of the materials or combinations of material used; and
 - (vii) precast and prestressed concrete beams, cement products, reconstructed stone and terrazzo work, plaster modelling and all similar articles intended for permanent incorporation as an integral part of a building or structure;
- (d) the design, preparation (other than manufacture for sale) and erection of electrical installations forming an integral and permanent part of buildings and the repair and maintenance of such installations, including any cable jointing or electrical wiring associated therewith; and

(e) die verwerking van natuurklip,
maar met uitsluiting van—

- (i) werk gedoen deur administratiewe personeel;
- (ii) grootskaalse opgraving en stapeling wat skeibare en spesialiteitswerk uitmaak en probleme van 'n siviele ingenieursaard behels;
- (iii) die vervaardiging, installering, herstel of instandhouding van beweegbare stoffeermateriale soos hortjiesblindings, gordynstokke en -spore, gordyne, tapyte en soortgelyke artikels;
- (iv) die vervaardiging van kombuis-kaste en vaste toebehore en meubels wat in geboue of strukture ingebou of daarin aangeheg moet word, insluitende kopstukke vir beddens, waar sodanige artikels as funksioneel volledige eenhede op fabriekspersoneel vervaardig word, mits werkgewers of werknemers wat geassosieer is vir die doel van sodanige vervaardiging heeltemal of hoofsaaklik betrokke is by die vervaardiging van meubels, behalwe die artikels wat hierin beskryf is;
- (v) klipgroefwerk;
- (vi) werk gedoen in die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid soos omskryf in die ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1329 van 27 Junie 1980;
- (vii) die herstel, instandhouding en installering van hysbakke, roltrappe en lugversorgingstoerusting in geboue;

en vir die doel van hierdie omskrywing omvat—

“konstruksie”—

- (a) die oprigting, montering, voltooiing, opknapping, herstel, instandhouding en verbouing van geboue of strukture;
- (b) onderworpe aan die uitsluitings hierbo uiteengesit—
 - (i) alle werk uitgevoer op die perseel van 'n gebou of struktuur en die herstel en instandhouding van alle komponente of installasies wat deel van 'n gebou of struktuur vorm; en

(e) the processing of natural stone,
but does not include—

- (i) work performed by administrative staff;
- (ii) bulk excavating and piling that constitute separable and specialist operations involving problems of a civil engineering nature;
- (iii) the manufacture, installation, repair or maintenance of movable furnishings such as venetian blinds, curtain rods and tracks, curtains, carpets and similar items;
- (iv) the manufacture of kitchen dressers and fixtures and furniture to be built or affixed in buildings or structures, including headboards for beds, where such articles are manufactured as functionally complete units on factory premises, provided that employers or employees associated for the purpose of such manufacture are wholly or mainly engaged in the manufacture of furniture other than the articles herein described;
- (v) stone quarrying;
- (vi) work performed in the Iron, Steel, Engineering and Metallurgical Industry as defined in the agreement published under Government Notice No. R. 1329 of 27 June 1980; and
- (vii) the repair, maintenance and installation of lifts, escalators and air-conditioning equipment in buildings;

and for the purpose of this definition—

“construction” includes—

- (a) the erection, assembly, completion, renovation, repair, maintenance and alteration of buildings or structures;
- (b) subject to the exclusions set out above—
 - (i) all work performed on the site of a building or structure and the repair and maintenance of all components or installations constituting part of a building or structure; and

- (ii) die uitvoering van werk op die perseel van 'n gebou of struktuur as 'n werksaamheid ter voorbereiding van of gepaardgaande met die werksaamhede bedoel in (a) hierbo;
- (c) beglasing en enige daarmee gepaardgaande werksaamhede wat buite die perseel van 'n gebou of struktuur uitgevoer word;
- "natuurklip"** graniet, noriet, marmer, sandklip of enige ander natuurklip wat by die oprigting van geboue, strukture, monumente of gedenktekens gebruik word;
- "skrynerwerkstukke"** alle houtafwerkings en -toebehore, soos lyswerk, vloerlyste, deure, deurrame, vensters, paneelwerk, afskortings, trappe, laboratorium- en ander institusionele toebehore, kerkbanke, preekstoele, lamelbalke en soortgelyke artikels wat hoofsaaklik van hout of houtprodukte gemaak word;
- "struktuur"** —
- (a) enige gedeelte van 'n gebou, hetsy afsonderlik of saam met enige ander gedeelte van 'n gebou opgerig;
- (b) grens-, tuin- en keermure en swembaddens; en
- (c) monumente of gedenktekens,
- maar sluit dit bunkers, koeltorings, graansuiers, reservoirs, watertorings, rioolwerke en soortgelyke werke uit wat nie gepaard gaan met of aanvullend is tot geboue nie en wat probleme van 'n siviele ingenieursaard behels; en
- "vervaardiging"**, met betrekking tot items (i) tot en met (vii) van paragraaf (e), die montering en voorbereiding van artikels of gedeeltes van artikels, en omvat dit voorts alle werksaamhede in verband met die voltooiing van artikels, ongeag die materiaal of materiaal kombinasies wat gebruik word;
- (3) **"Federasie"** die Bou-Industrieë Federasie (Suid-Afrika);
- (4) **"Federasiebestuur"**, die Uitvoerende Komitee wat kragtens BIFSA se konstitusie verkies is en aan wie bevoegdheid daarkragtens gedelegeer is;
- (5) **"Fonds"** die Opleidingsfonds vir die Bounywerheid ingestel ingevolge hierdie kennisgewing;

- (ii) the performance of work on the site of a building or structure as an operation preparatory or incidental to the operations referred to under (a) above;
- (c) glazing and any operations incidental thereto performed off the site of a building or structure;
- "items of joinery"** includes all woodwork finishings and fitments such as mouldings, skirting boards, doors, door-frames, windows, panelling, partitions, stairs, laboratory and other institutional fittings, pews, pulpits, laminated beams and similar articles made essentially of wood or wood products;
- "manufacture"**, in relation to items (i) up to and including (vii) of paragraph (e), includes the assembly and preparation of articles or portions of articles and further includes all operations incidental to the completion of articles, irrespective of the materials or combinations of materials used;
- "natural stone"** includes granite, norites, marble, sandstone or any other natural stones used in the erection of buildings, structures, monuments or memorials; and
- "structure"** includes —
- (a) any portion of a building, whether constructed separately or in conjunction with any other portion of a building;
- (b) boundary, garden and retaining walls and swimming baths; and
- (c) monuments or memorials, but excludes bunkers, cooling towers, silos, reservoirs, water towers, sewerage works and similar works that are not incidental or ancillary to buildings and that involve problems of a civil engineering nature;
- (3) **"education"** means that portion of the academic training of a contractually bound employee or prospective employee at a recognised, formal educational institution, which training is a prerequisite in obtaining a nationally recognised qualification in the building industry;
- (4) **"employee"** means any employee, as defined in the Act, who is employed by or who performs work for an employer in the industry;
- (5) **"employer"** means any employer, as defined in the Act, who employs or provides work for any employee, including working employers in the industry;

- (6) "**onderwys**" die gedeelte van die akademiese opleiding wat 'n voorvereiste is vir die verwerwing van 'n nasionaal erkende kwalifikasie wat kontraktuele werknemers of voornemende werknemers aan 'n erkende, formele onderwysinstansie moet ondergaan, wat 'n voorvereiste is vir die verwerwing van 'n nasionaal erkende kwalifikasie in die bounywerheid;
 - (7) "**Opleidingsraad**" die Opleidingsraad vir die Bou-Industrie;
 - (8) "**salarisse en lone**" die bruto betalings vir werk gedoen in die Bounywerheid, met inbegrip van gewone besoldiging, betaling vir oortyd, bonus- en vakansiebetaling, asook kontanttoelaes, maar uitgesonderd betaling in natura soos die voorsiening van huise of motorvoertuie;
 - (9) "**Skema**" die Opleidingskema vir die Bounywerheid;
 - (10) "**werkgewer**" enige persoon, soos in die Wet omskryf, wat 'n werknemer in die Nywerheid in diens het of aan hom werk verskaf, ingesluit werkende werkgewers; en
 - (11) "**werknemer**" enige persoon, soos in die Wet omskryf, wat in diens is by of werk vir 'n werkgewer in die Nywerheid.
- (b) Deur die vervanging van subklousules (1) en (2) van klousule 4 met die volgende:
- "(1) om werkgewers 'n heffing op te lê, gebaseer op hul ambagsman- en/of nie-ambagsman werkerskorps, of om alternatiewe metodes van fondsinsameling te bedink met die oog op die voorsiening van die nodige fondse ten einde voorkeur te gee aan opleiding en onderwys en die finansiering van werkgewers- en/of werknemersverbintenisse wat uit sodanige opleiding en onderwys voortspruit;
 - (2) om die opleiding en onderwys van werknemers op alle vlakke in die bou- en verwante nywerhede te bevorder;"

L. WESSELS,
Minister van Mannekrag.

No. R. 2480 24 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

ELEKTROTEGNIËSE NYWERHEID, NATAL: WYSIGING VAN OOREENKOMS VIR DIE ELEKTROTEGNIËSE AANNEMINGSEKSIE

Ek, Leon Wessels, 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 Wysigings-ooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by

- (6) "**Federation**" means the Building Industries Federation (South Africa);
 - (7) "**Federation Executive**" means the Executive Committee elected and delegated with power in terms of BIFSA's Constitution;
 - (8) "**Fund**" means the Building Industry Training Fund established in terms of this notice;
 - (9) "**salaries and wages**" means the gross payments for work done in the Building Industry, including normal pay, payment for overtime, bonus and holiday payments and cash allowances, but excluding payments in kind such as the provision of housing or motor vehicles;
 - (10) "**Scheme**" means the Training Scheme for the Building Industry; and
 - (11) "**Training Board**" means the Building Industries Training Board;"
- (b) By the substitution for subclauses (1) and (2) of clause 4 of the following:
- "(1) to impose a levy on employers based on their artisan and/or non-artisan labour force, or to devise alternative methods of funding with a view to providing the necessary funds in order to give priority to training and education and to financing the commitments of employers and/or employees arising from such training and/or education;
 - (2) to promote and finance the training and education of employees at all levels in the building and allied industries;"

L. WESSELS,
Minister of Manpower.

No. R. 2480 24 December 1993

LABOUR RELATIONS ACT, 1956

ELECTRICAL INDUSTRY, NATAL: AMENDMENT OF AGREEMENT FOR THE ELECTRICAL CONTRACTING SECTION

I, Leon Wessels, 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

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 1994 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en

- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a), 2, 8 en 13 van Deel I met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1994 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 gebied in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

L. WESSELS,

Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE ELEKTROTEGNIËSE NYWERHEID (NATAL)

ELEKTROTEGNIËSE AANNEMINGSEKSIE

OOREENKOMS

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

Electrical Contractors' Association (South) Africa

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

South African Electrical Workers' Association

en die

Metal and Electrical Workers' Union of South Africa

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

wat die partye is by die Nywerheidsraad vir die Elektrotegniese Nywerheid (Natal),

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 2748 van 11 Desember 1987 (hierna die "Herbekragtigingsooreenkoms" genoem), soos hernieu en gewysig by Goewermentskennisgewings Nos. R. 1660 van 19 Augustus 1988, R. 726 van 14 April 1989, R. 1528 van 14 Julie 1989, R. 2106 van 29 September 1989, R. 397 van 23 Februarie 1990, R. 398 van 23 Februarie 1990, R. 637 van 23 Maart 1990, R. 1321 van 15 Junie 1990, R. 2550 van 2 November 1990, R. 136 van 25 Januarie 1991, R. 1636 van 12 Julie 1991, R. 2413 van 4 Oktober 1991, R. 2589 van 1 November 1991, R. 1747 van 26 Junie 1992, R. 2115 van 24 Julie 1992 en R. 2356 van 21 Augustus 1992 en R. 2075 van 5 November 1993.

DEEL I

ALGEMENE VOORWAARDES VAN TOEPASSING OP HIERDIE HELE OOREENKOMS

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet nagekom word deur werkgewers en werknemers in die Elektrotegniese Nywerheid—

- (a) wat lede van onderskeidelik die werkgewersorganisasie en die vakverenigings is; en

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 1994, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or unions; and

- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clauses 1 (1) (a), 2, 8 and 13 of Part I, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1994, 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.

L. WESSELS,

Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE ELECTRICAL INDUSTRY (NATAL)

ELECTRICAL CONTRACTING SECTION

AGREEMENT

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

Electrical Contractors' Association (South) Africa

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

South African Electrical Workers' Association

and the

Metal and Electrical Workers' Union of South Africa

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

being the parties to the Industrial Council for the Electrical Industry (Natal),

to amend the Agreement published under Government Notice No. R. 2748 of 11 December 1987 (hereinafter referred to as the "Re-enacting Agreement"), as renewed and amended by Government Notices Nos. R. 1660 of 19 August 1988, R. 726 of 14 April 1989, R. 1528 of 14 July 1989, R. 2106 of 29 September 1989, R. 397 of 23 February 1990, R. 398 of 23 February 1990, R. 637 of 23 March 1990, R. 1321 of 15 June 1990, R. 2550 of 2 November 1990, R. 136 of 25 January 1991, R. 1636 of 12 July 1991, R. 2413 of 4 October 1991, R. 2589 of 1 November 1991, R. 1747 of 26 June 1992, R. 2115 of 24 July 1992 and R. 2356 of 21 August 1992 and R. 2075 of 5 November 1993.

PART I

GENERAL CONDITIONS APPLICABLE THROUGHOUT THIS AGREEMENT

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed by employers and employees in the Electrical Industry—

- (a) who are members of the employers' organisation and the trade unions, respectively; and

(b) wat betrokke is by of in diens is in die Nywerheid in die provinsie Natal, uitgesonderd enige gedeeltes van die gebied wat binne die selfregerende gebied KwaZulu val.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing op vakleerlinge en kwekelinge slegs vir sover dit nie strydig is nie met die Wet op Mannekragopleiding, 1981, of met voorwaardes of kennisgewings wat daarkragtens voorgeskryf of bestel is.

(3) Vir die toepassing van hierdie Ooreenkoms word die "weeklikse loonskaal" van vakleerlinge, voorgeskryf kragtens die Wet op Mannekragopleiding, 1981, as die weekloon van sodanige werknemers beskou en is die "uurloon" die weekloon soos hierbo bereken, gedeel deur die getal gewone ure wat daar in die betrokke bedryfsinrigting gewerk word.

2. SPESIALE BEPALINGS

Vervang klousule 3 van die Herbekragtigingsooreenkoms deur die volgende:

"3. SPESIALE BEPALINGS

Die bepalinge van klousules 8 (2) (a) (vii), 18, 34, 35, 36 en 37 (3) van Deel 1 van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 967 van 13 Mei 1983, soos gewysig en herbekragtig by Goewermentskennisgewings Nos. R. 25 van 6 Januarie 1984, R. 1287 van 29 Junie 1984, R. 1367 van 21 Junie 1985, R. 995 van 23 Mei 1986, R. 1342 van 27 Junie 1986, R. 2748 van 11 Desember 1987, R. 1660 van 19 Augustus 1988, R. 398 van 23 Februarie 1990, R. 637 van 23 Maart 1990, R. 136 van 25 Januarie 1991, R. 2589 van 1 November 1991, R. 2115 van 24 Julie 1992 en R. 2356 van 21 Augustus 1992 (hierna die 'Vorige Ooreenkoms' genoem), soos van tyd tot tyd gewysig herbekragtig en verleng of hernieu, is van toepassing op werkgewers en werknemers."

3. ALGEMENE BEPALINGS

Vervang klousule 4 van die Herbekragtigingsooreenkoms deur die volgende:

"4. ALGEMENE BEPALINGS

Die bepalinge vervat in klousule 3 tot 8 (2) (a) (vi), 8 (2) (b) tot 17, 19 tot 33, 37 (1) en (2) en 38 tot 41 van Deel I en klousules 1 tot 7 van Deel II (soos gewysig by klousules 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16 en 17 hieronder) van die Vorige Ooreenkoms is van toepassing op werkgewers en werknemers."

4. KLOUSULE 3: WOORDOMSKRYWING

(1) Vervang die omskrywing "ambagsman" deur die volgende:

"**'ambagsman'** 'n werknemer wat sy opleiding kragtens die Wet op Mannekragopleiding, 1981, voltooi het of wat in besit is van 'n sertifikaat wat deur die Opleidingsraad vir die Elektrotegniese Aannemingsnywerheid uitgereik is waarin erken word dat so 'n werknemer opleiding ontvang het wat voldoende is om hom daarop geregtig te maak om as ambagsman in die Nywerheid te werk."

(2) Vervang die omskrywing "sertifikaat" deur die volgende:

"**'sertifikaat'** 'n registrasiesertifikaat uitgereik ingevolge regulasie 9 (2) van die Elektriese Installasieregulasies, 1992;"

(3) In die omskrywing "Elektriese Konstruksie-operateur, Vlak 1"—

(a) vervang die beginparagraaf deur die volgende:

"**'Elektrotegniese Konstruksie-operateur, Vlak 1'** (hierna 'Elkonop 1' genoem) 'n werknemer wie se formele opleiding deur die werkgewer verskaf moet word wat enige van die volgende werksaamhede verrig en wat die gereedskap kan gebruik wat nodig is om die werksaamhede te verrig;"

(b) who are engaged or employed in the Industry in the province of Natal, excluding any portions of that area falling within the self-governing territory of KwaZulu.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to apprentices and trainees only 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.

(3) For the purposes of this Agreement, the "weekly wage rate" of apprentices, prescribed under the Manpower Training Act, 1981, shall be taken to be the weekly wage of such employees and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

2. SPECIAL PROVISIONS

Substitute the following for clause 3 of the Re-enacting Agreement:

"3. SPECIAL PROVISIONS

The provisions contained in clauses 8 (2) (a) (vii), 18, 34, 35, 36 and 37 (3) of Part 1 of the Agreement published under Government Notice No. R. 967 of 13 May 1983, as amended and re-enacted by Government Notices Nos. R. 25 of 6 January 1984, R. 1287 of 29 June 1984, R. 1367 of 21 June 1985, R. 995 of 23 May 1986, R. 1342 of 27 June 1986, R. 2748 of 11 December 1987, R. 1660 of 19 August 1988, R. 398 of 23 February 1990, R. 637 of 23 March 1990, R. 136 of 25 January 1991, R. 2589 of 1 November 1991, R. 2115 of 24 July 1992 and R. 2356 of 21 August 1992 (hereinafter referred to as the 'Former Agreement'), as amended, re-enacted and extended or renewed from time to time, shall apply to employers and employees."

3. GENERAL PROVISIONS

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

"4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 8 (2) (a) (vi), 8 (2) (b) tot 17, 19 to 33, 37 (1) and (2) and 38 to 41 of Part I and clauses 1 to 7 of Part II (as amended by clauses 4, 5, 6, 7, 9, 10, 11, 12, 14, 15, 16 and 17 hereunder) of the Former Agreement shall apply to employers and employees."

4. CLAUSED 3: DEFINITIONS

(1) Substitute the following for the definition "artisan":

"**'artisan'** means an employee who has completed his training in terms of the Manpower Training Act, 1981, or is in possession of a certificate issued by the Electrical Contracting Industry Training Board recognising that he has received training sufficient to entitle such an employee to work as an artisan in the Industry;"

(2) Substitute the following for the definition "certificate":

"**'certificate'** means a certificate of registration issued in terms of regulation 9 (2) of the Electrical Installation Regulations, 1992;"

(3) In the definition "Electrical Construction Operator Level 1"—

(a) substitute the following for the opening paragraph:

"**'Electrical Construction Operator, Level 1'** (hereinafter referred to as an 'Elkonop 1') means an employee (whose formal training shall be provided by the employer) who undertakes any of the following tasks and who may use the tools necessary to perform such tasks;"

(b) vervang paragraaf (j) deur die volgende:

“(j) 'n meester-installasie-elektrisiën, 'n installasie-elektrisiën, 'n elektriese toetser vir enkelfase, 'n elektrisiën en 'n Elkonop 2 of Elkonop 3 help, sonder om enige werk self te verrig, behalwe soos in (a) tot (i) hierbo uiteengesit;”.

(4) In die Engelse teks, in die omskrywing “Electrical Construction Operator, Level 2”, voeg die woord “or” tussen paragrawe (a) en (b) in.

(5) Voeg die volgende nuwe omskrywing in na die omskrywing “Elektrotegniese Konstruksie-operateur, Vlak 3”:

“**‘elektriese kontrakteur’** 'n persoon wat tans by die Elektrotegniese Aannemingsraad van Suid-Afrika geregistreer is as 'n elektriese kontrakteur en wat onderneem om elektriese installeerwerk en/of die verifiëring en sertifisering van die konstruksie, toetsing en inspeksie van elektriese installasies namens enige ander persoon te doen, maar nie ook 'n werknemer van sodanige eersgenoemde persoon nie;”.

(6) Voeg die volgende nuwe omskrywing in na die omskrywing “elektriese kontrakteur”:

“**‘Elektrotegniese Aannemingsraad van Suid-Afrika’** die raad wat ingestel is deur organisasies wat betrokke is by die Elektrotegniese Aannemingsnywerheid, met die adres Posbus 33367, Jeppestown, 2043;”.

(7) Vervang die omskrywing “elektriese installering” deur die volgende:

“**‘elektriese installasie’** enige masjinerie, in of op 'n perseel, wat gebruik word vir die oorbring van elektrisiteit vanaf 'n beheerpunt na 'n verbruikspunt waar ook al op die perseel, met inbegrip van enige artikel wat deel uitmaak van sodanige installasie ongeag of dit deel van die elektriese stroombaan is of nie, maar met uitsluiting van—

- (a) enige masjinerie van die leweransier wat verband hou met die lewering van elektrisiteit op die perseel;
- (b) enige masjinerie wat gebruik word vir die oorbring van elektrisiteit waarvan die spanning nie 50 V mag oorskry nie waar sodanige elektrisiteit nie van die hooftoevoer van 'n leweransier verkry word nie;
- (c) enige masjinerie wat elektriese energie in telekommunikasie-, televisie-, of radiostroombane oorbring;
- (d) 'n elektriese installasie in 'n voertuig, vaartuig, trein of vliegtuig;”.

(8) Voeg die volgende nuwe omskrywing in na die omskrywing “elektriese installasie”:

“**‘elektriese toetser vir enkelfase’** 'n persoon wat ingevolge regulasie 9 van die Elektriese Installasieregulasies, 1992, uitgevaardig kragtens die Wet op Masjinerie en Beroepsveiligheid, 1983, as 'n elektriese toetser vir enkelfase geregistreer is en wat deur die hoofinspekteur goedgekeur is vir die verifiëring en sertifisering van die konstruksie, toetsing en inspeksie van elektriese installasies wat deur 'n enkelfase-elektrisiteitstoevoer voorsien word;”.

(9) Vervang die omskrywing “elektrisiën” deur die volgende:

“**‘elektrisiën’** 'n werknemer wat 'n vakleerlingskap ingevolge die Wet op Mannekragopleiding, 1981, voltooi het in 'n ambag toepaslik vir die Nywerheid, of wat in besit is van 'n sertifikaat wat deur die Opleidingsraad vir die Elektrotegniese Aannemingsnywerheid uitgereik is waarin erken word dat so 'n werknemer opleiding ontvang het wat voldoende is om hom daarop geregtig te maak om as 'n elektrisiën in die Nywerheid te werk;”.

(b) substitute the following for paragraph (j):

“(j) assisting a master installation electrician, in installation electrician, an electrical tester for single phase, an electrician and an Elkonop 2 or Elkonop 3, but not to perform any work individually, except as set out in (a) to (i) above;”.

(4) In the definition “Electrical Construction Operator, Level 2” insert the word “or” between paragraphs (a) and (b).

(5) Insert the following new definition after the definition “Electrical Construction Operator, Level 3”:

“**‘electrical contractor’** means a person who is currently registered with the Electrical Contracting Board of South Africa as an electrical contractor and who undertakes to perform electrical installation work and/or the verification and certification of the construction, testing and inspection of electrical installations on behalf of any other person, but excludes an employee of such first-mentioned person;”.

(6) Insert the following new definition after the definition “electrical contractor”:

“**‘Electrical Contracting Board of South Africa’** means the board established by organisations involved in the Electrical Contracting Industry, with the address P.O. Box 33367, Jeppestown, 2043;”.

(7) Substitute the following for the definition “electrical installation”:

“**‘electrical installation’** means any machinery, in or on any premises, used for the transmission of electricity from a point of control to a point of consumption anywhere on the premises, including any article forming part of such an installation irrespective of whether or not it is part of the electrical circuit, but excluding—

- (a) any machinery of the supplier related to the supply of electricity on the premises;
- (b) any machinery used for the transmission of electricity of which the voltage shall not exceed 50 V where such electricity is not derived from the main supply of a supplier;
- (c) any machinery which transmits electrical energy in telecommunication, television or radio circuits;
- (d) an electrical installation on a vehicle, vessel, train or aircraft;”.

(8) Insert the following new definition after the definition “electrical installation”:

“**‘electrical tester for single phase’** means a person who has been registered as an electrical tester for single phase in terms of regulation 9 of the Electrical Installation Regulations, 1992, made under the Machinery and Occupational Safety Act, 1983, and who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of electrical installations supplied by a single phase of electricity supply;”.

(9) Substitute the following for the definition “electrician”:

“**‘electrician’** means an employee who has completed an apprenticeship in terms of the Manpower Training Act, 1981, in a trade relevant to the Industry, or is in possession of a certificate issued by the Electrical Contracting Industry Training Board recognising that he has received training sufficient to entitle him to work as an electrician in the Industry;”.

(10) Voeg die volgende nuwe omskrywing in na die omskrywing "bedryfsinrigting":

"**'installasie-elektrisiën'** 'n persoon wat ingevolge regulasie 9 van die Elektriese Installasieregulasies, 1992, uitgevaardig kragtens die Wet op Masjinerie en Beroepsveiligheid, 1983, as 'n installasie-elektrisiën geregistreer is en wat deur die hoofinspekteur goedgekeur is vir die verifiëring en sertifisering van die konstruksie, toetsing en inspeksie van enige elektriese installasie, met uitsluiting van gespesialiseerde elektriese installasies: Met dien verstande dat hierdie uitsluiting eers op 1 Julie 1994 van krag word;"

(11) In die omskrywing "arbeider"—

(a) vervang die beginparagraaf deur die volgende:

"**'arbeider'** 'n werknemer wat enige van of al die volgende werksaamhede verrig:"

(b) vervang paragraaf (g) deur die volgende:

"(g) 'n meester-installasie-elektrisiën, 'n installasie-elektrisiën, 'n elektriese toetser vir enkelfase, 'n elektrisiën en 'n Elkonop 1, Elkonop 2 of Elkonop 3 help, sonder om enige werk self te verrig, behalwe soos in (a) tot (f) hierbo uiteengesit: Met dien verstande dat indien 'n werknemer 'n dienssertifikaat voorlê wat ingevolge klousule 30 van Deel 1 van die Ooreenkoms uitgereik is, of enige ander bewys wat vir die Raad aanvaarbaar is en wat aandui dat hy voorheen as arbeider graad 1 of Elkonop 1 in die Nywerheid in diens was, hy in diens geneem moet word as nie minder as 'n Elkonop 1 nie;"

(12) Skrap die omskrywing "meester-elektrisiën" en voeg die volgende nuwe omskrywing in:

"**'meester-installasie-elektrisiën'** 'n persoon wat ingevolge regulasie 9 van die Elektriese Installasieregulasies, 1992, uitgevaardig kragtens die Wet op Masjinerie en Beroepsveiligheid, 1983, as 'n meester-installasie-elektrisiën geregistreer is en wat deur die hoofinspekteur goedgekeur is vir die verifiëring en sertifisering van die konstruksie, toetsing en inspeksie van enige elektriese installasie;"

(13) In die omskrywing "voorgeskrewe formele opleiding", vervang die uitdrukking "Elektrotegniese Ontwikkelings- en Opleidingsfonds" deur die uitdrukking "Opleidingsraad vir die Elektrotegniese Aannemingsnywerheid".

(14) Voeg die volgende nuwe omskrywing in na die omskrywing "besoldiging":

"**'gespesialiseerde elektriese installasies'** elektriese installasies in—

- (a) gevaarlike gebiede soos beoog in SABS 0108;
- (b) verdowingslokale en soortgelyke plekke soos beoog in SABS 051;
- (c) plofbare atmosfere soos beoog in SABS 086; of
- (d) die petroleumnywerheid soos beoog in SABS 089;"

5. KLOUSULE 8: BETALING VAN BESOLDIGING

In subklousule (2) (e) (i), vervang die uitdrukking "meester-elektrisiën" deur die uitdrukking "installasie-elektrisiën".

6. KLOUSULE 15: VERHOUDING VAN KATEGORIEË WERKNEMERS EN VERANTWOORDELIKHEDE VAN WERKGEWERS EN WERKNEMERS

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

"(b) Vir die toepassing van hierdie subklousule beteken die uitdrukking 'geskoolde werknemer' 'n meester-installasie-elektrisiën, 'n installasie-elektrisiën, 'n elektriese toetser vir enkelfase, 'n elektrisiën, 'n ambagsman en 'n vakleerling wat kwalifiseer om 'n ambagstoets af te lê."

(10) Insert the following new definition after the definition "establishment":

"**'installation electrician'** means a person registered as an installation electrician in terms of regulation 9 of the Electrical Installation Regulations, 1992, made under the Machinery and Occupational Safety Act, 1983, who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of any electrical installation excluding specialised electrical installations: Provided that this exclusion shall come into effect only on 1 July 1994;"

(11) In the definition "labourer"—

(a) substitute the following for the opening paragraph:

"**'labourer'** means an employee who is engaged in any or all of the following tasks:"

(b) substitute the following for paragraph (g):

"(g) Assisting a master installation electrician, an installation electrician, an electrical tester for single phase, an electrician and an Elconop 1, Elconop 2 or Elconop 3, but not to perform any work individually, except as set out in (a) to (f) above: Provided that should an employee produce a certificate of service issued in terms of clause 30 of Part 1 of the Agreement, or other evidence acceptable to the Council indicating that he was previously employed in the Industry as a Labourer Grade 1 or Elconop 1, he shall be employed as not less than an Elconop 1;"

(12) Delete the definition "master electrician" and insert the following new definition:

"**'master installation electrician'** means a person who has been registered as a master installation electrician in terms of regulation 9 of the Electrical Installation Regulations, 1992, made under the Machinery and Occupational Safety Act, 1983, and who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of any electrical installation;"

(13) In the definition "prescribed formal training", substitute the expression "Electrical Contracting Industry Training Board" for the expression "Electrical Development and Training Fund".

(14) Insert the following new definition after the definition "remuneration":

"**'specialised electrical installations'** means electrical installations in—

- (a) hazardous locations as contemplated in SABS 0108;
- (b) anaesthetizing and similar locations as contemplated in SABS 051;
- (c) explosive atmospheres as contemplated in SABS 086; or
- (d) the petroleum industry as contemplated in SABS 089;"

5. CLAUSE 8: PAYMENT OF REMUNERATION

In subclause (2) (e) (i), substitute the expression "installation electrician" for the expression "master electrician".

6. CLAUSE 15: EMPLOYEE CATEGORY RATIOS, AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES

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

"(b) For the purpose of this subclause, the expression 'skilled employee' shall mean a master installation electrician, an installation electrician an electrical tester for single phase, an electrician, an artisan and an apprentice who has qualified to undergo a trade test."

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

“(2) *Verantwoordelikheid*: Geen werkgewer mag vereis of toelaat nie dat 'n Elkonop 3, Elkonop 2, Elkonop 1 of arbeider ander werk as dié bedoel in die omskrywing van Elkonop 3, Elkonop 2, Elkonop 1 of arbeider verrig en insgelyks mag geen meester-installasie-elektrisiën, installasie-elektrisiën, elektriese toetser vir enkelfase, elektrisiën, ambagsman, Elkonop 3, Elkonop 2, vakleerling of kwekeling vereis of toelaat nie dat 'n Elkonop 1 of arbeider wat onder sy beheer of toesig werk, ander werk verrig as dié bedoel in die omskrywing van Elkonop 1 of arbeider in klousule 3 van die Ooreenkoms.”.

7. KLOUSULE 16: DIENSBEËINDIGING EN UITTREELOON

Voeg aan die einde van subklousule (4) die volgende voorbehoudsbepaling by:

“: Met dien verstande dat die Raad, tesame met enige vakvereniging wat die werknemers verteenwoordig, geraak word, in kennis gestel moet word alvorens die afdankings plaasvind.”.

8. KLOUSULE 18: LEDEGELD VIR VAKVERENIGINGS EN WERKGEWERSORGANISASIEHEFFING

In subklousule (1), vervang die uitdrukking “meester-elektrisiën, elektrisiën, ambagsman, Elkonop 3 en Elkonop 2” deur die uitdrukking “meester-installasie-elektrisiën, installasie-elektrisiën, elektriese toetser vir enkelfase, elektrisiën, ambagsman, Elkonop 3 en Elkonop 2”.

9. KLOUSULE 19: DIE ELEKTROTEGNIËSE ONTWIKKELINGS- EN OPLEIDINGSFONDS VAN DIE ELEKTROTEGNIËSE AANNEMINGSNYWERHEID

In subklousule (1), vervang die uitdrukking “van een Rand vyf en sewentig sent per week” deur die uitdrukking “wat die Raad van die Elektrotegniese Ontwikkelings- en Opleidingsfonds van tyd tot tyd vasstel.”.

10. KLOUSULE 22: REGISTRASIE VAN WERKGEWERS

(1) Vervang subklousules (1), (2) en (3) deur die volgende:

“(1) (a) Elke werkgewer in die Elektrotegniese Aannemingsnywerheid moet hom binne 30 dae na die datum van inwerkingtreding van hierdie Ooreenkoms by die Raad laat registreer deur ondervermelde besonderhede, op die vorms wat die Raad voorskryf, aan die Sekretaris van die Raad te stuur, tesame met die voorgeskrewe registrasiegeld:

- (i) Volle naam van besigheid;
- (ii) besigheidsadres;
- (iii) volle name van eienaars/vennote/direkteurs/lede;
- (iv) woonadresse van eienaars/vennote/direkteurs/lede;
- (v) registrasiegeld van R50,00;
- (vi) die naam van die geakkrediteerde persoon wat kragtens die Wet op Masjinerie en Beroepsveiligheid, 1983, op 'n heeltydse grondslag in diens is;
- (vii) die name van alle ander werknemers by hom in diens en, ten opsigte van elke individuele werknemer of werkgewer, die persoonlike besonderhede wat die Raad verlang;

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

“(2) *Responsibility*: No employer shall require or permit any Elconop 3, Elconop 2, Elconop 1 or labourer to perform any work other than that referred to in the definition of Elconop 3, Elconop 2, Elconop 1 or labourer, and likewise no master installation electrician, installation electrician, electrical tester for single phase, electrician, artisan, Elconop 3, Elconop 2, apprentice or trainee shall require or permit any Elconop 1 or labourer working under his control or supervision to perform any work other than that referred to in the definition of Elconop 1 or labourer in clause 3 of the Agreement.”.

7. CLAUSE 16: TERMINATION OF EMPLOYMENT AND SEVERANCE PAY

Add the following proviso at the end of subclause (4):

“: Provided that the Council, together with any trade union which may represent the employees affected, shall be informed prior to the retrenchments taking place.”.

8. CLAUSE 18: TRADE UNION SUBSCRIPTIONS AND EMPLOYERS' ORGANISATION LEVY

In subclause (1), substitute the expression “master installation electrician, installation electrician, electrical tester for single phase, electrician, artisan, Elconop 3 and Elconop 2” for the expression “master electrician, electrician, artisan, Elconop 3 and Elconop 2”.

9. CLAUSE 19: ELECTRICAL DEVELOPMENT AND TRAINING FUND FOR THE ELECTRICAL CONTRACTING INDUSTRY

In subclause (1), for the expression “of one Rand seventy five cents per week” substitute the expression “as determined by the Electrical Development and Training Fund Council from time to time”.

10. CLAUSE 22: REGISTRATION OF EMPLOYERS

(1) Substitute the following for subclauses (1), (2) and (3):

“(1) (a) Every employer in the Electrical Contracting Industry shall, within 30 days of the date of coming into operation of this Agreement, register with the Council by forwarding to the Secretary of the Council the following particulars, on the forms prescribed by the Council, together with the registration fee prescribed:

- (i) Full name of business;
- (ii) business address;
- (iii) full names of owners/partners/directors/members;
- (iv) residential addresses of owners/partners/directors/members;
- (v) registration fee of R50,00;
- (vi) the name of the accredited person who is employed on a full-time basis, in terms of the Machinery and Occupational Safety Act, 1983;
- (vii) the names of all other employees employed by him and, in respect of each individual employee or employer, such personal particulars as may be required by the Council;

(viii) 'n elektrotegniese aannemer se registrasiesertifikaat wat deur die Elektrotegniese Aannemingsraad van Suid-Afrika uitgereik is kragtens regulasie 5 van die Elektriese Installasieregulasies, 1992, uitgevaardig kragtens die Wet op Masjinerie en Beroepsveiligheid, 1983;

(ix) bevredigende bewys van registrasie by die Werkloosheidsversekeringsfonds, die Ongevalle Kommissaris, die betrokke streeksdiensteraad en die Ontvanger van Inkomste.

Die vereistes van hierdie paragraaf geld gedurende die registrasietydperk, en bewys van die voortgesette geldigheid daarvan moet op versoek van die Raad gelewer word. Indien daar enige verandering aan bogemelde vereistes is, moet die Raad binne 30 dae daarvan in kennis gestel word.

(b) 'n Werkgewer wat reeds voor die datum van inwerkingtreding van hierdie Ooreenkoms die besonderhede verstrek het wat kragtens hierdie klousule vereis word, word geag die bepalinge daarvan na te gekom het en by die Raad geregistreer te wees.

(c) Werkgewers wat na die datum van inwerkingtreding van hierdie Ooreenkoms tot die Nywerheid toetree, moet hulle by die Raad laat registreer en moet binne 30 dae na die aanvang van hul werksaamhede die besonderhede verstrek wat kragtens paragraaf (a) vereis word.

(d) Indien die besigheid ophou bestaan, moet die raad binne 30 dae daarvan in kennis gestel word en moet alle sertifikate wat die Raad of die Elektrotegniese Aannemingsraad van Suid-Afrika uitgereik het, binne dieselfde tydperk aan die Raad teruggestuur word.

(2) Elke werkgewer op wie hierdie Ooreenkoms van toepassing is maar wat nie ingevolge subklousule (1) (a) van hierdie klousule geregistreer is nie, word geag geregistreer te wees vanaf die datum van aanvang van sy besigheid en moet die bepalinge van hierdie Ooreenkoms nakom.

(3) Alle aansoeke om registrasie moet gerig word aan die Sekretaris, Nywerheidsraad vir die Elektrotegniese Nywerheid (Natal), Posbus 722, Durban, 4000."

(2) Vervang die tabel in subklousule (5) (a) deur die volgende:

	"Elk R
(i) Meester-installasie-elektrisiën.....	1 500
(ii) Installasie-elektrisiën.....	1 500
(iii) Elektriese toetser vir enkelfase.....	1 200
(iv) Elektrisiën, werktuigkundige vir huishoudelike toestelle en ander ambagsmanne.....	1 200
(v) Elkonop 3.....	1 000
(vi) Elkonop 2.....	550
(vii) Hersteller vir huishoudelike toestelle.....	450
(viii) Drywer.....	350
(ix) Elkonop 1.....	450
(x) Arbeider.....	250"

11. KLOUSULE 29: EERSTEHULP

Vervang die uitdrukking "in die Wet op Fabriek, Masjinerie en Bouwerk, 1941", voorgeskryf" deur die uitdrukking "voorgeskryf by regulasie 3 van die Algemene Veiligheidsregulasies, 1986, uitgevaardig kragtens die Wet op Masjinerie en Beroepsveiligheid, 1983".

(viii) an electrical contractor's certificate of registration issued by the Electrical Contracting Board of South Africa, in terms of regulation 5 of the Electrical Installations Regulation, 1992, made under the Machinery and Occupational Safety Act, 1983;

(ix) satisfactory proof of registration with the Unemployment Insurance Fund, the Workmen's Compensation Commissioner, the relevant regional services council and the Receiver of Revenue.

The requirements of this paragraph shall stand during the period of registration, and evidence of the continued validity thereof shall be produced at the request of the Council. If there is any change to the above requirements, the Council shall be notified within 30 days.

(b) An employer who has already, prior to the date of coming into operation of this Agreement, furnished the particulars required under this clause, shall be deemed to have complied with the provisions thereof and to be registered with the Council.

(c) Employers entering the Industry after the date of coming into operation of this Agreement shall register with the Council and shall furnish the particulars required under paragraph (a) within 30 days of commencing operations.

(d) Should the business cease to exist, the Council shall be notified within 30 days and all certificates issued by the Council or the Electrical Contracting Board of South Africa shall be returned to the Council within the same period.

(2) Every employer to whom this Agreement applies, but who is not registered in terms of the provisions of subclause (1) (a) of this clause, shall be deemed to be registered from the date of commencement of his business and shall observe the provisions of this Agreement.

(3) All applications for registration shall be made to the Secretary, Industrial Council for the Electrical Industry (Natal), P.O. Box 722, Durban, 4000."

(2) Substitute the following for the table in subclause (5) (a):

	"Each R
(i) Master installation electrician.....	1 500
(ii) Installation electrician.....	1 500
(iii) Electrical tester for single phase.....	1 200
(iv) Electrician, domestic appliance mechanic and other artisans.....	1 200
(v) Elconop 3.....	1 000
(vi) Elconop 2.....	550
(vii) Domestic appliance repairer.....	450
(viii) Driver.....	350
(ix) Elconop 1.....	450
(x) Labourer.....	250"

11. CLAUSE 29: FIRST AID

Substitute the expression "regulation 3 of the General Safety Regulations, 1986, made under the Machinery and Occupational Safety Act, 1983" for the expression "the Factories, Machinery and Building Work Act, 1941".

12. KLOUSULE 31: OPBERGING, VERSEKERING EN VERSKAFFING VAN GEREEDSKAP

In subklousule (5), vervang die uitdrukking "meester-elektrisiën, elektrisiën, ambagsman en 'n vakleerling wat gekwalifiseer het om 'n ambagstoets te ondergaan" deur die uitdrukking "meester-installasie-elektrisiën, installasie-elektrisiën, elektriese toetser vir enkelfase, elektrisiën, ambagsman en 'n vakleerling wat kwalifiseer om 'n ambagstoets af te lê".

13. KLOUSULE 36: INDIENSNEEMING VAN VAKVERENIGINGARBEID

In subklousule (4), vervang die uitdrukking "meester-elektrisiën, elektrisiën, ambagsman, Elkonop 3 en Elkonop 2" deur die uitdrukking "meester-installasie-elektrisiën, installasie-elektrisiën, elektriese toetser vir enkelfase, elektrisiën, ambagsman, Elkonop 3 en Elkonop 2".

DEEL II

14. KLOUSULE 1: TOELAES

Vervang die tabel in subklousule (1) (e) (ii) deur die volgende:

"Per nag

R

Meester-installasie-elektrisiën, installasie-elektrisiën, elektriese toetser vir enkelfase, elektrisiën, ambagsman, werktuigkundige vir huishoudelike toestelle en Elkonop 3	30,00
Elkonop 2, Elkonop 1 en arbeider	20,00".

15. KLOUSULE 2: UITGAWES VAN DIE RAAD

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

"A	B	C
Loongroep of klas werknemer	Werknemer se bydrae	Werkgewer se bydrae
	Sent per week	Sent per week
Meester-installasie-elektrisiën	100	100
Installasie-elektrisiën	100	100
Elektriese toetser vir enkelfase	100	100
Elektrisiën, werktuigkundige vir huishoudelike toestelle en ander ambagsmanne	80	80
Elkonop 3	75	75
Elkonop 2	63	63
Elkonop 1	45	45
Hersteller vir huishoudelike toestelle	45	45
Drywer	45	45
Vakleerling	45	45
Arbeider	33	33"

(2) In subklousule (4), vervang die uitdrukking "R20" waar dit ook al voorkom deur die uitdrukking "R25".

16. KLOUSULE 4: OPGAWE VAN LONE EN/OF VERDIENSTE

Vervang klousule 4 deur die volgende:

"Met ingang van 1 Januarie 1994 mag geen laer lone as die onderstaande deur 'n werkgewer betaal en deur 'n werknemer aanvaar word nie:

12. CLAUSE 31: STORAGE, INSURANCE AND PROVISION OF TOOLS

In subclause (5), substitute the expression "master installation electrician, installation electrician, electrical tester for single phase, electrician, artisan and an apprentice who has qualified to undergo a trade test" for the expression "master electrician, electrician, artisan and an apprentice who has qualified to undergo a trade test".

13. CLAUSE 36: ENGAGEMENT OF TRADE UNION LABOUR

In subclause (4), substitute the expression "master installation electrician, installation electrician, electrical tester for single phase, electrician, artisan, Elkonop 3 and Elkonop 2" for the expression "master electrician, electrician, artisan, Elkonop 3 and Elkonop 2".

PART II

14. CLAUSE 1: ALLOWANCES

Substitute the following for the table in subclause (1) (e) (ii):

"Per night

R

Master installation electrician, installation electrician, electrical tester for single phase, electrician, artisan, domestic appliance mechanic and Elkonop 3	30,00
Elkonop 2, Elkonop 1 and labourer	20,00".

15. CLAUSE 2: EXPENSES OF THE COUNCIL

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

"A	B	C
Wage group or class of employee	Employee's contribution	Employer's contribution
	Cents per week	Cents per week
Master installation electrician	100	100
Installation electrician	100	100
Electrical tester for single phase	100	100
Electrician, domestic appliance mechanic and other artisans	80	80
Elkonop 3	75	75
Elkonop 2	63	63
Elkonop 1	45	45
Domestic appliance repairer	45	45
Driver	45	45
Apprentice	45	45
Labourer	33	33".

(2) In subclause (4), substitute the expression "R25" for the expression "R20" wherever it appears.

16. CLAUSE 4: SCHEDULE OF WAGES AND/OR EARNINGS

Substitute the following for clause 4:

"With effect from 1 January 1994, no employer shall pay and no employee shall accept wages at rates lower than the following:

	Gebied A Per uur Sent	Gebied B Per uur Sent
Meester-installasie-elektrisiën	1 871	1 590
Installasie-elektrisiën	1 722	1 463
Elektriese toetser vir enkelfase	1 572	1 336
Elektrisiën, werktuigkundige vir huishou- delike toestelle en ander ambags- manne	1 497	1 272
Elkonop 3	1 089	926
Elkonop 2	924	785
Elkonop 1	569	484
Hersteller vir huishoudelike toestelle	702	597
Drywer van 'n voertuig waarvan die on- belaste massa—		
(a) hoogstens 3 500 kg is	626	532
(b) van 3 501 kg tot 9 000 kg is	740	630
(c) 9 001 kg en meer is	823	699
Arbeider	491	416"

17. KLOUSULE 5: VERLOFBONUS

(1) Vervang die tabel in subklausule (1) deur die volgende:

	"Werkdae"
Meester-installasie-elektrisiën	20
Installasie-elektrisiën	20
Elektriese toetser vir enkelfase	20
Elektrisiën, werktuigkundige vir huishoudelike toestelle en ander ambagsmanne	20
Elkonop 3	15
Elkonop 2	15
Elkonop 1	15
Hersteller vir huishoudelike toestelle	15
Drywer van 'n voertuig waarvan die onbelaste massa—	
(a) hoogstens 3 500 kg is	15
(b) van 3 501 kg tot 9 000 kg is	15
(c) 9 001 kg en meer is	15
Arbeider	10
Vakleerling: Eerste jaar verlofkwalifikasie	15
Vakleerling: Tweede, derde en vierde jaar verlofkwalifi- kasie	20"

(2) In subklausule (3) (a), vervang die uitdrukking "mees-
terelektrisiën, elektrisiën, ambagsman, Elkonop 3 en
Elkonop 2" deur die uitdrukking "meester-installasie-elektri-
siën, installasie-elektrisiën, elektriese toetser vir enkelfase,
elektrisiën, ambagsman, Elkonop 3 en Elkonop 2".

(3) In subklausule (3) (b), vervang die uitdrukking "mees-
terelektrisiën, elektrisiën, ambagsman, Elkonop 3 of Elkonop
2" deur die uitdrukking "meester-installasie-elektrisiën,
installasie-elektrisiën, elektriese toetser vir enkelfase, elektri-
siën, ambagsman, Elkonop 3 of Elkonop 2".

Soos gemagtig, vir en namens die partye, op hede die 7de
dag van September 1993 te Durban onderteken.

B. CARR,

Voorsitter van die Raad.

T. EVANS,

Ondervoorsitter van die Raad.

L. A. DICKASON,

Sekretaris van die Raad.

No. R. 2499 24 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

HOEDENYWERHEID (TRANSVAAL): WYSIGING
VAN OOREENKOMS

Ek, Leon Wessels, 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 Wysigingsoor-

	Area A Per hour Cents	Area B Per hour Cents
Master installation electrician	1 871	1 590
Installation electrician	1 722	1 463
Electrical tester for single phase	1 572	1 336
Electrician, domestic appliance mechanic and other artisans	1 497	1 272
Elkonop 3	1 089	926
Elkonop 2	924	785
Elkonop 1	569	484
Domestic appliance repairer	702	597
Driver of a vehicle, the unladen mass of which is—		
(a) up to 3 500 kg	626	532
(b) from 3 501 kg to 9 000 kg	740	630
(c) 9 001 kg and over	823	699
Labourer	491	416"

17. CLAUSE 5: LEAVE BONUS

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

	"Working days"
Master installation electrician	20
Installation electrician	20
Electrical tester for single phase	20
Electrician, domestic appliance mechanic and other artisans	20
Elkonop 3	15
Elkonop 2	15
Elkonop 1	15
Domestic appliance repairer	15
Driver of a vehicle, the unladen mass of which is—	
(a) up to 3 500 kg	15
(b) from 3 501 kg to 9 000 kg	15
(c) 9 001 kg and over	15
Labourer	10
Apprentice: First year leave	15
Apprentice: Second, third and fourth year leave quali- fication	20"

(2) In subclause (3) (a), substitute the expression "master
installation electrician, installation electrician, electrical tester
for single phase, electrician, artisan, Elkonop 3 or Elkonop 2"
for the expression "master electrician, electrician, artisan,
Elkonop 3 or Elkonop 2".

(3) In subclause (3) (b), substitute the expression "master
installation electrician, installation electrician, electrical tester
for single phase, electrician, artisan, Elkonop 3 or Elkonop 2"
for the expression "master electrician, electrician, artisan,
Elkonop 3 or Elkonop 2".

Signed at Durban as authorised, for and on behalf of the
parties, this 7th day of September 1993.

B. CARR,

Chairman of Council.

T. EVANS,

Vice-Chairman of Council.

L. A. DICKASON,

Secretary of Council.

No. R. 2499 24 December 1993

LABOUR RELATIONS ACT, 1956

MILLINERY INDUSTRY (TRANSVAAL):
AMENDMENT OF AGREEMENT

I, Leon Wessels, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Rela-
tions Act, 1956, declare that the provisions of
the Agreement (hereinafter referred to as the

eenkoms 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 1994 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

- (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 30 Junie 1994 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.

L. WESSELS,

Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE HOEDENYWERHEID (TRANVAAL)

OOREENKOMS

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

Transvaal Headwear Manufacturers' Association

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

South African Clothing and Textile Workers Union

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

wat die partye is by die Nywerheidsraad vir die Hoedenywerheid (Transvaal),

tot wysiging van die Ooreenkoms gepubliseer by Goewermenskennisgewing No. R. 2477 van 19 November 1982, soos hernieu en gewysig by Goewermenskennisgewings Nos. R. 1897 en R. 1898 van 31 Augustus 1984, R. 1359 van 4 Julie 1986, R. 1807 van 29 Augustus 1986, R. 1558 van 5 Augustus 1988, R. 727 van 5 April 1991, R. 640 en R. 641 van 23 April 1993, R. 1097 van 25 Junie 1993 en R. 2104 van November 1993.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word—

(a) in die provinsie Transvaal;

(b) deur alle werkgewers wat lede van die werkgewersorganisasie is en by die Hoedenywerheid betrokke is en deur alle werknemers wat lede van die vakvereniging is en in genoemde Nywerheid in diens is.

(2) Ondanks subklousule (1), is hierdie Ooreenkoms slegs van toepassing op en ten opsigte van werknemers vir wie lone voorgeskryf word by klousule 4 van die Ooreenkoms gepubliseer by Goewermenskennisgewing No. R. 2477 van 19 November 1982, soos van tyd tot tyd gewysig, herbekragtig, verleng of hernieu.

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 1994 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) 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 30 June 1994 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.

L. WESSELS,

Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE MILLINERY INDUSTRY (TRANVAAL)

AGREEMENT

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

Transvaal Headwear Manufacturers' Association

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

South African Clothing and Textile Workers Union

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

being the parties to the Industrial Council for the Millinery Industry (Transvaal),

to amend the Agreement published under Government Notice No. R. 2477 of 19 November 1982, as renewed and amended by Government Notices Nos. R. 1897 and R. 1898 of 31 August 1984, R. 1359 of 4 July 1986, R. 1807 of 29 August 1986, R. 1558 of 5 August 1988, R. 727 of 5 April 1991, R. 640 and R. 641 of 23 April 1993, R. 1097 of 25 June 1993 and R. 2104 of 5 November 1993.

1. SCOPE OF APPLICATION OF AGREEMENT

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

(a) in the Province of the Transvaal;

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

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall only apply to and in respect of employees for whom wages are prescribed in clause 4 of the Agreement published under Government Notice No. R. 2477 of 19 November 1982, as amended, re-enacted, extended or renewed from time to time.

2. KLOUSULE 4: LONE

Vervang subklousule (1) deur die volgende:

- “(1) Behoudens subklousule (4) van hierdie klousule, moet onderstaande minimum lone per week deur werkgevers aan ondergenoemde klasse weekliksbesoldigde werknemers betaal word, en mag sodanige werknemers nie laer lone as onderstaande aaneem nie:

	<i>Loon per week vanaf die datum van inwerkkingtrede van hierdie Ooreenkoms</i>	<i>Loon per week vanaf 1 Januarie 1994</i>
	R	R
(a) Toesighouer	465,60	484,20
(b) Hoedemaker:		
(i) Ongekwalifiseer:		
<i>Eerste jaar:</i>		
Eerste 13 weke ondervinding	176,45	183,50
Tweede 13 weke ondervinding ..	199,30	207,25
Derde 13 weke ondervinding	222,15	231,00
Vierde 13 weke ondervinding	245,00	254,75
<i>Tweede jaar:</i>		
Eerste 13 weke ondervinding	267,85	278,50
Tweede 13 weke ondervinding ..	290,70	302,25
Derde 13 weke ondervinding	313,55	326,00
Vierde 13 weke ondervinding	336,40	349,75
(ii) Gekwalifiseer	359,25	373,60
(c) Blokker:		
(i) Ongekwalifiseer:		
Eerste 13 weke ondervinding	197,40	205,30
Tweede 13 weke ondervinding ..	223,30	232,25
Derde 13 weke ondervinding	249,20	259,20
Vierde 13 weke ondervinding	275,10	286,15
(ii) Gekwalifiseer	301,05	313,10
(d) Masjienbediener graad I:		
(i) Ongekwalifiseer:		
Eerste 13 weke ondervinding	176,45	183,50
Tweede 13 weke ondervinding ..	203,70	211,85
Derde 13 weke ondervinding	230,95	240,20
Vierde 13 weke ondervinding	258,20	268,55
(ii) Gekwalifiseer	285,55	296,95
(e) Masjienbediener graad II, en uitsnyer:		
(i) Ongekwalifiseer:		
Eerste 13 weke ondervinding	176,45	183,50
Tweede 13 weke ondervinding ..	227,30	236,35
(ii) Gekwalifiseer	278,55	289,95
(f) Tooier of stikker:		
(i) Ongekwalifiseer:		
Eerste 13 weke ondervinding	176,45	183,50
Tweede 13 weke ondervinding ..	191,70	199,35
Derde 13 weke ondervinding	206,95	215,20
Vierde 13 weke ondervinding	222,20	231,05
(ii) Gekwalifiseer	237,45	246,95
(g) Ketelbediener en wag	259,10	269,45
(h) Drywer en deeltydse drywer van 'n motorvoertuig waarvan die onbelaste massa, tesame met die onbelaste massa van 'n sleepwa of -waens wat deur so 'n voertuig getrek word—		
(a) hoogstens 2 268 kg is	301,05	313,10
(b) meer as 2 268 kg is	338,35	351,90
(i) Algemene werker/arbeider	232,75	242,05

Namens die partye op hede die 6de dag van Julie 1993 te Johannesburg onderteken.

S. I. JAFFE,

Voorsitter van die Raad.

T. MABENA,

Lid van die Raad.

A. MARGOLIS,

Sekretaris van die Raad.

2. CLAUSE 4: WAGES

Substitute the following for subclause (1):

- “(1) Subject to the provisions of subclause (4) of this clause, the following minimum wages shall be paid per week by employers to the undermentioned classes of weekly-paid employees and such employees shall not accept less than such wages:

	<i>Wage per week from the date of coming into operation of this Agreement</i>	<i>Wage per week from 1 January 1994</i>
	R	R
(a) Supervisor	465,60	484,20
(b) Milliner:		
(i) Unqualified:		
<i>First year:</i>		
First 13 weeks of experience	176,45	183,50
Second 13 weeks of experience	199,30	207,25
Third 13 weeks of experience	222,15	231,00
Fourth 13 weeks of experience ..	245,00	254,75
<i>Second year:</i>		
First 13 weeks of experience	267,85	278,50
Second 13 weeks of experience	290,70	302,25
Third 13 weeks of experience	313,55	326,00
Fourth 13 weeks of experience ..	336,40	349,75
(ii) Qualified	359,25	373,60
(c) Blocker:		
(i) Unqualified:		
First 13 weeks of experience	197,40	205,30
Second 13 weeks of experience	223,30	232,25
Third 13 weeks of experience	249,20	259,20
Fourth 13 weeks of experience ..	275,10	286,15
(ii) Qualified	301,05	313,10
(d) Machine operator, Grade I:		
(i) Unqualified:		
First 13 weeks of experience	176,45	183,50
Second 13 weeks of experience	203,70	211,85
Third 13 weeks of experience	230,95	240,20
Fourth 13 weeks of experience ..	258,20	268,55
(ii) Qualified	285,55	296,95
(e) Machine operator, Grade II, and chopper-out:		
(i) Unqualified:		
First 13 weeks of experience	176,45	183,50
Second 13 weeks of experience	227,30	236,35
(ii) Qualified	278,55	289,95
(f) Trimmer or stitcher:		
(i) Unqualified:		
First 13 weeks of experience	176,45	183,50
Second 13 weeks of experience	191,70	199,35
Third 13 weeks of experience	206,95	215,20
Fourth 13 weeks of experience ..	222,20	231,05
(ii) Qualified	237,45	246,95
(g) Boiler attendant and watchman	259,10	269,45
(h) Driver and part-time driver of a motor vehicle, the unladen mass of which together with the unladen mass of any trailer or trailers drawn by such a vehicle—		
(a) does not exceed 2 268 kg	301,05	313,10
(b) exceeds 2 268 kg	338,35	351,90
(i) General worker/labourer	232,75	242,05

Signed at Johannesburg, on behalf of the parties, this 6th day of July 1993.

S. I. JAFFE,

Chairman of the Council.

T. MABENA,

Member of the Council.

A. MARGOLIS,

Secretary of the Council.

No. R. 2500**24 Desember 1993****WET OP ARBEIDSVERHOUDINGE, 1956****SENTRALE NYWERHEIDSRAAD VIR DIE SPRINGSTOF- EN VERWANTE NYWERHEDE: HERBEKRAFTIGING VAN OOREENKOMS**

Ek, Leon Wessels, 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 op 31 Desember 1994 eindig, bindend is vir die werkgewer en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werknemers wat lede van genoemde verenigings is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1.1.1, 2, 3 en 10 met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 1994 eindig, bindend is vir alle ander 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.

L. WESSELS,

Minister van Mannekrag.

BYLAE**SENTRALE NYWERHEIDSRAAD VIR DIE SPRINGSTOF- EN VERWANTE NYWERHEDE****OOREENKOMS**

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

AECI Beperk

(hierna "die werkgewer" genoem), aan die een kant, en die

Amalgamated Engineering Union of South Africa
Amalgamated Society of Woodworkers of South Africa
Amalgamated Union of Building Trade Workers of South Africa
Cape Explosives Industrial Workers' Union
South African Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society
South African Electrical Workers' Association
Die Mynwerkersunie
Wes-Kaapse Plofstof- en Chemiese Operateursvakbond

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

wat die partye is by die Sentrale Nywerheidsraad vir die Springstof- en Verwante Nywerhede,

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 2271 van 9 Oktober 1987, soos gewysig en hernieu by Goewermentskennisgewings Nos. R. 55 van 15 Januarie 1988, R. 1729 en R. 1730 van 26 Augustus 1988, R. 1804 van 18 Augustus 1989 en R. 2224 van 19 November 1993.

No. R. 2500**24 December 1993****LABOUR RELATIONS ACT, 1956****CENTRAL INDUSTRIAL COUNCIL FOR THE EXPLOSIVES AND ALLIED INDUSTRIES: RE-ENACTMENT OF AGREEMENT**

I, Leon Wessels, 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 31 December 1994, upon the employer and the trade unions which entered into the said Agreement and upon the employees who are members of the said unions; 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 1.1.1, 2, 3 and 10, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 December 1994, upon all 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.

L. WESSELS,

Minister of Manpower.

SCHEDULE**CENTRAL INDUSTRIAL COUNCIL FOR THE EXPLOSIVES AND ALLIED INDUSTRIES****AGREEMENT**

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

AECI Limited

(hereinafter referred to as "the employer"), of the one part, and the

Amalgamated Engineering Union of South Africa
Amalgamated Society of Woodworkers of South Africa
Amalgamated Union of Building Trade Workers of South Africa
Cape Explosives Industrial Workers' Union
South African Boilermakers', Iron and Steel Workers', Shipbuilders' and Welders' Society
South African Electrical Workers' Association
Die Mynwerkersunie
Wes-Kaapse Plofstof- en Chemiese Operateursvakbond

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

being the parties to the Central Industrial Council for the Explosives and Allied Industries,

to amend the Agreement published under Government Notice No. R. 2271 of 9 October 1987, as amended and renewed by Government Notices Nos. R. 55 of 15 January 1988, R. 1729 and R. 1730 of 26 August 1988, R. 1804 of 18 August 1989 and R. 2224 of 19 November 1993.

1. KLOUSULE 1 VAN DIE VORIGE OOREENKOMS: TOEPASSINGSBESTEK

Vervang klousule 1 deur die volgende:

"1. TOEPASSINGSBESTEK**1.1 Hierdie Ooreenkoms—**

- 1.1.1 moet deur die werkgewer ten opsigte van al sy werknemers nagekom word;
- 1.1.2 is van toepassing in die gebiede wat deur die volgende fabriek van die werkgewer beset word;

- (i) Die eiendom gehou deur African Explosives and chemical Industries kragtens die volgende transportaktes, in die landdrostdistrik Kempton Park:

Transportakte 11277/1924;
Transportakte 14626/1935;
Transportakte 4822/1937;
Transportakte 9901/1937;
Transportakte 17459/1937;
Transportakte 18216/1937;
Transportakte 19928/1937;
Transportakte 8969/1938;
Transportakte 3979/1945;
Transportakte 4667/1949;
Transportakte 11803/1953;
Transportakte 26872/1960;
Transportakte 26874/1960;
Transportakte 5673/1962;
Transportakte 14167/1977,

maar met uitsluiting van die grond gehuur of andersins beset deur Triomf Kunsmis (Edms.) Beperk en Gypsum Industries Limited;

- (ii) die eiendom gehou deur Cape Explosives Works Limited kragtens die volgende transportaktes, in die landdrostdistrik Somerset-Wes:

Straatsgrondbrief, Stellenbosch Erfpagte 24/10; Transportakte 6330/1906,

maar met uitsluiting van die grond gehuur of andersins beset deur Triomf Kunsmis (Edms.) Beperk en Gypsum Industries Limited;

- (iii) die eiendom gehou deur African Explosives and Chemical Industries kragtens die volgende transportaktes, in die landdrostdistrik Durban:

Toekenningsakte 4635/1938;
Transportakte 3138/1939;
Staatsgrondbrief 87/1955;
Toekenningsakte 87/1959;
Toekenningsakte 20/1964;
Transportakte 11833/1965;

Sertifikaat van Verenigde Titel T13412/1977,

maar met uitsluiting van die grond gehuur of andersins beset deur Anikem (Pty) Limited, Resinkem (Pty) Limited, Triomf Kunsmis (Edms.) Beperk, SA Tioxide (Pty) Limited, Acrylic Products (Pty) Limited, Autoplastic (Pty) Limited en die vennootskap bekend as JV Chemicals;

- (iv) die eiendom gehou deur African Explosives and Chemical Industries in die landdrostdistrik van Johannesburg kragtens Transportakte 18558/1974.

1. SECTION 1 OF THE FORMER AGREEMENT: SCOPE OF APPLICATION

Substitute the following for section 1:

"1. SCOPE OF APPLICATION**1.1 The terms of this Agreement shall—**

- 1.1.1 be observed by the employer in respect of all his employees;
- 1.1.2 apply in the areas occupied by the following factories of the employer;

- (i) The property held by African Explosives and Chemical Industries under the following deeds of transfer, in the Magisterial District of Kempton Park:

Deed of Transfer 11277/1924;
Deed of Transfer 14626/1935;
Deed of Transfer 4822/1937;
Deed of Transfer 9901/1937;
Deed of Transfer 17459/1937;
Deed of Transfer 18216/1937;
Deed of Transfer 19928/1937;
Deed of Transfer 8969/1938;
Deed of Transfer 3979/1945;
Deed of Transfer 4667/1949;
Deed of Transfer 11803/1953;
Deed of Transfer 26872/1960;
Deed of Transfer 26874/1960;
Deed of Transfer 5673/1962;
Deed of Transfer 14167/1977,

but excluding the land leased or otherwise occupied by Triomf Fertilizer (Pty) Limited and Gypsum Industries Limited;

- (ii) the property held by the Cape Explosives Works Limited under the following deeds of transfer, in the Magisterial District of Somerset West:

Crown Grant, Stellenbosch Quitrents 24/10; Deed of Transfer 6330/1906,

but excluding the land leased or otherwise occupied by Triomf Fertilizer (Pty) Limited and Gypsum Industries Limited;

- (iii) the property held by African Explosives and Chemical Industries under the following deeds of transfer, in the Magisterial District of Durban:

Deed of Grant 4635/1938;
Deed of Transfer 3138/1939;
Crown Grant 87/1955;
Deed of Grant 87/1959;
Deed of Grant 20/1964;
Deed of Transfer 11833/1965;

Certificate of Consolidated Title T13412/1977,

but excluding the land leased or otherwise occupied by Anikem (Pty) Limited, Resinkem (Pty) Limited, Triomf Fertilizer (Pty) Limited, SA Tioxide (Pty) Limited, Acrylic Products (Pty) Limited, Autoplastic (Pty) Limited and the partnership known as JV Chemicals;

- (iv) the property held by African Explosives and Chemical Industries in the Magisterial District of Johannesburg under Deed of Transfer 18558/1974.

1.2 Ondanks klousule 1.1 is die volgende klousules van hierdie Ooreenkoms van toepassing op vakleerlinge vir sover dit nie onbestaanbaar is nie met die Wet op mannekragopleiding, 1981, of 'n kontrak wat daarkragtens aangegaan of voorwaardes wat daarkragtens vasgestel is:

Klousules 4 en 5;
klousule 7(6);
klousule 7(13);
klousules 8, 9 en 10."

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister van Mannekrag kragtens artikel 48 (1) van die Wet vasstel, en bly van krag vir die tydperk eindigende 31 Desember 1994 of vir die tydperk wat hy bepaal.

3. SPESIALE BEPALINGS

Die bepaling vervat in klousules 1.1.1, 2 en 16 van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 2271 van 9 Oktober 1987, soos hernieu en gewysig by Goewermentskennisgewings Nos. R. 55 van 15 Januarie 1988, R. 1729 en R. 1730 van 26 Augustus 1988 en R. 1804 van 18 Augustus 1989 (hierna die "Vorige Ooreenkoms" genoem), soos van tyd tot tyd verder hernieu en gewysig, is van toepassing op die werkgewer en werknemers.

4. ALGEMENE BEPALINGS

Die bepaling vervat in klousules 3 tot 15, 17 en 18 van die Vorige Ooreenkoms, soos van tyd tot tyd verder hernieu en gewysig, is van toepassing op die werkgewer en werknemers.

5. KLOUSULE 3 VAN DIE VORIGE OOREENKOMS: WOORDOMSKRYWING

Voeg die volgende nuwe omskrywing na die omskrywing van "fabriekbestuurder" in:

"'werkure' die tyd wat 'n werknemer beskikbaar moet wees om aktief met die werk van die werkgewer besig te wees en wat opgeteken word, hetsy deur middel van tydoptekeningstelsels of 'n bywoningsregister, maar sluit dit nie eetverposings van 30 minute of langer en skoofoorhandigings- en verkleefwastyd in nie behalwe vir die werknemers van wie by wetgewing of soos deur die bestuur bepaal, verwag word om te verkleef/was;"

6. KLOUSULE 4 VAN DIE VORIGE OOREENKOMS: BESOLDIGING

(1) Vervang klousule 4.1.1 deur die volgende:

"4.1.1 Ingenieurswerknemers:

Ingenieurswerknemers	Minimum maandelikse basiese salaris
	R
Spanieierwerknemers.....	3 669,83
Vakmanne.....	3 486,01
Masjienwerkers.....	3 285,48
Ingenieursoperateurs.....	3 230,44

Die werkgewer kan na goeddunke sekere bedrywe, groepe ingenieurswerknemers of individuele ingenieurswerknemers hoër salarisse betaal as die voorgeskrewe minima."

(2) Vervang klousule 4.1.2 (a) deur die volgende:

"4.1.2 Werknemers onderworpe aan werkwaardering:

(a) Werkklas	Minimum maandelikse basiese salaris
	R
B.....	1 312,85
C.....	1 395,15
D.....	1 520,62
E.....	1 692,62
F.....	1 885,29
G.....	2 112,35
H.....	2 346,28
I.....	2 618,06
J.....	2 903,60
K.....	3 230,44

1.2 Notwithstanding the provisions of section 1.1 of the following sections of this Agreement shall apply to apprentices, in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder:

Sections 4 en 5;
section 7(6);
section 7(13);
sections 8, 9 en 10."

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on a date to be fixed by the Minister of Manpower in terms of section 48 (1) of the Act and shall remain in force for the period ending 31 December 1994 or for such period as may be determined by him.

3. SPECIAL PROVISIONS

The provisions of sections 1.1.1, 2 and 16 of the Agreement published under Government Notice No. R. 2271 of 9 October 1987, as renewed and amended by Government Notices Nos. R. 55 of 15 January 1988, R. 1729 and R. 1730 of 26 August 1988 and R. 1804 of 18 August 1989 (hereinafter referred to as the "Former Agreement"), as further renewed and amended from time to time, shall apply to the employer and employees.

4. GENERAL PROVISIONS

The provisions contained in sections 3 to 15, 17 and 18 of the Former Agreement, as further renewed and amended from time to time, shall apply to the employer and employees.

5. SECTION 3 OF THE FORMER AGREEMENT: DEFINITIONS

Insert the following new definition after the definition of "factory manager":

"'hours of work' means the time an employee is required to be available to be actively engaged in the work of the employer and which is recorded either by time recording mechanisms or attendance register, but excludes meal breaks of 30 minutes or more, and shift handover and changing/washing time except for those employees who are required to change/wash by legislation or as determined by management;"

6. SECTION 4 OF THE FORMER AGREEMENT: REMUNERATION

(1) Substitute the following for section 4.1.1:

"4.1.1 Engineering employees:

Engineering employees	Minimum monthly basic salary
	R
Leading hands.....	3 669,83
Journeymen.....	3 486,01
Machinists.....	3 285,48
Engineering operators.....	3 230,44

The employer may, in this discretion, remunerate certain trades, groups of engineering employees or individual engineering employees in excess of the prescribed minima."

(2) Substitute the following for section 4.1.2 (a):

"4.1.2 Employees subject to job appraisal:

(a) Job class	Minimum monthly basic salary
	R
B.....	1 312,85
C.....	1 395,15
D.....	1 520,62
E.....	1 692,62
F.....	1 885,29
G.....	2 112,35
H.....	2 346,28
I.....	2 618,06
J.....	2 903,60
K.....	3 230,44

Die maandelikse aanvangsloon mag nie minder wees nie as—

R1 273,46 vir werkklassse B en C;
R1 395,15 vir werkklassse D en E;
R1 692,62 vir werkklassse F tot H;
R2 346,28 vir werkklassse I tot K.

Die werkgewer kan na goeëddunke salarisverhogings wat die voorgeskrewe minima oorskry, aan sekere werknemers toestaan."

(3) Vervang klousule 4.2 deur die volgende:

"4.2 *Diensverhogings*: Benewens die basiese salarisse wat in klousule 4.1 voorgeskryf word, moet die volgende maandelikse diensverhogings, gegrond op totale diens, betaal word:

Totale diens	Ingenieurs- werknemers en werknemers in Klasse G tot K	Werknemers in klasse B tot F
	R	R
Na 2 jaar	15,00	15,00
Na 3 jaar	21,00	20,00
Na 4 jaar	26,00	23,33
Na 5 jaar	31,00	26,66
Na 6 jaar	33,00	28,00
Na 7 jaar	35,00	29,33
Na 8 jaar	37,00	30,66
Na 9 jaar	39,00	32,00
Na 10 jaar	41,00	33,33
Na 11 jaar	43,00	34,66
Na 12 jaar	45,00	36,00
Na 13 jaar	47,00	37,33
Na 14 jaar	49,00	38,66
Na 15 jaar	51,00	40,00
Na 16 jaar	53,00	41,33
Na 17 jaar	55,00	42,66
Na 18 jaar	57,00	44,00
Na 19 jaar	59,00	45,33
Na 20 jaar	61,00	46,66"

(4) Vervang klousule 4.3.1 deur die volgende:

"4.3.1 *Ononderbroke skofwerk* (Werk wat 24 uur per dag, sewe dae per week, duur):

Werkklas	Maandelikse skoftoelaes
	R
B.....	120,68
C.....	131,79
D.....	144,88
E.....	160,97
F.....	178,87
G.....	200,37
H.....	222,35
I.....	247,88
J.....	274,67
K.....	305,32
Ingenieurswerknemers	316,70"

(5) Vervang klousule 4.3.2 deur die volgende:

"4.3.2 *Drieskofwerk*: 48 uur per week, Maandag tot Saterdag:

Werkklas	Maandelikse skoftoelaes
	R
B.....	59,12
C.....	66,85
D.....	75,52
E.....	85,17
F.....	96,02
G.....	108,10
H.....	121,54
I.....	136,51
J.....	153,13
K.....	171,57
Ingenieurswerknemers	178,88"

The monthly starting rates shall not be less than—

R1 273,46 for job classes B and C;
R1 395,15 for job classes D and E;
R1 692,62 for job classes F to H;
R2 346,28 for job classes I to K.

The employer may, in his discretion, grant salary increased to certain employees in excess of the prescribed minima."

(3) Substitute the following for section 4.2:

4.2 *Service increments*: In addition to the basic salaries prescribed in section 4.1, the following monthly service increments shall be paid, based on aggregate service:

Aggregate service	Engineering employees and employees in classes G to K	Employees in classes B to F
	R	R
After 2 years	15,00	15,00
After 3 years	21,00	20,00
After 4 years	26,00	23,33
After 5 years	31,00	26,66
After 6 years	33,00	28,00
After 7 years	35,00	29,33
After 8 years	37,00	30,66
After 9 years	39,00	32,00
After 10 years	41,00	33,33
After 11 years	43,00	34,66
After 12 years	45,00	36,00
After 13 years	47,00	37,33
After 14 years	49,00	38,66
After 15 years	51,00	40,00
After 16 years	53,00	41,33
After 17 years	55,00	42,66
After 18 years	57,00	44,00
After 19 years	59,00	45,33
After 20 years	61,00	46,66"

(4) Substitute the following for section 4.3.1:

"4.3.1 *Continuous shift work* (Work covering 24 hours a day, seven days a week):

Job class	Monthly shift allowances
	R
B.....	120,68
C.....	131,79
D.....	144,88
E.....	160,97
F.....	178,87
G.....	200,37
H.....	222,35
I.....	247,88
J.....	274,67
K.....	305,32
Engineering employees	316,70"

(5) Substitute the following for section 4.3.2:

"4.3.2 *Three-shift work*: 48 hours a week, Monday to Saturday:

Job class	Monthly shift allowances
	R
B.....	59,12
C.....	66,85
D.....	75,52
E.....	85,17
F.....	96,02
G.....	108,10
H.....	121,54
I.....	136,51
J.....	153,13
K.....	171,57
Engineering employees	178,88"

(6) Vervang klousule 4.3.3 deur die volgende:

"4.3.3 Tweeskofwerk: 48 uur per week, Maandag tot Saterdag:

Werkklas	Maandelikse skoftoelaes
	R
B.....	32,83
C.....	37,14
D.....	41,95
E.....	47,35
F.....	53,34
G.....	60,06
H.....	67,52
I.....	75,83
J.....	85,07
K.....	95,32
Ingenieurswerknemers	99,37"

(7) Vervang klousule 4.3.4 deur die volgende:

"4.3.4 Drieskofwerk: 43 uur per week:

Werkklas	Maandelikse skoftoelaes
	R
B.....	28,11
C.....	31,78
D.....	35,92
E.....	40,51
F.....	45,65
G.....	51,41
H.....	57,80
I.....	64,93
J.....	72,81
K.....	81,59
Ingenieurswerknemers	85,07"

(8) Vervang klousule 4.3.5 deur die volgende:

"4.3.5 Tweeskofwerk: 43 uur per week:

Werkklas	Maandelikse skoftoelaes
	R
B.....	12,73
C.....	14,44
D.....	16,30
E.....	18,38
F.....	20,70
G.....	23,32
H.....	26,22
I.....	29,43
J.....	33,02
K.....	36,99
Ingenieurswerknemers	38,59"

7. KLOUSULE 5 VAN DIE VORIGE OOREENKOMS: ADDISIONELE VERGOEDING

(1) Vervang klousule 5.1 deur die volgende:

5.1 Toelae vir waarnemers: 'n Werknemer wat waarneem in enige pos hoër as dié waarin hy permanent aangestel is, moet 'n toelae vir elke volle skof ontvang, bere-

A-B

ken volgens die formule $\frac{A-B}{22} \times C$

waar A = die minimum maandelikse basiese salaris van die werkklas waarin hy waarneem

B = die minimum maandelikse basiese salaris van die werknemer se werkklas (die huidige)

C = die aantal skofte waarin hy gedurende die maand waargeneem het.

Bostaande formule is ook van toepassing op 'n werknemer wat permanent aangestel is in werkklas J of K, 'n vakman of spanleier wat waarneem in die pos van voorman en hoër. Die minimum maandelikse basiese salaris vir 'n voorman gespesifiseer as 'A' in hierdie formule is gelyk aan R3 890,00.

(6) Substitute the following for section 4.3.3:

"4.3.3 Two-shift work: 48 hours a week, Monday to Saturday:

Job class	Monthly shift allowances
	R
B.....	32,83
C.....	37,14
D.....	41,95
E.....	47,35
F.....	53,34
G.....	60,06
H.....	67,52
I.....	75,83
J.....	85,07
K.....	95,32
Engineering employees	99,37"

(7) Substitute the following for section 4.3.4:

"4.3.4 Three-shift work: 43 hours a week:

Job class	Monthly shift allowances
	R
B.....	28,11
C.....	31,78
D.....	35,92
E.....	40,51
F.....	45,65
G.....	51,41
H.....	57,80
I.....	64,93
J.....	72,81
K.....	81,59
Engineering employees	85,07"

(8) Substitute the following for section 4.3.5:

"4.3.5 Two-shift work: 43 hours a week:

Job class	Monthly shift allowances
	R
B.....	12,73
C.....	14,44
D.....	16,30
E.....	18,38
F.....	20,70
G.....	23,32
H.....	26,22
I.....	29,43
J.....	33,02
K.....	36,99
Engineering employees	38,59"

7. SECTION 5 OF THE FORMER AGREEMENT: ADDITIONAL COMPENSATION

(1) Substitute the following for section 5.1:

5.1 Acting allowance: An employee who acts in any position higher than that to which he is permanently appointed shall be paid an allowance for each full shift

A-B

according to the formula $\frac{A-B}{22} \times C$

where A = minimum monthly basic salary of the job class acted in

B = minimum monthly basic salary of the employee's job class (present)

C = number of shifts acted in for the month.

The above formula shall also apply to any employee permanently appointed to job class J or K, journeyman or leading hand who acts in the position of foreman and above. The minimum monthly basic salary for a foreman specified as 'A' in this formula shall be equal to R3 890,00.

'n Werknemer wat in 'n personeelposisie laer as voor-manvlak waarneem, moet 'n daaglikse waarnemerstoelae ontvang vir elke volle dag waarop hy waarneem. Die toelae word bepaal in verhouding tot die salaris wat van toepassing is op die personeelgradering waarin hy waarneem.

Permanente vakatures in 'n werkklas moet gevul word sodra die mees geskikte werknemer gevind is en die geskiktheid van alle kandidate bepaal is. Die werkgever aanvaar dat dit oor die algemeen nie langer as altesaam ses maande behoort te neem om 'n bepaalde vakature te vul nie."

(2) Vervang klousule 5.2.1 deur die volgende:

5.2 Gereedheid:

5.2.1 Die werkgever kan van sekere werknemers vereis om "op gereedheid" te wees vir nooddiens buite die gewone werktipe vir die betrokke individu wanneer 'n werknemer vir diens uitgeroep word, moet hy sonder versuim die kortste moontlike roete volg om die pligte waarvoor hy uitgeroep is, na te kom. Wanneer sy pligte afgehandel is, moet die werknemer direk na sy tuiste terugkeer ten einde beskikbaar te wees vir verdere uitroepe. Die werknemer word ingevolge klousule 5.2.4 vir reistyd vergoed. Indien 'n werknemer op 'n Sondag 'op gereedheid' moet wees, word daar nie van hom vereis om op daardie dag gewone werk te verrig nie."

(3) Vervang klousule 5.2.2 (a) deur die volgende:

"5.2.2 Die volgende voorwaardes is van toepassing op 'n werknemer wat 'op gereedheid' moet wees:

(a) Werkklas	Loon vir elke dag van Maandag tot Saterdag wat die werknemer gereed is	Loon vir elke Sondag wat die werknemer gereed is
	R	R
B.....	7,61	10,11
C.....	8,46	11,33
D.....	9,14	12,37
E.....	10,00	13,67
F.....	10,69	14,76
G.....	11,53	16,08
H.....	12,39	17,45
I.....	13,10	18,65
J.....	13,94	20,04
K.....	14,67	21,32
Ingenieurswerknemers	15,23	22,36"

(4) Vervang subklousules 5.2.2 (c) en 5.2.2 (d) deur die volgende:

"(c) Vir oortyd wat gewerk word wanneer hy uitgeroep word, moet ingevolge klousule 5.3.1 betaal word: Met dien verstande dat, indien sodanige werknemer op 'n betaalde openbare vakansiedag uitgeroep word, die minimum totale bedrag wat aan hom betaal moet word vir die ure gewerk en vir meer as drie uitroepe op so 'n dag, soos volg moet wees:

Werkklasse	R
B tot F.....	8,52
G tot K en ingenieurswerknemers	16,93

(d) Vir elke keer wanneer hy meer as drie keer per dag uitgeroep word, moet hy soos volg betaal word:

Werkklasse	R
B tot F.....	1,92
G tot K en ingenieurswerknemers	3,21

An employee who acts in a staff position below foreman level shall be paid a daily acting allowance for each full day he acts. The allowance shall be determined in relation to the salary applicable to the staff grade in which he is acting.

Permanent vacancies in a job class shall be filled as soon as the most suitable employee has been found and the suitability of all candidates has been determined. The employer accepts that, in general, it should not take more than six month's total time to fill any particular vacancy."

(2) Substitute the following for section 5.2.1:

5.2 Stand-by:

5.2.1 The employer may require certain employees to be on stand-by for emergency duty outside the normal working times for the individual concerned. When called out for duty an employee shall proceed by the shortest possible route and without delay to attend to the duties that he was called out for. Upon completion of his duties the employee shall return directly to his home in order to be available for further call-outs. The employee shall be compensated for travelling time in terms of section 5.2.4. If an employee is on standby on a Sunday he shall not be required for regular work on that day."

(3) Substitute the following for section 5.2.2 (a):

"5.2.2 The following conditions shall apply to an employee on stand-by:

(a) Job class	Rate for each day employee is on standby from Monday to Saturday	Rate for each Sunday employee is on standby
	R	R
B.....	7,61	10,11
C.....	8,46	11,33
D.....	9,14	12,37
E.....	10,00	13,67
F.....	10,69	14,76
G.....	11,53	16,08
H.....	12,39	17,45
I.....	13,10	18,65
J.....	13,94	20,04
K.....	14,67	21,32
Engineering employees	15,23	22,36"

(4) Substitute the following for sections 5.2.2 (c) and 5.2.2 (d):

"(c) Overtime worked on call-out shall be paid for in terms of section 5.3.1: Provided that, if such employee is called out on a paid public holiday, the minimum total payment to him for hours worked and for call-outs in excess of three on such day, shall be as follows:

Job classes	R
B to F.....	8,52
G to K and engineering employees	16,93

(d) For every call-out in excess of three per day, he shall be paid as follows:

Job classes	R
B to F.....	1,92
G to K and engineering employees	3,21

Vir die toepassing van hierdie klousule, beteken 'n 'uitroep' enige geleentheid waarby 'n werknemer wat 'op gereedheid' moet wees, buite sy gewone werktijd na die fabriek uitgeroep word, en enige geleentheid waarby van sodanige werknemer vereis word om 'n bykomende onverwante taak te verrig gedurende die tydperk wat hy by die fabriek is."

(5) Voeg die volgende nuwe klousule 5.2.2 (e) in:

"(e) Indien die plaaslike omstandighede dit regverdig kan gereedheidsvoorwaardes op fabrieksvlak bespreek word. Sodanige besprekings moet die lone wat by klousule 5.2.2 voorgeskryf word, in ag neem."

(6) Vervang klousule 5.3.1 deur die volgende:

5.3 Oortydbesoldiging:

5.3.1 Daar moet vir oortyd soos in klousule 7.1 omskryf, soos volg betaal word:

Gewone oortyd: Vir elke uur oortyd, uitgesonderd premie-oortyd, wat gewerk word, moet die betrokke werknemer ooreenkomstig die volgende formule betaal word:

$$\frac{\text{Persoonlike basiese salaris} \times 1,5}{186,3}$$

Premie-oortyd: Vir elke uur wat daar op 'n Sondag gewerk word of, in die geval van 'n werknemer wat 'n ononderbroke skof werk, op sy erkende vry dag, moet die betrokke werknemer behoudens klousule 5.5.2 ooreenkomstig die volgende formule betaal word:

$$\frac{\text{Persoonlike basiese salaris} \times 2}{186,3''}$$

(7) Vervang klousule 5.3.3 deur die volgende:

"5.3.3 *Werk op 'n betaalde openbare vakansiedag:* (a) Behoudens klousules 8.1, 8.2, 8.3 en 8.4 moet 'n dag by die jaarlikse vakansieverlof van 'n werknemer wat op 'n betaalde openbare vakansiedag werk, gevoeg word ten opsigte van elke sodanige dag gewerk en moet hy gewone oortydbetaling ooreenkomstig die volgende formule ontvang:

$$\frac{\text{Persoonlike basiese salaris} \times 1,5}{186,3}$$

Met dien verstande dat die volgende minima betaal moet word aan 'n werknemer wat op 'n betaalde openbare vakansiedag oortyd werk, behoudens klousule 8.1:

Werkklasse	R
B tot F.....	7,52
G tot K en ingenieurswerknemers.....	15,05

Behoudens klousules 8.1, 8.3 en 8.4 moet by die jaarlikse vakansieverlof van 'n werknemer wat op 'n betaalde openbare vakansiedag werk wat op 'n Sondag val, 'n dag gevoeg word ten opsigte van sodanige dag gewerk en moet hy premie-oortydbetaling ooreenkomstig die volgende formule ontvang:

$$\frac{\text{Persoonlike basiese salaris} \times 2}{186,3}$$

(c) 'n Werknemer kan die keuse uitoefen om in plaas van verlof wat ingevolge hierdie klousule toegestaan word, betaal te word teen 'n tarief waarop daar tussen die bestuur en die betrokke werknemer ooreengekom moet word.

For the purpose of this section, a 'call-out' means any occasion on which a stand-by employee is called to the factory outside his normal working time, and any occasion on which such employee is required to perform an additional unrelated job during the period he is at the factory."

(5) Insert the following new section 5.2.2 (e):

"(e) If local circumstances merit it, stand-by conditions may be discussed at factory level. Such discussions shall take into account the rates prescribed in section 5.2.2."

(6) Substitute the following for section 5.3.1:

5.3 Payment for overtime:

5.3.1 Overtime as defined in section 7.1 shall be paid as follows:

Normal overtime: For every hour of overtime worked, other than premium overtime the employee concerned shall be paid according to the formula:

$$\frac{\text{Personal basic salary} \times 1,5}{186,3}$$

Premium overtime: Subject to the provisions of section 5.5.2 for every hour worked on a Sunday, or in the case of a continuous shift worker on his recognised day off, the employee concerned shall be paid according to the formula:

$$\frac{\text{Personal basic salary} \times 2}{186,3''}$$

(7) Substitute the following for section 5.3.3:

"5.3.3 *Work on a paid public holiday:* (a) Subject to the provisions of sections 8.1, 8.2, 8.3 and 8.4, an employee who works on a paid public holiday shall have a day added to his annual holiday leave in respect of each such day worked and shall receive normal overtime payment according to the formula:

$$\frac{\text{Personal basic salary} \times 1,5}{186,3}$$

Provided that the following minima shall be paid to an employee for overtime worked on a paid public holiday, subject to the provisions of section 8.1:

Job Classes	R
B to F.....	7,52
G to K and engineering employees.....	15,05

(b) Subject to the provisions of sections 8.1, 8.3 and 8.4 an employee who works on a paid public holiday which falls on a Sunday, shall have a day added to his annual leave in respect of such day worked and shall receive premium overtime payment according to the formula:

$$\frac{\text{Personal basic salary} \times 2}{186,3}$$

(c) An employee may elect to be paid in lieu of leave granted in terms of this section at a rate which shall be agreed between management and the employee concerned.

(d) Behoudens klousule 10 moet enige uitstaande opgehoopte verlof ingevolge hierdie klousule, geneem of verkoop word wanneer die werknemer sy jaarlikse verlof neem en vir 'n verlofbonus kwalifiseer."

(8) Vervang klousule 5.3.4 deur die volgende:

"5.3.4 *Terugroep vir oortydwerk: Geen werk beskikbaar nie:*

(a)	Werkklasse	R
	B tot F.....	5,00
	G tot K en ingenieurswerknemers.....	10,00

(b) Indien 'n werknemer teruggeroep word om oortyd te werk, maar sodanige werk gekanselleer word wanneer hy vir werk aanmeld, word die bedrag wat in klousule 5.3.2 gespesifiseer word, benewens bogenoemde bedrag betaal."

(9) Vervang klousule 5.4 deur die volgende:

"5.4 *Onderhoudstoelae:* 'n Werknemer van wie vereis word om oornag van sy tuiste weg te wees, moet deur die werkgever vergoed word vir redelike uitgawes wat hy ten opsigte van etes en verblyf aangegaan het: Met dien verstande dat klousule 5.3 en klousule 7 geag moet word nie van toepassing te wees nie op 'n drywer nadat hy ophou dryf het vir die dag."

(10) Vervang klousule 5.5.1 deur die volgende:

"5.5 *Nagskofwerk:*

5.5.1 Daar moet aan 'n werknemer wat nagskof, soos omskryf, werk, 'n ekstra dag verlof met volle besoldiging toegestaan word vir elke 14 nagskofte gewerk: Met dien verstande dat 'n werknemer, uitgesonder 'n werknemer wat ingevolge klousule 4.3.1 aangewys is as 'n werknemer wat 'n ononderbroke skof werk en wat op 'n skofsiklus van vier weke in diens is, die keuse kan uitoefen om in plaas van sodanige verlof betaal te word."

(11) Vervang klousule 5.5.2 deur die volgende:

"5.5.2 Die werkgever moet 'n langnaweek aan die einde van die siklus van vier weke toestaan aan 'n werknemer wat 'n skofsiklus van vier weke werk wat gereelde ononderbroke skofwerk behels wat 24 uur per dag, sewe dae per week dek: Met dien verstande dat die voorwaardes vir die toestaan van so 'n langnaweek soos volg is:

- Een van die drie dae in 'n siklus waarop 'n werknemer op 'n ekstra skof is, moet vry gegee word vir nagskof wat gewerk is. Hierdie dag moet die Vrydag wees.
- Van die oorblywende twee ekstra dae per siklus, moet die Donderdag vry gegee word in plaas van die tien betaalde openbare vakansiedae wat gedurende die jaar ophoop. Daarbenewens moet twee ekstra Donderdae vry gegee word om 'n totaal van 12 langnaweke gedurende die jaar vir hierdie werknemers te versker.
- Daar word van 'n werknemer verwag om op 'n dagskoffbasis altesaam vier uur te werk op die Woensdag of op sodanige ander dag of dae as waarop op plaaslike vlak besluit word.
- Geeneen van die dae wat in (a) en (b) hierbo gespesifiseer word, mag as jaarlikse verlof geneem word of verkoop word nie.
- Die skoftoelae in klousule 4.3.1 is van toepassing."

(d) Subject to the provisions of section 10 any outstanding accumulation of leave in terms of this sectional shall be taken or sold when the employee proceed on annual leave and qualifies for holiday bonus."

(8) Substitute the following for section 5.3.4:

"5.3.4 *Recall to work overtime: No work available:*

(a)	Job classes	R
	B to F.....	5,00
	G to K and engineering employees.....	10,00

(b) In the event of an employee being recalled to work overtime but such work is cancelled when he presents himself for work, he shall be paid the amount specified in section 5.3.2 in addition to the above payment."

(9) Substitute the following for section 5.4:

"5.4 *Subsistence allowance:* An employee who is required to be away from home overnight shall be refunded by the employer such reasonable expenses as are incurred by him in respect of board and accommodation: Provided that the provisions of section 5.3 and section 7 shall be held not to apply to a driver after he has ceased driving for the day."

(10) Substitute the following for section 5.5.1:

"5.5 *Night-shift working:*

5.5.1 An employee who works night shifts as defined, shall be granted an additional day's leave on full pay for every 14 night shifts worked: Provided that an employee, other than an employee designated as a continuous shift worker in terms of section 4.3.1 and employed on a four-week shift cycle, may elect to be paid in lieu of such leave."

(11) Substitute the following for section 5.5.2:

"5.5.2 The employer shall grant a long weekend at the end of the four-week cycle to an employee working a four-week shift cycle, involving regular continuous shift work covering 24 hours a day seven days a week: Provided that the conditions for granting such a long weekend shall be as follows:

- One of the three days per cycle on which an employee is on spare shift shall be given off for night shift working. This day shall be the Friday.
- Of the remaining two spare days per cycle, the Thursday shall be given off in lieu of the ten paid public holidays which will accrue during the year. In addition, two extra Thursdays shall be given off to ensure a total of 12 long weekends for these employees during the year.
- An employee shall be required to work on a day-shift basis a total of four hours on the Wednesday or on such other day(s) as determined at local level.
- None of the days specified in (a) and (b) above shall be taken as annual leave or be sold.
- The shift allowance in section 4.3.1 shall apply."

(12) Vervang klousule 5.5.3 deur die volgende:

"5.5.3 Die werkgewer moet ook bostaande dae toestaan aan werknemers wat 'n ononderbroke skof werk wat 24 uur per dag, sewe dae per week, dek. Indien sodanige skofstelsel nie 'n langnaweek van vier dae aan die einde van die siklus van vier weke oplewer nie, moet aan sodanige werknemers 'n totaal toegestaan word van—

- vyf dae vry (vir dae gewerk);
- een dag vry (in plaas van nagskofte gewerk);
- een ekstra dag (wat moet bestaan uit agt uur vir elke siklus van 28 dae).

Sodanige werknemers wat op die betaalde openbare vakansiedae werk, kan die keuse uitoefen om in plaas van die betaalde openbare vakansiedae betaal te word, of om sodanige aantal dae betaalde verlof by hul jaarlikse vakansieverlof bygevoeg te kry."

(13) Vervang klousule 5.6 deur die volgende:

"5.6 Vakansiebonus:

5.6.1 Aan 'n werknemer moet 'n vakansiebonus gelykstaande aan die werknemer se persoonlike basiese salaris betaal word. Die vakansiebonus vir 'n vakleerling is die vakleerling se basiese maandelikse salaris.

5.6.2 Betaling van die vakansiebonus is onderworpe aan die volgende voorwaardes: 'n Werknemer moet—

- (a) die vakansiebonus betaal word slegs na voltooiing van een of twee jaar ononderbroke diens soos in (d) hieronder bepaal;
- (b) geen vakansiebonus betaal word nie vir 'n gedeelte van 'n jaar wat hy gedurende sy eerste vyf jaar ononderbroke diens gewerk het, indien sy diens beëindig word om 'n ander rede as dié in (c) genoem;
- (c) gedurende sy eerste vyf jaar ononderbroke diens, een twaalfde van die vakansiebonus betaal word vir elke voltooide maand ononderbroke diens waarvoor hy nie voorheen vakansiebonus betaal is nie, slegs indien hy afgetaal word of aftree of weggaan vanweë ander omstandighede buite sy beheer en wat vir die werkgewer aanvaarbaar is;
- (d) die vakansiebonus betaal word ten tyde wanneer hy verlof ingevolge klousule 10.3 (b) neem: Met dien verstande dat 'n werknemer met minder as twee jaar ononderbroke diens wat op eie versoek met verlof gaan voor die herdenkingsdatum van sy indiensneming of herindiensneming die bonus op sodanige herdenkingsdatum moet ontvang, maar indien 'n werknemer met verlof gaan voor sy herdenkingsdatum op versoek van bestuur, sal sy vakansiebonus onmiddellik betaal word voordat hy met verlof gaan;
- (e) indien hy die vakansiebonus vooruit ontvang het en daarna bedank of uit diens ontslaan word voordat hy 'n volle siklus van 12 maande diens voltooi het, die gedeelte van die bonus waarop hy nie geregtig is nie aan die werkgewer terugbetaal;

(12) Substitute the following for section 5.5.3:

"5.5.3 The employer shall also grant the above days to employees working a continuous shift covering 24 hours a day, seven days a week. If such shift system does not afford a long weekend of four days at the end of the four-week cycle such employees shall be granted a total of—

- five days off (for days worked);
- one day off (in lieu of night shifts worked);
- one spare day (to be made up of eight hours for every 28-day cycle).

Such employees who work on the paid public holidays may elect to be paid in lieu of the paid public holidays or have such number of days' paid leave added to their annual holiday leave."

(13) Substitute the following for section 5.6:

"5.6 Holiday bonus:

5.6.1 An employee shall be paid a holiday bonus equivalent to the employee's personal basic salary. The holiday bonus for an apprentice shall be the apprentice's basic monthly salary.

5.6.2 Payment of the holiday bonus shall be subject to the following conditions: An employee—

- (a) shall be paid the holiday bonus only after the completion of one or two years of continuous service provided for in (d) hereunder;
- (b) shall not receive any payment of holiday bonus in respect of any portion of a year worked during his first five years of continuous service if his service terminates for any reason other than those stated in (c);
- (c) shall during his first five years of continuous service be paid one twelfth of the holiday bonus in respect of each completed month of continuous service for which he has not previously been paid holiday bonus, only if he is retrenched or retired or leaves for other circumstances beyond his control and acceptable to the employer;
- (d) shall be paid the holiday bonus at the time of taking leave in terms of section 10.3 (b): Provided that an employee with less than two years' continuous service who proceeds on leave at his own request before the anniversary date of his engagement or re-engagement shall receive the bonus on such anniversary date; however, if an employee proceeds on leave before his anniversary date at management's request then he shall be paid the holiday bonus immediately prior to proceeding on leave;
- (e) shall, if he has received the holiday bonus in advance and subsequently resigns or is discharged from service before completing a full cycle of 12 months' service, refund to the employer such portion of the bonus as he is not entitled to;

(f) na vyf jaar ononderbroke diens een twaalfde van die vakansiebonus betaal word vir elke voltooide maand ononderbroke diens waarvoor hy nie voorheen vakansiebonus betaal is nie, indien so 'n werknemer vrywillig sy diens beëindig of ontslaan word;

(g) die vakansiebonus hoogstens een maal in 'n verlofsiklus ontvang."

8. KLOUSULE 6: WERKURE

(1) Vervang klousule 6 deur die volgende:

"6.1 Die gewone werkure van 'n werknemer is 43 uur per week, behalwe 'n werknemer aangewys ingevolge klousules 4.3.1, 4.3.2 en 4.3.3. 'n Werknemer wat ingevolge bovermelde klousules aangewys is en wat meer as 43 uur per week werk of meer as die 43 uur weeklikse gemiddelde per siklus werk, moet vir die bykomende ure gewerk, teen oortydariëwe betaal word.

6.2 Die gewone werkure per dag van 'n werknemer wat dagskofwerk verrig, word op plaaslike vlak bepaal: Met dien verstande dat ure wat voor Januarie 1993 op 'n Vrydag gewerk is, onveranderd bly.

6.3 Die gewone werkure per skof van 'n werknemer wat skofwerk verrig, word op plaaslike vlak bepaal: Met dien verstande dat in die geval waar deurlopende prosesse betrokke is, skofte van agt uur elk gewerk word, tensy anders ooreengekom.

6.4 Waar die implementering van die werkure posisionele veranderings aan tydoptekeningstelsels behels, word sodanige veranderings nie aangebring voordat oorlegpleging plaasgevind het nie.

6.5 (a) Die gewone aanvangs- en uitskeiëte vir die werkure word deur die werkgever bepaal: Met dien verstande dat die werkgever, deur middel van 'n kennisgewing wat op sy perseel vertoon word, werknemers van sodanige tye verwittig.

(b) Die werkgever kan in oorleg met die werknemer(s) die tye bedoel in klousule 6.5(a) verander: Met dien verstande dat die werkure ooreenkomstig klousules 6.2 en 6.3 is.

6.6 Die werkgever moet minstens 24 uur voor die aanvang van elke werkweek of siklus werknemers deur middel van 'n kennisgewing wat op sy perseel vertoon word, in kennis stel van enige veranderings aan die aanvangs- en uitskeiëte soos ingevolge klousule 6.5 bepaal, wat op elke werknemer gedurende die volgende week of siklus van toepassing is, en sodanige tye is dan die gewone werktye vir die betrokke werknemer totdat hy anders verwittig word: Met dien verstande dat, indien geen sodanige kennis gegee word nie, die gewone werktye van die betrokke werknemer die tye is wat normaalweg ingevolge klousule 6.5 op hom van toepassing is.

6.7 Die werkgever moet minstens 48 uur voor die aanvang van die werkweek 'n kennisgewing op sy perseel vertoon wat, ten opsigte van werknemers wat ononderbroke skofte werk, elke werknemer se erkende vrye dag vir die volgende week toon.

6.8 Alle geboekte tye moet tot die naaste 0,1 van 'n uur wees.

6.9 Indien die werkure bedoel in klousule 6.1 om ekonomiese redes verander moet word, moet daar met die betrokke werknemers en vakverenigings onderhandel word."

(f) shall after five years of continuous service, be paid one twelfth of the holiday bonus in respect of each completed month of continuous service for which he has not previously been paid holiday bonus, if such an employee voluntarily terminates his service or is discharged;

(g) shall receive the holiday bonus not more than once in any leave cycle."

8. SECTION 6: HOURS OF WORK

(1) Substitute the following for section 6:

"6.1 The normal hours of work of an employee shall be 43 hours per week except for an employee designated in terms of sections 4.3.1, 4.3.2 and 4.3.3. An employee designated in terms of the aforementioned sections and who works in excess of 43 hours per week or in excess of the 43 hour weekly average per cycle shall be paid at overtime rates for the additional hours worked.

6.2 The normal hours of work per day of an employee on day-shift work shall be determined at local level: Provided that hours worked on a Friday prior to 1 January 1993 shall remain unchanged.

6.3 The normal hours of work per shift for an employee on shift work shall be determined at local level: Provided that in the case where continuous processes are involved, shifts of eight hours each shall be worked, unless otherwise agreed.

6.4 Where the implementation of the working hours involves positional changes to time-keeping mechanisms, such changes shall not be effected until negotiation has taken place.

6.5 (a) The normal starting and stopping times for the hours of work shall be determined by the employer: Provided that the employer shall, by notice displayed on his premises, notify employees of such times.

(b) The employer may in consultation with the employee(s) change the times referred to in section 6.5 (a): Provided that the hours of work are in accordance with sections 6.2 and 6.3.

6.6 The employer shall, at least 24 hours before the commencement of each working week or cycle, notify employees by notice displayed on his premises of any changes to the starting and stopping times as determined in terms of section 6.5 as applicable to each employee during the ensuing week or cycle, and such times shall then be the normal working times for the employee concerned until otherwise notified: Provided that, if no such notice is given, the normal working times of the employee concerned shall be those normally applicable to him in terms of section 6.5.

6.7 The employer shall, at least 48 hours before the commencement of the working week, display on his premises a notice indicating, in respect of continuous shift employees, each employee's recognised day off for the ensuing week.

6.8 All time booked shall be to the nearest 0,1 of an hour.

6.9 If, for economic reasons, the hours of work referred to in section 6.1 have to be changed, negotiations shall take place with the employees and trade unions involved."

9. KLOUSULE 8 VAN DIE VORIGE OOREENKOMS: BETAALDE OPENBARE VAKANSIEDAE

Vervang klousule 8 deur die volgende:

"8.1 Behoudens die bepalings van die Wysigingswet op Openbare Feesdae, 1980, word Nuwejaarsdag, Goeie Vrydag, Gesinsdag, Hemelvaartdag, Werkersdag, Republiekdag, 16 Junie, Gelofte-dag, Kersdag en Welwillendheidsdag geag betaalde openbare vakansiedae te wees vir werknemers, uitgesonderd aangewese werkers wat ononderbroke skofte werk. Die openbare vakansiedae moet gevier word op die datums waarop hulle val, ongeag die dag van die week, met die volgende uitsondering:

Indien Nuwejaarsdag op 'n Sondag val, is die daaropvolgende Maandag 'n betaalde openbare vakansiedag.

8.2 Ondanks klousule 8.1 is die bepalings van klousule 5.3.3 (b) van toepassing waar 'n betaalde openbare vakansiedag op 'n Sondag val en sodanige Sondag nie 'n gewone werkdag is nie.

8.3 Alle werknemers, behalwe dié in klousule 5.5.2 bedoel, wat op 'n betaalde openbare vakansiedag werk, kry sodanige betaalde openbare vakansiedae by hulle jaarlikse verlof bygevoeg, en hierdie dae word geneem soos ooreengekom tussen die bestuur en die werknemer.

8.4 Indien 'n betaalde openbare vakansiedag op 'n dag, behalwe 'n Saterdag of Sondag, binne 'n werknemer se jaarlikse verloftydperk val, moet 'n addisionele dag betaalde verlof ten opsigte van elke betaalde vakansiedag toegestaan word. Dit geld nie vir werknemers bedoel in klousule 5.5.2 nie."

10. KLOUSULE 16 VAN DIE VORIGE OOREENKOMS: UITGAWES VAN DIE RAAD

Vervang klousule 16.2 deur die volgende:

16.2 Die werkgewer moet ten opsigte van sy loonlyswerknemerlede van die Raadsvakverenigings wat partye by hierdie Ooreenkoms is, die volgende aan die Raad betaal: Die bedrag van R7,00 per maand ten opsigte van elke ingenieurswerknemer en werknemers in klasse G tot K; en R3,75 per maand ten opsigte van elke ander werknemer."

11. KLOUSULE 17 VAN DIE VORIGE OOREENKOMS: HERSIENING VAN DIE OOREENKOMS

Vervang klousule 17 deur die volgende:

"Die Ooreenkoms is jaarliks onderhandelbaar."

Nademaal die werkgewer en die vakverenigings tot die Ooreenkoms geraak het soos hierin uiteengesit, verklaar die ondergetekende gemagtigde beamptes van die Raad hierby dat bostaande die Ooreenkoms is waartoe daar geraak is en heg hulle hul handtekening hierby aan:

Gedateer te Johannesburg op hede die 25ste dag van Junie 1993.

J. W. BOTHA,

Voorsitter.

B. NICHOLSON,

Ondervoorsitter.

M. C. GOCH,

Sekretaris.

9. SECTION 8 OF THE FORMER AGREEMENT: PAID PUBLIC HOLIDAYS

Substitute the following for section 8:

"8.1 Subject to the provisions of the Public Holidays Amendment Act, 1980, New Year's Day, Good Friday, Family Day, Ascension Day, Workers' Day, Republic Day, 16 June, Day of the Vow, Christmas Day and Day of Goodwill shall be regarded as paid public holidays for employees other than designated continuous shift workers. The public holidays shall be celebrated on the dates on which they fall, whatever the day of the week may be, with the following exception:

If New Year's Day falls on a Sunday, the following Monday shall be a paid public holiday.

8.2 Notwithstanding the provisions of section 8.1, where a paid public holiday falls on a Sunday and such Sunday is not a normal working day, then the provisions of section 5.3.3 (b) shall apply.

8.3 All employees other than those referred to in section 5.5.2 who work on a paid public holiday shall have such paid public holidays added to their annual leave, and these shall be taken as agreed between management and the employee.

8.4 Should a paid public holiday fall on a day, other than a Saturday or Sunday, within an annual holiday leave period of an employee, an additional day of paid leave in respect of each paid public holiday shall be granted. This shall not apply to employees referred to in section 5.5.2."

10. SECTION 16 OF THE FORMER AGREEMENT: EXPENSES OF THE COUNCIL

Substitute the following for section 16.2:

16.2 The employer shall pay to the Council in respect of his payroll employee members of the Council trade unions which are parties to this Agreement: The sum of R7,00 per month in respect of each engineering employee and employees in classes G to K; and R3,75 per month in respect of every other employee."

11. SECTION 17 OF THE FORMER AGREEMENT: REVIEW OF THE AGREEMENT

Substitute the following for section 17:

"The Agreement shall be negotiable annually."

The employer and the trade unions, having arrived at the Agreement set forth herein, the undersigned authorised officers of the Council hereby declare that the foregoing is the Agreement arrived at and affix their signatures hereto.

Dated at Johannesburg this 25th day of June 1993.

J. W. BOTHA,

Chairman.

B. NICHOLSON,

Vice-Chairman.

M. C. GOCH,

Secretary.

DEPARTEMENT VAN VERVOER**No. R. 2448 24 Desember 1993**PADVERKEERSWET, 1989
(WET No. 29 VAN 1989)**WYSIGING VAN GEKONSOLIDEERDE
PADVERKEERSREGULASIES**

Kragtens die bevoegdheid my verleen by artikel 132 van die Padverkeerswet, 1989 (Wet No. 29 van 1989), het ek die regulasies uiteengesit in die Bylae hiervan uitgevaardig.

P. J. WELGEMOED,Minister van Vervoer en van Pos- en
Telekommunikasiewese.**BYLAE****Woordomskriving**

1. In hierdie Bylae beteken "die Regulasies" die Padverkeersregulasies gepubliseer by Goewermmentskennisgewing No. R. 910 van 26 April 1990, soos gewysig by Goewermmentskennisgewings Nos. R. 1312 van 13 Junie 1990, R. 1954 van 17 Augustus 1990, R. 2066 van 31 Augustus 1990, R. 2982 van 14 Desember 1990, R. 125 van 14 Februarie 1991, R. 1059 van 4 Junie 1991, R. 2694 van 15 November 1991, R. 1695 van 15 Junie 1992, R. 2803 van 1 Oktober 1992, R. 2895 van 8 Oktober 1992, R. 3172 van 20 November 1992, R. 766 van 30 April 1993, R. 1214 van 1 Julie 1993, R. 1767 van 20 September 1993 en R. 1878 van 18 Oktober 1993.

Wysiging van regulasie 246 van die Regulasies

2. Regulasie 246 van die Regulasies word gewysig deur die datum "1 Januarie 1994" in subregulasie (3) (a) (iii) deur die datum "1 Julie 1994" te vervang.

Regstelling van regulasie 267 van die Regulasies

3. Regulasie 267 van die Regulasies word reggestel deur in paragraaf (c) van subregulasie (1) die woorde "waarvan die bruto voertuigmassa 3 500 kilogram oorskry" te skrap.

Regstelling van Bylae 3 van die Regulasies

4. Bylae 3 van die Regulasies word reggestel deur in Klas III (i) A subparagraaf (i) (bb) van paragraaf (c) deur die volgende subparagraaf te vervang:

"(bb) 'n Flitsende rooi skyf ligsein

Dui vir die bestuurder van 'n voertuig aan dat hy moet optree soos vir stop-teken R1 en dat hy voorrang moet verleen aan alle voetgangers wat sy pad kruis en dui vir 'n voetganger aan dat hy die ryvlak mag kruis indien dit veilig is."

DEPARTMENT OF TRANSPORT**No. R. 2448 24 December 1993**ROAD TRAFFIC ACT, 1989
(ACT No. 29 OF 1989)**AMENDMENT OF CONSOLIDATED
ROAD TRAFFIC REGULATIONS**

By virtue of the powers vested in me by section 132 of the Road Traffic Act, 1989 (Act No. 29 of 1989), I have made the regulations set out in the Schedule hereto.

P. J. WELGEMOED,Minister of Transport and of Posts and
Telecommunications.**SCHEDULE****Definition**

1. In this Schedule "the Regulations" means the Road Traffic Regulations published by Government Notice No. R. 910 of 26 April 1990, as amended by Government Notices Nos. R. 1312 of 13 June 1990, R. 1954 of 17 August 1990, R. 2066 of 31 August 1990, R. 2982 of 14 December 1990, R. 125 of 14 February 1991, R. 1059 of 4 June 1991, R. 2694 of 15 November 1991, R. 1695 of 15 June 1992, R. 2803 of 1 October 1992, R. 2895 of 8 October 1992, R. 3172 of 20 November 1992, R. 766 of 30 April 1993, R. 1214 of 1 July 1993, R. 1767 of 20 September 1993 and R. 1878 of 18 October 1993.

Amendment of regulation 246 of the Regulations

2. Regulation 246 of the Regulations is amended by the substitution for the date "1 January 1994" in subregulation (3) (a) (iii) of the date "1 July 1994".

Correction of regulation 267 of the Regulations

3. Regulation 267 of the Regulations is corrected by the deletion of the words "the gross vehicle mass of which exceeds 3 500 kilograms" in paragraph (c) of subregulation (1).

Correction of Schedule 3 of the Regulations

4. Schedule 3 of the Regulations is corrected in Class III (i) A by the substitution for subparagraph (i) (bb) of paragraph (c) of the following subparagraph:

"(bb) A flashing red disc light signal

Indicates to the driver of a vehicle that he shall act as for stop sign R1 and shall yield right of way to all pedestrians crossing his path and indicates to a pedestrian that he may cross the roadway if it is safe to do so."

Regstelling van regulasie 39 van die Veertiende Regulasiewysiging van die Regulasies

5. Regulasie 39 van die Veertiende Wysiging van die Padverkeersregulasies No. R. 1878 van 18 Oktober 1993 gepubliseer in *Staatskoerant* No. 15188 word reggestel deur die regulasie met die volgende regulasie te vervang:

“Wysiging van Bylae 4A van die Regulasies

39. Bylae 4A van die Regulasies word gewysig deur—

- (a) in item 2.9 die bedrag 3 158 in die Kaap die Goeie Hoop tabel deur die bedrag 4 158 te vervang; en
- (b) in item 2.10 die bedrag—
 - (i) 3 158 in die Kaap die Goeie Hoop tabel deur die bedrag 4 158 te vervang; en
 - (ii) 1 268 in die Oranje-Vrystaat tabel deur die bedrag 1 968 te vervang.”

Regstelling van regulasie 45 van die Veertiende Regulasiewysiging van die Regulasies

6. Regulasie 45 van die Veertiende Wysiging van die Padverkeersregulasies No. R. 1878 van 18 Oktober 1993 gepubliseer in *Staatskoerant* No. 15188 word reggestel deur in paragraaf (b) die syfer “11” te skrap.

Kort titel en inwerkingtreding

7. Hierdie regulasies is die vyftiende wysiging van die Padverkeersregulasies gepubliseer by Goewermentskennisgewing No. R. 910 van 26 April 1990 en tree in werking op **1 Januarie 1994**.

Correction of regulation 39 of the Fourteenth Regulation Amendment of the Regulations

5. Regulation 39 of the Fourteenth Amendment of the Road Traffic Regulations No. R. 1878 of 18 October 1993 published in *Government Gazette* No. 15188 is corrected by the substitution for the regulation of the following regulation:

“Amendment of Schedule 4A of the Regulations

39. Schedule 4A of the Regulations is amended by—

- (a) the substitution in item 2.9 for the amount 3 158 in the Cape of Good Hope table of the amount 4 158; and
- (b) the substitution in item 2.10 for the amount—
 - (i) 3 158 in the Cape of Good Hope table of the amount 4 158; and
 - (ii) 1 268 in the Orange Free State table of the amount 1 968.”

Correction of regulation 45 of the Fourteenth Regulation Amendment of the Regulations

6. Regulation 45 of the Fourteenth Amendment of the Road Traffic Regulations No. R. 1878 of 18 October 1993 published in *Government Gazette* No. 15188 is corrected by the deletion of the number “11” in paragraph (b).

Short title and commencement

7. These regulations are the fifteenth amendment of the Road Traffic Regulations, published by Government Notice No. R. 910 of 26 April 1990, and shall come into operation on **1 January 1994**.

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 1993 tot 30 September 1994 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 1993 to 30 September 1994, 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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No.		Bladsy No.	Koerant No.
GOEWERMENSKENNISGEWINGS			
Finansies, Departement van			
<i>Goewermentskennisgewings</i>			
R. 2450	Raad op Finansiële Dienste: Beheer van effektebeurse: Wysiging van regulasies...	1	15362
R. 2451	do.: Beheer van finansiële markte: Wysiging van regulasies	2	15362
Justisie, Departement van			
<i>Goewermentskennisgewing</i>			
R. 2462	Verklaring van vredesbeamptes	2	15362
Landbou, Departement van			
<i>Goewermentskennisgewings</i>			
R. 2459	Lusernsaadskema: Pryse vir lusernsaad	10	15362
R. 2460	Lusernsaadskema: Heffing en spesiale heffing: Wysiging	11	15362
R. 2461	Prys- en betalingsreëlings met betrekking tot goeiewyn, 1993/94: Wysiging	12	15362
R. 2479	Suiwelskema: Herroeping	12	15362
R. 2492	Melkskema: Wysiging	13	15362
R. 2493	Vloedhulpkema vir vloedrampgebiede: Wysiging	24	15362
Mannekrag, Departement van			
<i>Goewermentskennisgewings</i>			
R. 2480	Elektrotegniese Nywerheid, Natal: Wysiging van Ooreenkoms vir die Elektrotegniese Aannemingseksie	29	15362
R. 2495	Opleidingsraad vir die Druk-, Nuusbladen Verpakingsnywerheid: Wysiging van leervooraardes: Verbeteringskennisgewing	24	15362
R. 2496	do.: do.: do.	25	15362
R. 2497	Wysiging van die Opleidingskema vir die Bounywerheid	25	15362
R. 2499	Hoederywerheid (Transvaal): Wysiging van Ooreenkoms	37	15362
R. 2500	Sentrale Nywerheidsraad vir die Springstof- en Verwante Nywerhede: Herbevestiging van Ooreenkoms	40	15362
Mineraal- en Energiesake, Departement van			
<i>Goewermentskennisgewing</i>			
R. 2449	Wysiging van regulasies	3	15362
Suid-Afrikaanse Polisie			
<i>Goewermentskennisgewing</i>			
R. 2452	Suid-Afrikaanse Polisie: Wysiging van regulasies	9	15362
Vervoer, Departement van			
<i>Goewermentskennisgewing</i>			
R. 2448	Gekonsolideerde Padverkeersregulasies: Wysiging	51	15362

CONTENTS

No.		Page No.	Gazette No.
GOVERNMENT NOTICES			
Agriculture, Department of			
<i>Government Notices</i>			
R. 2459	Lucerne Seed Scheme: Prices for lucerne seed	10	15362
R. 2460	Lucerne Seed Scheme: Levy and special levy: Amendment	11	15362
R. 2461	Price and payment arrangements with regard to good wine, 1993/94: Amendment	12	15362
R. 2479	Dairy Scheme: Revocation	12	15362
R. 2492	Milk Scheme: Amendment	13	15362
R. 2493	Flood Relief Scheme for flood disaster areas: Amendment	24	15362
Finance, Department of			
<i>Government Notices</i>			
R. 2450	Financial Services Board: Stock exchange control: Amendment of regulations	1	15362
R. 2451	do.: Financial market control: Amendment of regulations	2	15362
Justice, Department of			
<i>Government Notice</i>			
R. 2462	Declaration of peace officers	2	15362
Manpower, Department of			
<i>Government Notices</i>			
R. 2480	Electrical Industry, Natal: Amendment of Agreement for the Electrical Contracting Section	29	15362
R. 2495	Printing, Newspaper and Packaging Industries Training Board: Amendment of conditions of apprenticeship: Correction notice	24	15362
R. 2496	do.: do.: do.	25	15362
R. 2497	Amendment of the Training Scheme for the Building Industry	25	15362
R. 2499	Millinery Industry (Transvaal): Amendment of Agreement	37	15362
R. 2500	Central Industrial Council for the Explosives and Allied Industries: Re-enactment of Agreement	40	15362
Mineral and Energy Affairs, Department of			
<i>Government Notice</i>			
R. 2449	Amendment of regulations	3	15362
South African Police			
<i>Government Notice</i>			
R. 2452	South African Police: Amendment of regulations	9	15362
Transport, Department of			
<i>Government Notice</i>			
R. 2448	Consolidated Road Traffic Regulations: Amendment	51	15362