

REPUBLIEK
VAN
SUID-AFRIKA



REPUBLIC
OF
SOUTH AFRICA

Staatskoerant Government Gazette

*Regulasiekoerant
Regulation Gazette*

No. 5230

Vol. 342

PRETORIA, 31 DESEMBER 1993
DECEMBER 1993

No. 15389

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN VERVOER

No. R. 2513 31 Desember 1993

REGULASIES IN VERBAND MET HANDELSKEEP-
VAARTGELDE, 1993

Die Minister van Vervoer het kragtens artikel 356 van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), die regulasies in die Bylae afgekondig.

BYLAE

INHOUDSOPGAWE

1. Woordomskrywing.
2. Toepassing van hierdie regulasies.
3. Deur wie gelde betaal moet word.
4. Wanneer gelde betaal moet word.
5. Aan wie gelde betaal moet word.
6. Uitreiking van sertifikate.

DEEL A

GELDE VIR DIE REGISTRASIE VAN SKEPE

7. Gelde betaalbaar.

DEEL B

GELDE VIR TONNEMAATOPMETING

8. Gelde betaalbaar.
9. Opmeting van skepe vir bruto en netto tonnemaat.

DEEL C

GELDE VIR SEKERE OPNEMINGSDIENSTE

10. Opneming van passasierskip vir veiligheidsertifikaat.
11. Opneming van ander skip as passasierskip vir vragskipveiligheidskonstruksiesertifikaat.

GOVERNMENT NOTICES

DEPARTMENT OF TRANSPORT

No. R. 2513 31 December 1993

MERCHANT SHIPPING FEES REGULATIONS,
1993

The Minister of Transport has, under section 356 of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), made the regulations in the Schedule.

SCHEDULE

ARRANGEMENT OF REGULATIONS

1. Definitions.
2. Application of regulations.
3. By whom fees shall be payable.
4. When fees shall be payable.
5. To whom fees shall be payable.
6. Issue of certificates.

PART A

FEES FOR REGISTRATION OF SHIPS

7. Fees payable.

PART B

FEES FOR TONNAGE MEASUREMENT

8. Fees payable.
9. Measurement of ships for gross and net tonnage.

PART C

FEES FOR CERTAIN SURVEY SERVICES

10. Survey of passenger ship for safety certificate.
11. Survey of ship other than passenger ship for cargo ship safety construction certificate.

12. Opneming van ander skip as passasierskip vir vragskipveiligheidsuitrustingsertifikaat.
13. Opneming van ander vaartuig as passasierskip vir plaaslike veiligheidsertifikaat.
14. Opneming van skip in droogdok.
15. Inspeksie van radio-installasie op skip en uitreiking van veiligheidsertifikaat.
16. Inspeksie van reddingstoestelle.
17. Inspeksie van brandtoestelle.
18. Inspeksie van plofstofmagasyn, van die stuwings van plofstowwe of van afdelings vir die stuwings van plofstowwe en ander gevaarlike goedere in die Wet omskryf.
19. Inspeksie van akkommodasie vir bemanning.
20. Graanvragte.
21. Opneming van onseewaardige skepe.
22. Dekvragte hout.
23. Gedeeltelike inspeksies, nie deur enige van die ander bepalings van hierdie regulasies gedek nie.
24. Opneming van skip vir laslynertifikaat.
25. Konsulteringsdienste.

DEEL D

GELDE TEN OPSIGTE VAN EKSAMENS VIR: BEKWAAMHEID- EN BEVOEGDHEIDSERTIFIKATE EN KOMPASSTELLERS: DIE VERLEEN VAN VRYSTELLING EN GESIGSTOETSE

26. Wanneer gelde betaal moet word.
27. Waar gelde betaal moet word.
28. Terugbetaling van gelde.
29. Tabel van gelde: Eksamen vir bekwaamheidsertifikaat vir (1) vissermanne en (2) seemasjiniste.
30. Tabel van gelde: Eksamen vir bekwaamheidsertifikaat vir ingenieuroffisiere.
31. Tabel van gelde: Eksamen vir bekwaamheidsertifikaat vir dekkoffisiere.
32. Tabel van gelde: Eksamen vir bekwaamheidsertifikaat vir klein vaartuie.
33. Tabel van gelde: Eksamen vir bevoegdheidsertifikaat.
34. Tabel van gelde: Eksamen vir bekwaamheidsertifikaat as stuurman (reddingsvaartuie).
35. Tabel van gelde: Eksamen en lisensiëring van kompasstellers.
36. Gelde vir die verleen van vrystelling of vir die evaluering van buitelandse bekwaamheidsertifikaat.
37. Aansoek om gesigstoetse vir kleur en vorm te ondergaan en gelde betaalbaar.

DEEL E

GELDE VIR VERSLAGBOEK

38. Gelde vir verslagboek.

DEEL F

GELDE VIR ONTSLAG VAN SEEMAN

39. Gelde vir ontslag van seeman.

12. Survey of ship other than passenger ship for cargo ship safety equipment certificate.
13. Survey of vessel other than passenger ship for local safety certificate.
14. Survey of ship in dry dock.
15. Inspection of radio installation in ship and issue of safety certificate.
16. Inspection of life-saving appliances.
17. Inspection of fire appliances.
18. Inspection of explosives magazines, of stowage of explosives, or of compartments for stowage of explosives and other dangerous goods defined in the Act.
19. Inspection of crew accommodation.
20. Grain cargoes.
21. Survey of unseaworthy ships.
22. Timber deck cargoes.
23. Partial inspections, not covered by any of the other provisions of these regulations.
24. Survey of ship for load line certificate.
25. Consultative services.

PART D

FEES FOR EXAMINATIONS FOR CERTIFICATES OF COMPETENCY, PROFICIENCY AND COMPASS ADJUSTERS; GRANTING OF EXEMPTIONS AND DISPENSATIONS AND EYESIGHT TESTS

26. When to pay fees.
27. Where to pay fees.
28. Refund of fees.
29. Table of fees: Examination for certificates of competency for (1) fishermen and (2) marine motormen.
30. Table of fees: Examination for certificates of competency for engineer officers.
31. Table of fees: Examination for certificates of competency for deck officers.
32. Table of fees: Examination for certificate of competency for small vessels.
33. Table of fees: Examination for certificate of qualification.
34. Table of fees: Examination for certificate of competency as coxswain (rescue vessels).
35. Table of fees: Examination and licensing of compass adjusters.
36. Fees for granting of exemption or dispensation or for evaluation of foreign certificate of competency.
37. Application to undergo colour and form vision tests, and fees to be paid.

PART E

FEE FOR RECORD BOOK

38. Fee for record book.

PART F

FEE FOR DISCHARGE OF SEAMAN

39. Fee for discharge of seaman.

DEEL G EKSTRA EN SPESIALE DIENSGELDE	PART G EXTRA AND SPECIAL ATTENDANCE FEES
40. Algemene diensure en diensdae. 41. Gelde vir ekstra en spesiale diens. 42. Pligte van amptenare. 43. Ondersoeke buite die Republiek. 44. Ondersoeke in die binneland en buitengewone ondersoeke. 45. Stortings.	40. Hours and dates of general attendance. 41. Charges for extra and special attendance. 42. Duties of officers. 43. Surveys outside the Republic. 44. Inland surveys and extraordinary surveys. 45. Deposits.
DEEL H INTREKKING VAN REGULASIES	PART H WITHDRAWAL
46. Intrekking van regulasies.	46. Withdrawal of regulations.
DEEL I KORT TITEL EN INWERKINGTREDING	PART I SHORT TITLE AND COMMENCEMENT
47. Kort titel en inwerkingtreding.	47. Short title and commencement.

Woordomskrywing

- In hierdie regulasies het 'n woord of uitdrukking waaraan daar in die Wet 'n betekenis geheg is, die betekenis aldus daaraan geheg, en tensy die samehang anders aandui, beteken—
 “radio-installasie” ’n radiotelegraafinstallasie of ’n radiotelefooninstallasie;
 “verslagboek” ’n Seeman se Verslagboek en Ontslagsertifikaat;
 “register” die spesiale boek bedoel in artikel 15 van die Wet;
 “die Wet” die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951);
 “ton” bruto registerton en, in die geval van ’n skip met dubbeltonnemaat, die hoogste tonnemaat.

Toepassing van regulasies

- Hierdie regulasies is van toepassing op ’n inspeksie, opneming, uitreiking van ’n sertifikaat of ander funksie wat ingevolge hierdie regulasies deur ’n opnemer of ander beamppte in diens van die Regering van die Republiek verrig word.

Deur wie gelde betaal moet word

- Die gelde voorgeskryf by hierdie regulasies vir die opneming of inspeksie van ’n vaartuig moet deur die eienaar of sy agent betaal word, en die gelde voorgeskryf vir enige ander diens of sertifikaat moet deur die persoon wat sodanige diens aanvra, betaal word.

Wanneer gelde betaal moet word

- Die gelde voorgeskryf in hierdie regulasies moet voor of na afhandeling van die inspeksie of opneming betaal word, al na die bevoegde beamppte besluit, en geen sertifikaat of ander dokument in hierdie regulasies bedoel mag uitgereik word nie tensy die voorgeskrewe gelde betaal is.
 - Indien die persoon wat ’n opneming, inspeksie of ander diens verlang, nie die afspraak kan nakom nie, moet hy die bevoegde beamppte ten minste 24 uur voor die vasgestelde tyd en datum in kennis stel van sy voorneme om ’n opneming, inspeksie of ander diens te kanselleer, by versuim waarvan die volle gelde vir sodanige opneming, inspeksie of diens betaalbaar is.

Aan wie gelde betaalbaar is

- Die gelde voorgeskryf in hierdie regulasies moet aan die bevoegde beamppte betaal word, wat aan die betaler ’n amptelike kwitansie vir die betaalde bedrag moet uitreik.

Uitreiking van sertifikate

- Behoudens die bepalings van subregulasie (2) en regulasies 15 en 23 (1) dek die gelde voorgeskryf in hierdie regulasies die uitreiking van die sertifikaat of ander dokument in hierdie regulasies bedoel.
 - ’n Bedrag van R20 is betaalbaar vir die uitreiking van ’n veiligheidsertifikaat, ’n laslynsertifikaat of ’n laslynvrystellingsertifikaat op grond van ’n ander opneming as een wat deur ’n beamppte in diens van die Regering van die Republiek gedoen is.
 - Wanneer ’n sertifikaat of ander dokument in duplo uitgereik word, word die duplikaat kosteloos verskaf.

- (4) Die gelde betaalbaar vir 'n afskrif van 'n sertifikaat of ander dokument in hierdie regulasies bedoel, is soos volg:
- Vir 'n afskrif van 'n veiligheidsertifikaat, 'n laslynsertifikaat of 'n laslynsvrystellingsertifikaat: R13.
 - Vir 'n afskrif van enige ander sertifikaat of ander dokument, behalwe waar anders bepaal in hierdie regulasies: R13.
- (5) 'n Afskrif bedoel in paragrafe (4) (a) en (b) word kosteloos verskaf aan 'n konsulêre of diplomatieke verteenwoordiger van die land aan wie die betrokke skip behoort.

DEEL A

GELDE VIR DIE REGISTRASIE VAN SKEPE

Gelde betaalbaar

7. Die gelde betaalbaar ingevolge die Regulasies in verband met die Registrasie van Skepe, 1989, is soos volg:

- (a) Inspeksie van skip se merke: Regulasie 8.

Die bedrag vir die inspeksie van die merke van 'n skip, ongeag die getal besoeke wat die opnemer nodig vind om die inspeksie te voltooi: R100. Geen afsonderlike bedrag is betaalbaar vir die inspeksie van die merke vanweë die verandering van die naam van die skip nie, indien daar ten tyde van die inspeksie 'n opname van die skip se tonnemaat gemaak word vir die doel van registrasie of herregistrasie.

- (b) Registrasie van skepe wanneer hulle die eerste keer in die Republiek geregistreer word: Regulasie 10.

Oordrag van registrasie van een hawe na 'n ander: Regulasie 12.

Registrasie opnuut by verandering van eiendomsreg: Regulasie 15.

Registrasie opnuut by verkoop van skip onder verkopingsertifikaat: Regulasie 16.

Registrasie opnuut as gevolg van veranderings aan skip: Regulasie 18:

Bruto tonnemaat van skip

	Bedrag
(i) 200 ton of minder	R130
(ii) Meer as 200 ton tot 1 000 ton.....	R195
(iii) Vir elke 500 ton of deel daarvan bo 1 000 ton.....	R65 tot 'n maksimum van R2 600.

- (c) Verlening van 'n nuwe registrasiesertifikaat in die plek van die oorspronklike wat verlê, verloor of vernietig is: Regulasie 14.

Registrasie van veranderings aan skip behalwe registrasie opnuut as gevolg van sodanige veranderings: Regulasie 18.

Oordrag of oorgang van eiendomsreg op skip: Regulasie 21.

Registrasie van verbandakte: Regulasie 23.

Registrasie van sessie-akte: Regulasie 24.

Registrasie van oorgang van belang by verband: Regulasie 25.

Registrasie van die aflos van 'n verband: Regulasie 25.

Volgens die bruto tonnemaat wat verteenwoordig word deur die skip wat oorgedra of verhipotekeer word of ten opsigte waarvan 'n nuwe sertifikaat uitgereik word:

Bruto tonnemaat van skip

	Bedrag
(i) 500 ton of minder	R66
(ii) Vir elke 1 000 ton of deel daarvan bo 500 ton.....	R30 tot 'n maksimum van R270.

In gevalle waar 'n aandeel in 'n skip oorgedra word, ens., is die gelde betaalbaar 'n bedrag (bereken tot die naaste rand) gelyk aan die eweredige deel van die belang verteenwoordig deur die aandeel wat oorgedra word, ens., van die totale bedrag wat betaal sou geword het indien die hele skip oorgedra was, ens. (bv. gelde betaalbaar vir 'n skip van 30 bruto registerton wat oorgedra word, R66; eenderde-aandeel in skip wat oorgedra word = $\frac{1}{3} \times R66 = R22$).

- (d) Opname van seewaardigheid, voor herregistrasie, van 'n skip waarvan die registrasie beëindig is: Regulasie 17.

Die gelde vir die opname en sertifisering is soos volg:

Bruto tonnemaat van skip

	Bedrag
(i) 500 ton of minder	R195
(ii) Meer as 500 ton tot 750 ton.....	R260
(iii) Meer as 750 ton tot 1 000 ton.....	R325
(iv) Vir elke 500 ton of deel daarvan bo 1 000 ton.....	R65 tot 'n maksimum van R3 250
(v) In die geval van pakskepe, ligters en sloepe wat nie ter see vaar nie	R65

- (e) Verlening van 'n tydelike pas in die plek van 'n registrasiesertifikaat: Regulasie 19: R30.

- (f) Inspeksie van register:

Regulasie 26 (1)..... R13

(Hierdie bedrag is in alle gevalle betaalbaar, ongeag of uittreksels gemaak word of nie).

- (g) Gesertifiseerde afskrifte van uittreksels uit die skip se register ten tyde van registrasie: Regulasie 26 (2): R25.

- (h) Gesertifiseerde afskrif van besonderhede van transaksies wat opgeteken word na registrasie:

Regulasie 26 (2)..... R13 vir elke bladsy van 90 woorde of deel daarvan.

- (i) Vir afskrifte van dokumente uitgereik of vereis ingevolge Hoofstuk II van die Wet en Regulasie 27: R25 vir elke afskrif.

DEEL B

GELDE VIR TONNEMAATOPMETING

Gelde betaalbaar

8. 'n Eienaar van 'n skip wat vir tonnemaat opgemeet word ooreenkomstig die Tonnemaatregulasies, 1986, moet aan die bevoegde beampte by die hawe waar die skip opgemeet word, die gelde betaal wat in regulasie 9 voorgeskryf word.

Opmeting van skepe vir bruto en netto tonnemaat

9. (1) Die gelde betaalbaar vir die opmeting van 'n skip ingevolge regulasie 8 is soos volg:

Geregistreeerde lengte van skip

	Gelde
(a) Minder as 24 meter.....	R325
(b) 24 meter en langer maar hoogstens 36 meter	R650
(c) Meer as 36 meter maar hoogstens 55 meter	R1 625
(d) Meer as 55 meter maar hoogstens 68 meter	R3 250
(e) Meer as 68 meter.....	R4 550.

- (2) In die geval van 'n skip wat in 'n vreemde hawe opgemeet is volgens 'n ooreenkoms met die regering van die land waarin daardie hawe geleë is of met 'n ander verantwoordelike organisasie of persoon, vir die doel van voorlopige registrasie of andersins, is die gelde wat vir die nasien van die tonnemaatberekening betaal moet word, R780.

- (3) In die geval van 'n vreemde skip wat by 'n Suid-Afrikaanse hawe geregistreer is, word geen gelde betaal nie, tensy 'n verandering in die vorm of inhoudsmaat van die skip aangebring is sedert die eerste opmeting, in welke geval die gelde voorgeskryf in subregulasie (4) of (5), na gelang van die geval, betaal moet word.

- (4) Wanneer 'n vreemde skip namens of volgens 'n ooreenkoms met die regering van 'n ander staat opgemeet word, is die gelde betaalbaar die gelde in subregulasie (1) voorgeskryf, behoudens 'n minimum van R780.

- (5) Die gelde vir heropmeting, waar heropmeting die berekening van die volume van die romp onder die bodek insluit, is die gelde in subregulasie (1) voorgeskryf.

- (6) Wanneer 'n skip heropgemeet word ten gevolge van enige verandering in die vorm of inhoudsmaat van 'n skip, wat nie 'n verandering is wat die volume van die romp onder die bodek raak nie, is die gelde betaalbaar soos volg:

Geregistreeerde lengte van skip

	Gelde
(a) Minder as 24 meter.....	R160
(b) 24 meter en meer maar hoogstens 55 meter	R325
(c) Meer as 55 meter.....	R650

- (7) Die gelde betaalbaar vir 'n gesertifiseerde afskrif van 'n tonnemaatsertifikaat wat ingevolge regulasie 4 van die Tonnemaatregulasies, 1986, uitgereik is, is R30.
- (8) In spesiale gevalle kan besonderhede van tonnemaatberekennings ooreenkomstig die Tonnemaatregulasies, 1986, aan die skeepseienaar of sy agent verskaf word by betaling van 'n bedrag van R30 per vel, behoudens 'n minimum bedrag van R150.
- (9) Die gelde betaalbaar ooreenkomstig hierdie regulasie dek die uitreiking van 'n tonnemaatsertifikaat en enige aantal besoeke aan die betrokke skip deur die opnemer vir die doel van elke opmeting of heropmeting.
- (10) Wanneer 'n skip van gelyke afmetings ("susterskip") as dié van 'n skip wat reeds ingevolge regulasie 4 van die Tonnemaatregulasies, 1986, opgemeet is, opgemeet word vir bruto en netto tonnemaat, is een vyfde van die bedrag voorgeskryf in subregulasie (1) betaalbaar.

DEEL C

GELDE VIR SEKERE OPNEMINGSDIENSTE

Opmeting van passasierskip vir veiligheidssertifikaat

10. (1) (a) Behoudens die bepaling van subregulasie (2) is die gelde betaalbaar vir die opneming van 'n passasierskip of vir 'n passasierskipveiligheidssertifikaat met of sonder 'n vrystellingsertifikaat of vir 'n plaaslike algemene veiligheidssertifikaat met of sonder 'n plaaslike veiligheidsvrystellingsertifikaat en die uitreiking van 'n rekord van veiligheidsuitrusting, indien wel, ingevolge artikel 192 van die Wet soos volg:

<i>Tonnemaat van skip</i>	<i>Gelde</i>
(i) 50 ton of minder, indien die skip geskik is om hoogstens 36 passasiers te vervoer	R350
(ii) 50 ton of minder, indien die skip geskik is om meer as 36 passasiers te vervoer	R550
(iii) Meer as 50 ton tot 100 ton	R850
(iv) Meer as 100 ton tot 300 ton	R1 250
(v) Meer as 300 ton tot 600 ton	R1 800
(vi) Meer as 600 ton tot 21 000 ton	R1 800 plus R39 vir elke 100 ton of deel daarvan bo 600 ton.
(vii) Meer as 21 000 ton	R9 750 plus R39 vir elke 100 ton of deel daarvan bo 21 000 ton.

- (b) Gemelde opneming dek—
- (i) twee besoeke wat 'n opnemer nodig kan hê om aan die betrokke skip te bring voordat hy sy verslag opstel; en
 - (ii) alle dele van daardie skip, maar uitgesonderd die opneming van die romp wanneer sodanige opneming vereis dat die skip in 'n droogdok opgeneem word, op 'n skeepshelling gesleep word of deur 'n sinchrohyser of hyskraan opgelig word, en voorts uitgesonderd die opneming van die radio-uitrusting.
- (2) Die gelde in subregulasie (1) voorgeskryf vermenigvuldig met 'n faktor van vier is betaalbaar vir die opneming van 'n nuut geboude passasierskip of 'n passasierskip wat herbou of opgeknap word vir die uitreiking of hernuwing, na gelang van die geval, van 'n sertifikaat in subregulasie (1) bedoel en dek—
- (a) agt besoeke wat die opnemer genoodsaak mag wees om aan daardie skip te bring voordat hy sy verslag opstel;
 - (b) die opneming van alle dele van daardie skip, met inbegrip van die romp in 'n droogdok, op 'n sinchrohyser of 'n skeepshelling of op land, maar uitgesonderd die opneming van radio-uitrusting; en
 - (c) die nagaan van daardie skip se tekeninge, wat aangebied moet word vir goedkeuring voordat enige bouwerk, herbouwerk of opknapping plaasvind.

- (3) Waar die geldigheid van 'n veiligheidssertifikaat in subregulasie (1) bedoel minder as 12 maande is:
- Een twaalfde van die geld bereken ooreenkomstig daardie subregulasie vir elke maand of deel van 'n maand, behoudens 'n minimum van een kwart van die geld bereken ooreenkomstig daardie subregulasie, maar minstens R115 vir 'n skip bedoel in paragraaf (a) of R125 vir 'n skip bedoel in paragraaf (b) of R240 vir 'n skip bedoel in paragraaf (c) daarvan of R585 vir enige ander skip, is betaalbaar.
- (4) Indien enige verdere besoeke benewens dié bedoel in subregulasie (2) nodig is voordat die opnemer se verslag opgestel kan word, is 'n bykomende bedrag van R100 per opnemer-uur of deel daarvan betaalbaar.
- (5) Behoudens regulasie 24 (3) en (4) sluit die gelde betaalbaar vir die opneming van 'n skip vir 'n veiligheidssertifikaat 'n laslynopneming in wat terselfdertyd as die opneming vir 'n veiligheidssertifikaat gedoen word.
- (6) Die gelde betaalbaar vir die uitreiking van 'n nuwe veiligheidssertifikaat om 'n bestaande veiligheidssertifikaat van dieselfde soort te vervang, is soos volg:
- (a) Om die grense te verlê of om bykomende grense aan te dui waarbinne die skip mag vaar: R195.
 - (b) Om die getal passasiers wat 'n skip mag vervoer, te verminder: R95.
 - (c) Om die getal passasiers wat 'n skip mag vervoer, te verhoog:
 - (i) Vir die eerste 200 ekstra passasiers of deel van sodanige getal: R780.
 - (ii) Vir elke bykomende 200 ekstra passasiers of deel van sodanige getal: R585.

Opneming van 'n ander skip as 'n passasierskip vir 'n vragskipveiligheidskonstruksiesertifikaat

- 11.** (1) Die gelde betaalbaar vir die opneming van 'n ander skip as 'n passasierskip vir 'n vragskipveiligheidskonstruksiesertifikaat ingevolge artikel 193 van die Wet met of sonder 'n vrystellingsertifikaat is soos volg:

Tonnemaat van skip	(a) Opneming vir eerste uitreiking van sertifikaat	(b) Opneming vir hernuwing van sertifikaat	(c) Tussentydse opneming gedurende geldigheidsstermyn van sertifikaat
(a) 500 ton of meer dog minder as 1 000 ton	R 4 875	R 780	R175
(b) 1 000 ton of meer dog minder as 1 500 ton	R 8 775	R1 000	R235
(c) 1 500 ton of meer dog minder as 2 000 ton	R11 700	R1 365	R290
(d) 2 000 ton of meer dog minder as 2 500 ton	R14 625	R1 660	R350
(e) 2 500 ton of meer dog minder as 3 000 ton	R17 550	R1 900	R410
(f) 3 000 ton of meer dog minder as 4 000 ton	R20 475	R2 110	R440
(g) 4 000 ton of meer dog minder as 5 000 ton	R23 400	R2 230	R525
(h) 5 000 ton of meer dog minder as 6 000 ton	R26 325	R2 405	R585
(i) 6 000 ton of meer dog minder as 7 000 ton	R29 250	R2 635	R640
(j) 7 000 ton of meer dog minder as 8 000 ton	R32 525	R2 700	R700
(k) 8 000 ton of meer dog minder as 9 000 ton	R35 100	R2 795	R760
(l) 9 000 ton of meer dog minder as 10 000 ton ...	R39 000	R2 795	R820
(m) 10 000 ton of meer	R42 900	R3 120	R880

- (2) Behoudens regulasie 23 (3) en (4) dek gelde betaalbaar vir die opneming van 'n skip vir 'n vragskipveiligheidskonstruksiesertifikaat die gelde vir 'n laslynopneming wat gelyktydig met die opneming vir daardie konstruksiesertifikaat uitgevoer word.
- (3) Indien 'n opnemer 'n opneming vir die uitreiking van 'n vragskipveiligheidskonstruksiesertifikaat uitvoer op 'n skip waarvan die kiel voor 26 Mei 1965 gelê is, is die gelde wat vir sodanige opneming betaalbaar is, vier maal die bedrag voorgeskryf in kolom (b) van die tabel in subregulasie (1).

- (4) Die gelde in subregulasie (1) voorgeskryf, dek twee besoeke wat die opnemer genoodsaak mag wees om aan die skip te bring voordat hy sy verslag opstel, en dek die opneem van alle dele van die skip, met inbegrip van die romp in 'n droogdok, indien sodanige opnemings gelyktydig geskied, maar uitgesonderd die opneming van die radio-installasies, en indien enige verdere besoeke nodig sou wees voor die opnemer se verslag opgestel word, is bykomende gelde betaalbaar teen R100 per opnemer-uur of deel daarvan.
- (5) Indien die geldigheidstermyn van 'n sertifikaat minder as vyf jaar is, kan die betaling van 'n bedrag minder as dié wat in subregulasie (1) voorgeskryf word maar wat eweredig is aan die hoeveelheid werk wat daarby betrokke is, toegelaat word: Met dien verstande dat sodanige bedrag minstens R975 moet bedra.

Opneming van 'n ander skip as 'n passasierskip vir 'n vragskipveiligheidsuitrustingsertifikaat

12. (1) (a) Behoudens die bepalings van subregulasie (2) is die gelde betaalbaar vir die opneming van 'n ander skip as 'n passasierskip vir die uitreiking van 'n vragskipveiligheidsuitrustingsertifikaat met of sonder 'n vrystellingsertifikaat of vir die inspeksie van sodanige skip vir 'n jaarlikse opneming, en die uitreiking van 'n rekord van veiligheidsuitrusting, indien wel, ingevolge artikel 193 van die Wet, soos volg:

Tonnemaat van skip

Geld

- | | |
|--|-------|
| (i) Tot en met 1 600 ton..... | R585 |
| (ii) Meer as 1 600 ton tot en met 3 000 ton..... | R780 |
| (iii) meer as 3 000 ton..... | R975. |

- (b) Gemelde opneming dek—

- (i) twee besoeke wat die opnemer genoodsaak mag wees om aan die skip te bring voordat hy sy verslag opstel, en
- (ii) die opneem van alle dele van daardie skip, met uitsondering van die radio-uitrusting.
- (2) (a) Die gelde voorgeskryf in subregulasie (1) vermenigvuldig met 'n faktor van vier is betaalbaar vir die opneming van 'n nuut geboude skip of 'n skip wat herbouing of opknapping ondergaan vir die uitreiking of hernuwing, na gelang van die geval, van die betrokke sertifikaat of inspeksie en dek—
- (i) agt besoeke wat 'n opnemer genoodsaak mag wees om aan daardie skip te bring voordat hy sy verslag opstel;
- (ii) die opneming van alle dele van die betrokke skip, maar uitgesonderd die opneming van radio-uitrusting; en
- (iii) die bestudering van daardie skip se tekeninge, wat aangebied moet word vir goedkeuring voordat enige bouwerk, herbouwerk of opknapping plaasvind.
- (3) Indien enige verdere besoeke benewens dié in subregulasies (1) en (2) bedoel nodig sou wees voor die opnemer se verslag opgestel kan word, is bykomende gelde betaalbaar teen R100 per opnemer-uur of deel daarvan.

Opneming van 'n ander vaartuig as 'n passasierskip vir 'n plaaslike veiligheidssertifikaat

13. (1) (a) Behoudens die bepalings van subregulasie (2) is die gelde betaalbaar vir die opneming van 'n ander skip as 'n passasierskip vir die uitreiking van 'n plaaslike algemene veiligheidssertifikaat met of sonder 'n plaaslike veiligheidsvrystellingsertifikaat en die uitreiking van 'n rekord van veiligheidsuitrusting, indien wel, ingevolge artikel 194 van die Wet, soos volg:

Beskrywing van vaartuig

Gelde

- | | |
|---|-------|
| (i) (aa) 'n Roeiboot van tot 6 meter lank..... | R30 |
| (bb) 'n Meganies aangedrewe of seilboot van tot 6 meter lank..... | R55 |
| (ii) 'n Vaartuig van langer as 6 meter maar minder as 25 ton..... | R80 |
| (iii) 'n Vaartuig van 25 ton of meer, tot en met 100 ton..... | R175 |
| (iv) 'n Vaartuig van meer as 100 ton, tot en met 500 ton..... | R350 |
| (v) 'n Vaartuig van meer as 500 ton, tot en met 1 600 ton..... | R550 |
| (vi) 'n Vaartuig van meer as 1 600 ton, tot en met 3 000 ton..... | R700 |
| (vii) 'n Vaartuig van meer as 3 000 ton..... | R975. |

- (b) Gemelde opneming dek—
- (i) twee besoeke wat 'n opnemer genoodsaak mag wees om aan die betrokke skip te bring voordat hy sy verslag opstel, en
 - (ii) die opneem van alle dele van daardie skip, met inbegrip van die opneming van die romp van 'n vaartuig op 'n sleepwa wanneer dit gelyktydig gedoen word, maar uitgesonderd—
 - (aa) die opneming van die romp wanneer sodanige opneming meebring dat die vaartuig in 'n droogdok opgeneem moet word, op 'n skeepshelling geplaas moet word of deur 'n sinchrohyser of hyskraan opgelig moet word; en
 - (bb) die opneming van die radio-uitrusting.
- (2) Die gelde voorgeskryf in subregulasie (1) vermenigvuldig met 'n faktor van vier is betaalbaar vir die opneming van 'n nuut geboude skip of 'n skip wat herbouing of opknapping ondergaan vir die uitreiking van die sertifikaat in subregulasie (1) bedoel, en dek—
- (a) agt besoeke wat 'n opnemer genoodsaak mag wees om aan daardie vaartuig te bring voordat hy sy verslag opstel;
 - (b) die opneming van alle dele van die betrokke vaartuig, met inbegrip van die romp in 'n droogdok, op 'n sinchrohyser of sleepstelling of op land indien sodanige opnemings gelyktydig gedoen word; en
 - (c) die bestudering van daardie vaartuig se tekeninge, wat aangebied moet word vir goedkeuring voordat enige bouwerk, herbouwerk of opknapping plaasvind, maar dit dek nie die opneming van radio-uitrusting nie.
- (3) Indien enige verdere besoeke benewens dié in subregulasies (1) en (2) bedoel nodig sou wees voor die opnemer se verslag opgestel kan word, is bykomende gelde betaalbaar teen R100 per opnemer-uur of deel daarvan.

Opneming van 'n skip in 'n droogdok

14. (1) Die gelde betaalbaar vir die eksterne en interne opneming van 'n vaartuig se romp wanneer sodanige opneming uitgevoer word in 'n droogdok of op 'n sinchrohyser of skeepshelling of op land, of terwyl die vaartuig dryf, en die uitreiking van 'n droogdoksertifikaat ingevolge die Wet, indien wel, is soos volg:

<i>Tonnemaat van skip</i>	<i>Gelde</i>
(a) Tot en met 50 ton	R45
(b) Meer as 50 ton tot en met 100 ton	R140
(c) Meer as 100 ton tot en met 500 ton	R235
(d) Meer as 500 ton tot en met 5 000 ton	R390
(e) Meer as 5 000 ton tot en met 10 000 ton	R585
(f) Meer as 10 000 ton	R700

- (2) Die gelde voorgeskryf in subregulasie (1) dek drie besoeke wat die opnemer genoodsaak mag wees om aan die skip te bring voordat hy sy verslag opstel, en daardie gelde sluit in 'n besoek aan 'n werkwinkel in 'n hawe vir die inspeksie van enige van daardie vaartuig se masjinerie wat in 'n werkwinkel geïnspekteer moet word: Met dien verstande dat indien verdere besoeke nodig is voordat 'n opnemer sy verslag kan opstel, bykomende gelde vir elke sodanige besoek betaalbaar is teen R100 per opnemer-uur of deel daarvan.

Inspeksie van die radio-installasie op 'n skip en die uitreiking van 'n veiligheidsertifikaat

15. (1) Die gelde betaalbaar ingevolge artikel 190 (3) van die Wet vir die inspeksie van die radio-installasie op 'n skip is soos volg:

<i>Tonnemaat van skip</i>	<i>Gelde</i>
(a) Hoogstens 1 600 ton	R100
(b) Meer as 1 600 ton	R290

- (2) Waar radio-inspeksies uitgevoer word buite die hawegebied van Kaapstad en Durban, is die toepaslike reis- en verblyftoelae in die Staatsdiens betaalbaar saam met die gelde voorgeskryf in subregulasie (1).
- (3) 'n Bedrag van R40 is betaalbaar vir die uitreiking van 'n vragskipveiligheidsradiotelegrafiesertifikaat, 'n vragskipveiligheidsradiotelefoniesertifikaat, of 'n vragskipveiligheidsradiosertifikaat ingevolge artikel 193 van die Wet met of sonder 'n vrystellingsertifikaat, na gelang van die geval, en van radio-uitrusting, indien wel.

- (4) 'n Bedrag van R60 is betaalbaar vir die uitreiking van 'n algehele radio-installasievystellingsertifikaat.
- (5) Die gelde in subregulasie (1) hiervan voorgeskryf, dek twee besoeke wat die opnemer genoodsaak mag wees om aan die skip te bring voordat hy sy verslag opstel, en indien enige verdere besoeke nodig sou wees voor die opnemer se verslag opgestel kan word, is bykomende gelde betaalbaar teen R100 per opnemer-uur of deel daarvan.
- (6) Belasting op toegevoegde waarde word ingevolge artikel 7 van die Wet op Belasting op Toegevoegde Waarde, 1991 (Wet No. 89 van 1991), gehef op gelde wat in hierdie regulasie voorgeskryf word.

Inspeksie van reddingstoestelle

- 16.** (1) Die gelde betaalbaar vir inspeksie tydens konstruksie, vir die sertifisering of hersertifisering van 'n boot of drywende toestel, en die uitreiking van 'n inspeksieverslag ingevolge artikel 190 van die Wet, is soos volg:

Beskrywing van vaartuig

	Gelde
(a) 'n Boot, uitgesonderd 'n motorboot, van hoogstens 6 meter lank.....	R40
(b) 'n Boot, uitgesonderd 'n motorboot, van meer as 6 meter lank en—	
(i) gesertifiseer om tot 60 persone te vervoer	R80
(ii) gesertifiseer om tot 60 persone tot en met 85 persone te vervoer	R100
(iii) gesertifiseer om meer as 85 persone te vervoer	R155
(c) 'n Motorboot van enige grootte	R195
(d) Drywende toestelle	R30 per toestel met 'n minimum van R60 per inspeksie.

(2) Die gelde betaalbaar vir die inspeksie en stempel van reddingsbuis by die vervaardiger of opnemer se perseel is as volg:

(a) Per reddingsbuis	R1,00
(b) Minimum gelde per inspeksie	R50.

(3) Die gelde betaalbaar vir die ondersoek van die ontwerp van 'n reddingstoestel, inspeksie van die eerste toestel wat volgens sodanige ontwerp vervaardig is en, indien verlang, die uitreiking van 'n sertifikaat van goedkeuring, is soos volg:

Beskrywing van toestel

	Gelde
(a) Drywende toestel.....	R290
(b) Reddingsboeilig.....	R195
(c) Reddingsboei	R235
(d) Reddingsbuis	R195
(e) Lynwerptoestel	R390
(f) Pirotegniese noodseintoerusting	R195
(g) Reddingsvlot	R975.

(4) Vir die toepassing van subregulasie (1) beteken "boot" 'n reddingsboot of enige ander boot wat op 'n skip moet wees en wat vir gebruik as reddingstoestel bedoel is.

(5) Die gelde betaalbaar vir diens ingevolge die Wet by 'n reddingsvlotdiensstasie op versoek van die diensstasie of die gesagvoerder of eienaar van die vaartuig waaraan die reddingsvlot behoort, is R100 per diens.

(6) Die gelde betaalbaar vir die uitreiking van 'n sertifikaat van goedkeuring ingevolge artikel 190 van die Wet met die goedkeuring van 'n ander bevoegde owerheid is R50.

Inspeksie van brandtoestelle

- 17.** (1) Die gelde betaalbaar vir die inspeksie van en bywoning van toetse van brandblussers, brandopsporingsapparaat, rookhelms en asemhaalapparaat, brandpompeenhede, sproeikoppe en soortgelyke toestelle ingevolge artikel 190 van die Wet is soos volg:

- (a) Inspeksie en bywoning van toetse van 'n prototipe van 'n brandtoestel of 'n brandtoestel wat na wysiging opnuut voorgelê word:

Tipe inspeksie

	Gelde
(i) Vir die eerste inspeksie.....	R195
(ii) Vir elke daaropvolgende inspeksie per opnemer-uur of gedeelte daarvan	R100.

- (b) Inspeksie van planne vir 'n toestel waarvan die prototipe namens die vervaardiger deur die Departement van Vervoer getoets en goedgekeur is ingevolge die Regulasies betreffende Reddingsuitrusting, 1968, welke planne voorgelê word met die oog op die goedkeuring van produksie van sodanige toestel onder 'n handelsnaam: R175.
- (2) Die gelde betaalbaar vir die uitreiking van 'n sertifikaat van goedkeuring ingevolge die regulasies bedoel in subregulasie (1) (b) gegrond op die goedkeuring van enige ander bevoegde owerheid is R50.

Inspeksie van plofstofmagasyn, van die stuwling van plofstowwe of van afdelings vir die stuwling van plofstowwe en ander gevaarlike goedere in die Wet omskryf

18. 'n Bedrag van R120 is betaalbaar ingevolge die Regulasies in verband met die Veiligheid van die Navigasie, 1968, vir die inspeksie van—
- (1) 'n plofstofmagasyn (permanent of verskuifbaar);
 - (2) die stuwling van plofstowwe; of
 - (3) afdelings;

met die oog op die bepaling van hulle geskiktheid vir die stuwling van plofstowwe of ander gevaarlike goedere in die Wet omskryf, en vir die uitreiking van 'n inspeksiesertifikaat.

Inspeksie van akkommodasie vir bemanning

19. (1) Die bedrag betaalbaar vir die uitreik van 'n sertifikaat ooreenkomstig regulasies 37 en 38 van die Regulasies op Akkommodasie vir Bemanning, 1961, en die afmerking van akkommodasie voor registrasie of herregistrasie is R13 per kompartement: Met dien verstande dat 'n maksimum bedrag van R312 en 'n minimum bedrag van R52 betaalbaar is.
- (2) Die gelde betaalbaar vir die inspeksie van akkommodasie van die bemanning as gevolg van 'n klagte oor sodanige akkommodasie ingevolge artikel 162 van die Wet is R52 per inspeksie: Met dien verstande dat geen gelde betaalbaar is nie indien daar na die mening van die beampte wat sodanige ondersoek doen, geen redelike grond vir die klag was nie.

Graanvragte

20. Die gelde betaalbaar vir die ondersoek of inspeksie ten opsigte van graanvragte ingevolge die Regulasies in verband met die Veiligheid van die Navigasie, 1968, is soos volg:

Onderzoek of inspeksie	Gelde
(1) Die eerste ondersoek en goedkeuring van 'n graanladingsplan vir 'n skip	R485
(2) Die ondersoek en goedkeuring van 'n graanladingsplan vir 'n susterskip met inrigtings wat soortgelyk is aan dié in 'n skip in subregulasie (1) bedoel.....	R195
(3) Die ondersoek en goedkeuring van 'n graanladingsplan wat gewysig is as gevolg van veranderings aangebring in die skip of die inrigtings daarvan na goedkeuring van die oorspronklike planne	R325
(4) Die inspeksie by eerste installering van toebehore wat by 'n graanladingsplan nodig is	R140
(5) Die aanvanklike inspeksie van 'n skip en uitreiking van 'n geskiktheidsertifikaat om graan te laai, en die finale inspeksie en uitreiking van 'n graanlaaisertifikaat, vir elke 1 000 ton vrag of gedeelte daarvan, onderworpe aan 'n maksimum van R650	R100.

Opneming van onseewaardige skepe

21. (1) Die gelde betaalbaar indien 'n skip ingevolge artikel 244 van die Wet geïnspekteer word en daar bevind word dat dit te swaar gelaai is of nie behoorlik gelaai is nie of onvoldoende beman is of dat die uitrusting, romp of masjinerie ernstig defek is of dat die skip om enige ander rede onseewaardig is, en indien sodanige skip gevolglik aangehou word, is soos volg:

Tonnemaat	Gelde
(a) Minder as 25 ton	R60
(b) 25 ton tot en met 500 ton	R175
(c) Oor 500 ton tot en met 750 ton.....	R290
(d) Oor 750 ton tot en met 1 000 ton.....	R390
(e) Oor 1 000 ton.....	R650.

- (2) Indien 'n skip aangehou word omdat dit nie gemerk of nie behoorlik met laslyne gemerk is nie, of versuim om 'n vervalte laslynsertifikaat te oorhandig, is 'n bedrag van R65 vir elke inspeksie van sodanige skip betaalbaar: Met dien verstande dat die totale bedrag aldus betaalbaar hoogstens R520 mag wees.

Dekvrage hout

22. Vir die inspeksie van die toebehore, die stuwng en die bevestiging van dekvragte hout is 'n bedrag van R100 betaalbaar vir elke besoek aan 'n skip, onderworpe aan 'n minimum bedrag van R200 per skip.

Gedeeltelike inspeksies, nie deur enige van die ander bepalings van hierdie regulasies gedek nie

23. (1) In die geval van 'n vaartuig waarvoor een van die veiligheidsertifikate in artikel 2 van die Wet omskryf, vereis word, is die gelde betaalbaar vir 'n gedeeltelike inspeksie op versoek van die eienaar, uitgesonderd 'n opneming waarvoor daar ingevolge enige ander bepaling van hierdie regulasies voorsiening gemaak word, en vir die uitreiking, waar van toepassing, van 'n inspeksiesertifikaat of endossement van die rekord van veiligheidsuitrusting, soos volg:

Tonnemaat van vaartuig**Gelde**

- | | |
|---|-------|
| (a) Minder as 25 ton | R45 |
| (b) 25 ton of meer, tot en met 100 ton | R60 |
| (c) Meer as 100 ton, tot en met 500 ton | R75 |
| (d) Meer as 500 ton | R100. |
- (2) Die gelde in subregulasie (1) voorgeskryf, is betaalbaar vir die inspeksie van 'n vaartuig om vas te stel of geringe defekte wat in die loop van 'n roetine-inspeksie gevind is, reggestel is.
- (3) Indien 'n vaartuig op versoek van die eienaar geïnspekteer word om 'n uitbreiding van 'n veiligheidsertifikaat of 'n laslynsertifikaat te verkry, is 'n bedrag betaalbaar gelykstaande met 50% van die bedrag betaalbaar ingevolge die verskillende toepaslike bepalings van hierdie regulasies vir die volle opneming wat nodig is vir die uitreiking van sodanige veiligheidsertifikaat of laslynsertifikaat.
- (4) Waar planne of tekeninge ten opsigte van konstruksie of veranderings wat nie deur enige van die ander bepalings van hierdie regulasies gedek word nie, aangebied word vir ondersoek of goedkeuring, is 'n bedrag van R100 per opnemer-uur of deel daarvan betaalbaar vir die werk verbonde aan die nagaan of goedkeuring van hierdie planne of tekeninge.
- (5) (a) Die gelde betaalbaar vir die inspeksie en goedkeuring van 'n vaartuig se stabiliteitsboek of stabiliteitsopgawe ingevolge die Regulasies in verband met die Veiligheid van die Navigasie, 1968, is soos volg:

Tonnemaat van skip**Gelde**

- | | |
|--|-------|
| (i) Tot en met 100 ton | R100 |
| (ii) Meer as 100 ton tot en met 500 ton | R150 |
| (iii) Meer as 500 ton tot en met 1 600 ton | R250 |
| (iv) Meer as 1 600 ton | R500. |
- (b) Die gelde voorgeskryf in paragraaf (a) dek die oorspronklike voorlegging en inspeksie en een hervoorlegging en inspeksie van daardie boek of daardie staat, en indien verdere hervoorleggings en inspeksies van daardie boek of daardie staat nodig is voor goedkeuring, is 'n bykomende bedrag van R100 per hervoorlegging en inspeksie betaalbaar.
- (c) Die gelde betaalbaar vir die dienste van 'n opnemer om 'n hellingstoets waar te neem en te verifieer is R100 per opnemer-uur of deel daarvan.

Opneming van 'n skip vir 'n laslynsertifikaat

24. (1) Behoudens subregulasie (2) tot en met (9) is die gelde betaalbaar vir die opneming van 'n skip vir 'n laslynsertifikaat met of sonder 'n laslynvrystellingsertifikaat ingevolge die Wet soos volg:

Tonnemaat van skip	Gelde	
	1 Opneming vir eerste uitreiking of hernuwing van sertifikaat	2 Tussentydse opneming
(a) Minder as 50 ton	R 285	R50
(b) 50 ton of meer dog minder as 150 ton	R 545	R90
(c) 150 ton of meer dog minder as 300 ton	R 755	R110
(d) 300 ton of meer dog minder as 500 ton	R 995	R135
(e) 500 ton of meer dog minder as 1 000 ton	R1 275	R175

Tonnemaat van skip	Gelde	
	1 Opneming vir eerste uitreiking of hernuwing van sertifikaat	2 Tussentydse opneming
(f) 1 000 ton of meer dog minder as 1 500 ton.....	R1 660	R225
(g) 1 500 ton of meer dog minder as 2 000 ton.....	R1 890	R265
(h) 2 000 ton of meer dog minder as 2 500 ton.....	R2 160	R265
(i) 2 500 ton of meer dog minder as 3 000 ton.....	R2 420	R265
(j) 3 000 ton of meer dog minder as 4 000 ton.....	R2 665	R310
(k) 4 000 ton of meer dog minder as 5 000 ton.....	R2 925	R350
(l) 5 000 ton of meer dog minder as 6 000 ton.....	R3 200	R350
(m) 6 000 ton of meer dog minder as 7 000 ton.....	R3 430	R350
(n) 7 000 ton of meer dog minder as 8 000 ton.....	R3 695	R350
(o) 8 000 ton of meer dog minder as 9 000 ton.....	R3 950	R350
(p) 9 000 ton of meer dog minder as 10 000 ton.....	R4 210	R350
(q) 10 000 ton of meer.....	R4 390	R350

- (2) (a) Die gelde in kolom 1 van die tabel in subregulasie (1) voorgeskryf, dek twee besoeke wat die opnemer genoodsaak mag wees om aan die skip te bring voordat hy sy verslag opstel.
- (b) Sou verdere besoeke nodig wees voordat die verslag opgestel word, is die volgende addisionele gelde betaalbaar: Een vyfde van die gelde voorgeskryf in kolom 1 van subregulasie (1) bereken teen R100 per opnemer-uur of 'n gedeelte daarvan.
- (c) Waar 'n opnemer dit nodig vind om meer as een besoek aan 'n skip van meer as 300 ton te bring vir die doeleindes van 'n onmiddellike opneming, moet die gelde voorgeskryf in kolom 2 van subregulasie (1) met 25% verhoog word.
- (3) Wanneer 'n opnemer 'n opneming vir die uitreiking of hernuwing van 'n laslynsertifikaat uitvoer en die opneming gelyktydig met die opneming vir 'n passasierskipveiligheidsertifikaat of 'n vragskipveiligheidskonstruksiesertifikaat geskied, is die helfte van die bedrag van toepassing op daardie skip soos in kolom 1 van die tabel in subregulasie (1) uiteengesit, betaalbaar.
- (4) Wanneer 'n opnemer 'n tussentydse opneming gelyktydig met 'n opneming vir 'n passasierskipveiligheidsertifikaat of 'n vragskipveiligheidskonstruksiesertifikaat uitvoer, is geen gelde betaalbaar nie.
- (5) Wanneer 'n opnemer 'n gedeeltelike opneming vir verandering van vryboord as gevolg van geringe wysigings van 'n skip uitvoer, is die gelde in kolom 2 van die tabel in subregulasie (1) betaalbaar.
- (6) Wanneer 'n opnemer in 'n uitsonderlike geval 'n gedeeltelike opneming uitvoer vir die uitreiking of hernuwing van 'n laslynsertifikaat waarvan die geldigheidsduur 12 maande of minder is, is die helfte van die gelde uiteengesit in kolom 1 van die tabel in subregulasie (1) betaalbaar.
- (7) 'n Bedrag van R100 is betaalbaar vir die verskaffing van inligting betreffende die waterdiepgang van 'n skip wat van 'n Suid-Afrikaanse hawe af op 'n besondere reis vaar.
- (8) Die gelde in kolom 1 van die tabel in subregulasie (1) is betaalbaar vir 'n voorlopige aanwysing van vryboord: Met dien verstande dat geen geld vir 'n daaropvolgende opneming vir die eerste uitreiking van die laslynsertifikaat betaalbaar is nie.
- (9) 'n Bedrag van R100 is betaalbaar vir die uitreiking van 'n algehele laslynvystellingsertifikaat.

Konsultasiedienste

25. (1) Wanneer 'n eienaar, skeepsbouer of maatskappy enige konsultasiediens aanvra, is die voorgeskrewe gelde ten opsigte van daardie diens betaalbaar.
- (2) Indien enige diens wat aangevra is, nie hierbo volledig gespesifiseer is nie, is die gelde daarvoor R120 per opnemer-uur of deel daarvan.
- (3) Wanneer 'n eienaar, skeepsbouer of maatskappy versoek dat 'n eerste beampte of opnemer die vereistes uiteengesit in 'n regulasie vir 'n spesifieke klas of kategorie vaartuig vertolk, is 'n bedrag van R40 per uur betaalbaar.

DEEL D**GELDE TEN OPSIGTE VAN EKSAMENS VIR: BEKWAAMHEID- EN BEVOEGDHEIDSERTIFIKATE, EN KOMPASSTELLERS: DIE VERLEEN VAN VRYSTELLINGS EN GESIGSTOETSE****Wanneer gelde betaal moet word**

- 26.** (1) 'n Kandidaat wat die eksamen vir 'n bekwaamheidsertifikaat ingevolge die Wet wil aflê, moet minstens twee weke voor die datum van die eksamen 'n aansoekvorm in tweevoud invul en die gelde betaal wat in hierdie Deel voorgeskryf word, en geen kandidaat mag toegelaat word om die eksamen af te lê nie tensy hy die kwitansie vir die betaalde geld aan die eksaminator toon.
- (2) 'n Kandidaat wat aansoek doen om vrystelling van 'n deel van die eksamen vir enige graad of klas van 'n bekwaamheidsertifikaat, moet 'n aansoekvorm in tweevoud invul, die gelde betaal wat in hierdie Deel voorgeskryf word vir die deel van die eksamen waarvoor hy vrystelling verlang, en twee afskrifte van sy vrystellende kwalifikasie voorlê, en daar kan te eniger tyd na voltooiing van sy kadetskap of vakleerlingskap aldus aansoek gedoen word.
- (3) 'n Kandidaat wat 'n eksamen vir 'n bekwaamheidsertifikaat of 'n eksamen vir 'n gesigstoets wil aflê, moet die gelde betaal wat in hierdie Deel voorgeskryf word, voordat die eksamen plaasvind.
- (4) 'n Kandidaat wat aansoek doen om vrystelling vir enige graad of klas van bekwaamheidsertifikaat, moet die gelde betaal wat in hierdie Deel voorgeskryf word, voordat die aansoek oorweeg sal word.

Waar gelde betaal moet word

- 27.** Die gelde vir 'n eksamen of vrystelling moet aan die naaste bevoegde beampte betaal word, wat 'n kwitansie moet uitreik met vermelding van—
- (a) die naam van die kandidaat;
- (b) die bedrag wat betaal is; en
- (c) die sertifikaat waarvoor die kandidaat geëksamineer word, of die graad of klas sertifikaat waarvan die kandidaat vrystelling verlang.

Terugbetaling van gelde

- 28.** (1) As 'n kandidaat weens omstandighede buite sy beheer nie 'n eksamen kan aflê waarvoor gelde ingevolge hierdie Deel betaal is nie, kan hy skriftelik by die bevoegde beampte aansoek doen om die terugbetaling van gelde, en indien daardie bevoegde beampte van mening is dat die aansoek op redelike gronde berus, stuur hy dit deur na die Direkteur-generaal, wat die terugbetaling kan magtig.
- (2) Indien 'n kandidaat as gevolg van doofheid of 'n ander liggaamlike of geestelike gebrek nie 'n eksamen kan aanpak of voltooi nie, kan hy skriftelik by die bevoegde beampte aansoek doen om terugbetaling van die geld wat deur hom betaal is, en sodanige geld moet aan hom terugbetaal word.
- (3) Indien 'n kandidaat wat die voorgeskrewe gelde ingevolge hierdie Deel vir 'n eksamen vir 'n bekwaamheidsertifikaat of 'n endossement betaal het, een of albei dele van die gesigstoets vir vorm en kleur drup en verkies om nie die res van die eksamen te voltooi nie, kan hy skriftelik by die bevoegde beampte aansoek doen om terugbetaling van die geld wat deur hom betaal is, en sodanige geld, min R10, moet aan hom terugbetaal word.
- (4) Indien 'n kandidaat in enige deel van die eksamen drup, word behoudens die bepalinge van hierdie regulasie geen deel van die geld aan hom terugbetaal nie.
- (5) Indien die aansoek om 'n dienssertifikaat of om vrystelling misluk, word die bedrag wat deur die applikant betaal is, min R10, aan hom terugbetaal.

Tabel van gelde: Eksamen vir bekwaamheidsertifikate vir (1) vissermanne en (2) seemasjinite

- 29.** (1) (a) Die gelde betaalbaar vir die eksamen vir bekwaamheidsertifikate vir vissermanne ingevolge die Wet is soos volg:

Vissermanne**Gelde**

(i) Visserman Graad 4.....	R45
(ii) Visserman Graad 3.....	R70
(iii) Visserman Graad 2.....	R100
(iv) Visserman Graad 1.....	R125.

- (b) (i) Die gelde voorgeskryf in subregulasie (1) sluit in die gelde vir die eksamen in seinwerk indien dit terselfdertyd as die res van die eksamen gedoen word.
- (ii) Indien 'n kandidaat net in die skriftelike deel of die mondelinge deel van daardie eksamen hereksamineer word, is die helfte van die gelde voorgeskryf in subregulasie (1) betaalbaar en dit sluit in 'n hereksamen in seinwerk indien dit terselfdertyd gedoen word.
- (c) As 'n kandidaat in die seinwerkdeel van die eksamen afsonderlik hereksamineer word, is 'n bedrag van R30 vir elke eksamen betaalbaar.
- (d) 'n Bedrag van R10 is betaalbaar vir die aflê van die gesigstoetse vir kleur en vorm ingevolge die Eksamenregulasies vir Bekwaamheidsertifikate vir Vissermanne, 1993 maar as die toets gelyktydig met die eksamen vir 'n bekwaamheidsertifikaat afgelê word, is geen gelde betaalbaar nie.
- (2) Die gelde betaalbaar vir die eksamen vir bekwaamheidsertifikate vir seemasjiniste ingevolge die Wet is soos volg:

Seemasjiniste	Gelde
(i) Seemasjinis Graad 3	R45
(ii) Seemasjinis Graad 2	R70
(iii) Seemasjinis Graad 1	R100
(iv) Seemasjinis Hoër Graad	R130.

- (3) 'n Bedrag van R50 is betaalbaar vir die uitreiking van 'n gewaarmerkte afskrif van 'n verlore, geskende of beskadigde bekwaamheidsertifikaat: Met dien verstande dat geen bedrag betaalbaar is nie indien die sertifikaat deur skipbreuk of brand aan boord van 'n skip verlore, geskend of beskadig geraak het.

Geldetabel: Eksamen vir bekwaamheidsertifikaat vir ingenieuroffisiere

- 30.** (1) Die gelde betaalbaar vir 'n eksamen vir 'n bekwaamheidsertifikaat vir ingenieuroffisiere ingevolge die Wet is soos volg:
- (a) Bekwaamheidsertifikaat as Marine-ingenieuroffisier Klas 4 of endossement:
- | | |
|---|------|
| (i) Die volle eksamen vir 'n sertifikaat (stoom, motor of stoom en motor) ... | R130 |
| (ii) Deel van die eksamen | R65 |
| (iii) Eksamen vir endossement (stoom of motor) | R65. |
- (b) Bekwaamheidsertifikaat as Marine-ingenieuroffisier Klas 3 of endossement:
- | | |
|---|------|
| (i) Die volle eksamen vir 'n sertifikaat (stoom, motor of stoom en motor) ... | R150 |
| (ii) Deel van die eksamen | R75 |
| (iii) Eksamen vir endossement (stoom en motor) | R75. |
- (c) Bekwaamheidsertifikaat as Marine-ingenieuroffisier Klas 2 of endossement:
- | | |
|---|------|
| (i) Die volle eksamen vir 'n sertifikaat (stoom, motor of stoom en motor) ... | R180 |
| (ii) Deel A of Deel B of 'n gedeelte van enige deel | R90 |
| (iii) Eksamen vir endossement (stoom of motor) | R90. |
- (d) Bekwaamheidsertifikaat as Marine-ingenieuroffisier Klas 1 of endossement:
- | | |
|---|-------|
| (i) Die volle eksamen vir 'n sertifikaat (stoom, motor of stoom en motor) ... | R230 |
| (ii) Deel A of Deel B of 'n gedeelte van enige deel | R115 |
| (iii) Eksamen vir endossement (stoom of motor) | R115. |
- (e) Bekwaamheidsertifikaat as Hoofingenieuroffisier (Spesiale Graad):
- | | |
|--|-------|
| (i) Die volle eksamen vir 'n sertifikaat | R450 |
| (ii) Deel A of Deel B | R225. |
- (2) 'n Kandidaat wat die houer is van 'n vrystellende kwalifikasie vir 'n deel van die eksamen, moet die volle bedrag betaal by die eerste poging vir 'n deel van sodanige eksamen, en indien daardie poging onsuksesvol is, moet hy by hereksaminering die bedrag vir net 'n deel van die eksamen betaal.

- (3) 'n Bedrag van R30 is betaalbaar vir die uitreiking van 'n bekwaamheidsertifikaat in die formaat voorgeskryf by regulasie 15 van die Regulasies betreffende die Bemanning van Suid-Afrikaanse Skepe, 1985, aan die houer van 'n gelykwaardige bekwaamheidsertifikaat uitgereik voor die inwerkingtreding van die Wysiging van die Eksamenregulasies vir Ingenieuramptenare, 1985, afgekondig by Goewermentskenningsgewing No. R. 38 van 10 Januarie 1989.
- (4) 'n Bedrag van R50 is betaalbaar vir die uitreiking van 'n gewaarmerkte afskrif van 'n verlore, geskonde of beskadigde bekwaamheid- of dienssertifikaat: Met dien verstande dat geen bedrag betaalbaar is nie indien die sertifikaat as gevolg van skipbreuk of brand aan boord van 'n skip verlore, geskend of beskadig geraak het nie.
- (5) 'n Bedrag van R25 is betaalbaar vir 'n gevaarlikevragendossement op 'n bekwaamheidsertifikaat.

Tabel van gelde: Eksamen vir bekwaamheidsertifikaat vir dekkoffisiere

- 31.** (1) Die gelde betaalbaar vir eksaminering vir 'n bekwaamheidsertifikaat vir dekkoffisiere ingevolge die Wet is soos volg:
- | | |
|---|-----------|
| (a) Klas 6: Die hele eksamen | R70 |
| (b) Klas 5: Die hele eksamen | R100 |
| (c) Klas 4: Die hele eksamen | R130 |
| (d) Klas 3: Die hele eksamen | R155 |
| (e) Klas 2: Die hele eksamen | R180 |
| (f) Klas 1: Die hele eksamen | R230 |
| (g) Gesagvoerder (Beperkte handel)-endossement | R100 |
| (h) Gesagvoerder (Kortseehandel)-endossement | R70 |
| (i) Gesagvoerder Spesiale Graad: Deel A en B..... | R260 elk. |
| (j) Vir eksaminering vir kredietvakke, vir hereksaminering in die mondelinge eksamen, of vir die eksamen in 'n uitgestelde vak:
50% van die voorgeskrewe geld. | |
| (k) Vir 'n kandidaat wat die eksamen aflê ingevolge regulasie 3.15.1 van die Eksamenregulasies vir Bekwaamheidsertifikate vir Dekkoffisiere, 1985:
Die volle eksamengeld vir die betrokke eksamen voorgeskryf in die gemelde regulasie 3.15.1 plus twee derdes van die eksamengeld vir die hoër graad eksamen. | |
| (l) Vir 'n kandidaat bedoel in regulasie 3.15.2 van die Eksamenregulasies vir Bekwaamheidsertifikate vir Dekkoffisiere, 1985:
Een derde van die eksamengeld voorgeskryf in gemelde regulasie 3.15.2. | |
| (m) Vir die hergeldigmaking van 'n bekwaamheidsertifikaat deur eksaminering:
25% van die gelde vir die kwalifiserende eksamen. | |
- (2) 'n Bedrag van R10 is betaalbaar vir die gesigstoetse vir kleur en vorm: Met dien verstande dat wanneer sodanige toetse en die eksamen vir 'n bekwaamheidsertifikaat of endossement terselfdertyd plaasvind, geen afsonderlike bedrag vir sodanige toetse betaalbaar is nie.
 - (3) 'n Bedrag van R30 is betaalbaar vir die uitreiking van 'n bekwaamheidsertifikaat in die formaat voorgeskryf in regulasie 15 van die Regulasies op die Bemanning van Suid-Afrikaanse Skepe, 1985, aan die houer van 'n gelykwaardige bekwaamheidsertifikaat uitgereik voor die inwerkingtreding van die Wysiging van die Eksamenregulasies vir Dekkoffisiere, 1985, afgekondig by Goewermentskenningsgewing No. R. 37 van 10 Januarie 1989.
 - (4) 'n Bedrag van R50 is betaalbaar vir die uitreiking van 'n gewaarmerkte afskrif van 'n verlore, geskonde of beskadigde bekwaamheidsertifikaat of dienssertifikaat: Met dien verstande dat geen bedrag betaalbaar is nie indien die sertifikaat as gevolg van skipbreuk of brand aan boord van 'n skip verlore, geskend of beskadig geraak het.
 - (5)
 - (a) Die bedrag in subregulasie (1) (a), (b), (c), (d), (e) of (f) sluit die bedrag vir die seinwerk-eksamen in as die eksamen en die eksamen vir 'n bekwaamheidsertifikaat terselfdertyd afgelê word.
 - (b) As kandidate die eksamen in seinwerk afsonderlik van een of albei dele van die eksamen vir 'n bekwaamheidsertifikaat aflê, is 'n spesiale bedrag van R40 vir elke eksamen betaalbaar.
 - (6) Gelde van R25 is betaalbaar vir 'n gevaarlikevragendossement op 'n bekwaamheidsertifikaat.

Tabel van gelde: Eksamen vir bekwaamheidsertifikaat vir klein vaartuie

- 32.** (1) Die gelde betaalbaar vir die eksamen vir 'n bekwaamheidsertifikaat vir klein vaartuie ingevolge die Wet is soos volg:
- | | |
|---|------|
| (a) Vir die eksamen vir 'n bekwaamheidsertifikaat as skipper van 'n vaartuig van minder as 25 ton | R35 |
| (b) Vir die uitreik van 'n bekwaamheidsertifikaat as skipper van 'n vaartuig van minder as 25 ton op grond van 'n goedgekeurde agent-slaagpunt in die eksamen | R20 |
| (c) Vir die uitreiking van 'n gewaarmerkte afskrif van 'n verlore bekwaamheidsertifikaat | R13. |
- (2) 'n Bedrag van R10 is betaalbaar vir die gesigstoetse vir kleur en vorm: Met dien verstande dat indien sodanige toetse en die eksamens bedoel in subparagrafe (1) (a) en (b) terselfdertyd plaasvind, geen afsonderlike bedrag betaalbaar is nie.

Tabel van gelde: Eksamen vir bevoegdheidsertifikaat

- 33.** (1) Die gelde betaalbaar vir eksaminering vir 'n bevoegdheidsertifikaat ingevolge artikel 112 van die Wet is soos volg:
- | | |
|---|------|
| (a) Vir eksamen vir 'n bekwaamheidsertifikaat in oorlewingsvaartuie | R35 |
| (b) Vir 'n eksamen vir 'n sertifikaat as bekwame dekseeman | R35 |
| (c) Vir 'n eksamen vir 'n sertifikaat as bekwame masjienkamerseeman | R35 |
| (d) Vir die toekenning van 'n sertifikaat as bekwame kok | R25 |
| (e) Vir die endossement van 'n addisionele kwalifikasie | R13. |
- (2) Die helfte van die gelde voorgeskryf in subregulasie (1) is betaalbaar vir die uitreiking van 'n bevoegdheidsertifikaat waar die kandidaat vir daardie sertifikaat suksesvol was in die eksamen wat deur 'n eksaminator, ingevolge artikel 77 (4) van die Wet, aangestel, afgeneem is.
- (3) Geen gelde is betaalbaar nie vir 'n hereksamen ooreenkomstig regulasie 35 (2) van die Regulasies betreffende Bevoegdheidsertifikate, 1985.
- (4) 'n Bedrag van R15 is betaalbaar vir die uitreiking van 'n gewaarmerkte afskrif van 'n verlore, geskende of beskadigde bevoegdheidsertifikaat: Met dien verstande dat geen sodanige bedrag betaalbaar is nie indien die sertifikaat deur skipbreuk of brand aan boord van 'n skip verlore, geskend of beskadig geraak het.

Tabel van gelde: Eksamen vir bekwaamheidsertifikaat as stuurman (Reddingsvaartuie)

- 34.** (1) Die gelde betaalbaar vir die eksamen vir die volgende bekwaamheidsertifikate ingevolge artikel 77 van die Wet is soos volg:
- | Sertifikaat | Gelde |
|---|--------------|
| (a) Stuurman (Reddingsvaartuie) Graad 3 | R30 |
| (b) Stuurman (Reddingsvaartuie) Graad 2 | R45 |
| (c) Stuurman (Reddingsvaartuie) Graad 1 | R60. |
- (2) Die gelde voorgeskryf in subregulasie (1) sluit in die gelde vir die eksamen in seinwerk indien dit terselfdertyd as die res van die eksamen gedoen word.
- (3) Indien 'n kandidaat net in die skriftelike deel of die mondelinge deel van die eksamen bedoel in subregulasie (1), insluitende 'n hereksamen in seinwerk, hereksamineer word, is die helfte van die gelde voorgeskryf in subregulasie (1) betaalbaar indien dit terselfdertyd gedoen word.
- (4) As 'n kandidaat in die seinwerkdeel van die eksamen afsonderlik hereksamineer word, is 'n bedrag van R20 vir elke hereksamen betaalbaar.
- (5) 'n Bedrag van R10 is betaalbaar vir die aflê van die gesigstoetse vir kleur en vorm, maar as die toets gelyktydig met die eksamen vir 'n bekwaamheidsertifikaat afgelê word, is geen gelde ten opsigte van sodanige toetse betaalbaar nie.
- (6) Wanneer 'n Graad 2-sertifikaat ingevolge regulasie 9 (e) van die Eksamenregulasies vir Bekwaamheidsertifikate as Stuurman (Reddingsvaartuie), 1991, aan 'n kandidaat uitgereik word, is 'n bedrag van R20 betaalbaar.
- (7) 'n Bedrag van R15 is betaalbaar vir die uitreiking van 'n gewaarmerkte afskrif van 'n verlore, geskende of beskadigde bekwaamheidsertifikaat: Met dien verstande dat geen bedrag betaalbaar is nie indien die sertifikaat deur skipbreuk of brand aan boord van 'n skip verlore, geskend of beskadig geraak het.

Tabel van gelde: Eksamen en lisensiëring van kompasstellers

- 35.** (1) Die gelde betaalbaar vir die eksamen en lisensiëring van kompasstellers ingevolge artikel 228 (2) van die Wet is soos volg:

Sertifikaat	Gelde
(a) Kompassteller (Beperk)	R60
(b) Kompassteller (Onbeperk)	R60
(c) Vir die skriftelike en mondelinge dele van die eksamen indien gelyktydig afgelê	R60
(d) Vir die praktiese deel van die eksamen	R60
(e) Vir hereksamining in die mondelinge eksamen	R60.

- (2) 'n Bedrag van R10 is betaalbaar vir die aflê van die gesigstoetse vir kleur en vorm, maar as die toets gelyktydig met die eksamen vir 'n lisensie as kompassteller afgelê word, is geen gelde ten opsigte van sodanige toetse betaalbaar nie.
- (3) 'n Bedrag van R15 is betaalbaar vir die uitreiking van 'n gewaarmerkte afskrif van 'n verlore, geskende of beskadigde lisensie: Met dien verstande dat geen bedrag betaalbaar is nie indien die lisensie deur skipbreuk of brand aan boord van 'n skip verlore, geskend of beskadig geraak het.

Gelde vir verlening van vrystelling of vir evaluering van buitelandse bekwaamheidsertifikaat

- 36.** (1) Die gelde betaalbaar vir 'n vrystelling verleen ingevolge artikel 83 van die Wet is soos volg:
- | | |
|--|------|
| (a) As die buitelandse sertifikaat erken word | R25 |
| (b) As die buitelandse sertifikaat geëvalueer moet word voordat vrystelling verleen kan word | R50. |
- (2) Die gelde betaalbaar vir 'n sertifikaat ingevolge artikel 79 van die Wet is die helfte van die gelde voorgeskryf in die regulasies vir die eksamen vir die betrokke klas of graad sertifikaat.
- (3) Die gelde betaalbaar vir toestemming verleen ingevolge artikel 85 van die Wet is die helfte van die gelde voorgeskryf in die Eksamenregulasies vir Bekwaamheidsertifikate vir die betrokke klas of graad waarvoor toestemming verlang word, en toestemming aldus verleen is onderworpe aan sodanige voorwaardes as wat gestel word.

Aansoeke om gesigstoetse vir kleur en vorm te ondergaan, en gelde betaalbaar

- 37.** (1) 'n Aansoek om gesigstoetse vir kleur en vorm ingevolge artikel 78 van die Wet af te lê, moet by die bevoegde beamppte gedoen word op die vorm deur die Direkteur-generaal goedgekeur, en elke applikant moet 'n bedrag van R10 betaal.
- (2) Die bedrag voorgeskryf in subregulasie (1) is betaalbaar elke keer wanneer 'n applikant getoets word.
- (3) Die bedrag van R10 word nie terugbetaal indien die applikant in die toetse druipt of versuim om sy opwagting te maak op die tyd wat vir die toetse bepaal is nie, tensy hy 'n mediese sertifikaat of ander aanvaarbare bewys kan voorlê dat hy dit nie kan bywoon nie.

DEEL E**GELDE VIR VERSLAGBOEK****Gelde vir verslagboek**

- 38.** Die gelde betaalbaar vir 'n seeman se verslagboek ingevolge die Verslagboekregulasies, 1977, ongeag of die aansoek gedoen word op 'n plek waar daar 'n bevoegde beamppte is of op 'n plek waar daar nie 'n bevoegde beamppte is nie, of om 'n verlore, geskende of beskadigde verslagboek te vervang of om 'n verslagboek wat vol is te vervang, is R15: Met dien verstande dat geen gelde betaalbaar is nie indien die verslagboek weens skipbreuk of brand aan boord van 'n skip verlore, geskend of beskadig geraak het.

DEEL F**GELDE VIR DIE ONTSLAG VAN 'N SEEMAN****Gelde vir die ontslag van 'n seeman**

- 39.** (1) Wanneer 'n seeman voor 'n bevoegde beamppte ontslaan word ingevolge artikel 113 (1) of (4) van die Wet, moet die gesagvoerder of eienaar van die skip waarvan die seeman ontslaan word, behoudens die bepalings van subregulasies (2) en (3), 'n bedrag van R10 betaal.
- (2) Waar die ontslag van 'n seeman aan boord van 'n skip by 'n hawe in die Republiek plaasvind, is die bedrag wat kragtens subregulasie (1) betaalbaar is, onderworpe aan 'n bykomende bedrag van R30 vir elke besoek wat die bevoegde beamppte verplig is om aan daardie skip af te lê om sodanige ontslag te voltooi.

- (3) Waar die ontslag van 'n seeman aan boord van 'n skip by 'n hawe buite die Republiek plaasvind op spesifieke versoek van die gesagvoerder of eienaar van sodanige skip, is die bevoegde beampte by magte om sodanige reis- en verblyftoelae van toepassing in die Staatsdiens te hef as wat hy gemagtig is om te hef.

DEEL G

EKSTRA EN SPESIALE DIENSGELDE

Algemene diensure en diensdae

40. (1) In Kaapstad, Oos-Londen, Saldanha, Mosselbaai, Durban, Port Elizabeth en Richardsbaai is die algemene diensure van bevoegde beamptes, behalwe op Saterdag, Sondag en openbare vakansiedae, soos volg:
- (a) Vir die ontvangs van gelde kragtens die Wet en ander inkomste: 09:00 tot 12:30 en 14:00 tot 15:00.
- (b) Vir gewone sake: 07:45 tot 12:45 en 13:30 tot 16:15.
- (2) Die Direkteur-generaal publiseer jaarliks in 'n Marinekennisgewing besonderhede van die tydperke waartydens 'n opnemer beskikbaar sal wees om die opneming van bodemtoeganklike klein vaartuie te onderneem.

Gelde vir ekstra en spesiale diens

41. (1) Waar die dienste van 'n opnemer verlang word op Saterdag, Sondag of openbare vakansiedae of op enige ander tyd wat nie in die ure by regulasie 40 voorgeskryf, val nie, of vir spesiale diens binne daardie ure, moet die persoon wat sulke dienste verlang, by die bevoegde beampte aansoek doen op die vorm deur die Direkteur-generaal goedgekeur en betaling waarborg van die gelde voorgeskryf by subregulasie (2), en die gelde onmiddellik op aanvraag betaal.
- (2) Vir ekstra of spesiale dienste is die gelde R40 vir elke amptenaar per uur of gedeelte daarvan.
- (3) Waar die dienste van 'n opnemer verlang word op enige tyd buite die tydperke gespesifiseer deur die Direkteur-generaal ingevolge regulasie 40 (2), moet die persoon wat sulke dienste verlang, die opnemer se reiskoste en verblyftoelae betaal soos bepaal in die Staatsdiensregulasies, Staatsdienspersoneelkode en Finansiële Handleiding, benewens die voorgeskrewe gelde.

Pligte van amptenare

42. (1) (a) 'n Opnemer kan te eniger tyd, indien dit nodig is, aangesê word om tydelik ander diens te verrig as dié wat onder gewone omstandighede aan sy klas en graad verbonde is.
- (b) Amptenare in die algemene afdeling kan te eniger tyd ook aangesê word om, benewens hulle buitendienste, sodanige klerklike werk te verrig as wat die Direkteur-generaal bepaal.
- (2) 'n Opnemer mag nie, sonder genoegsame rede, weier om ekstra diens te doen wanneer hy deur die bevoegde beampte daartoe aangesê word nie.

Ondersoeke buite die Republiek

43. Waar die dienste van 'n opnemer buite die Republiek verlang word, moet die persoon wat sodanige dienste verlang, die opnemer se reiskoste en verblyftoelae betaal.

Ondersoeke in die binneland en buitengewone ondersoeke

44. Waar die dienste van 'n opnemer verlang word by enige plek binne die Republiek wat meer as 50 kilometer van die naaste kuslyn af geleë is, moet die persoon wat sodanige dienste verlang, die opnemer se reiskoste en verblyftoelae betaal.

Stortings

45. Die Direkteur-generaal of die bevoegde beampte kan na goeëddunke voordat hy enige dienste toestaan waarvoor in regulasies 40 en 42 voorsiening gemaak word, 'n storting van 'n bedrag vorder wat voldoende is om die koste te dek.

DEEL H

HERROEPING VAN REGULASIES

Herroeping van regulasies

46. (1) Die Handelskeepvaartgelderegulasies, 1990, afgekondig by Goewermentskennisgewing No. R. 2438 van 10 Oktober 1990, soos gewysig by Goewermentskennisgewing No. R. 367 van 31 Januarie 1992, word hierby herroep.

- (2) Regulasie 27 van die Regulasies vir die Eksaminering en Lisensiëring van Kompasstellers, 1991, afgekondig by Goewermentskennisgewing No. R. 127 van 25 Januarie 1991, word hierby herroep.
- (3) Regulasies 27 en 28 van die Eksamenregulasies vir Bekwaamheidsertifikate as Stuurman (Reddingsvaartuie), afgekondig by Goewermentskennisgewing No. R. 1945 van 16 Augustus 1991, word hierby herroep.

DEEL I

KORT TITEL EN INWERKINGTREDING

Kort titel en inwerkingtreding

47. Hierdie regulasies staan bekend as die Regulasies in verband met Handelskeepvaartgelde, 1993, en tree op 1 Januarie 1994 in werking.

Definitions

1. In these regulations a word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned to it, and unless the context otherwise indicates—
 - “radio installation” means a radiotelegraph installation or a radiotelephone installation;
 - “record book” means a Seaman’s Record Book and Certificate of Discharge;
 - “register” means the special book contemplated in section 15 of the Act;
 - “the Act” means the Merchant Shipping Act, 1951 (Act No. 57 of 1951);
 - “ton” means gross register ton and, in the case of a ship with dual tonnage, the higher tonnage.

Application of regulations

2. These regulations shall apply to any inspection, survey, issue of a certificate or other service performed in terms of these regulations by a surveyor or other officer in the service of the Government of the Republic.

By whom fees shall be payable

3. The fees prescribed in these regulations for the survey or inspection of a vessel shall be payable by its owner or his agent, and the fees prescribed in these regulations for any other service or certificate shall be payable by the person requesting such service.

When fees shall be payable

4. (1) The fees prescribed in these regulations shall be payable before or after the inspection or survey is completed, as may be decided by the proper officer and no certificate or other document referred to in these regulations shall be issued unless the prescribed fee has been paid.
(2) If the person requiring a survey, inspection or other service cannot keep the appointment he shall notify the proper officer of his intention to cancel a survey, inspection or other service at least 24 hours before the appointed time and date, failing which the full fee for such survey, inspection or service shall be payable.

To whom fees shall be payable

5. The fees prescribed in these regulations shall be payable to the proper officer, who shall issue to the payer an official receipt for the amount paid.

Issue of certificates

6. (1) Subject to the provisions of subregulation (2) and regulations 15 and 23 (1), the fees prescribed in these regulations shall cover the issue of the certificate or other document referred to in these regulations.
(2) A fee of R20 shall be payable for the issue of a safety certificate, a load line certificate or a load line exemption certificate on the strength of a survey other than a survey conducted by an officer in the service of the Government of the Republic.
(3) When a certificate or other document is issued in duplicate, no fee shall be payable for the duplicate.
(4) The fees payable for a copy of a certificate or other document referred to in these regulations shall be as follows:
 - (a) For a copy of a safety certificate, a load line certificate or a load line exemption certificate: R13.
 - (b) For a copy of any other certificate or other document, unless specified otherwise in these regulations: R13.
(5) No fee shall be payable for a copy referred to in paragraphs (4) (a) and (b) furnished to a consular or diplomatic representative of the country to which the ship concerned belongs.

PART A**FEES FOR THE REGISTRATION OF SHIPS****Fees payable**

7. The fees payable in terms of the Registration of Ships Regulations, 1989, shall be as follows:

- (a) Inspection of ship's marking: Regulation 8.

The fee for the inspection of the marking of a ship, irrespective of the number of attendances required by the surveyor to complete the inspection: R100. No separate fee shall be payable for the inspection of the marking on account of the change of the name of a ship if that ship is at that time undergoing survey for tonnage measurement for the purpose of registration or reregistration.

- (b) Registration of ships on initial registry in the Republic: Regulation 10.

Transfer of registry from one port to another: Regulation 12.

Registry anew on change of ownership: Regulation 15.

Registry anew on sale of ship under certificate of sale: Regulation 16.

Registry anew as a result of alterations to ships: Regulation 18.

Gross tonnage of ship**Fee**

- | | |
|--|--------------------------------|
| (i) 200 tons or under | R130 |
| (ii) Over 200 tons up to 1 000 tons | R195 |
| (iii) For every 500 tons or part thereof over 1 000 tons | R65 up to a maximum of R2 600. |

- (c) Granting of new certificate of registry in lieu of original mislaid, lost or destroyed: Regulation 14.

Registry of alterations to ship except registry anew as a result of such alterations: Regulation 18.

Transfer or transmission of ownership in ship: Regulation 21.

Registration of deed of mortgage: Regulation 23.

Registration of deed of cession: Regulation 24.

Registration of transmission of interest in mortgage: Regulation 25.

Registration of discharge of mortgage: Regulation 25.

According to the gross tonnage represented by the ship transferred, mortgaged or in respect of which a new certificate is issued:

Gross tonnage of ship**Fee**

- | | |
|---|---------------------------------|
| (i) 500 tons or under | R66 |
| (ii) For every 1 000 tons or part thereof over 500 tons | R30 subject to maximum of R270. |

Where a share in a ship is transferred etc. the fee payable shall be an amount (calculated to the nearest rand) equal to the proportionate part of the interest represented by the share transferred etc. of the total fee which would have been paid had the whole ship been transferred etc. (e.g. fee payable on 30 gross register ton ship being transferred, R66; one third share in ship transferred = $\frac{1}{3} \times R66 = R22$).

- (d) Survey of seaworthiness, prior to reregistration, of a ship the registry of which has been closed: Regulation 17.

The fees payable for the survey and certification shall be as follows:

Gross tonnage of ship**Fee**

- | | |
|--|-------------------------------|
| (i) 500 tons or under | R195 |
| (ii) Over 500 tons up to 750 tons | R260 |
| (iii) Over 750 tons up to 1 000 tons | R325 |
| (iv) For every 500 tons or part thereof over 1 000 tons | R65 up to a maximum of R3 250 |
| (v) For a hulk, lighter or sailing barge which does not proceed to sea | R65 |

- (e) Granting of temporary pass in lieu of certificate of registry: Regulation 19: R30.

- (f) Inspection of register:

Regulation 26 (1)..... R13

(This fee will be charged in all cases irrespective of whether extracts are made).

- (g) Certified copy of extracts from ship's register at time of registration: Regulation 26 (2): R25.
- (h) Certified copy of particulars of transactions recorded subsequent to registry:
 Regulation 26 (2)..... R13 for each page of 90 words or part thereof.
- (i) For copies of documents issued or prescribed in terms of Chapter II of the Act and Regulation 27: R25 for each copy.

PART B

FEES FOR TONNAGE MEASUREMENT

Fees payable

8. The owner of a ship which is measured for tonnage in terms of regulation 4 of the Tonnage Regulations, 1986, shall pay to the proper officer at the port at which the ship is measured the fees prescribed in regulation 9.

Measurement of ships for gross and net tonnage

9. (1) The fees payable for the measurement of a ship in terms of regulation 8 shall be as follows:

<i>Registered length of ship</i>	<i>Fee</i>
(a) Less than 24 metres	R325
(b) 24 metres and over, but not exceeding 36 metres	R650
(c) More than 36 metres, but not exceeding 55 metres	R1 625
(d) More than 55 metres, but not exceeding 68 metres	R3 250
(e) More than 68 metres.....	R4 550.

- (2) Where a ship has been measured in a foreign port by arrangement with the government of the country in which that port is situated or with some other responsible body or person, for the purpose of provisional registration or otherwise, the fee payable for checking the tonnage computation shall be R780.
- (3) No fees shall be payable in respect of a foreign ship registered at a South African port unless an alteration in the form or capacity of that ship has been made since the first measurement, in which case the fees prescribed in subregulation (4) or (5), as the case may be, shall be payable.
- (4) Where a foreign ship is measured on behalf of or by arrangement with the government of another state the fee payable shall be the fees prescribed in subregulation (1), subject to a minimum of R780.
- (5) The fees for remeasurement where remeasurement includes the calculation of the volume of the hull below the upper deck shall be the fees prescribed in subregulation (1).
- (6) Where in consequence of any alteration in the form or capacity of a ship, not being an alteration affecting the volume of the hull below the upper deck, that ship is remeasured the fees payable shall be as follows:

<i>Registered length of ship</i>	<i>Fee</i>
(a) Less than 24 metres	R160
(b) 24 metres and over, but not exceeding 55 metres	R325
(c) More than 55 metres.....	R650

- (7) The fee payable for a certified copy of a tonnage certificate issued in terms of regulation 4 of the Tonnage Regulations, 1986, shall be R30.
- (8) In special cases details of tonnage calculations made in terms of the Tonnage Regulations, 1986, may be supplied to the owner or his agent on payment of a fee of R30 per sheet, subject to a minimum charge of R150.
- (9) The fees payable in terms of this regulation shall cover the issue of a tonnage certificate and any number of visits made by the surveyor to the ship concerned for the purpose of each measurement or remeasurement.
- (10) Where a ship of equal dimensions ("sister ship") to a ship already measured in terms of regulation 4 of the Tonnage Regulations, 1986, is measured for gross and net tonnage, one fifth of the fee prescribed in subregulation (1) shall be payable.

PART C**FEES FOR CERTAIN SURVEY SERVICES****Survey of passenger ship for safety certificate**

10. (1) (a) Subject to the provisions of subregulation (2), the fees payable for the survey of a passenger ship or for a passenger ship safety certificate with or without an exemption certificate or for a local general safety certificate with or without a local safety exemption certificate, and the issue of a record of equipment, if any, in terms of section 192 of the Act shall be as follows:

<i>Tonnage of ship</i>	<i>Fee</i>
(i) 50 tons or under, if the ship is fit to carry not more than 36 passengers	R350
(ii) 50 tons or under, if the ship is fit to carry more than 36 passengers	R550
(iii) Over 50 tons up to 100 tons	R850
(iv) Over 100 tons up to 300 tons	R1 250
(v) Over 300 tons up to 600 tons	R1 800
(vi) Over 600 tons up to 21 000 tons	R1 800 plus R39 for each 100 tons or part thereof above 600 tons.
(vii) Over 21 000 tons	R9 750 plus R39 for each 100 tons or part thereof above 21 000 tons.

- (b) The said survey shall cover—
- (i) two visits which a surveyor may have to make to the ship concerned before drawing up his report; and
 - (ii) all parts of that ship, but excluding the survey of the hull when such survey requires that ship to be drydocked, slipped or lifted by synchro-lift or crane and excluding further the survey of the radio equipment.
- (2) The fees prescribed in subregulation (1) multiplied by a factor of four shall be payable for the survey of a newly constructed passenger ship or a passenger ship undergoing rebuilding or refurbishment for the issue or renewal, as the case may be, of any certificate referred to in subregulation (1) and shall cover—
- (a) eight visits which a surveyor may have to make to that ship before drawing up his report;
 - (b) the survey of all parts of that ship including the hull in a drydock, on a synchro-lift or slipway or on the hard, but excluding the survey of radio equipment; and
 - (c) the scrutiny of that ship's drawings which are to be presented for approval before any building, rebuilding or refurbishment takes place.
- (3) Where the period of validity of any certificate referred to in subregulation (1) is less than 12 months:
- One twelfth of the fee calculated in accordance with that subregulation for each month or part of a month, subject to a minimum of one quarter of the fee calculated in accordance with that subregulation, but not less than R115 for a ship referred to in paragraph (a) or R125 for a ship referred to in paragraph (b) or R240 for a ship referred to in paragraph (c) thereof or R585 for any other ship shall be payable.
- (4) If any further visits in addition to those referred to in subregulation (2) are necessary before the surveyor's report can be drawn up, an additional fee of R100 per surveyor-hour or part thereof shall be payable.
- (5) Subject to regulation 24 (3) and (4), the fees payable for the survey of a ship for a safety certificate shall include a load line survey carried out simultaneously with the survey for a safety certificate.

(6) The fees payable for the issue of a new safety certificate to replace an existing safety certificate of the same kind shall be as follows:

(a) For changing the limits within which a ship may ply, or to indicate additional limits: R195.

(b) For decreasing the number of passengers that a ship may carry: R95.

(c) For increasing the number of passengers that a ship may carry:

(i) For the first 200 extra passengers or part of such number: R780.

(ii) For every further 200 extra passengers or part of such number: R585.

Survey of ship other than passenger ship for cargo ship safety construction certificate

11. (1) The fees payable for the survey of a ship other than a passenger ship or for a cargo ship safety construction certificate in terms of section 193 of the Act with or without an exemption certificate shall be as follows:

Tonnage of ship	(a) Survey for first issue of certi- cate	(b) Survey for rene- wal of certi- cate	(c) Intermediate sur- vey during period of validity of certi- cate
(a) 500 tons or over, but under 1 000 tons	R 4 875	R 780	R175
(b) 1 000 tons or over, but under 1 500 tons	R 8 775	R1 000	R235
(c) 1 500 tons or over, but under 2 000 tons	R11 700	R1 365	R290
(d) 2 000 tons or over, but under 2 500 tons	R14 625	R1 660	R350
(e) 2 500 tons or over, but under 3 000 tons	R17 550	R1 900	R410
(f) 3 000 tons or over, but under 4 000 tons	R20 475	R2 110	R440
(g) 4 000 tons or over, but under 5 000 tons	R23 400	R2 230	R525
(h) 5 000 tons or over, but under 6 000 tons	R26 325	R2 405	R585
(i) 6 000 tons or over, but under 7 000 tons	R29 250	R2 635	R640
(j) 7 000 tons or over, but under 8 000 tons	R32 525	R2 700	R700
(k) 8 000 tons or over, but under 9 000 tons	R35 100	R2 795	R760
(l) 9 000 tons or over, but under 10 000 tons	R39 000	R2 795	R820
(m) 10 000 tons or over	R42 900	R3 120	R880

(2) Subject to regulation 24 (3) and (4), the fees payable for the survey of a ship for a cargo ship safety construction certificate shall include a load line survey carried out simultaneously with the survey for that construction certificate.

(3) If a surveyor carries out a survey for the issue of a cargo ship safety construction certificate on a ship the keel of which was laid before 26 May 1965, the fees payable for such survey shall be four times the fees prescribed in column (b) of the table in subregulation (1).

(4) The fees prescribed in subregulation (1) shall cover two visits which the surveyor may have to make to the ship before drawing up his report and the survey of all parts of the ship, including the hull in a dry dock, if such surveys are carried out simultaneously, but excluding the survey of the radio installations, and if any further visits are necessary before the surveyor's report is drawn up an additional fee of R100 per surveyor-hour or part thereof shall be payable.

(5) If the period of validity of a certificate is less than five years the payment of a fee which is less than the fee prescribed in subregulation (1), but which is proportionate to the amount of work involved may be allowed: Provided that such fee shall not be less than R975.

Survey of ship other than passenger ship for cargo ship safety equipment certificate

12. (1) (a) Subject to the provisions of subregulation (2), the fees payable for the survey of a ship other than a passenger ship for the issuing or renewal of a cargo ship safety equipment certificate with or without an exemption certificate or for the inspection of such ship for an annual survey, and the issue of a record of safety equipment, if any, in terms of section 193 of the Act shall be as follows:

Tonnage of ship	Fee
(i) Up to and including 1 600 tons	R585
(ii) Over 1 600 tons up to and including 3 000 tons	R780
(iii) Over 3 000 tons	R975.

- (b) The said survey shall cover—
- (i) two visits which a surveyor may have to make to the ship concerned before drawing up his report; and
 - (ii) the survey of all parts of that ship, excluding the survey of the radio equipment.
- (2) (a) The fees prescribed in subregulation (1) multiplied by a factor of four shall be payable for the survey of a newly constructed ship or a ship undergoing rebuilding or refurbishment for the issue or renewal, as the case may be, of the certificate or for the inspection concerned and shall cover—
- (i) eight visits which a surveyor may have to make to that ship before drawing up his report;
 - (ii) the survey of all parts of the ship concerned, but excluding the survey of radio equipment; and
 - (iii) the scrutiny of that ship's drawings which are to be presented for approval before any building, rebuilding or refurbishment takes place.
- (3) If any further visits in addition to those referred to in subregulations (1) and (2) are necessary before the surveyor's report can be drawn up, an additional fee of R100 per surveyor-hour or part thereof shall be payable.

Survey of vessel other than passenger ship for local safety certificate

13. (1) (a) Subject to the provisions of subregulation (2), the fees payable for the survey of a vessel other than a passenger ship for the issuing of a local general safety certificate with or without a local safety exemption certificate, and the issue of a record of safety equipment, if any, in terms of section 194 of the Act, shall be as follows:

<i>Description of vessel</i>	<i>Fee</i>
(i) (aa) A rowing boat of under and up to 6 metres in length	R30
(bb) A mechanically propelled or sailing boat of under and up to 6 metres in length	R55
(ii) Any vessel of over 6 metres in length, but under 25 tons	R80
(iii) Any vessel of 25 tons or over up to and including 100 tons	R175
(iv) Any vessel of over 100 tons up to and including 500 tons	R350
(v) Any vessel of over 500 tons up to and including 1 600 tons	R550
(vi) Any vessel of over 1 600 tons up to and including 3 000 tons	R700
(vii) Any vessel of over 3 000 tons	R975.

- (b) The said survey shall cover—
- (i) two visits which a surveyor may have to make to the ship concerned before drawing up his report; and
 - (ii) the survey of all parts of that ship including the survey of the hull of a trailer-borne vessel when carried out simultaneously, but excluding—
 - (aa) the survey of the hull when such survey requires the vessel to be dry docked, slipped, or lifted by synchro-lift or crane; and
 - (bb) the survey of the radio equipment.
- (2) The fees prescribed in subregulation (1) multiplied by a factor of four shall be payable for the survey of a newly constructed ship or a ship undergoing rebuilding or refurbishment for the issue of the certificate referred to in subregulation (1) and shall cover—
- (a) eight visits which a surveyor may have to make to that vessel before drawing up his report;
 - (b) the survey of all parts of the vessel concerned including the hull in a drydock, on a synchro-lift or slipway or on the hard, if such surveys are carried out simultaneously; and
 - (c) the scrutiny of that vessel's drawings which are to be presented for approval before any building, rebuilding or refurbishment takes place, but shall not cover the survey of radio equipment.
- (3) If any further visits in addition to those referred to in subregulations (1) and (2) are necessary before the surveyor's report can be drawn up, an additional fee of R100 per surveyor-hour or part thereof shall be payable.

Survey of ship in dry dock

- 14.** (1) The fees payable for the external and internal survey of a vessel's hull when such survey is carried out in a drydock or on a synchro-lift or slipway or on the hard, or with the vessel afloat, and the issue of a drydocking certificate in terms of the Act, if any, shall be as follows:

<i>Tonnage of ship</i>	<i>Fee</i>
(a) Up to and including 25 tons.....	R45
(b) Over 25 tons up to and including 100 tons	R140
(c) Over 100 tons up to and including 500 tons	R235
(d) Over 500 tons up to and including 5 000 tons	R390
(e) Over 5 000 tons up to and including 10 000 tons	R585
(f) Over 10 000 tons	R700

- (2) The fees prescribed in subregulation (1) shall cover three visits which the surveyor may have to make to the ship before drawing up his report and that fee shall include a visit to a workshop in a port for the inspection of any of that vessel's machinery which requires inspection in a workshop: Provided that if any further visits are necessary before a surveyor's report can be drawn up, an additional fee shall be payable for each such visit at R100 per surveyor-hour or part thereof.

Inspection of radio installation in ship and issue of safety certificate

- 15.** (1) The fees payable in terms of section 190 (3) of the Act for the inspection of the radio installation in a ship shall be as follows:

<i>Tonnage of ship</i>	<i>Fee</i>
(a) Not exceeding 1 600 tons	R100
(b) Exceeding 1 600 tons	R290

- (2) Where radio installation inspections are carried out outside the harbour areas of Cape Town and Durban, the subsistence and travelling allowance applicable in Government service shall be payable in addition to the fees prescribed in subregulation (1).
- (3) A fee of R40 shall be payable for the issue of a cargo ship safety radiotelegraphy certificate, a cargo ship safety radiotelephony certificate, or a cargo ship safety radio certificate under section 193 of the Act with or without an exemption certificate, as the case may be, and a record of radio equipment, if any.
- (4) A fee of R60 shall be payable for the issue of a total radio installation exemption certificate.
- (5) The fees prescribed in subregulation (1) shall cover two visits which a surveyor may have to make to the ship before drawing up his report and if further visits are necessary before a surveyor's report can be drawn up, an additional fee of R100 per surveyor-hour or part thereof shall be payable.
- (6) Value-added tax shall be levied in terms of section 7 of the Value-Added Tax Act, 1991 (Act No. 89 of 1991), on fees prescribed in this regulation.

Inspection of life-saving appliances

- 16.** (1) The fees payable for the inspection during construction, for the certification or the recertification of a boat or buoyant apparatus, and for the issue of a report of inspection in terms of section 190 of the Act shall be as follows:

<i>Description of vessel</i>	<i>Fee</i>
(a) Boat, other than a motor boat, not exceeding 6 metres in length	R40
(b) Boat, other than a motor boat, exceeding 6 metres in length, and—	
(i) certified to carry up to 60 persons	R80
(ii) certified to carry more than 60 persons up to 85 persons	R100
(iii) certified to carry more than 85 persons	R155
(c) Motor boat of any size	R195
(d) Buoyant apparatus.....	R30 per apparatus with a minimum of R60 per inspection.

- (2) The fees payable for the inspection and stamping of life-jackets at the maker's or surveyor's premises shall be as follows:

(a) Per life-jacket.....	R1,00
(b) Minimum fee per inspection.....	R50.

- (3) The fees payable for the examination of the design of a life-saving appliance, the inspection of the first appliance made to the design and, if required, the issue of a certificate of approval shall be as follows:

<i>Description of appliance</i>	<i>Fee</i>
(a) Buoyant apparatus	R290
(b) Lifebuoy light	R195
(c) Lifebuoy	R235
(d) Life-jacket	R195
(e) Line-throwing appliance	R390
(f) Pyrotechnic distress signalling equipment	R195
(g) Life-raft	R975.

- (4) For the purposes of subregulation (1), "boat" means a life-boat or any other boat carried in a ship and intended to be used as a life-saving appliance.
- (5) The fee payable for attendance in terms of the Act at a life-raft service station at the request of the service station or the master or owner of the vessel to which the life-raft belongs shall be R100 per attendance.
- (6) The fee payable for the issue of a certificate or approval in terms of section 190 of the Act on the approval of any other competent authority shall be R50.

Inspection of fire appliances

17. (1) The fees payable for the inspection of and the witnessing of tests of fire extinguishers, fire detecting apparatus, smoke helmets and breathing apparatus, fire pumping units, spray nozzles and similar appliances in terms of section 190 of the Act shall be as follows:

- (a) Inspection of and witnessing of tests of a prototype of a fire appliance or a fire appliance which is resubmitted after alteration:

<i>Type of inspection</i>	<i>Fee</i>
(i) For the first inspection	R195
(ii) For each subsequent inspection per surveyor-hour or part thereof	R100.

- (b) Inspection of plans for an appliance the prototype of which has been tested and approved by the Department of Transport in terms of the Life Saving Equipment Regulations, 1968, on behalf of the manufacturer, which plans are being submitted with a view to obtaining approval for the production of such appliance under a trade name: R175.

- (2) The fee payable for the issue of a certificate of approval in terms of the regulations referred to in subregulation (1) (b) based on the approval of any other competent authority shall be R50.

Inspection of explosives magazines, of stowage of explosives, or of compartments for stowage of explosives and other dangerous goods defined in the Act

18. A fee of R120 shall be payable in terms of the Safety of Navigation Regulations, 1968, for the inspection of—

- (1) an explosives magazine (permanent or portable);
- (2) the stowage of explosives; or
- (3) compartments,

with a view to determining suitability for the stowage of explosives or other dangerous goods defined in the Act, and for the issue of a certificate of inspection.

Inspection of crew accommodation

19. (1) The fee payable for a certificate in terms of regulations 37 and 38 of the Crew Accommodation Regulations, 1961, and the marking of accommodation prior to registration or reregistration shall be R13 per compartment: Provided that a maximum fee of R312 and a minimum of R52 shall be charged.
- (2) The fee payable for the inspection of crew accommodation as a result of a complaint about such accommodation in terms of section 162 of the Act shall be R52 per inspection: Provided that no fee shall be payable if, in the opinion of the officer making the inspection there was no reasonable ground for the complaint.

Grain cargoes

20. The fees payable for examination or inspection in respect of grain cargoes in terms of the Safety of Navigation Regulations, 1968, shall be as follows:

<i>Examination or inspection</i>	<i>Fee</i>
(1) The initial examination and approval of a grain-loading plan for a ship	R485
(2) The examination and approval of a grain-loading plan for a sister ship having arrangements similar to those in a ship referred to in subregulation (1)	R195

Examination or inspection**Fee**

- | | |
|--|-------|
| (3) The examination and approval of a grain-loading plan which has been altered as a result of alterations made to the ship or the arrangements thereof after the approval of the original plans..... | R325 |
| (4) The inspection on first installation of fittings required by a grain-loading plan | R140 |
| (5) The initial inspection of a ship and issue of a certificate of suitability to load grain, and the final inspection and issue of a grain-loading certificate, for each 1 000 tons of cargo or part thereof, subject to a maximum of R650..... | R100. |

Survey of unseaworthy ships

21. (1) The fees payable if a ship is inspected in terms of section 244 of the Act and found to be overloaded or improperly loaded or undermanned or to have major defects in the equipment, hull or machinery or to be unseaworthy for any other reason and, in consequence, that ship is detained shall be as follows:

Tonnage**Fee**

- | | |
|--|-------|
| (a) Less than 25 tons | R60 |
| (b) 25 tons up to and including 500 tons | R175 |
| (c) Over 500 tons up to and including 750 tons | R290 |
| (d) Over 750 tons up to and including 1 000 tons | R390 |
| (e) Over 1 000 tons | R650. |
- (2) If a ship is detained because it is unmarked or improperly marked with load lines or because of a failure to surrender an expired load line certificate, a fee of R65 shall be payable for each inspection of that ship: Provided that the total amount so payable shall not exceed R520.

Timber deck cargoes

22. For the inspection of the fittings, stowage and securing of timber deck cargoes a fee of R100 shall be payable for each visit to a ship, subject to a minimum charge of R200 per ship.

Partial inspections, not covered by any of the other provisions of these regulations

23. (1) If a vessel is required to hold one of the safety certificates defined in section 2 of the Act, the fees payable for partial inspection at the owner's request, other than a survey provided for in any other provision of these regulations, and for issue, where applicable, of a certificate of inspection or the endorsement of the record of safety equipment shall be as follows:

Tonnage of vessel**Fee**

- | | |
|---|-------|
| (a) Less than 25 tons | R45 |
| (b) 25 tons or over, up to and including 100 tons | R60 |
| (c) Over 100 tons, up to and including 500 tons | R75 |
| (d) Over 500 tons | R100. |
- (2) The fees prescribed in subregulation (1) shall be payable for the inspection of a vessel to determine whether minor defects which were found in the course of a routine inspection have been remedied.
- (3) If a vessel is being inspected at the request of the owner in order to obtain an extension of a safety certificate or a load line certificate, a fee equal to 50% of the fee payable in terms of the various applicable provisions of these regulations for the full survey required for the issue of such safety certificate or load line certificate shall be payable.
- (4) Where plans or drawings in respect of construction or alterations not covered by any of the other provisions of these regulations are presented for scrutiny or approval, a fee of R100 per surveyor-hour or part thereof shall be payable for the work involved in the scrutiny or approval of these plans or drawings.

- (5) (a) The fees payable for the inspection and approval of a vessel's stability book or stability statement in terms of the Safety of Navigation Regulations, 1968, shall be as follows:

Tonnage of ship**Fee**

- | | |
|--|-------|
| (i) Up to and including 100 tons | R100 |
| (ii) Over 100 tons up to and including 500 tons | R150 |
| (iii) Over 500 tons up to and including 1 600 tons | R250 |
| (iv) Over 1 600 tons | R500. |
- (b) The fees prescribed in paragraph (a) shall cover the original submission and inspection and one resubmission and inspection of that book or that statement, and if further resubmissions and inspections of that book or that statement are required before approval, an additional fee of R100 per resubmission and inspection shall be payable.
- (c) The fee payable for the services of a surveyor to witness and verify an inclining experiment shall be R100 per surveyor-hour or part thereof.

Survey of ship for load line certificate

24. (1) Subject to subregulations (2) to (9), inclusive, the fees payable for the survey of a ship for a load line certificate with or without a load line exemption certificate in terms of the Act shall be as follows:

Tonnage of ship	Fee	
	1 Survey for first issue or renewal of certificate	2 Intermediate survey
(a) Under 50 tons	R 285	R50
(b) 50 tons or over, but under 150 tons.....	R 545	R90
(c) 150 tons or over, but under 300 tons.....	R 755	R110
(d) 300 tons or over, but under 500 tons.....	R 995	R135
(e) 500 tons or over, but under 1 000 tons.....	R1 275	R175
(f) 1 000 tons or over, but under 1 500 tons.....	R1 660	R225
(g) 1 500 tons or over, but under 2 000 tons.....	R1 890	R265
(h) 2 000 tons or over, but under 2 500 tons.....	R2 160	R265
(i) 2 500 tons or over, but under 3 000 tons.....	R2 420	R265
(j) 3 000 tons or over, but under 4 000 tons.....	R2 665	R310
(k) 4 000 tons or over, but under 5 000 tons.....	R2 925	R350
(l) 5 000 tons or over, but under 6 000 tons.....	R3 200	R350
(m) 6 000 tons or over, but under 7 000 tons.....	R3 430	R350
(n) 7 000 tons or over, but under 8 000 tons.....	R3 695	R350
(o) 8 000 tons or over, but under 9 000 tons.....	R3 950	R350
(p) 9 000 tons or over, but under 10 000 tons.....	R4 210	R350
(q) 10 000 tons or over.....	R4 390	R350

- (2) (a) The fees prescribed in column 1 of the table in subregulation (1) shall cover two visits which the surveyor may have to make to a ship before drawing up his report.
- (b) Should further visits be necessary before the report is drawn up the following additional fees shall be payable: One fifth of the fees prescribed in column 1 of subregulation (1) calculated at R100 per surveyor-hour or part thereof.
- (c) Where a surveyor finds it necessary to make more than one visit to a ship of over 300 tons for the purpose of an intermediate survey the fee prescribed in column 2 of subregulation (1) shall be increased by 25%.
- (3) Where a surveyor carries out a survey for the issue or renewal of a load line certificate at the same time as a survey for a safety certificate for a passenger ship or a cargo ship safety construction certificate, half the fee applicable to that particular ship as specified in column 1 of the table in subregulation (1) shall be payable.
- (4) No fee shall be payable where a surveyor carries out an intermediate survey at the same time as a survey for a safety certificate for a passenger ship or a cargo ship safety construction certificate.
- (5) Where a surveyor carries out a partial survey for a change of freeboard consequent upon minor alterations to a ship the fees in column 2 of the table in subregulation (1) shall be payable.
- (6) Where a surveyor in a special case carries out a partial survey for the issue or renewal of a load line certificate with a validity period of 12 months or less, half the fee specified in column 1 of the table in subregulation (1) shall be payable.
- (7) A fee of R100 shall be payable for the supply of information concerning the draught of water of a ship sailing from a South African port on a particular voyage.
- (8) The fees in column 1 of the table in subregulation (1) shall be payable for a provisional assignment of freeboard: Provided that no fee shall be payable for a subsequent survey for the first issue of the load line certificate.
- (9) A fee of R100 shall be payable for the issue of a total load line exemption certificate.

Consultative services

- 25.** (1) Where any owner, shipbuilder or company requests any consultative service, the fees prescribed in respect of that service shall be payable.
- (2) If any service requested is not fully specified above, the fee therefor shall be R120 per surveyor-hour or part thereof.
- (3) Where an owner, shipbuilder or company requests a principal officer or surveyor to interpret the requirements set out in any regulation for a specific class or category of vessel, a fee of R40 per hour shall be payable.

PART D**FEES FOR EXAMINATIONS FOR: CERTIFICATES OF COMPETENCY, PROFICIENCY AND COMPASS ADJUSTERS: GRANTING OF EXEMPTIONS AND DISPENSATIONS AND EYESIGHT TESTS****When to pay fees**

- 26.** (1) A candidate for examination for a certificate of competency in terms of the Act shall complete an application form in duplicate at least two weeks prior to the date of examination and pay the fee prescribed in this Part, and no candidate shall be allowed to sit for that examination unless he produces to the examiner the receipt for the fee paid.
- (2) A candidate who applies for exemption from part of the examination for any grade or class of certificate of competency shall complete an application form in duplicate, pay the fee prescribed in this Part for that part of the examination from which he seeks exemption and submit two copies of his exempting qualifications, and that application may be made at any time after the completion of his cadetship or apprenticeship.
- (3) A candidate for examination for a certificate of qualification or a candidate for a sight test examination shall pay the fee prescribed in this Part before the examination takes place.
- (4) A candidate applying for an exemption or a dispensation for any grade or class of certificate of competency shall pay the fee prescribed in this Part before the application will be considered.

Where to pay fees

- 27.** The fees for an examination, exemption or dispensation shall be payable to the nearest proper officer, who shall issue a receipt stating —
- (a) the name of the candidate;
- (b) the amount paid;
- (c) the certificate for which the candidate is being examined or the grade or class of certificate from which the candidate seeks exemption or dispensation.

Refund of fees

- 28.** (1) If through circumstances beyond the control of a candidate he is unable to undergo the examination for which a fee has been paid in terms of this Part he may apply in writing to the proper officer for a refund of the fee paid, and if that proper officer is of the opinion that the application is based upon reasonable grounds he shall transmit it to the Director-General, who may authorise the refund.
- (2) If a candidate cannot, through deafness or other physical or mental disability, attempt or complete an examination he may apply in writing to the proper officer for a refund of the fee paid by him, and such fee shall be refunded to him.
- (3) If a candidate who has paid the fee prescribed in terms of this Part for an examination for a certificate of competency or an endorsement fails to pass either or both parts of the colour and form vision tests and elects not to complete the rest of the examination, he may apply in writing to the proper officer for a refund of the fee paid by him, and such fee less R10 shall be refunded to him.
- (4) Subject to the provisions of this regulation, if a candidate fails to pass any part of the examination no part of the fee shall be refunded to him.
- (5) If the application for a certificate of service or for an exemption or a dispensation is unsuccessful, the fee paid by the applicant less R10 shall be refunded to him.

Table of fees: Examination for certificates of competency for (1) fishermen and (2) marine motormen

29. (1) (a) The fees payable for the examination for certificates of competency for fishermen in terms of the Act shall be as follows:

<i>Fishermen</i>	<i>Fee</i>
(i) Fisherman Grade 4.....	R45
(ii) Fisherman Grade 3.....	R70
(iii) Fisherman Grade 2.....	R100
(iv) Fisherman Grade 1.....	R125.

- (b) (i) The fees prescribed in subregulation (1) shall include the fee for the examination in signalling, if it is taken at the same time as the rest of the examination.
- (ii) If a candidate is re-examined in the written part only or the oral part only of that examination, one half of the fee prescribed in subregulation (1) shall be payable and this shall include a re-examination in signalling, if taken at the same time.
- (c) If a candidate is re-examined in the signalling part of the examination separately, a fee of R30 shall be payable for each examination.
- (d) A fee of R10 shall be payable to undergo the colour and form vision tests in terms of the Examination Regulations for Certificates of Competency for Fishermen 1993, but no fee shall be payable when that test is taken at the same time as an examination for a certificate of competency.

- (2) The fees payable for the examination for certificates of competency for marine motormen in terms of the Act shall be as follows:

<i>Motormen</i>	<i>Fee</i>
(i) Marine Motorman Grade 3.....	R45
(ii) Marine Motorman Grade 2.....	R70
(iii) Marine Motorman Grade 1.....	R100
(iv) Marine Motorman Higher Grade.....	R130.

- (3) A fee of R50 shall be payable for the issue of a certified copy of a lost, mutilated or damaged certificate of competency: Provided that no fee shall be payable if the certificate was lost, mutilated or damaged through shipwreck or fire on board ship.

Table of fees: Examination for certificate of competency for engineer officers

30. (1) The fees payable for examination for a certificate of competency for engineer officers in terms of the Act shall be as follows:

- (a) A certificate of competency as Marine Engineer Officer Class 4 or endorsement:

(i) The full examination for a certificate (steam, motor or combined steam and motor)	R130
(ii) Part of the examination	R65
(iii) The endorsement (steam or motor) examination	R65.

- (b) A certificate of competency as Marine Engineer Officer Class 3 or endorsement:

(i) The full examination for a certificate (steam, motor or combined steam and motor)	R150
(ii) Part of the examination	R75
(iii) The endorsement (steam or motor) examination	R75.

- (c) A certificate of competency as Marine Engineer Officer Class 2 or endorsement:

(i) The full examination for a certificate (steam, motor or combined steam and motor)	R180
(ii) Part A or Part B or a portion of either part.....	R90
(iii) The endorsement (steam or motor) examination	R90.

- (d) A certificate of competency as Marine Engineer Officer Class 1 or endorsement:

(i) The full examination for a certificate (steam, motor or combined steam and motor)	R230
(ii) Part A or Part B or a portion of either part.....	R115
(iii) The endorsement (steam or motor) examination	R115.

- (e) A certificate of competency as Chief Engineer Officer (Special Grade):

(i) The full examination for a certificate	R450
(ii) Part A or Part B.....	R225.

- (2) A candidate holding an exempting qualification for part of the examination shall pay the full fee at the first attempt for part of such examination and, if that attempt is unsuccessful, he shall on re-examination be required to pay the fee for part of the examination only.
- (3) A fee of R30 shall be payable for the issue of an amended certificate of competency in the format prescribed by regulation 15 of the Regulations Governing the Manning of South African Ships, 1985, to the holder of the equivalent certificate of competency issued prior to the commencement of the Amendment of the Examination Regulations for Engineer-Officers, 1985, promulgated by Government Notice No. R. 38 of 10 January 1989.
- (4) A fee of R50 shall be payable for the issue of a certified copy of a lost, mutilated or damaged certificate of competency or service: Provided that no fee shall be payable if the certificate was lost, mutilated or damaged through shipwreck or fire on board ship.
- (5) A fee of R25 shall be payable for a Dangerous Cargo Endorsement on a certificate of competency.

Table of fees: Examination for certificate of competency for deck officers

- 31.** (1) The fees payable for examination for a certificate of competency for deck officers in terms of the Act shall be as follows:
- | | |
|---|------------|
| (a) Class 6: The whole examination | R70 |
| (b) Class 5: The whole examination | R100 |
| (c) Class 4: The whole examination | R130 |
| (d) Class 3: The whole examination | R155 |
| (e) Class 2: The whole examination | R180 |
| (f) Class 1: The whole examination | R230 |
| (g) Master (Limited Trade) Endorsement | R100 |
| (h) Master (Short Sea Trade) Endorsement | R70 |
| (i) Master Special Grade: Part A and Part B | R260 each. |
| (j) For examination for credit subjects, re-examination in the oral examination, or examination in a deferred subject:
50% of the prescribed fee. | |
| (k) For a candidate sitting for the examination referred to in regulation 3.15.1 of the Examination Regulations for Certificates of Competency for Deck Officers, 1985:
The full fee for the appropriate examination prescribed in the said regulation 3.15.1 plus two thirds of the fee for the higher grade examination. | |
| (l) For a candidate referred to in regulation 3.15.2 of the Examination Regulations for Certificates of Competency for Deck Officers, 1985:
One third of the fee for the examination prescribed in the said regulation 3.15.2. | |
| (m) For revalidation of a Certificate of Competency by examination:
25% of the fee for the qualifying examination. | |
- (2) A fee of R10 shall be payable to undergo the colour and form vision tests: Provided that when these tests are taken at the same time as the examination for a certificate of competency or an endorsement, no separate fee shall be payable for such tests.
 - (3) A fee of R30 shall be payable for the issue of a certificate of competency in the format prescribed by regulation 15 of the Regulations Governing the Manning of South African Ships, 1985, to the holder of the equivalent certificate of competency issued prior to the commencement of the Amendment of the Examination Regulations for Deck Officers, 1985, promulgated by Government Notice No. R. 37 of 10 January 1989.
 - (4) A fee of R50 shall be payable for the issue of a certified copy of a lost, mutilated or damaged certificate of competency or certificate of service: Provided that no fee shall be payable if the certificate was lost, mutilated or damaged through shipwreck or fire on board ship.
 - (5)
 - (a) The fee prescribed in subregulation (1) (a), (b), (c), (d), (e) or (f) shall include the fee for the examination in signalling if taken at the same time as the examination for a certificate of competency.
 - (b) Where candidates take the examination in signalling separately from one or both parts of the examination for a certificate of competency a special fee of R40 shall be payable for each examination.
 - (6) A fee of R25 shall be payable for a Dangerous Cargo Endorsement on a certificate of competency.

Table of fees: Examination for certificate of competency for small vessels

- 32.** (1) The fees payable for the examination for a certificate of competency for small vessels under the Act shall be as follows:
- (a) For the examination and issue of a certificate of competency as skipper of a vessel of less than 25 tons R35
 - (b) For the issue of a certificate of competency as skipper of a vessel of less than 25 tons on the grounds of an authorised agency pass in the examination R20
 - (c) For the issue of a certified copy of a lost certificate of competency R13.
- (2) A fee of R10 shall be payable to undergo the colour and form vision tests: Provided that when these tests are taken at the same time as the examinations referred to in subparagraph (1) (a) and (b), no separate fee shall be payable.

Table of fees: Examination for certificate of qualification

- 33.** (1) The fees payable for examination for a certificate of qualification in terms of section 112 of the Act shall be as follows:
- (a) For an examination for a certificate of proficiency in survival craft R35
 - (b) For an examination for a certificate as efficient deck rating R35
 - (c) For an examination for a certificate as efficient engine-room rating R35
 - (d) For the granting of a certificate as efficient cook R25
 - (e) For an endorsement of an additional qualification R13.
- (2) Half the fee prescribed in subregulation (1) shall be payable for the issue of a certificate of qualification where the candidate for that certificate has passed the examination which was taken by an examiner appointed in terms of section 77 (4) of the Act.
- (3) No fee shall be payable for re-examination in terms of regulation 35 (2) of the Certificates of Qualification Regulations, 1985.
- (4) A fee of R15 shall be payable for the issue of a certified copy of a lost, mutilated or damaged certificate of qualification: Provided that no fee shall be payable if the certificate was lost, mutilated or damaged through shipwreck or fire on board ship.

Table of fees: Examination for certificate of competency as coxswain (rescue vessels)

- 34.** (1) The fees payable for the examination for the following certificates of competency in terms of section 77 of the Act shall be as follows:
- | Certificates | Fee |
|---|------------|
| (a) Coxswain (Rescue Vessels) Grade 3 | R30 |
| (b) Coxswain (Rescue Vessels) Grade 2 | R45 |
| (c) Coxswain (Rescue Vessels) Grade 1 | R60. |
- (2) The fees prescribed in subregulation (1) shall include the fee for the examination in signalling, if that examination is taken at the same time as the rest of the examination.
- (3) If a candidate is re-examined in the written part only or the oral part only of any examination contemplated in subregulation (1), including a re-examination in signalling, if taken at the same time, one half of the applicable fee prescribed in subregulation (1) shall be payable in respect of such re-examination.
- (4) If a candidate is re-examined in the signalling part of the examination separately, a fee of R20 shall be payable in respect of each re-examination.
- (5) A fee of R10 shall be payable to undergo the colour and form vision tests, unless that test is taken at the same time as an examination for a certificate of competency, in which case no fee shall be payable in respect of such tests.
- (6) Where a candidate is issued with a Grade 2 certificate in terms of regulation 9 (e) of the Examination Regulations for Certificates of Competency as Coxswain (Rescue Vessels), 1991, a fee of R20 shall be payable.
- (7) A fee of R15 shall be payable for the issue of a certified copy of a lost, mutilated or damaged certificate of competency: Provided that no fee shall be payable if the certificate was lost, mutilated or damaged through shipwreck or fire on board ship.

Table of fees: Examination and licensing of compass adjusters

- 35.** (1) The fees payable for the examination and licensing of compass adjusters in terms of section 228 (2) of the Act shall be as follows:
- | Certificate | Fee |
|---|------------|
| (a) Compass Adjuster (Restricted) | R60 |
| (b) Compass Adjuster (Unrestricted) | R60 |

Certificate**Fee**

- | | |
|--|------|
| (c) For the written and oral parts of the examination if attempted concurrently..... | R60 |
| (d) For the practical part of the examination | R60 |
| (e) For re-examination in the oral examination | R60. |
- (2) A fee of R10 shall be payable to undergo the colour and form vision tests unless those tests are taken at the same time as an examination for a licence as a compass adjuster in which case no fee shall be payable in respect of the tests.
- (3) A fee of R15 shall be payable for the issue of a certified copy of a lost, mutilated or damaged licence: Provided that no fee shall be payable if the licence was lost, mutilated or damaged through shipwreck or fire on board ship.

Fees for granting of exemption or dispensation or for evaluation of foreign certificate of competency

36. (1) The fees payable for an exemption granted in terms of section 83 of the Act shall be as follows:
- | | |
|---|------|
| (a) If the foreign certificate is recognised..... | R25 |
| (b) If the foreign certificate has to be evaluated before an exemption can be granted | R50. |
- (2) The fee payable for any certificate in terms of section 79 of the Act shall be half the fee prescribed in regulations for the examination for that particular class or grade of certificate.
- (3) The fee payable for permission granted under section 85 of the Act shall be half the fee prescribed in the Examination Regulations for Certificates of Competency for that particular class or grade for which permission is requested and permission so granted shall be subject to such conditions as may be specified.

Application to undergo colour and form vision tests, and fees to be paid

37. (1) An application to undergo colour and form vision tests in terms of section 78 of the Act shall be made to the proper officer on the form approved by the Director-General, and each applicant shall pay a fee of R10.
- (2) The fees prescribed in subregulation (1) shall be payable on each occasion on which an applicant is examined.
- (3) The fee of R10 shall not be refunded if the applicant fails the tests, or fails to appear at the time appointed for the tests, unless he produces a medical certificate or other acceptable evidence of his inability to attend.

PART E**FEE FOR RECORD BOOK****Fee for record book**

38. The fee payable for a seaman's record book in terms of the Record Book Regulations, 1977, irrespective of whether the application is made at a place where there is a proper officer or at a place where there is no proper officer or to replace a lost, mutilated or damaged or full record book shall be R15: Provided that no fee shall be payable if that record book has been lost, mutilated or damaged through shipwreck or fire on board ship.

PART F**FEE FOR DISCHARGE OF SEAMAN****Fee for discharge of seaman**

39. (1) Where a seaman is discharged before a proper officer in terms of section 113 (1) or (4) of the Act the master or owner of the ship from which the seaman is discharged shall, subject to the provisions of subregulations (2) and (3), pay a fee of R10.
- (2) Where the discharge of a seaman is effected on board ship at a port in the Republic the fee payable in terms of subregulation (1) shall be subject to an additional fee of R30 for each visit that the proper officer is required to make to that ship in order to complete such discharge.
- (3) Where the discharge of a seaman is effected on board ship at a port outside the Republic at the specific request of the master or owner of such ship the proper officer shall be permitted to levy such subsistence and travelling allowance applicable in the Government service as he is authorised to levy.

PART G

EXTRA AND SPECIAL ATTENDANCE FEES

Hours and dates of general attendance

40. (1) In Cape Town, East London, Saldanha, Mossel Bay, Durban, Port Elizabeth and Richards Bay the hours of general attendance of proper officers, except on Saturdays, Sundays and public holidays shall be as follows:
- (a) For receipt of fees in terms of the Act and other revenue: 09:00 to 12:30 and 14:00 to 15:00.
 - (b) For ordinary business: 07:45 to 12:45 and 13:30 to 16:15.
- (2) The Director-General shall publish annually in a Marine Notice the details of the periods a surveyor will be available to conduct surveys of bottom-accessible small vessels.

Charges for extra and special attendance

41. (1) Where the attendance of a surveyor is required on Saturdays, Sundays or public holidays or at any other time not covered by the hours prescribed in regulation 40, or for any special service within those hours, the person requiring attendance shall make application to a proper officer on the form approved by the Director-General and shall guarantee the payment of the fee prescribed in subregulation (2) and shall pay that fee on demand.
- (2) The fee for extra or special attendance shall be R40 per officer per hour or part thereof.
- (3) If the attendance of a surveyor is required at any time outside the periods specified by the Director-General in terms of regulation 40 (2), the person requiring such attendance shall pay the surveyor's travelling expenses and subsistence allowance as provided for in the Public Service Regulations, Public Service Staff Code and Financial Handbook in addition to the fees prescribed.

Duties of officers

42. (1) (a) A surveyor may at any time, should the necessity arise, be called upon to perform temporarily duties other than those ordinarily applicable to his class and grade.
- (b) General division officers may also be called upon at any time to perform, in addition to their outdoor duties, such clerical work as the Director-General may determine.
- (2) A surveyor shall not, without sufficient cause, refuse to undertake extra attendance when called upon to do so by the proper officer.

Surveys outside the Republic

43. Where the attendance of a surveyor is required outside the Republic the person requiring such attendance shall pay the surveyor's travelling expenses and subsistence allowance.

Inland surveys and extraordinary surveys

44. Where the attendance of a surveyor is required at any place within the Republic which is situated more than 50 kilometres from the nearest coastline the person requiring such attendance shall pay the surveyor's travelling expenses and subsistence allowance.

Deposits

45. The Director-General or the proper officer may, at his discretion, prior to allowing the attendance referred to in regulations 40 and 42 demand a deposit of an amount sufficient to cover the charges that will be incurred.

PART H

WITHDRAWAL OF REGULATIONS

Withdrawal of regulations

46. (1) The Merchant Shipping Fees Regulations, 1990, published under Government Notice No. R. 2438 of 19 October 1990, as amended by Government Notice No. R. 367 of 31 January 1992, are hereby withdrawn.
- (2) Regulation 27 of the Examination and Licensing of Compass Adjusters Regulations, 1991, published under Government Notice No. R. 127 of 25 January 1991, is hereby withdrawn.
- (3) Regulations 27 and 28 of the Examination Regulations for Certificates of Competency as Coxswain (Rescue Vessels), published under Government Notice No. R. 1945 of 16 August 1991, are hereby withdrawn.

PART I

SHORT TITLE AND COMMENCEMENT

Short title and commencement

47. These regulations shall be called the Merchant Shipping Fees Regulations, 1993 and shall come into operation on 1 January 1994.

R. 2559**31 Desember 1993****LUGVAARTWET, 1962: VYF-EN-TWINTIGSTE WYSIGING VAN DIE LUGVAARTREGULASIES, 1976**

Die Minister van Vervoer het kragtens artikel 22 van die Lugvaartwet, 1962 (Wet No. 74 van 1962), die regulasies in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie regulasies beteken "die Regulasies" die Lugvaartregulasies, 1976, afgekondig by Goewermentskennisgewing No. R. 141 van 30 Januarie 1976, soos gewysig by Goewermentskennisgewings No. R. 1283 van 23 Julie 1976, R. 2380 van 18 November 1977, R. 317 van 23 Februarie 1979, R. 259 van 19 Februarie 1982, R. 131 van 28 Januarie 1983, R. 509 van 11 Maart 1983, R. 551 van 23 Maart 1984, R. 1160 van 30 Mei 1985, R. 1161 van 30 Mei 1985, R. 2848 van 27 Desember 1985, R. 517 van 13 Maart 1987, R. 720 van 15 April 1988, R. 1902 van 23 September 1988, R. 917 van 12 Mei 1989, R. 2139 van 6 Oktober 1989, R. 2669 van 16 November 1990, R. 1287 van 7 Junie 1991, R. 1794 van 2 Augustus 1991, R. 3191 van 27 Desember 1991, R. 1794 van 24 Junie 1992, R. 2702 van 25 September 1992, R. 2801 van 2 Oktober 1992, R. 3081 van 6 November 1992, R. 156 van 5 Februarie 1993, en R. 157 van 5 Februarie 1993.

Wysiging van regulasie 1.3 van die Regulasies

2. Regulasie 1.3 van die Regulasies word hierby gewysig—

- (a) deur die omskrywing van "AIP" deur die volgende omskrywing te vervang:

" 'AIP' die Lugvaartinligtingspublikasie, uitge-reik kragtens magtiging van die Staat, wat lug-vaarkundige inligting van 'n langdurige aard bevat wat noodsaaklik is vir lugvaartnavigasie (AIP);";

- (b) deur na die omskrywing van "AIP" die volgende omskrywings in te voeg:

" 'AIP SUP' die tydelike veranderinge aan die inligting soos vervat in die AIP wat by wyse van spesiale bladsye gepubliseer word (AIP SUP);

'AIRAC' 'n stelsel gerig op vooraf kennisge-wing aangaande Lugvaarkundige inligting, regulering en beheer van omstandighede wat betekenisvolle veranderinge in operasionele praktyke noodsaak (AIRAC);";

- (c) deur na die omskrywing van "hoogte" die vol-gende omskrywing by te voeg:

" 'IAIP' (IAIP) 'n Geïntegreerde Lugvaart-inligtingspakket wat uit die volgende elemente bestaan:

- AIP, insluitende wysigingsdiens;
- AIP SUP;
- NOTAM;
- AIC; en
- kontrolelyste en opsommings;";

- (d) deur na die omskrywing van "ILS" die volgende omskrywing in te voeg:

" 'IMC' instrumentweertoestande (IMC);";

- (e) deur die omskrywing van "Lugvaartgids (AIP)" te skrap; en

R. 2559**31 December 1993****AVIATION ACT, 1962: TWENTY-FIFTH AMENDMENT OF THE AIR NAVIGATION REGULATIONS, 1976**

The Minister of Transport has, under section 22 of the Aviation Act, 1962 (Act No. 74 of 1962), made the regulations in the Schedule.

SCHEDULE**Definition**

1. In these regulations "the Regulations" means the Air Navigation Regulations, 1976, published under Government Notice No. R. 141 of 30 January 1976, as amended by Government Notices Nos. R. 1283 of 23 July 1976, R. 2380 of 18 November 1977, R. 317 of 23 February 1979, R. 259 of 19 February 1982, R. 131 of 28 January 1983, R. 509 of 11 March 1983, R. 551 of 23 March 1984, R. 1160 of 30 May 1985, R. 1161 of 30 May 1985, R. 2848 of 27 December 1985, R. 517 of 13 March 1987, R. 720 of 15 April 1988, R. 1902 of 23 September 1988, R. 917 of 12 May 1989, R. 2139 of 6 October 1989, R. 2669 of 16 November 1990, R. 1287 of 7 June 1991, R. 1794 of 2 August 1991, R. 3191 of 27 December 1991, R. 1794 of 24 June 1992, R. 2702 of 25 September 1992, R. 2801 of 2 October 1992, R. 3081 of 6 November 1992, R. 156 of 5 February 1993 and R. 157 of 5 February 1993.

Amendment of regulation 1.3 of the Regulations

2. Regulation 1.3 of the Regulations is hereby amended—

- (a) by the deletion of the definition of "Aeronautical Information Publication (AIP)";
- (b) by the substitution for the definition of "AIP" of the following definition:

" 'AIP' means the Aeronautical Information Publication, published under the authority of the State, containing aeronautical information of a lasting character essential to air navigation (AIP);";

- (c) by the insertion after the definition of "AIP" of the following definitions:

" 'AIP SUP' means the temporary changes to the information contained in the AIP which are published by means of special pages (AIP SUP);

" 'AIRAC' means a system aimed at advanced notification of aeronautical information, regulation and control of circumstances that necessitate significant changes in operating practices (AIRAC);";

- (d) by the insertion after the definition of "helicopter" of the following definition:

" 'IAIP' (IAIP) means an Integrated Aeronautical Information Package consisting of the following elements:

- AIP, including amendment service;
- AIP SUP;
- NOTAM;
- AIC; and
- checklists and summaries;";

- (e) by the insertion after the definition of "ILS" of the following definition:

" 'IMC' means instrument meteorological conditions (IMC);"; and

- (f) deur die omskrywing van "NOTAM" deur die volgende omskrywing te vervang:

"'NOTAM' 'n kennisgewing wat deur middel van telekommunikasie versprei word en wat inligting aangaande die instelling en toestand van of enige verandering in enige lugvaartfasiliteit, -diens, -prosedure of -gevaar bevat, waarvan tydige kennisname noodsaaklik is vir personeel wat by vliegbedrywighede betrokke is (NOTAM);".

Wysiging van regulasie 1.10 van die Regulasies

3. Regulasie 1.10 van die Regulasies word hierby gewysig—

- (a) deur by subregulasie (1) die volgende paragraaf by te voeg:

"(e) die vlieënier of operateur van 'n sport- of ontspanningslugvaartuig 'n lid is van 'n organisasie wat deur die Kommissaris aangewys is as beheerliggaam vir sportvlieg, en daar gevlieg word in ooreenstemming met prosedurehandelings wat deur sodanige organisasie goedgekeur is, behalwe wanneer sodanige lugvaartuig om vergoeding gevlieg word."; en

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

"(3) In hierdie regulasie beteken 'sport-/of ontspanningslugvaartuig'—
enige vliegtuig of rotortuig geregistreer in die LS 1-kategorie;
mikro-ligtevliegtuie;
sweeftuie;
lugballonne;
hangsweeftuie;
sweefvalskerms;
valskerms;
onkonvensionele lugvaartuie;
modelvliegtuie wat binne die internasionale spesifikasies van die 'Federation Aeronautique Internationale' val.".

Wysiging van regulasie 1.15 van die Regulasies

4. Regulasie 1.15 van die Regulasies word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Die Kommissaris moet in 'n AIC publiseer—

- (a) die datums waarop eksamens afgele moet word;
- (b) die laaste datum waarop aansoeke om elke sodanige eksamen af te lê die kantoor van die Direkteur-generaal van Vervoer moet bereik;
- (c) die formaat en duur van elke eksamen; en
- (d) die gelde betaalbaar vir sodanige eksamens."

Wysiging van regulasie 1.16 van die Regulasies

5. Regulasie 1.16 van die Regulasies word hierby gewysig—

- (a) deur die woord "en" aan die einde van subparagraaf (ii) te skrap; en

- (f) by the substitution for the definition of "NOTAM" of the following definition:

"'NOTAM' means a notice distributed by means of telecommunication containing information on the establishment, condition or any change in any aeronautical facility, service, procedure or hazard, the timely knowledge of which is essential to personnel concerned with flight operations NOTAM;".

Amendment of regulation 1.10 of the Regulations

3. Regulation 1.10 of the Regulations is hereby amended—

- (a) by the addition to subregulation (1) of the following paragraph:

"(e) the pilot or operator of a sports or recreational aircraft is a member of an organisation designated by the Commissioner as the controlling organisation for sports aviation, and the flying is conducted in accordance with such organisation's approved manuals of procedure, except when such aircraft is flown for remuneration."; and

- (b) by the addition of the following subregulation:

"(3) In this regulation "sports or recreational aircraft or flying devices" means—
any aeroplane or rotorcraft registered in the L.S.-1 category;
microlight aeroplanes;
gliders;
balloons;
hang gliders;
paragliders;
parachutes;
unconventional aircraft;
model aircraft falling within the international specifications of the "Federation Aeronautique Internationale."

Amendment of regulation 1.15 of the Regulations

4. Regulation 1.15 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

"(1) The Commissioner shall publish in an AIC—

- (a) the dates on which examinations are to be written;
- (b) the latest date by which applications for entrance to each such examination are to reach the office of the Director-General of Transport;
- (c) the format and duration of each examination; and
- (d) the fees payable for such examinations."

Amendment of regulation 1.16 of the Regulations

5. Regulation 1.16 of the Regulations is hereby amended—

- (a) by the deletion of the word "and" at the end of subparagraph (ii); and

(b) deur die volgende subparagrafe by te voeg:

“(iv) dat die reëls en instruksies soos vasgestel deur die Kommissaris vir sodanige eksamens vasgestel, nágekóm word, welke reëls en instruksies aan die kandidaat voorsien word by sy toelating tot die betrokke eksamen; en

(v) dat die kandidaat homself vir ’n tydperk van hoogstens 36 maande aan diskwalifikasie vir toekomstige eksamens blootstel indien die reëls en instruksies in subparagraaf (iv) genoem, oortree word, en dat die kandidaat geag word die eksamen waartydens die oortreding plaasgevind het, te gedruip het.”

Wysiging van regulasie 2.1 van die Regulasies

6. Regulasie 2.1 van die Regulasies word hierby gewysig deur in reël 6 die uitdrukking “Senior handelsvlieënier, of” te skrap.

Wysiging van regulasie 2.6 van die Regulasies

7. Regulasie 2.6 van die Regulasies word hierby gewysig deur in reël 1 die uitdrukking “senior handels- of” te skrap.

Wysiging van regulasie 2.7 van die Regulasies

8. Regulasie 2.7 van die Regulasies word hierby gewysig deur in reël 5 die uitdrukking “senior handels-” te skrap.

Wysiging van regulasie 2.8 van die Regulasies

9. Regulasie 2.8 van die Regulasies word hierby gewysig deur in reël 4 die uitdrukking “senior handels-” te skrap.

Wysiging van regulasie 2.12 van die Regulasies

10. Regulasie 2.12 van die Regulasies word hierby gewysig—

- (a) deur in subregulasie (3) die uitdrukking “ses maande vir senior handelsvlieënier;” te skrap;
- (b) deur in subregulasie (3) die uitdrukking “ses maande vir ’n luglyntransportvlieënier;” deur die uitdrukking “twaalf maande vir ’n luglyntransportvlieënier;” te vervang; en
- (c) deur in subregulasie (3) die uitdrukking “ses maande vir ’n instrumentvlieggraad;” deur die uitdrukking “twaalf maande vir ’n instrumentvlieggraad;” te vervang.

Wysiging van regulasie 2.19 van die Regulasies

11. Regulasie 2.19 van die Regulasies word hierby gewysig deur in reël 13 van paragraaf (b) die uitdrukking “ses maande vir ’n senior handelsvlieënier;” te skrap.

Wysiging van regulasie 2.26 van die Regulasies

12. Regulasie 2.26 van die Regulasies word hierby gewysig—

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

(b) by the addition of the following subparagraphs:

“(iv) that the rules and instructions determined by the Commissioner for such examination be complied with, which rules and instructions shall be supplied to a candidate upon his admission for a particular examination; and

(v) that a candidate subject himself to disqualification from future examinations for a period not exceeding 36 months if the rules and instructions referred to in subparagraph (iv) are contravened and that the candidate shall be deemed to have failed the examination in which such contravention occurred.”

Amendment of regulation 2.1 of the Regulations

6. Regulation 2.1 of the Regulations is hereby amended by the deletion in line 6 of the expression “Senior commercial pilot, or”.

Amendment of regulation 2.6 of the Regulations

7. Regulation 2.6 of the Regulations is hereby amended by the deletion in line 1 of the expression “senior commercial or”.

Amendment of regulation 2.7 of the Regulations

8. Regulation 2.7 of the Regulations is hereby amended by the deletion in line 2 of the expression “, senior commercial pilots licence (aeroplane)”.

Amendment of regulation 2.8 of the Regulations

9. Regulation 2.8 of the Regulations is hereby amended by the deletion in line 3 of the expression “, senior commercial”.

Amendment of regulation 2.12 of the Regulations

10. Regulation 2.12 of the Regulations is hereby amended—

- (a) by the deletion in subregulation (3) of the expression “six months for a senior commercial pilot;”;
- (b) by the substitution in subregulation (3) for the expression “six months for an airline transport pilot;” of the expression “twelve months for an airline transport pilot;”;
- (c) by the substitution in subregulation (3) for the expression “six months for an instrument rating;” of the expression “twelve months for an instrument rating;”.

Amendment of regulation 2.19 of the Regulations

11. Regulation 2.19 of the Regulations is hereby amended by the deletion in line 13 of paragraph (b) of the expression “six months for a senior commercial pilot;”.

Amendment of regulation 2.26 of the Regulations

12. Regulation 2.26 of the Regulations is hereby amended—

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

“(b) as gesagsvoerder optree in enige lugvaartuig, uitgesluit werksaamhede in verband met die vervoer van passasiers, vrag of pos vir vergoeding of huur;” en

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

“(c) as gesagsvoerder optree in ’n handelslugvervoerdienst in enige lugvaartuig gesertifiseer vir enkelvlieënierbedryf;”.

Herroeping van regulasie 2.27 van die Regulasies

13. Regulasie 2.27 van die Regulasies word hierby herroep.

Wysiging van regulasie 2.28 van die Regulasies

14. Regulasie 2.28 van die Regulasies word hierby gewysig deur paragrafe (a) en (b) deur die volgende paragrafe te vervang:

“(a) al die voorregte van ’n privaat- en handelsvlieënier uitoefen: Met dien verstande dat ’n luglyntransportvlieënier (helikopter) die houer van ’n instrumentvlieggraad moet wees voordat hy die voorregte van sodanige gradering mag uitoefen;

- (b) as gesagsvoerder in ’n lugvervoerdienst optree.”.

Vervanging van regulasie 2.38 van die Regulasies

15. Regulasie 2.38 van die Regulasies word hierby deur die volgende regulasie vervang:

“Behoud van bevoegdheid: Vereistes vir instrumentnaderings in IMC

2.38. Niemand mag optree as gesagsvoerder van ’n lugvaartuig wat ’n instrumentnadering na ’n vliegveld in IMC uitvoer nie, tensy hy binne die drie maande onmiddellik voor sodanige nadering deur middel van ’n instrumentnaderingsprosedure of -prosedures wat deur die Kommissaris goedgekeur is—

- (a) minstens twee werklike naderings met verwysing na slegs vlieginstrumente uitgevoer het; of
- (b) minstens twee naderings uitgevoer het in ’n nabootser wat deur die Kommissaris vir die doel van oefening in instrumentnaderingsprosedure goedgekeur is; of
- (c) geslaag het in ’n vliegtoets soos voorgeskryf in regulasie 3.12 (1) (g).”.

Wysiging van regulasie 3.1A van die Regulasies

16. Regulasie 3.1A van die Regulasies word hierby gewysig deur in subparagraaf (ii) van paragraaf (c) van subregulasie (1) na die uitdrukking “AIP” die uitdrukking “, AIP SUP” in te voeg.

Wysiging van regulasie 3.1B van die Regulasies

17. Regulasie 3.1B van die Regulasies word hierby gewysig—

- (a) deur in subparagraaf (ii) van paragraaf (c) van subregulasie (1) na die uitdrukking “AIP” die uitdrukking “, AIP SUP” in te voeg;
- (b) deur in paragraaf (f) van subregulasie (1) die uitdrukking “paragraaf (d)” deur die uitdrukking “paragraaf (c)” te vervang;
- (c) deur in reël 4 van subregulasie (2) die uitdrukking “subregulasie (1) (d)” deur die uitdrukking “subregulasie (1) (c)” te vervang; en

“(b) to act as pilot-in-command in any aircraft operations other than the transport of passengers, cargo or mail for remuneration or hire;”;

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

“(c) to act as pilot-in-command in commercial air transportation in any aircraft certificated for single pilot operation;”.

Withdrawal of regulation 2.27 of the Regulations

13. Regulation 2.27 of the Regulations is hereby withdrawn.

Amendment of regulation 2.28 of the Regulations

14. Regulation 2.28 of the Regulations is hereby amended by the substitution for paragraphs (a) and (b) of the following paragraphs:

“(a) to exercise all the privileges of a private and a commercial pilot: Provided that an airline transport pilot (helicopter) shall be the holder of an instrument rating before he may exercise the privileges of the holder of an instrument rating;

- (b) to act as pilot-in-command in air transportation.”.

Substitution of regulation 2.38 of the Regulations

15. The following regulation is hereby substituted for regulation 2.38 of the Regulations:

“Maintenance of competency: Requirements for instrument approaches in IMC

2.38 No person shall act as pilot-in-command of an aircraft on an instrument approach to an aerodrome in IMC unless within the three months immediately preceding such approach he has carried out by means of an instrument approach procedure or procedures, which have been approved by the Commissioner—

- (a) at least two actual approaches with reference to flight instruments only;
- (b) at least two approaches in a simulator approved by the Commissioner for the purpose of practising instrument approach procedure; or
- (c) has passed a flight test as prescribed in regulation 3.12 (1) (g).”.

Amendment of regulation 3.1A of the Regulations

16. Regulation 3.1A of the Regulations is hereby amended by the insertion in subparagraph (ii) of paragraph (c) of subregulation (1) after the expression “AIP” of the expression “, AIP SUP”.

Amendment of regulation 3.1B of the Regulations

17. Regulation 3.1B of the Regulations is hereby amended—

- (a) by the insertion in subparagraph (ii) of paragraph (c) of subregulation (1) after the expression “AIP” of the expression “, AIP SUP”;
- (b) by the substitution in paragraph (f) of subregulation (1) for the expression “paragraph (d)” of the expression “paragraph (c)”;
- (c) by the substitution in line 4 of subregulation (2) for the expression “subregulation (1) (d)” of the expression “subregulation (1) (c)”; and

- (d) deur in die laaste reël van subregulasie (2) die uitdrukking "subregulasie (1) (d)" deur die uitdrukking "subregulasie (1) (f)" te vervang.

Wysiging van regulasie 3.2 van die Regulasies

18. Regulasie 3.2 van die Regulasies word hierby gewysig deur in subparagraaf (i) van paragraaf (c) van subregulasie (1) die uitdrukking "AIP SUP" na die uitdrukking "AIP" in te voeg.

Wysiging van regulasie 3.2A van die Regulasies

19. Regulasie 3.2A van die Regulasies word hierby gewysig deur in subparagraaf (i) van paragraaf (c) van subregulasie (1) na die uitdrukking "AIP" die uitdrukking "AIP SUP" in te voeg.

Wysiging van regulasie 3.3 van die Regulasies

20. Regulasie 3.3 van die Regulasies word hierby gewysig—

- (a) deur in subparagraaf (i) van paragraaf (c) van subregulasie (1) na die uitdrukking "AIP" die uitdrukking "AIP SUP" in te voeg;
- (b) deur na subparagraaf (iv) van paragraaf (c) van subregulasie (1) die volgende subparagraaf by te voeg:
 - “(v) bogenoemde vakke mag slegs aangedurf word deur 'n kandidaat wat die houer is van 'n privaatvlieënierslisensie uitgereik kragtens hierdie regulasies;”;
- (c) deur in paragraaf (e) van subregulasie (1) die uitdrukking "12 maande" deur die uitdrukking "24 maande" te vervang.

Wysiging van regulasie 3.3A van die Regulasies

21. Regulasie 3.3A van die Regulasies word hierby gewysig deur in subparagraaf (i) van paragraaf (c) van subregulasie (1) na die uitdrukking "AIP" die uitdrukking "AIP SUP" in te voeg.

Herroeping van regulasie 3.4 van die Regulasies

22. Regulasie 3.4 van die Regulasies word hierby herroep.

Vervanging van regulasie 3.5 van die Regulasies

23. Regulasie 3.5 van die Regulasies word hierby deur die volgende regulasie vervang:

“Luglyntransportvlieëniers (vliegtuig)

3.5 (1) 'n Aansoeker vir om 'n luglyntransportvlieënierslisensie (vliegtuig) moet—

- (a) minstens 21 jaar oud wees;
- (b) die houer van 'n handelsvlieënierslisensie (vliegtuig) wees;
- (c) die Kommissaris in 'n skriftelike eksamen oortuig van sy kennis van—
 - (i) die regulasies van toepassing op handelsvlieëniers ingevolge regulasie 3.3 (1) (c) (i), behalwe dat die lisensiëringsvereistes van toepassing op luglyntransportvlieëniers in plaas van die lisensiëringsvereistes van toepassing op handelsvlieëniers, van toepassing is;
 - (ii) vliegbedryf;

- (d) by the substitution in the last line of subregulation (2) for the expression "subregulation (1) (d)" of the expression "subregulation (1) (f)".

Amendment of regulation 3.2 of the Regulations

18. Regulation 3.2 of the Regulations is hereby amended by the insertion in subparagraph (i) of paragraph (c) of subregulation (1) after the expression "AIP" of the expression "AIP SUP".

Amendment of regulation 3.2A of the Regulations

19. Regulation 3.2A of the Regulations is hereby amended by the insertion in subparagraph (i) of paragraph (c) of subregulation (1) after the expression "AIP" of the expression "AIP SUP".

Amendment of regulation 3.3 of the Regulations

20. Regulation 3.3 of the Regulations is hereby amended—

- (a) by the insertion in subparagraph (i) of paragraph (c) of subregulation (1) after the expression "AIP" of the expression "AIP SUP";
- (b) by the addition after subparagraph (iv) of paragraph (c) of subregulation (1) of the following subparagraph:
 - “(v) the above mentioned subjects may be attempted only by a candidate who is the holder of a private pilot's licence issued in terms of these regulations;”;
- (c) by the substitution in paragraph (e) of subregulation (1) for the expression "12 months" of the expression "24 months".

Amendment of regulation 3.3A of the Regulations

21. Regulation 3.3A of the Regulations is hereby amended by the insertion in subparagraph (i) of paragraph (c) of subregulation (1) after the expression "AIP" of the expression "AIP SUP".

Withdrawal of regulation 3.4 of the Regulations

22. Regulation 3.4 of the Regulations is hereby withdrawn.

Substitution of regulation 3.5 of the Regulations

23. The following regulation is hereby substituted for regulation 3.5 of the Regulations:

“Airline transport pilots (aeroplane)

3.5 (1) An applicant for an airline transport pilot's licence (aeroplane) shall—

- (a) be not less than 21 years of age;
- (b) be the holder of a commercial pilot's licence (aeroplane);
- (c) satisfy the Commissioner, in a written examination, as to his knowledge of—
 - (i) the regulations applicable to commercial pilots in terms of regulation 3.3 (1) (c) (i), except that the licensing requirements applicable to airline transport pilots instead of the licensing requirements applicable to commercial pilots, shall apply;
 - (ii) flight operation;

- (iii) lugvaartkaarte en die vorm van die aarde;
- (iv) vlugnavigasie;
- (v) radiohulpmiddels vir navigasie;
- (vi) lugvaartinstrumente;
- (vii) weerkunde; en
- (viii) die tegniese vakke bedoel in Hoofstuk 5, welke

bogenoemde vakke slegs afgelê mag word deur 'n kandidaat wat die houer van 'n geldige handelsvlieënierslisensie is, uitgereik kragtens hierdie regulasies.

- (d)
 - (i) minstens 75 instrumentvliegreure voltooi het, waarvan hoogstens 30 uur met gebruik van nabootsers deur die Kommissaris goedgekeur, gedoen mag word;
 - (ii) minstens 1 500 vliegreure soos in Hoofstuk 8 voorgeskryf, voltooi het, waarvan nie meer as 100 uur deur middel van nabootsers soos goedgekeur deur die Kommissaris gedoen is: Met dien verstande dat die vlieënier die vlugkontroles van 'n lugvaartuig vir minstens 250 uur self gebruik het, waarvan minstens 100 uur nagvlieg insluit; en
 - (iii) aan die vereistes vir die uitreiking van 'n instrumentvlieggraad voldoen;
- (e) onder toesig van 'n amptelike eksaminator 'n praktiese vliegtoets in 'n meermotorige vliegtuig met bestuurbare skroewe, verstelbare klappe en intrekonderstel ondergaan waarin hy bewys moet lewer van sy bekwaamheid om—
 - (i) 'n vliegtuig bevredigend te hanteer in alle manoeuvres wat by normale vlieg aangewend word;
 - (ii) noodmanoeuvres uit te voer wat skyn-noodlandings mag insluit en herstel uit staakvlug waarin hy uit gelykvlug en uit sterk gekantelde stand gegaan het;
 - (iii) meermotorige vliegtuie teen die maksimum toelaatbare landingsmassa en een motor buite werking te hanteer;
 - (iv) alle normale manoeuvres, met inbegrip van 'n staakvlug, 'n spiraalvlug en 'n draai van minstens 720 grade in 'n gekantelde stand van minstens 45 grade slegs deur verwysing na vlieginstrumente uit te voer;
 - (v) meermotorige vliegtuie teen die maksimum toelaatbare landingsmassa en met een motor buite werking slegs deur verwysing na vlieginstrumente te hanteer;

- (iii) aeronautical charts and the form of the earth;
- (iv) flight navigation;
- (v) radio aids to navigation;
- (vi) aeronautical instruments;
- (vii) meteorology; and
- (viii) the technical subjects referred to in Chapter 5;

the above-mentioned subjects may be attempted only by a candidate who is the holder of a valid commercial pilot's licence issued in terms of these regulations.

- (d)
 - (i) have completed not less than 75 hours of instrument time, not more than 30 hours of which may be acquired on simulators approved by the Commissioner;
 - (ii) have completed not less than 1 500 hours of flight time as prescribed in Chapter 8, not more than 100 hours of which may be acquired on simulators approved by the Commissioner: Provided that the pilot actually manipulated the flight controls of an aircraft for not less than 250 hours, at least 100 hours of which shall include night flight; and
 - (iii) comply with the requirements for the issuing of an instrument rating;
- (e) undergo a practical flight test with an official examiner in a multi-engined aeroplane with variable pitch propellers, adjustable flaps and retractable undercarriage, during which he shall demonstrate his ability—
 - (i) to pilot an aeroplane satisfactorily in all manoeuvres used in normal flight;
 - (ii) to execute emergency manoeuvres which may include simulated forced landings and recovery from stalls entered from both level and steeply banked attitudes;
 - (iii) to operate multi-engined aeroplanes at maximum permissible landing mass with one engine inoperative;
 - (iv) to execute all normal manoeuvres, solely by means of instruments, including stalls, spirals and turns of not less than 720 degrees in a banked attitude of not less than 45 degrees;
 - (v) to operate multi-engined aeroplanes solely by reference to instruments at maximum permissible landing mass with one engine inoperative;

- (vi) terwyl hy die vliegtuig onder werklike of skyninstrumentvliegtoestande hanteer, oriëntering en nadering met behulp van radiohulpmiddels uit te voer en om alle ander bewyse te lewer van bedrewenheid wat vir die instrumentvlieggraad vereis word;
 - (vii) alle ander manoeuvres uit te voer wat nodig mag wees om sy bevoegdheid te bepaal;
 - (viii) die toetse in subparagrafe (ii), (iii) en (v) in 'n vliegtuig van die klas waarvoor die graad verlang word, uit te voer, en waar die graad vir 'n vliegtuig met 'n maksimum gesertifiseerde massa van meer as 5 700 kg verlang word, dan in die tipe vliegtuig waarvoor die graad verlang word; en
 - (ix) te voldoen aan die vereistes vir die uitreiking van 'n instrumentvlieggraad: Met dien verstande dat manoeuvres wat vereis word in die loop van die toetse gespesifiseer in subparagrafe (i) tot (vii), deur die eksaminator gewysig of uitgeskakel kan word as dit nie raadsaam is om met die tipe vliegtuig wat in die toetse gebruik word, die manoeuvres uit te voer nie;
- (f) 'n praktiese vliegtoets binne 36 maande na die datum van in kennisstelling dat die vereiste tegniese eksamens geslaag is, en binne die 60 dae onmiddellik voor die datum van aansoek slaag.
- (2) Iemand wat om die hernuwing van 'n luglyn-transportvlieënierslisensie (vliegtuig) aansoek doen, moet—
- (a) aan die Kommissaris sy vlieënierslogboek voorlê, waaruit blyk dat hy binne die ses maande onmiddellik voor die datum van aansoek minstens 12 uur as gesagvoerder voltooi het, of binne die 60 dae onmiddellik voor die datum van aansoek die vliegtoets in subregulasie (1) (e) voorgeskryf suksesvol afgeleë het;
 - (b) aan die vereistes vir die hernuwing van 'n instrumentvlieggraad voldoen: Met dien verstande dat waar 'n kandidaat nie daarin slaag om aan daardie vereistes te voldoen nie, sodanige kandidaat die voorregte van sy lisensie vir 'n tydperk van hoogstens 60 dae of tot die vervaldatum van sy lisensie, watter tydperk ook al die kortste mag wees, slegs onder VFR mag uitoefen;
 - (c) indien 'n tydperk van hoogstens twee jaar verloop het ná die verval van sodanige lisensie, voldoen aan die vereistes soos uiteengesit in paragrafe (a) en (b);
- (vi) while operating the aeroplane under actual or simulated instrument flight conditions, to carry out orientation and approach procedures by using radio aids, and to give any other demonstration of skill required for the instrument rating;
 - (vii) to execute all other manoeuvres which may be essential to establish his competency;
 - (viii) to carry out the tests detailed in subparagraphs (ii), (iii) and (v) in an aeroplane of the class for which a rating is sought and where the rating is sought for an aeroplane having a maximum certificated mass exceeding 5 700 kg, in the type of aeroplane for which the rating is sought; and
 - (ix) to meet the requirements for the issuing of an instrument rating: Provided that any manoeuvres required during the course of the tests, detailed in subparagraphs (i) to (vii), may be modified or excluded by the examiner if such manoeuvres are inadvisable for the type of aeroplane used in the tests;
- (f) pass a practical flight test within 36 months from the date of notification of having passed the required technical examinations and within the 60 days immediately preceding the date of application.
- (2) An applicant for the renewal of an airline transport pilot's licence (aeroplane) shall—
- (a) submit to the Commissioner his pilot's log-book showing that he has completed not less than 12 hours as pilot-in-command within the six months immediately preceding the date of the application, or has successfully completed the flight test prescribed in subregulation (1) (e) within the 60 days immediately preceding the date of application;
 - (b) meet the requirements for the renewal of an instrument rating: Provided that where a candidate fails to meet those requirements, such candidate may exercise the privileges of his licence under VFR only, for a period not exceeding 60 days or until the date of expiry of his licence, whichever period is the lesser;
 - (c) if a period of not more than two years has elapsed since the lapse of such licence, comply with the requirements set out in paragraphs (a) and (b);

- (d) indien 'n tydperk van meer as twee jaar, maar hoogstens vyf jaar verloop het sedert die verval van sodanige lisensie, voldoen aan die vereistes uiteengesit in paragrafe (a) en (b) en in 'n geskrewe eksamen in regulasies soos voorgeskryf vir luglyn-transportvlieëniers geslaag het; of
- (e) indien 'n tydperk van meer as vyf jaar verloop het sedert die verval van sodanige lisensie, voldoen aan die vereistes vir die eerste uitreiking van sodanige lisensie soos uiteengesit in subregulasie (1), behalwe dat die Kommissaris die aansoeker kan vrystel van die skriftelike eksamen bedoel in subregulasie (1) (c)."

Wysiging van regulasie 3.8 van die Regulasies

24. Regulasie 3.8 van die Regulasies word hierby gewysig deur in subparagraaf (i) van paragraaf (b) van subregulasie (1) die uitdrukking "1 600 kg" waar dit ook al voorkom deur die uitdrukking "2 700 kg" te vervang.

Wysiging van regulasie 3.13 van die Regulasies

25. Regulasie 3.13 van die Regulasies word hierby gewysig—

- (a) deur in paragraaf (e) van subregulasie (1) na die uitdrukking "eksaminator" die uitdrukking "binne 24 maande na die datum van in kennisstelling dat daar in die voorgeskrewe tegniese eksamens geslaag is en binne die 30 dae onmiddellik voor die aansoek" in te voeg;
- (b) deur in subparagraaf (i) van paragraaf (b) van subregulasie (6) die uitdrukking "senior handelsvlieënierslisensie of hoër graad" deur die uitdrukking "luglyntransportvlieënierslisensie" te vervang.

Wysiging van regulasie 3.16C van die Regulasies

26. Regulasie 3.16C van die Regulasies word hierby gewysig deur subparagraaf (iii) van paragraaf (d) te skrap.

Wysiging van regulasie 3.18 van die Regulasies

27. Regulasie 3.18 van die Regulasies word hierby gewysig deur in paragraaf (c) van subregulasie (3) na die uitdrukking "AIP" die uitdrukking ", AIP SUP" in te voeg.

Wysiging van regulasie 5 van die Regulasies

28. Regulasie 5 van die Regulasies word hierby gewysig deur die uitdrukking "senior handelsvlieënierslisensie" in reël 3 van die opskrif te skrap.

Wysiging van regulasie 6 van die Regulasies

29. Regulasie 6.1 van die Regulasies word hierby gewysig deur die subhoof "Handelsvlieënier, senior handelsvlieënier en luglyntransportvlieënier" deur die subhoof "handelsvlieënier en luglyntransportvlieënier" te vervang.

Wysiging van regulasie 8.2 van die Regulasies

30. Regulasie 8.2 van die Regulasies word hierby gewysig—

- (a) deur in subregulasie (3) die uitdrukking "senior handelsvlieënier;" deur die uitdrukking "luglyntransportvlieënier" te vervang;

(d) if a period of more than two years but not more than five years has elapsed since the lapse of such licence, comply with the requirements set out in paragraphs (a) and (b) and pass a written examination in regulations as prescribed for an airline transport pilot's licence; or

(e) if a period of more than five years has elapsed since the lapse of such licence, comply with the requirements for the initial issue of such licence as set out in subregulation (1), except that the Commissioner may exempt the applicant from the prescribed written examinations referred to in subregulation (1) (c)."

Amendment of regulation 3.8 of the Regulations

24. Regulation 3.8 of the Regulations is hereby amended by the substitution in subparagraph (i) of paragraph (b) of subregulation (1) for the expression "1 600 kg", wherever it occurs, of the expression "2 700 kg".

Amendment of regulation 3.13 of the Regulations

25. Regulation 3.13 of the Regulations is hereby amended—

- (a) by the insertion in paragraph (e) of subregulation (1) after the expression "examiner" of the expression "within 24 months from the date of notification of having passed the prescribed technical examinations and within the 30 days immediately preceding the application";
- (b) by the substitution in subparagraph (i) of paragraph (b) of subregulation (6) for the expression "senior commercial pilot's licence or higher grade" of the expression "airline transport pilot's licence".

Amendment of regulation 3.16C of the Regulations

26. Regulation 3.16C of the Regulations is hereby amended by the deletion of subparagraph (iii) of paragraph (d).

Amendment of regulation 3.18 of the Regulations

27. Regulation 3.18 of the Regulations is hereby amended by the insertion in paragraph (c) of subregulation (3) after the expression "AIP" of the expression ", AIP SUP".

Amendment of regulation 5 of the Regulations

28. Regulation 5 of the Regulations is hereby amended by the deletion of the expression "senior commercial pilot's licence" in line 4 of the heading.

Amendment of regulation 6 of the Regulations

29. Regulation 6.1 of the Regulations is hereby amended by the substitution for the subheading "Commercial pilot, senior commercial pilot, airline transport pilot" of the following subheading: "Commercial pilot and airline transport pilot:".

Amendment of regulation 8.2 of the Regulations

30. Regulation 8.2 of the Regulations is hereby amended—

- (a) by the substitution in subregulation (3) for the expression "senior commercial pilot" of the expression "airline transport pilot";

- (b) deur in subregulasie (4) die uitdrukking "of senior handelsvlieënier" te skrap;
- (c) deur in subregulasie (5) die uitdrukking "of senior handelsvlieënier" te skrap; en
- (d) deur in subregulasie (6) die uitdrukking "senior handelsvlieënier" deur die uitdrukking "luglyn-transportvlieënier" te vervang.

Wysiging van regulasie 8.3 van die Regulasies

31. Regulasie 8.3 van die Regulasies word hierby gewysig deur die uitdrukking "senior handelsvlieënierslisensie (vliegtuig)" te skrap.

Wysiging van regulasie 10.8 van die Regulasies

32. Regulasie 10.8 van die Regulasies word hierby gewysig deur in paragraaf (a) die uitdrukking "en AIP(s)" deur die uitdrukking ",AIP(s) en AIP SUP(s)" te vervang.

Wysiging van Hoofstuk 11 van die Regulasies

33. Hoofstuk 11 van die Regulasies word hierby gewysig deur in regulasies 11.9 (3), 11.10 (7), 11.11 (10), 11.13 (6) en 11.16 (4) (c) na die uitdrukking "draai-en-slipaanwyser" die uitdrukking "of in plaas daarvan 'n addisionele standaardaanwyser deur 'n kragbron afsonderlik van die hoofstandaanwyser(s) aangedryf:" by te voeg.

Vervanging van regulasie 16.1 van die Regulasies

34. Regulasie 16.1 van die Regulasies word hierby deur die volgende regulasie vervang:

"Vlugfoliante

16.1 Elke Suid-Afrikaanse lugvaartuig moet altyd 'n vlugfoliant aan boord hê. Dit moet wesenlik ooreenkom met die vereistes deur die Kommissaris gespesifiseer en moet bygehou en in 'n leesbare toestand gehou word. Die vlugfoliant moet 'n register uitmaak van alle vlugte en onderhoudswerk wat uitgevoer word terwyl die lugvaartuig van sy gewone standplaas af weg is. Inskrywings moet gemaak word onmiddellik na die voorval waarop hulle betrekking het en in die geval van onderhoudswerk gesertifiseer word deur die persoon wat verantwoordelikheid aanvaar vir die onderhoudswerk uitgevoer. Die vlugfoliant moet vir 'n tydperk van twee jaar na die datum van die laaste inskrywing daarin gehou word."

Wysiging van regulasie 16.2 van die Regulasies

35. Regulasie 16.2 van die Regulasies word hierby gewysig—

- (a) deur subregulasie (1) deur die volgende subregulasie te vervang:

"(1) Die volgende logboeke moet ten opsigte van Suid-Afrikaanse lugvaartuie en ten opsigte van ander gespesifiseerde uitrusting gehou word vir die aantekening daarin van die onderhoudsgeschiedenis van die uitrusting waarop elkeen betrekking het:

- (a) 'n Lugvaartuiglogboek vir elke lugvaartuig;

- (b) by the deletion in subregulation (4) of the expression "or senior commercial pilot";
- (c) by the deletion in subregulation (5) of the expression "or senior commercial pilot"; and
- (d) by the substitution in subregulation (6) for the expression "senior commercial pilot" of the expression "airline transport pilot".

Amendment of regulation 8.3 of the Regulations

31. Regulation 8.3 of the Regulations is hereby amended by the deletion of the expression "senior commercial pilot's licence (aeroplane)".

Amendment of regulation 10.8 (a) of the Regulations

32. Regulation 10.8 of the Regulations is hereby amended by the substitution in paragraph (a) for the expression "and AIP(s)" of the expression ", AIP(s) and AIP SUP (s)".

Amendment of Chapter 11 of the Regulations

33. Chapter 11 of the Regulations is hereby amended by the insertion in regulations 11.9 (3), 11.10 (7), 11.11 (10), 11.13 (6) and 11.16 (4) (c) after the words "turn-and-slip indicator" of the words "or, in lieu thereof, an additional attitude indicator powered by a power source separate from that of the main attitude indicator(s)".

Substitution of regulation 16.1 of the Regulations

34. The following regulation is hereby substituted for regulation 16.1 of the Regulations:

"Flight folios

16.1 Every South African aircraft shall at all times carry a flight folio. This shall conform substantially to the requirements specified by the Commissioner and shall be kept up-to-date and maintained in a legible manner. The flight folio shall constitute a record of all flying and maintenance performed while the aircraft is away from its normal station. Entries shall be made immediately upon completion of the occurrence to which they refer and in the case of maintenance be certified by the person taking responsibility for the maintenance performed. The flight folio shall be retained for a period of two years from the date of the last entry therein."

Amendment of regulation 16.2 of the Regulations

35. Regulation 16.2 of the Regulations is hereby amended—

- (a) by the substitution for subregulation (1) of the following subregulation:

"(1) The following logbooks shall be kept in respect of South African aircraft and in respect of other specified equipment for the purpose of recording therein the maintenance history of the equipment to which each relates:

- (a) An aircraft logbook for each aircraft;

(b) 'n motorlogboek vir elke lugvaartuigmotor; en

(c) 'n skroeflogboek vir elke bestuurbare skroef. Rekords ten opsigte van vastesteekskroewe met vaste hoek moet in die lugvaartuiglogboek aangeteken word.)

Die bepalings van subregulasie (1) is nie van toepassing op lugvaartuie wat nie vir lugwaardigheidsertifikate kwalifiseer nie.”;

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

“(2) Logboeke wat ingevolge subregulasie (1) gehou word, moet in die formaat wees wat die Kommissaris van tyd tot tyd in 'n AIC voorskryf.”;

(c) deur subregulasie (3) deur die volgende subregulasie te vervang:

“(3) Logboeke moet verkieslik by die lugvaartuig se bedryfsbasis gehou word. Besonderhede met betrekking tot onderhoud weg van die bedryfsbasis uitgevoer, moet binne 48 uur na die terugkeer van die lugvaartuig na die bedryfsbasis in die betrokke logboek of logboeke aangeteken word of binne 48 uur na die voltooiing van enige ander onderhoud aan 'n lugvaartuig of ander uitrusting by sy bedryfsbasis.”; en

(d) deur subregulasie (4) te skrap.

Wysiging van regulasie 16.4 van die Regulasies

36. Regulasie 16.4 van die Regulasies word hierby gewysig deur in subregulasie (2) die uitdrukking “kladboek” deur die uitdrukking “rekord” te vervang.

Wysiging van regulasie 24.6 van die Regulasies

37. Regulasie 24.6 van die Regulasies word hierby gewysig deur na die uitdrukking “uitreiking” die uitdrukking “of hernuwing” in te voeg.

Wysiging van regulasie 24.14 van die Regulasies

38. Regulasie 24.14 van die Regulasies word hierby gewysig deur na die uitdrukking “uitreiking” die uitdrukking “of hernuwing” in te voeg.

Wysiging van regulasie 24.15 van die Regulasies

39. Regulasie 24.15 van die Regulasies word hierby gewysig deur subregulasie (1) deur die volgende subregulasie te vervang:

“(1) Behoudens subregulasies (2) en (3) en regulasies 1.11, 23.5 en 23.6 bly 'n sertifikaat van goedkeuring en 'n graad of grade daarby vir 'n lugvaartuigvervaardigings, prosesserings- of toetsorganisasie geldig vir sodanige tydperk as wat die Kommissaris mag bepaal, maar hoogstens 12 maande.”.

(b) an engine logbook for each aircraft engine; and

(c) a propeller for each variable-pitch propeller. (Records in respect of fixed-pitch propellers shall be entered in the aircraft logbook.)

The provisions of subregulation (1) shall not apply to aircraft which do not qualify for a certificate of airworthiness.”;

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

“(2) Logbooks to be kept in terms of subregulation (1) shall conform to such format as the Commissioner may from time to time prescribe in an AIC.”;

(c) by the substitution for subregulation (3) of the following subregulation:

“(3) Logbooks should preferably be kept at the aircraft's base of operation. Details in respect of maintenance carried out while away from base shall be transferred to the appropriate logbook or logbooks within 48 hours after the return of the aircraft to its base of operation or entered within 48 hours of completion of any maintenance performed on the aircraft or other equipment at its base of operation.”; and

(d) by the deletion of subregulation (4).

Amendment of regulation 16.4 of the Regulations

36. Regulation 16.4 is hereby amended by the substitution in subregulation (2) for the expression “rough notebook” of the expression “record”.

Amendment of regulation 24.6 of the Regulations

37. Regulation 24.6 of the Regulations is hereby amended by the insertion after the expression “issue” of the expression “or renewal”.

Amendment of regulation 24.14 of the Regulations

38. Regulation 24.14 of the Regulations is hereby amended by the insertion after the expression “issue” of the expression “or renewal”.

Amendment of regulation 24.15 of the Regulations

39. Regulation 24.15 of the Regulations is hereby amended by the substitution for subregulation (1) of the following subregulation:

“(1) Subject to subregulations (2) and (3) and regulations 1.11, 23.5 and 23.6, a certificate of approval and its rating or ratings for an aircraft manufacturing, processing or test organisation shall remain valid for such period as the Commissioner may determine, but not exceeding 12 months.”.

Wysiging van Hoofstuk 24 van die Regulasies

40. Hoofstuk 24 van die Regulasies word hierby gewysig deur die volgende regulasie by te voeg:

"Hernuwing

24.20 (1) 'n Aansoeker om die hernuwing van 'n sertifikaat van goedkeuring vir 'n lugvaartuigvervaardigings-, prosesserings-, of/-toetsorganisasie moet—

- (a) 'n aansoekvorm, verkrygbaar van die Direkteur-generaal: Vervoer (DBL), Privaat Sak X193, Pretoria, 0001, of van die naaste lugwaardigheidsinspekteur van die Departement, invul en tesame met die gelde soos voorgeskryf in Aanhangsel A, na die Direkteur-generaal: Vervoer of sodanige lugwaardigheidsinspekteur stuur; en
- (b) die Kommissaris daarvan oortuig dat hy aan die ander vereistes van hierdie Hoofstuk voldoen.

(2) Aansoek om die hernuwing van 'n sertifikaat van goedkeuring vir 'n lugvaartuigvervaardigings-, -prosesserings- of/- toetsorganisasie moet minstens drie maande voor die vervaldatum van die sertifikaat gedoen word op die wyse in subregulasie 24.6 voorgeskryf."

Wysiging van AANHANGSEL A by die Regulasies

41. AANHANGSEL A by die Regulasies word hierby gewysig—

- (a) deur subitem (a) van item A.1 deur die volgende item te vervang:

"(a) Boordbemanninglisensies

- | | |
|--|----------|
| (i) Uitreiking | R60,00 |
| (ii) Hernuwing (volledig)..... | R50,00 |
| (iii) Geldigmaking van 'n buitelandse lisensie | R50,00 |
| (iv) Heruitreiking | R50,00 |
| (v) Mediese hernuwing | R30,00 |
| (vi) Instrumentgraderingshernuwing | R30,00 |
| (vii) Instruktorsgraderingshernuwing | R30,00 |
| (viii) Verlenging van lisensie en/of gradering | R30,00 |
| (ix) Enige toevoeging of verandering aan lisensie..... | R30,00"; |

- (b) deur subitem (b) van item A.1 deur die volgende item te vervang:

"(b) Lugvaartuigonderhoudsingenieurslisensies

- | | |
|---|----------|
| (i) Uitreiking | R60,00 |
| (ii) Hernuwing, heruitreiking of geldigmaking van 'n buitelandse lisensie | R60,00"; |

- (c) deur subitem (d) van item A.1 deur die volgende item te vervang:

"(d) Uitreiking van 'n duplikaatlisensie

R60,00";

- (d) deur subitem (1) van item A.1 deur die volgende item te vervang:

"(1) Sertifikaat van goedkeuring vir 'n lugvaartuigvervaardigings-, -prosesserings- of -toetsorganisasie:

- | | |
|----------------------|--------|
| (i) Uitreiking | R60,00 |
|----------------------|--------|

Amendment of Chapter 24 of the Regulations

40. Chapter 24 of the Regulations is hereby amended by the addition of the following regulation:

"Renewal

24.20 (1) An applicant for the renewal of a certificate of approval for an aircraft manufacturing, processing or test organisation shall—

- (a) complete an application form obtainable from the Director-General: Transport (DCA), Private Bag X193, Pretoria, 0001, or from the nearest airworthiness inspector of the Department of Transport and return it, with the fee prescribed in Annexure A, to the Director-General: Transport or to such airworthiness inspector; and
- (b) satisfy the Commissioner that he has complied with the other requirements of this Chapter.

(2) Application for the renewal a certificate of approval for an aircraft manufacturing, processing or test organisation shall be made in the manner prescribed in regulation 24.6 at least three months prior to the date of expiry of the certificate."

Amendment of ANNEXURE A to the Regulations

41. ANNEXURE A to the Regulations is hereby amended—

- (a) by the substitution for subitem (a) of item A.1 of the following item:

"(a) Flight crew member licences

- | | |
|--|----------|
| (i) Issue | R60,00 |
| (ii) Renewal (complete) | R50,00 |
| (iii) Validation of a foreign licence | R50,00 |
| (iv) Reissue | R50,00 |
| (v) Medical renewal | R30,00 |
| (vi) Instrument rating renewal | R30,00 |
| (vii) Instructor's rating renewal | R30,00 |
| (viii) Extension of licence and/or rating | R30,00 |
| (ix) Any conversion or change to a licence | R30,00"; |

- (b) by the substitution for subitem (b) of item A.1 of the following item:

"(b) Aircraft maintenance engineer's licence:

- | | |
|--|----------|
| (i) Issue | R60,00 |
| (ii) Renewal, reissue or validation of a foreign licence | R60,00"; |

- (c) by the substitution for subitem (d) of item A.1 of the following item:

"(d) Issue of a duplicate licence... R60,00";

- (d) by the substitution for subitem (1) of item A.1 of the following item:

"(1) Certificate of approval for aircraft manufacturing, processing or test organisation:

- | | |
|-----------------|--------|
| (i) issue | R60,00 |
|-----------------|--------|

- (ii) bykomende graderings, per gradering R20,00
 (iii) hernuwing, per gradering..... R10,00.
 (iv) duplikaat..... R2,00";
- (e) deur subitem (m) van item A.1 deur die volgende item te vervang:
- “(m) Registrasie van lugvaartuie:
- (i) registrasie..... R160,00
 (ii) duplikaat..... R60,00
 (iii) wysigings van registrasie-sertifikate..... R100,00
 (iv) skapping van registrasie-sertifikaat vir uitvoerdoel-eindes..... R160,00";
- en
- (f) deur item A.2 te skrap.

DEPARTEMENT VAN HANDEL EN NYWERHEID

No. R. 2514 31 Desember 1993

WYSIGING VAN BYLAE 1 VAN DIE REGULASIES AFGEKONDIG KRAGTENS DIE WET OP PATENTE, 1978 (WET No. 57 VAN 1978)

Ek, David de Villiers Graaff, Adjunkminister van Handel en Nywerheid, handelende in opdrag van die Minister van Finansies en van Handel en Nywerheid, kragtens die bevoegdheid hom verleen by artikel 91 van die Wet op Patente, 1978 (Wet No. 57 van 1978) wysig hierby die regulasies afgekondig by Goewermementskennisgewing No. R. 2470 van 15 Desember 1978 soos gewysig by Goewermementskennisgewing No. R. 3433 van 31 Desember 1992 deur Bylae 1 daarvan, met ingang vanaf 1 Januarie 1994, te vervang deur die volgende Bylae:

BYLAE 1 GELDE

Die volgende gelde is betaalbaar in verband met aansoeke, registrasies en ander aangeleenthede ingevolge die Wet. Sodanige gelde moet in alle gevalle betaal word voor of ten tyde van die behartiging van die aangeleentheid ten opsigte waarvan dit betaalbaar is.

- (ii) additional ratings, per rating R20,00
 (iii) renewal, per rating..... R10,00
 (iv) duplicate..... R2,00";
- (e) by the substitution for subitem (m) of item A.1 of the following item:
- “(m) Registration of aircraft:
- (i) registration R160,00
 (ii) duplicate..... R60,00
 (iii) amendments of certificate of registration R100,00
 (iv) cancellation of certificate of registration for export purposes..... R160,00";
- and
- (f) by the deletion of item A.2.

DEPARTMENT OF TRADE AND INDUSTRY

No. R. 2514 31 December 1993

AMENDMENT OF SCHEDULE 1 OF THE REGULATIONS PUBLISHED IN TERMS OF THE PATENTS ACT, 1978 (ACT No. 57 OF 1978)

I, David de Villiers Graaff, Deputy Minister of Trade and Industry, acting on behalf and by direction of the Minister of Finance and of Trade and Industry, under the powers vested in him by section 91 of the Patents Act, 1978 (Act No. 57 of 1978); hereby amend the regulations published under Government Notice No. R. 2470 of 15 December 1978 as amended by Government Notice R. 3433 of 31 December 1992 by the substitution of Schedule 1 thereof, with effect from 1 January 1994, for the following Schedule:

SCHEDULE 1 FEES

The following fees shall be paid in connection with applications, registrations and other matters under the Act. Such fees must in all cases be paid before or at the time of doing the matter in respect of which they are to be paid.

Item No.	Beskrywing	Verbandhoudende vorms	Gelde
			R
1.	Aansoek om 'n patent—vergesel van 'n voorlopige spesifikasie ingevolge artikel 30 (1) [regulasie 22 (1) (a) en (e)].....	1 en 6	45
2.	Aansoek om 'n patent—vergesel van 'n volledige spesifikasie ingevolge artikel 30 (1) [regulasie 22 (1) (a) en (e)].....	1, 7 en 8	200
3.	Laat aanspraak op voorkeur, ingevolge voorbehoudsbepalings (i) van artikel 31 (1) per maand of gedeelte daarvan (regulasies 23 tot 25).....	1	38
4.	Versoeke aan Registrateur:		
	(a) Om insae in register en dokumente te verkry ingevolge artikel 12 Plus afskrifte voorsien van dokumente of besonderhede van register ingevolge artikel 13, per bladsy	4 4	3 1
	(b) Aansoek om die duur van voorregte van prokureurs te verleng ingevolge artikel 22 (regulasie 75)	4	108

Item No.	Beskrywing	Verband-houdende vorms	Gelde
			R
(c)	Aansoek deur 'n patentprokureur wat geskors is of wie se naam uit die register geskrap is ingevolge artikel 24 (4) en (5) (regulasie 74)	4	108
(d)	Aansoek om op voorkeur aanspraak te maak ingevolge artikel 30 (7) (regulasie 39)	4	38
(e)	Aansoek om 'n wysiging of om 'n nuwe aansoek in te dien ingevolge artikel 37 (regulasie 37)	4	38
(f)	Verandering van 'n volledige spesifikasie in 'n voorlopige spesifikasie ingevolge artikel 38 (1) [regulasie 37 (2)]	4	38
(g)	Vooruitdatering van aansoek ingevolge artikel 38 (2) [regulasie 37 (3)]	4	38
(h)	Aansoek om intrekking van selfstandige patent en verlenging van 'n bykomende patent as 'n selfstandige patent ingevolge artikel 39 (3) (regulasie 35) ..	4	70
(i)	Aansoek om verlenging van tyd vir aanname van 'n volledige spesifikasie ingevolge voorbehoudsbepaling van artikel 40 (regulasies 42 en 45):		
	(i) Tot die einde van 18 maande	4	38
	(ii) Daarna, per maand of gedeelte daarvan (hoogstens 3 maande)	4	38
	(iii) Na 21 maande (per maand of gedeelte daarvan)	4	108
(j)	Aansoek om die terugstuur van 'n vervalte aansoek ingevolge artikel 41 (regulasie 43)	4	38
(k)	Aansoek om tydperk vir publikasie van aanname te verleng ingevolge artikel 42 (3) (regulasie 46)	4	70
	Daarna, per maand of gedeelte daarvan (hoogstens 2 maande)	4	38
(l)	Aansoek om verbetering van klerklike foute en wysiging van stukke ingevolge artikel 50 (regulasie 11)	4	70
(m)	Aansoek om verbetering van register ingevolge artikel 52 (regulasie 39)	4	70
(n)	Endossement of rojering van endossement ingevolge artikels 53 en 54 (1) en (3) (regulasies 63 en 66)	4	70
(o)	Verandering van adres vir betekening ingevolge artikel 87 (2) (regulasie 10)	4	13
(p)	Kanssellasie van kennisgewing van verhipotekering ingevolge artikel 60 (3)	4	38
(q)	Redes deur Registrateur (regulasie 78)	4	185
(r)	'n Ander versoek waarvoor daar nie voorsiening gemaak is nie	4	20
5.	Laat indiening van stukke ingevolge artikels 30 (6) en 32 (regulasies 22, 31 en 38)	5 en 8	38
6.	Versoek om klassifikasie [regulasie 22 (2)]	9	185
7.	Aansoek om verlenging van die tydperk vir betaling van hernuwingsgelde ingevolge artikel 46 (2) [regulasie 48 (3)]	10	70
	(a) Daarna vir elke maand of gedeelte daarvan (hoogstens vyf maande)	10	38
	(b) Op aansoek om vervalte patent te herstel ingevolge artikel 47 (1) (regulasie 49)	10	215
	(c) Na herstel, betaling van onbetaalde hernuwingsgelde ingevolge artikel 47 (5) ..	10	Gelde soos in item 8
8.	Hernuwingsgelde ingevolge artikel 46 (1) [regulasie 48 (1)]:		
(a)	(i) Voor verstryking van die derde jaar	10	45
	(ii) Voor verstryking van die vierde jaar	10	45
	(iii) Voor verstryking van die vyfde jaar	10	45
	(iv) Voor verstryking van die sesde jaar	10	62
	(v) Voor verstryking van die sewende jaar	10	62
	(vi) Voor verstryking van die agtste jaar	10	75
	(vii) Voor verstryking van die negende jaar	10	75
	(viii) Voor verstryking van die tiende jaar	10	90
	(ix) Voor verstryking van die elfde jaar	10	90
	(x) Voor verstryking van die twaalfde jaar	10	108
	(xi) Voor verstryking van die dertiende jaar	10	108
	(xii) Voor verstryking van die veertiende jaar	10	124
	(xiii) Voor verstryking van die vyftiende jaar	10	124

Item No.	Beskrywing	Verband-houdende vorms	Gelde
			R
	(xiv) Voor verstryking van die sestiende jaar	10	135
	(xv) Voor verstryking van die sewentiende jaar	10	135
	(xvi) Voor verstryking van die agtiende jaar	10	155
	(xvii) Voor verstryking van die negentiende jaar	10	155
	(b) Op patente geëndosseer "lisensies op aanvraag" ingevolge artikels 53 (2) (d) op dieselfde grondslag soos in (a) (per jaar of gedeelte daarvan)	10	38
9.	Aansoek om voorlopige spesifikasie te wysig ingevolge artikel 51 (1) [regulasie 52 (1)]	11	52
10.	Aansoek om volledige spesifikasie wat nog nie ter insae deur die publiek lê nie, te wysig ingevolge artikel 51 (1) [regulasie 52 (2)]	12	52
11.	Aansoek om volledige spesifikasie wat ter insae deur die publiek lê, te wysig ingevolge artikel 51 (1) [regulasie 52 (2) en (3)]	13	185
12.	Aansoek om aanvullende openbaarmaking in 'n patentspesifikasie ingevolge artikel 51 (8) [regulasie 52 (2)]	14	38
13.	Verset in verrigtinge voor die Registrateur (regulasies 54, 55 en 56)	15	70
14.	Aansoek om 'n transaksie wat die regte in 'n patentaansoek of 'n patent raak, aan te teken: (Lisensies, oordragte, verhipotekering) ingevolge artikels 55, 56 en 60 [regulasies 58 tot 60, 62 en 64 (1)]		
	(a) Vir eerste aansoek	16	52
	(b) Vir tweede en daaropvolgende aansoeke	16	20
15.	Aansoek om as patentagent of patentprokureur geregistreer te word ingevolge artikel 20	17	155
16.	Verzoek om die naam van 'n patentagent of patentprokureur uit die register te skrap ingevolge artikel 23 (regulasie 72)	18	70
17.	(a) Kennisgewing van verset ingevolge regulasie 82	19	155
	(b) Aansoek om intrekking ingevolge artikel 61 (regulasie 89)	20	155
18.	Aansoek om vrywillige afstanddoening van 'n patent ingevolge artikel 64 (1) (regulasie 67)	21	38
19.	Kennis van toekomstige verrigtinge (regulasie 95)	22	90
20.	Insae in 'n lêer, stuk of register	—	3
21.	Reprografiese afskrifte van stukke, per bladsy	—	1
22.	Sertifisering van reprografiese uittreksels uit register of stukke ingevolge artikel 13 (per dokument)	—	18

Item No.	Description	Corresponding forms	Fees
			R
1.	Application for a patent accompanied by a provisional specification in terms of section 30 (1) [regulation 22 (1) (a) and (e)]	1 and 6	45
2.	Application for a patent accompanied by a complete specification in terms of section 30 (1) [regulation 22 (1) (a) and (e)]	1, 7 and 8	200
3.	Late claiming of priority in terms of proviso (i) of section 3 (1), per month or part thereof (regulations 23 to 25)	1	38
4.	Request to Registrar:		
	(a) To inspect the register and documents in terms of section 12	4	3
	Plus copies supplied of documents or particulars of register in terms of section 13, per page	4	1
	(b) Application to extend privileges of attorney in terms of section 22 (regulation 75)	4	108
	(c) Application by a patent attorney who has been suspended or whose name has been removed from the register in terms of section 24 (4) and (5) (regulation 74)	4	108

Item No.	Description	Corresponding forms	Fees
			R
(d)	Application to claim priority in terms of section 30 (7) (regulation 39)	4	38
(e)	Application to amend or to lodge a fresh application in terms of section 37 (regulation 37)	4	38
(f)	Change of complete specification into a provisional specification in terms of section 38 (1) [regulation 37 (2)]	4	38
(g)	Post-dating of application in terms of section 38 (2) [regulation 37 (3)]	4	38
(h)	Application for revocation of independent patent and granting of patent of addition as independent patent in terms of section 39 (3) (regulation 35)	4	70
(i)	Application for extension of time of acceptance of a complete specification in terms of proviso to section 40 (regulation 42 and 45):		
(i)	Up to end of 18 months	4	38
(ii)	Thereafter per month or part thereof (not exceeding three months)	4	38
(iii)	After 21 months (per month or part thereof)	4	108
(j)	Application for the return of lapsed application in terms of section 41 (regulation 43)	4	38
(k)	Application to extend period for publication of acceptance in terms of section 42 (3) (regulation 46)	4	70
	Thereafter, per month or part thereof (not exceeding 2 months)	4	38
(l)	Application for correction of clerical errors and amendment of documents in terms of section 50 (regulation 11)	4	70
(m)	Application to rectify register in terms of section 52 (regulation 39)	4	70
(n)	Endorsement or cancellation of endorsement in terms of sections 53 and 54 (1) and (3) (regulation 63 and 66)	4	70
(o)	Change of address for service in terms of section 87 (2) (regulation 10)	4	13
(p)	Cancellation of notice of hypothecation in terms of section 60 (3)	4	38
(q)	Reasons by Registrar (regulation 78)	4	185
(r)	Any other request not provided for	4	20
5.	Late lodgment of documents in terms of sections 30 (6) and 32 (regulations 22, 31 and 38)	5 and 8	38
6.	Request for classification [regulation 22 (2)]	9	185
7.	Application or the extension of the period for payment of renewal fees in terms of section 46 (2) [regulation 48 (3)]	10	70
(a)	Thereafter, for each month or part thereof (not exceeding five months)	10	38
(b)	On application to restore lapsed patent in terms of section 47 (1) (regulation 49)	10	215
(c)	After restoration, payment of unpaid renewal fees in terms of section 47 (5)	10	Fees as under item 8
8.	Renewal fees in terms of section 46 (1) [regulation 48 (1)]:		
(a)	(i) Before expiration of the third year	10	45
	(ii) Before expiration of the fourth year	10	45
	(iii) Before expiration of the fifth year	10	45
	(iv) Before expiration of the sixth year	10	62
	(v) Before expiration of the seventh year	10	62
	(vi) Before expiration of the eighth year	10	75
	(vii) Before expiration of the ninth year	10	75
	(viii) Before expiration of the tenth year	10	90
	(ix) Before expiration of the eleventh year	10	90
	(x) Before expiration of the twelfth year	10	108
	(xi) Before expiration of the thirteenth year	10	108
	(xii) Before expiration of the fourteenth year	10	124
	(xiii) Before expiration of the fifteenth year	10	124
	(xiv) Before expiration of the sixteenth year	10	135
	(xv) Before expiration of the seventeenth year	10	135
	(xvi) Before expiration of the eighteenth year	10	155
	(xvii) Before expiration of the nineteenth year	10	155

Item No.	Description	Corresponding forms	Fees
	(b) On patents endorsed "licences of right" in terms of section 53 (2) (d) on the same basis as in (a) (per annum or part thereof).....	10	R 38
9.	Application to amend a provisional specification in terms of section 51 (1) [regulation 52 (1)].....	11	52
10.	Application to amend a complete specification before open to public inspection in terms of section 51 (1) [regulation 52 (2)]	12	52
11.	Application to amend a complete specification after open to public inspection in terms of section 51 (1) [regulation 52 (2) and (3)]	13	185
12.	Application to make a supplementary disclosure in a patent specification in terms of section 51 (8) [regulation 52 (2)]	14	38
13.	Opposition in proceedings before the Registrar [regulations 54, 55 and 56]	15	70
14.	Application to record a transaction affecting the rights in a patent application or patent: (Licenses, assignments, hypothecation) in terms of sections 55, 56 and 60 [regulations 58 to 60, 62 and 64 (1)]		
	(a) For first application	16	52
	(b) For second and subsequent applications	16	20
15.	Application to be registered as a patent agent or a patent attorney in terms of section 20	17	155
16.	Request for removal from the register of the name of a patent agent or patent attorney in terms of section 23 (regulation 72)	18	70
17.	(a) Notice of opposition in terms of regulation 82	19	155
	(b) Application for revocation in terms of section 61 (regulation 89)	20	155
18.	Application for the voluntary surrender of a patent in terms of section 64 (1) (regulation 67)	21	38
19.	Notice of future proceedings (regulation 95)	22	90
20.	To inspect any file, document or register	—	3
21.	Reprographic copies of documents, per page	—	1
22.	Certification if reprographic extracts from register or documents in terms of section 13 (per document)	—	18

No. R. 2519**31 Desember 1993**

WYSIGING VAN BYLAE 1 VAN DIE REGULASIES AFGEKONDIG KRAGTENS DIE WET OP HANDELSMERKE, 1963 (WET No. 62 VAN 1963)

Ek, David de Villiers Graaff, Adjunkminister van Handel en Nywerheid, handelende in opdrag van die Minister van Finansies en van Handel en Nywerheid, kragtens die bevoegdheid hom verleen by artikel 80 van die Wet op Handelsmerke, 1963 (Wet No. 62 van 1963), gelees met artikel 46 van die Wet op die Oordrag van Bevoegdhede en Pligte van die Staatspresident, 1986 (Wet No. 97 van 1986), wysig hierby die regulasies uitgevaardig by Goewermentskenningsgewing No. R. 2313 van 24 Desember 1971, soos gewysig by Goewermentskenningsgewing No. R. 3434 van 31 Desember 1992 deur Bylae 1 daarvan, met ingang van 1 Januarie 1994, te vervang deur die volgende Bylae:

BYLAE 1**GELDE**

Die volgende gelde is betaalbaar in verband met aansoeke, registrasies en ander aangeleenthede ingevolge die Wet. Sodanige gelde moet in alle gevalle betaal word voor of ten tyde van die behartiging van die aangeleentheid ten opsigte waarvan dit betaalbaar is.

No. R. 2519**31 December 1993**

AMENDMENT OF SCHEDULE 1 OF THE REGULATIONS PUBLISHED IN TERMS OF THE TRADE MARKS ACT, 1963 (ACT No. 62 OF 1963)

I, David de Villiers Graaff, Deputy Minister of Trade and Industry, acting on behalf and by direction of the Minister of Finance and of Trade and Industry, under the powers vested in him by section 80 of the Trade Marks Act, 1963 (Act No. 62 of 1963), read with section 46 of the Transfer of Powers and Duties of the State President Act, 1986 (Act No. 97 of 1986), hereby amend the regulations published under Government Notice No. R. 2313 of 24 December 1971 as amended by Government Notice No. R. 3434 of 31 December 1992 by the substitution of Schedule 1 thereof, with effect from 1 January 1994, for the following Schedule:

SCHEDULE 1**FEES**

The following fees shall be paid in connection with applications, registrations and other matters under the Act. Such fees must in all cases be paid before or at the time of doing the matter in respect of which they are to be paid.

Item No.	Beskrywing	Verbandhoudende vorms	Gelde
			R
1.	By aansoek om 'n handelsmerk te registreer vir 'n spesifikasie van goedere/dienste ingesluit in een klas (artikels 10, 12, 20 en 73 en regulasie 11).....	TM1	200
2.	Bykomende voorstelling van handelsmerk wat aansoek om registrasie moet vergesel [regulasie 13 (3)]	TM2	—
3.	Versoek om uiteensetting van gronde vir beslissing [regulasie 74 (1)(a)]	TM3	275
4.	Versoek om bekendmaking (artikels 8 en 21, regulasies 9 en 23)	TM4	70
5.	Aansoek om registrasie van 'n waarmerkingsmerk ten opsigte van 'n spesifikasie van goedere/dienste in een klas ingesluit [artikel 52 en regulasie 78 (1)].....	TM5	232
6.	Kennisgewing van verset teen aansoek om registrasie [artikel 26 en regulasie 24 (1) en (2)].....	TM6	90
7.	Vorm van teenverklaring (artikel 27 en regulasie 25).....	TM7	38
8.	Bykomende gelde vir waarmerkingsmerk:		
	(a) ingevolge artikel 52 en regulasie 81 (2)	TM8	440
	(b) ingevolge artikel 52 en regulasie 90.....	TM8	235
9.	Hernuwing van registrasie voordat kennis gegee word (artikels 13 en 47 en regulasie 42)—Vir elke merk:		
	(a) Vir 'n gewone registrasie	TM9	90
	(b) Vir 'n waarmerkingsmerk	TM9	90
	(c) Vir 'n defensiewe registrasiemerk.....	TM9	180
10.	Vir hernuwing van registrasie van merk na kennisgewing (regulasie 43).....	TM10	Gelde soos hierbo
11.	Bykomende gelde wat hernuwingsgelde (Vorm TM10) binne een maand na bekendmaking moet vergesel (regulasie 43)	TM11	38
12.	Boete vir herstel van handelsmerk wat geskrap is weens versuim om hernuwingsgelde te betaal (regulasie 44).....	TM12	108
13.	Gesamentlike aansoek deur geregistreerde eienaar en sessionaris om die registrasie van sessionaris as latere eienaar van die handelsmerk op dieselfde oordragakte (artikel 51 en regulasie 48):		
	(a) Vir eerste merk	TM13	52
	(b) Vir elke bykomende merk	TM13	20
	Boete vir laat registrasie van sessie of oordrag — vir elke tydperk van 12 maande of gedeelte daarvan	TM13	38
14.	Aansoek om registrasie van 'n opvolgende eienaar van 'n handelsmerk, op dieselfde oordragakte (artikel 51 en regulasie 49):		
	(a) Vir eerste merk	TM14	52
	(b) Vir elke bykomende merk	TM14	20
	Boete vir laat registrasie van sessie of oordrag — vir elke tydperk van 12 maande of gedeelte daarvan	TM14	38
15.	Beëdigde verklaring ter ondersteuning van uiteensetting van saak wat vorm TM13 of 14 vergesel (regulasie 51).....	TM15	—
16.	Aansoek om ontbinding van assosiasie tussen een geregistreerde handelsmerk en 'n ander geregistreerde handelsmerk [artikel 36 (6) en regulasie 38 (2)]—vir elke merk.....	TM16	38
17.	Aansoek om verandering van adres of adres vir bestelling [artikel 32 of 77 (2) en regulasie 8 (2)]—vir elke inskrywing.....	TM17	13
18.	Aansoek om vervanging van applikant [artikel 49 (7) of 56 (2) en regulasie 56]:		
	(a) Vir eerste merk	TM18	52
	(b) Vir elke bykomende merk	TM18	20
19.	Aansoek om verbetering van 'n klerklike fout of om magtiging om 'n aansoek of dokument te wysig [artikel 20 (9), 32 of 56 (1) en regulasies 63 en 90]—vir elke merk.	TM19	13
20.	Aansoek om 'n verandering van die naam van beskrywing van 'n geregistreerde eienaar (of geregistreerde gebruiker) van 'n handelsmerk in die register aan te teken (artikel 32 en regulasie 63)—vir elke merk	TM20	13
21.	Aansoek deur geregistreerde eienaar om die intrekking van 'n inskrywing in die register (artikel 32 en regulasie 63)—vir elke merk.....	TM21	13
22.	Versoek om die skraping van goedere/dienste uit dié waarvoor 'n handelsmerk geregistreer is (artikel 32 en regulasie 63).....	TM22	13

Item No.	Beskrywing	Verband-houdende vorms	Gelde
			R
23.	Versoek om inskrywing in register van 'n prysgewing of 'n memorandum ten opsigte van 'n handelsmerk (artikel 32 en regulasie 63)	TM23	20
24.	Aansoek om byvoeging tot of wysiging aan 'n handelsmerk [artikel 34 (1) en regulasie 68]—vir elke merk	TM24	75
25.	Versoek om nasoeking (regulasie 70)	TM25	65
26.	Kennis van Hofbevel vir wysiging of regstelling van register van handelsmerke [artikel 33 (4), 36 en regulasie 76 (1)]—vir elke merk	TM26	38
27.	Kennisgewing van aansoek by Hof [artikel 65 en regulasie 74 (2)]	TM27	75
28.	Versoek om inligting (Caveat) oor toekomstige verrigting (regulasie 71)	TM28	75
29.	Aansoek om die Registrateur se sertifikaat met betrekking tot voorgenome seding van 'n geregistreerde handelsmerk [artikel 49 (5) en regulasie 55]	TM29	38
30.	Aansoek om goedkeuring deur die Registrateur van 'n voorgenome aansoek om sessie of oordrag van 'n handelsmerk wat lei tot eksklusiewe regte vir verskillende persone in verskillende dele van die Republiek [artikel 49 (6) en regulasie 55]	TM30	38
31.	Aansoek om registrasie van handelsmerk as defensiewe registrasie [artikel 53 (1) en regulasie 18]—vir elke aansoek	TM31	232
32.	Aansoek om registrasie van defensiewe handelsmerk as gewone registrasie [artikel 53 (2) en regulasie 19 (2)]	TM32	75
33.	Aansoek om registrasie van gewone handelsmerk as defensiewe registrasie [artikel 53 (2) en regulasie 19 (1)]	TM33	140
34.	Aansoek om registrasie van geregistreerde gebruiker (artikel 48 en regulasie 57):		
	(a) Vir eerste merk	TM34	52
	(b) Vir elke bykomende merk	TM34	20
35.	Aansoek deur geregistreerde eienaar van handelsmerk om wysiging van die registrasie van 'n geregistreerde gebruiker daarvan ten opsigte van goedere/dienste of die voorwaardes of beperkings [artikel 48 (8) (a) en regulasie 59]	TM35	45
36.	Aansoek deur geregistreerde eienaar van handelsmerk of deur enige van die geregistreerde gebruikers van die handelsmerk om die intrekking van 'n inskrywing van 'n geregistreerde gebruiker daarvan [artikel 48 (8) (b) en regulasie 60]	TM36	45
37.	Aansoek om intrekking van inskrywing van geregistreerde gebruiker van 'n handelsmerk [artikel 48 (8) (c) en regulasie 61]	TM37	45
38.	Kennisgewing aan Registrateur om toe te tree tot verrigtinge vir die wysiging of intrekking van 'n inskrywing van 'n geregistreerde gebruiker van 'n handelsmerk [artikel 48 (9) en regulasie 62]	TM38	90
39.	Gelde vir registrasie van—		
	(a) ontbinding van assosiasie tussen merke [artikel 38 en regulasie 38 (2)]	TM39	20
	(b) sessie of oordrag (artikel 49 en regulasie 53)	TM39	20
	(c) geregistreerde gebruiker of wysigings of intrekking daarvan [artikel 48 en regulasie 62 (5)]	TM39	20
40.	Aansoek om eerlike gelyktydige gebruik [artikel 17 (2) en regulasie 21]	TM40	140
41.	Aansoek om die bepaling van regte van partye [artikel 17 (3) en regulasie 22]	TM41	140
42.	Uiteensetting van saak vir sessie of oordrag van waarmerkingsmerk (artikel 52 en regulasie 91)	TM42	235
43.	Toestemming tot informele verset verrigtinge (artikel 28 en regulasie 26)	TM43	20
44.	Kennisgewing van voorgenome verset teen wysiging van handelsmerk (artikel 34 en regulasie 69)	TM44	90
45.	Aansoek by Registrateur vir regstelling uit register [artikel 69 en regulasie 77 (1) gelees met artikels 10 (3), 33 (1), 35 en 53 (4)]	TM45	90
46.	Aansoek aan Registrateur om skraping van die register op grond van nie-gebruik (artikel 69 gelees met artikel 36 en regulasie 77)	TM46	90
47.	Kennisgewing van betaling van verhoorgelde (regulasie 33)	TM47	195
48.	Aansoek om sertifikaat [artikel 31 (6) en regulasie 92 (1)]	TM48	25
49.	Toestemming tot appèl na Appèlafdeling [artikel 63 (5) en regulasie 74 (1) (b)]	TM49	20
50.	Verlof om afskrifte van dokumente te maak—vir elke aansoek of geregistreerde handelsmerk	—	1
51.	Nagaan van register (per dag)	—	3
52.	Kollasie van dokumente vir sertifisering—vir elke 100 woorde of deel daarvan	—	3
53.	Fotokopieëring van enige dokument—per bladsy	—	1
54.	Elke inskrywing in die register van 'n merk of nota dat die merk geassosieer is met 'n nuut geregistreerde merk	—	3

Item No.	Description	Corresponding forms	Fees
			R
1.	On application to register a trade mark for a specification of goods/services included in one class (sections 10, 12, 20 and 73 and regulation 11).....	TM1	200
2.	Additional representation of trade mark to accompany application for registration [regulation 13 (3)].....	TM2	—
3.	Request for statement of grounds of decision [regulation 74 (1) (a)].....	TM3	275
4.	Request for advertisement (sections 8 and 21, regulations 9 and 23).....	TM4	70
5.	Application for registration of a certification mark for a specification of goods/services included in one class [section 52 and regulation 78 (1)].....	TM5	232
6.	Notice of opposite to application for registration [section 26 and regulation 24 (1) and (2)].....	TM6	90
7.	Form of counterstatement (section 27 and regulation 25).....	TM7	38
8.	Additional fee for certification mark:.....		
	(a) Under section 52 and regulation 81 (2).....	TM8	440
	(b) Under section 52 and regulation 90.....	TM8	235
9.	Renewal of registration before notice given (sections 13 and 47 and regulation 42) — For each mark:.....		
	(a) For an ordinary registration.....	TM9	90
	(b) For a certification mark.....	TM9	90
	(c) For a defensive registration mark.....	TM9	180
10.	Renewal of registration of mark after notice (regulation 43).....	TM10	Fees as above
11.	Additional fee to accompany renewal fee (Form TM10) within one month after advertisement (regulation 43).....	TM11	38
12.	Penalties for restoration of trade mark removed for non-payment of renewal fees (regulation 44).....	TM12	108
13.	Joint application by registered proprietor and assignee to register the assignee as subsequent proprietor of trade mark upon same devolution of title (section 51 and regulation 48):.....		
	(a) For first mark.....	TM13	52
	(b) For each additional mark.....	TM13	20
	Penalties for late registration of cession or transmission — for each period of 12 months or portion thereof.....	TM13	38
14.	Application to register a subsequent proprietor of a trade mark upon the same devolution of title (section 51 and regulation 49):.....		
	(a) For first mark.....	TM14	52
	(b) For each additional mark.....	TM14	20
	Penalties for late registration of cession or transmission — for each period of 12 months or portion thereof.....	TM14	38
15.	Sworn declaration in support of statement of case accompanying Form TM13 or 14 to statement of case accompanying Form TM13 or 14 (regulation 51).....	TM15	—
16.	Application to dissolve association between a registered trade mark and another registered trade mark [section 36 (6) and regulation 38 (2)] — for each mark.....	TM16	38
17.	Application for alteration of address or address for service [section 32 or 77 (2) and regulation 8 (2)] — for each entry.....	TM17	13
18.	Application for substitution of applicant [section 49 (7) or 56 (2) and regulation 56]:.....		
	(a) For first mark.....	TM18	52
	(b) For each additional mark.....	TM18	20
19.	Application for correction of clerical error or for permission to amend application or document [section 20 (9), 32 or 56 (1) and regulations 63 and 90] — for each mark.....	TM19	13
20.	Application to enter change of name or description of registered proprietor (or registered user) of trade mark upon the register (section 32 and regulation 63) — for each mark.....	TM20	13
21.	Application by registered proprietor to cancel entry on register (section 32 and regulation 63) — for each mark.....	TM21	13
22.	Request to strike out goods/services from those for which a trade mark is registered (section 32 and regulation 63).....	TM22	13

Item No.	Description	Corresponding forms	Fees
			R
23.	Request to enter disclaimer or memorandum relating to a trade mark (section 32 and regulation 63)	TM23	20
24.	Application to add or alter a trade mark [section 34 (1) and regulation 68]—for each mark	TM24	75
25.	Request for search (regulation 70)	TM25	65
26.	Notice of Order of Court for alteration or rectification of register of trade marks [section 33 (4), 36 and regulation 76 (1)]—for each mark	TM26	38
27.	Notification of application to Court [section 65 and regulation 74 (2)]	TM27	75
28.	Request for information (Caveat) as to future proceedings (regulation 71)	TM28	75
29.	Application for certificate of the Registrar with reference to the proposed assignment of a registered trade mark [section 49 (5) and regulation 55]	TM29	38
30.	Application for approval by the Registrar of a proposed assignment or of a transmission of a trade mark resulting in exclusive rights for different persons in different parts of the Republic [section 49 (6) and regulation 55]	TM30	38
31.	Application to register a trade mark as a defensive registration [section 53 (1) and regulation 18]—for each application	TM31	232
32.	Application for registration of defensive trade mark as ordinary registration [section 53 (2) and regulation 19 (2)]	TM32	75
33.	Application for registration of ordinary trade mark as defensive registration [section 53 (2) and regulation 19 (1)]	TM33	140
34.	Application for registration of registered user (section 48 and regulation 57):		
	(a) For first mark	TM34	52
	(b) For each additional mark	TM34	20
35.	Application by registered proprietor of trade mark for variation of the registration of a registered user thereof with regard to the goods/services or the conditions or restrictions [section 48 (8) (a) and regulation 59]	TM35	45
36.	Application by registered proprietor of trade mark or by any of the registered users of the trade mark for the cancellation of entry of a registered user thereof [section 48 (8) (b) and regulation 60]	TM36	45
37.	Application for cancellation of entry of a registered user of a trade mark [section 48 (8) (c) and regulation 61]	TM37	45
38.	Notice to the Registrar to intervene in proceedings for the variation or cancellation of an entry of a registered user of a trade mark [section 48 (9) and regulation 62]	TM38	90
39.	Fees for registration—		
	(a) dissolution of association between marks [section 38 and regulation 38 (2)]	TM39	20
	(b) assignment or transmission (section 49 and regulation 53)	TM39	20
	(c) registered user or variations or cancellation thereof [section 48 and regulation 62 (5)]	TM39	20
40.	Application for honest concurrent use [section 17 (2) and regulation 21]	TM40	140
41.	Application for determination for rights of parties [section 17 (3) and regulation 22]	TM41	140
42.	Statement of case for assignment or transmission of certification mark (section 52 and regulation 91)	TM42	235
43.	Consent to informal opposition proceedings (section 28 and regulation 26)	TM43	20
44.	Notice of intention to oppose amendment of trade mark (section 34 and regulation 69)	TM44	90
45.	Application to Registrar to rectify register [section 69 and regulation 77 (1) read with sections 10 (3), 33 (1), 35 and 53 (4)]	TM45	90
46.	Application to Registrar to remove mark from register on ground of non-use (section 69 read with section 36 and regulation 77)	TM46	90
47.	Notice of payment of hearing fee (regulation 33)	TM47	195
48.	Application for certificate [section 31 (6) and regulation 92 (1)]	TM48	25
49.	Consent to appeal to Appellate Division [section 63 (5) and regulation 74 (1) (b)]	TM49	20
50.	For leave to make copies of documents in respect of each application or registered trade mark		1
51.	For inspecting register (per day)	—	3
52.	For collating documents for certification—for every 100 words or part thereof	—	3
53.	For photocopy of any document—per page	—	1
54.	Upon each entry in the register of a mark or a note that the mark is associated with a newly registered mark	—	3

No. R. 2520 31 Desember 1993

WYSIGING VAN BYLAE 1 VAN DIE REGULASIES AFGEKONDIG KRAGTENS DIE WET OP MODELLE, 1967 (WET No. 57 VAN 1967)

Ek, David de Villiers Graaff, Adjunkminister van Handel en Nywerheid, handelende in opdrag van die Minister van Finansies en van Handel en Nywerheid, kragtens die bevoegdheid hom verleen by artikel 36 van die Wet op Modelle, 1967 (Wet No. 57 van 1967), gelees met artikel 46 van die Wet op die Oordrag van Bevoegdhede en Pligte van die Staatspresident, 1986 (Wet No. 97 van 1986), wysig hierby die regulasies uitgevaardig by Goewermentskennisgewing No. R. 360 van 29 Desember 1967 soos gewysig by Goewermentskennisgewing No. R. 3435 van 31 Desember 1992 deur Bylae 1 daarvan, met ingang vanaf 1 Januarie 1994, te vervang deur die volgende Bylae:

BYLAE 1**GELDE**

Die volgende gelde is betaalbaar in verband met aansoek, registrasies en ander aangeleenthede ingevolge die Wet. Sodanige gelde moet in alle gevalle betaal word voor of ten tyde van die behartiging van die aangeleentheid ten opsigte waarvan dit betaalbaar is.

No. R. 2520 31 Desember 1993

AMENDMENT OF SCHEDULE 1 OF THE REGULATIONS PUBLISHED IN TERMS OF THE DESIGNS ACT, 1967 (ACT No. 57 OF 1967)

I, David de Villiers Graaff, Deputy Minister of Trade and Industry, acting on behalf and by direction of the Minister of Finance and of Trade and Industry, under the powers vested in him by section 36 of the Designs Act, 1967 (Act No. 57 of 1967), read with section 46 of the Transfer of Powers and Duties of the State President Act, 1986 (Act No. 97 of 1986), hereby amend the regulations published under Government Notice No. R. 360 of 29 December 1967 as amended by Government Notice No. R. 3435 of 31 December 1992 by the substitution of Schedule 1 thereof, with effect from 1 January 1994, for the following Schedule:

SCHEDULE 1**FEES**

The following fees shall be paid in connection with applications, registrations and other matters under the Act. Such fees must in all cases be paid before or at the time of doing the matter in respect of which they are to be paid.

Item No.	Beskrywing	Verbandhoudende vorms	Gelde
			R
1.	By aansoek om registrasie van 'n model—vir elke aansoek.....	1	90
2.	Versoek aan Registrateur om uiteensetting van gronde vir beslissing kragtens regulasie 27.....	2	185
3.	Aansoek om verlenging van registrasie van model:		
	(a) Vir tweede tydperk van vyf jaar.....	3	108
	(b) Vir derde tydperk van vyf jaar.....	3	160
4.	Aansoek om oordrag van regte in 'n geregistreerde model te registreer (artikel 11):		
	(a) Vir die eerste aansoek.....	4	52
	(b) Vir elke bykomende aansoek.....	4	20
5.	Aansoek kragtens regulasie 37 om inskrywing van 'n naam van verbandhouer of lisensiehouer in register te skrap.....	5	27
6.	Aansoek om verandering van adres of adres vir bestelling of van verandering van naam in register—vir elke aansoek.....	6	13
7.	Versoek om verbetering van 'n fout in 'n aansoek om te registreer, of vir verbetering van 'n fout [kragtens artikel 13 (3)].....	7	70
8.	Aansoek deur eienaar van geregistreerde model om 'n inskrywing in register te skrap.....	8	70
9.	Versoek om insae kragtens artikel 22 (1):		
	(a) Wanneer nommer van model vermeld is.....	9	38
	(b) Wanneer nommer van model nie vermeld is nie.....	10	65
10.	Versoek om sertifikaat vir gebruik in 'n regsding of 'n ander spesiale doel.....	11	20
11.	Kennisgewing van voorgenome tentoonstelling van 'n ongeregistreerde model.....	12	52
12.	Versoek om die register ingevolge 'n Hofbevel te wysig.....	13	108
13.	Aansoek om verlenging van tyd.....	14	27
14.	Insae in register.....		3
15.	Vergelyking van dokumente vir sertifisering—vir elke 100 woorde of gedeelte daarvan.....		3
16.	Vir fotokopieë van enige dokument (grootte ongeveer 21 cm by 30 cm of kleiner)—vir elke bladsy.....		1
17.	Vir verskaffing van 'n afskrif van 'n oorspronklike modelregistrasiesertifikaat.....	11	27
18.	Vir sertifisering van dokument (per dokument).....		18

Item No.	Description	Corresponding forms	Fees
			R
1.	On application for registration of a design—for each application	1	90
2.	On application to Registrar for statement of grounds for decision in terms of regulation 27	2	185
3.	Application for extension of registration of design:		
	(a) For a second period of five years	3	108
	(b) For a third period of five years	3	160
4.	Application to register transfer of rights in a registered design (section 11):		
	(a) For the first application	4	52
	(b) For each additional application	4	20
5.	Application in terms of regulation 37 to delete entry of name of mortgagee or licensee in register	5	27
6.	Application for alteration of address for service or of change of name in register—for every application	6	13
7.	Request for correction of error in an application to register or for correction of error [in terms of section 13 (3)]	7	70
8.	Application by proprietor of registered design to delete entry in register	8	70
9.	Request for inspection in terms of section 22 (1):		
	(a) When design number is quoted	9	38
	(b) When design number is not quoted	10	65
10.	Request for certificate for use in legal proceedings or for other special purposes	11	20
11.	Notice of Intended Exhibition of an unregistered design	12	52
12.	Request for register to be amended in pursuance of an Order of Court	13	108
13.	Application for extension of time	14	27
14.	Inspection of register		3
15.	For collating documents for certification—for every 100 words or part thereof		3
16.	For photocopy of any documents (size approximately 21 cm by 30 cm or smaller)—for each page		1
17.	For supply of copy of original design registration certificate	11	27
18.	For certification of documents (per document)		18

No. R. 2521**31 Desember 1993**

WYSIGING VAN BYLAE 1 VAN DIE REGULASIES AFGEKONDIG KRAGTENS DIE WET OP REGISTRASIE VAN OUTEURSREG IN ROLPRENTE, 1977 (WET No. 62 VAN 1977)

Ek, David de Villiers Graaff, Adjunkminister van Handel en Nywerheid, handelende in opdrag van die Minister van Finansies en van Handel en Nywerheid, kragtens die bevoegdheid hom verleen by artikel 46 van die Wet op Registrasie van Outeursreg in Rolprente, 1977 (Wet No. 62 van 1977), wysig hierby die regulasies afgekondig by Goewermentskennigsewing No. R. 202 van 24 Oktober 1980, soos gewysig by Goewermentskennigsewing No. R. 3436 van 31 Desember 1992, deur Bylae 1 daarvan, met ingang vanaf 1 Januarie 1994, te vervang deur die volgende Bylae:

BYLAE 1
GELDE

Die volgende gelde is betaalbaar in verband met aansoeke, registrasie en ander aangeleenthede ingevolge die Wet. Sodanige gelde moet in alle gevalle betaal word voor of ten tyde van die behartiging van die aangeleentheid ten opsigte waarvan dit betaalbaar is.

No. R. 2521**31 December 1993**

AMENDMENT OF SCHEDULE 1 OF THE REGULATIONS PUBLISHED IN TERMS OF THE REGISTRATION OF COPYRIGHT IN CINEMATOGRAPH FILMS ACT, 1977 (ACT No. 62 OF 1977)

I, David de Villiers Graaff, Deputy Minister of Trade and Industry, acting on behalf and by direction of the Minister of Finance and of Trade and Industry, under the powers vested in him by section 46 of the Registration of Copyright in Cinematograph Films Act, 1977 (Act No. 62 of 1977), hereby amend the regulations published under Government Notice No. R. 202 of 24 October 1980, as amended by Government Notice No. R. 3436 of 31 December 1992, by the substitution of Schedule 1 thereof, with effect from 1 January 1994, for the following Schedule:

SCHEDULE 1
FEES

The following fees shall be paid in connection with applications, registrations and other matters under the Act. Such fees must in all cases be paid before or at the time of doing the matter in respect of which they are to be paid.

Item No.	Beskrywing	Verband-houdende vorms	Gelde
			R
1.	Aansoek om registrasie van outeursreg in 'n rolprent [artikel 6 (1)—regulasie 9 (1)] ...	RF1	200
2.	Register van outeursreg in rolprente [artikel 15—regulasie 11 (1)]	RF2	—
3.	Publikasiebesonderhede en samevatting [artikel 7 (1)—regulasies 9 (1) en 10]	RF3	—
4.	Aansoeke, kennisgewings of versoeke aan die Registrateur gerig:		
	(a) Versoek om bekendmaking [artikels 5 en 7 (1) en regulasies 8 (3) en 14 (4)]	RF4	70
	(b) Versoek om uiteensetting van gronde vir beslissing [artikels 6 (3), 33 en 35 en regulasie 47 (1) (a)]	RF4	275
	(c) Aansoek om sertifikaat [artikel 15 (3) en regulasie 51 (1)]	RF4	27
	(d) Aansoek om verbetering van klerklike foute en wysiging van stukke [artikels 6 (6), 16 en 26 en regulasie 40]	RF4	13
	(e) Aansoek om verandering van adres of adres vir bestelling [artikels 6 (6), 16 (2) en 43 (2)—regulasie 7 (1)]	RF4	13
	(f) Aansoek om 'n verandering van die naam of beskrywing van applikant, geregistreerde eienaar of geregistreerde lisensiehouer [artikels 6 (6), 18 (2)—regulasie 40]	RF4	13
	(g) Aansoek om intrekking van inskrywing in die register [artikel 16 (2)—regulasie 40]	RF4	13
	(h) Aansoek om verandering van titel [artikel 16 (2) en regulasie 40]	RF4	13
	(i) Kennisgewing van Hofbevel om verandering of verbetering van register [artikel 17 (4) en regulasie 49 (1)]	RF4	38
	(j) Kennisgewing van aansoek by Hof [artikel 35 en regulasie 47 (2)]	RF4	90
	(k) Kennisgewing van betaling van verhoorgelde [artikel 12 (3) en regulasie 24]	RF4	195
	(l) Gelde vir registrasie van—		
	(i) sessie of oordrag (artikel 21 en regulasie 33)	RF4	20
	(ii) lisensiehouer of intrekking [artikel 20 en regulasie 39 (5)]	RF4	20
	(m) Aansoek om verbetering van register [artikel 39 en regulasie 50 gelees met artikel 17 (1)]	RF4	90
	(n) 'n Ander aansoek, kennisgewing of versoek waarvoor daar nie voorsiening gemaak is nie (regulasie 44)	RF4	13
5.	Kennisgewing van verset/toetreding [artikel 9 en regulasies 15 (2) en 39 (3)]	RF5	90
6.	Vorm van teenverklaring [artikel 10 en regulasies 16 (1) en 50 (3)]	RF6	38
7.	Toestemming tot—		
	(a) informele versetverrigting (artikel 11 en regulasie 17)	RF7	20
	(b) appél na Appélafdeling [artikel 33 en regulasie 47 (1) (b)]	RF7	20
8.	Aansoek om vervanging van applikant of die registrasie van sessionaris as latere eienaar [artikel 21 (3) en 23 en regulasies 34 en 29]	RF8	38
9.	Beëdigde verklaring ter stawing van saak wat vorm RF 1 of RF8 of RF10 vergesel [regulasies 9 (1) (c), 31 en 35 (1)]	RF9	—
10.	Aansoek om registrasie of intrekking van registrasie van 'n lisensiehouer (artikel 20 en regulasies 35, 37 en 38)	RF10	38
11.	Insaë in 'n lêer, stuk of register [artikel 7 (2) en 15 (2) en regulasies 11 (4) en 14 (6)]—(per dag)		3
12.	Reprografiese afskrifte van stukke, per bladsy		1
13.	Sertifisering van reprografiese uitreksel uit stukke (per dokument)		18

Item No.	Description	Corresponding forms	Fees
			R
1.	Application for registration of copyright in a cinematograph film [section 6 (1)—regulation 9 (1)]	RF1	200
2.	Register of copyright in cinematograph films [section 15—regulation 11 (1)]	RF2	—
3.	Publication particulars and abstract [section 7 (1)—regulations 9 (1) and 10]	RF3	—

Item No.	Description	Corresponding forms	Fees
			R
4.	Applications, notifications or requests to the Registrar:		
(a)	Request for advertisement [sections 5 and 7 (1) and regulations 8 (3) and 14 (4)]	RF4	70
(b)	Request for statement of grounds of decision [sections 6 (3), 33 and 35 and regulation 47 (1) (a)]	RF4	275
(c)	Application for certificate [section 15 (3) and regulation 51 (1)]	RF4	27
(d)	Application for correction of clerical errors and amendment of documents [section 6 (6), 16 and 26 and regulation 40]	RF4	13
(e)	Application for alteration of address or address for service [sections 6 (6), 16 (2) and 43 (2)—regulation 7 (1)]	RF4	13
(f)	Application to enter change of name or description of applicant, registered owner or registered licensee [sections 6 (6), 16 (2)—regulation 40]	RF4	13
(g)	Application to cancel entry on register [section 16 (2)—regulation 40]	RF4	13
(h)	Application for alteration of title [section 16 (2) and regulation 40]	RF4	13
(i)	Notice of Order of Court for alteration or rectification of register [section 17 (4) and regulation 49 (1)]	RF4	38
(j)	Notification of application to Court [section 35 and regulation 47 (2)]	RF4	90
(k)	Notice of payment of hearing fee [section 12 (3) and regulation 24]	RF4	195
(l)	Fees for registration of—		
(i)	assignment or transmission (section 21—regulation 33)	RF4	20
(ii)	licensee or cancellation [section 20—regulation 39 (5)]	RF4	20
(m)	Application to rectify register [section 39—regulation 50 read with section 17 (1)]	RF4	90
(n)	Any other application, notification or request not provided for (regulation 44)	RF4	13
5.	Notice of opposition/intervention [section 9—regulation 15 (2) and 39 (3)]	RF5	90
6.	Form of counterstatement [section 10—regulations 16 (1) and 50 (3)]	RF6	38
7.	Consent to—		
(a)	informal opposition proceedings (section 11 and regulation 17)	RF7	20
(b)	appeal to Appellate Division [section 33 and regulation 47 (1) (b)]	RF7	20
8.	Application for substitution of applicant or to register the assignee as subsequent owner [sections 21 (3) and 23 and regulations 34 and 29]	RF8	38
9.	Sworn declaration in support of statement of case accompanying form RF1 or RF 8 or RF 10 [regulations 9 (1) (c), 31 and 35 (1)]	RF9	—
10.	Application for registration or cancellation of registration of a licensee (section 20—regulations 35, 37 and 38)	RF10	38
11.	Inspection of any file, document or register [section 7 (2) and 15 (2)—regulations 11 (4) and 14 (6)]—(per day)		3
12.	Reprographic copies of documents, per page		1
13.	Certification of reprographic extracts from documents (per document)		18

No. R. 2527

31 Desember 1993

MAATSKAPPYWET, 1973
(WET No. 61 VAN 1973)WYSIGING VAN GOEWERMENSKENNISGEWING
No. R. 29 VAN 1991: SEKURITEITEREGU-
LERINGSKODE VIR OORNAMES EN SAMESTEL-
LINGS EN DIE REËLS VAN DIE PANEEL OOR
SEKURITEITEREGULERINGEk, David de Villiers Graaff, Adjunkminister van Han-
del en Nywerheid, maak hierby, ingevolge artikel 440C
(5) van die Maatskappyywet, 1973, bekend dat—(a) die Paneel van Sekuriteiteregulering, ingestel
by artikel 440B van die Maatskappyywet, 1973,
die Sekuriteitereguleringskode vir Oornames en

No. R. 2527

31 December 1993

COMPANIES ACT, 1973
(ACT No. 61 OF 1973)AMENDMENT OF GOVERNMENT NOTICE No. R. 29
OF 1991: SECURITIES REGULATION CODE ON
TAKEOVERS AND MERGERS AND THE RULES OF
THE SECURITIES REGULATION PANELI, David de Villiers Graaff, Deputy Minister of Trade
and Industry, hereby made known, in terms of section
440C (5) of the Companies Act, 1973, that—(a) the Securities Regulation Panel, established by
section 440B of the Companies Act, 1973, has,
under section 440C (3) of the Companies Act,

Samesmeltings en die Reëls van die Paneel oor Sekuriteiteregulerings kragtens artikel 440C (3) van die Maatskappywet, 1973, ooreenkomstig die Bylae hiervan gewysig het; en

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

D. DE. V. GRAAFF,

Adjunkminister van Handel en Nywerheid.

BYLAE

Die Sekuriteitereguleringskode vir Oornames en Samesmeltings en die Reëls kragtens artikel 440C (4) (a), (b), (c) en (f) van die Maatskappywet, 1973 (Wet No. 61 van 1973), word hierby gewysig deur, in Afdeling F, Reël 8.1 deur die volgende reël te vervang:

"8.1 WANNEER DIT VEREIS WORD EN WIE IN DIE EERSTE PLEK VERANTWOORDELIK IS VIR DIE MAAK VAN SO 'N AANBOD

Wanneer—

- (a) enige persoon wat minder as die aangewese persentasie sekuriteite hou, hetsy deur 'n reeks transaksies oor 'n tydperk of andersins, sekuriteite verkry wat (saam met sekuriteite gehou of verkry deur persone wat gesamentlik met hom optree) die aangewese persentasie of meer van die stemregte van 'n maatskappy dra; of
- (b) enige persoon, saam met persone wat gesamentlik met hom optree, nie minder as die aangewese persentasie, maar nie meer as 50% van die stemregte van 'n maatskappy hou nie, en sodanige persoon of enige persoon wat gesamentlik met hom optree, verkry binne enige tydperk van twaalf maande bykomende sekuriteite wat meer as 5% van die stemregte dra,

moet so 'n persoon, tensy die Paneel anders beslis, aanbiedinge maak aan die houers van enige klas ekwiteitskapitaal, of dit stembedraend is of nie, asook aan die houers van enige klas stembedraende nie-ekwiteitskapitaal waarvan sodanige persoon of persone wat gesamentlik met hom optree, houers is, ten einde al hulle sekuriteite of sodanige gedeelte van hulle sekuriteite wat die Paneel of aansoek mag bepaal, te verkry. By sodanige bepaling moet die Paneel die feite van die saak, die algemene beginsels van die Kode en billikheid in aanmerking neem. Die aanbiedinge moet vir dieselfde of vergelykbare teenprestasie wees. Aanbiedinge vir verskillende klasse ekwiteitskapitaal moet vergelykbaar wees en die Paneel moet vooraf geraadpleeg word in sodanige gevalle."

1973, amended the Securities Regulation Code on Takeovers and Mergers and the Rules of the Securities Regulation Panel in accordance with the Schedule hereto; and

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

D. DE. V. GRAAFF,

Deputy Minister of Trade and Industry.

SCHEDULE

The Securities Regulation Code on Take-overs and Mergers and the Rules under section 440C (4) (a), (b), (c) and (f) of the Companies Act, 1973 (Act No. 61 of 1973), are hereby amended by the substitution for Rule 8.1 in section F of the following rule:

"8.1 WHEN IT IS REQUIRED AND WHO IS PRIMARILY RESPONSIBLE FOR MAKING IT

When—

- (a) any person holding less than the specified percentage acquires, whether by a series of transactions over a period of time or otherwise, securities which (taken together with securities already held by such person or held or acquired by persons acting in concert with him) carry the specified percentage or more of the voting rights of a company; or
- (b) any person who, together with persons acting in concert with him, holds not less than the specified percentage but not more than 50% of the voting rights of a company and such person, or any person acting in concert with him, acquires in any period of 12 months additional securities carrying more than 5% of the voting rights,

such person shall unless the Panel rules otherwise, extend offers to the holders of any class of equity capital, whether voting or non-voting, and also to the holders of any class of voting non-equity capital of which such person or persons acting in concert with him are holders, to acquire all of their securities or such portion of their securities as the Panel on application may determine. In making such determination, the Panel shall have regard to the facts of the case, the general principles of the Code and equity. The officers shall be for the same or a comparable consideration. Officers for different classes of equity capital shall be comparable and the Panel shall be consulted in advance in such cases."

DEPARTEMENT VAN JUSTISIE**No. R. 2516****31 Desember 1993**

AANWYSING VAN KOMMISSARISSE VAN EDE Kragtens ARTIKEL 6 VAN DIE WET OP VREDE-REGTERS EN KOMMISSARISSE VAN EDE, 1963 (WET No. 16 VAN 1963)

Ek, Sheila Margaret Camerer, Adjunkminister van Justisie, handelende namens en in opdrag van die Minister van Justisie, wysig hierby kragtens artikel 6 van die Wet op Vrederegters en Kommissarisse van Ede, 1963 (Wet No. 16 van 1963), die Bylae by Goewermentskennisgewing No. R. 2477 van 16 November 1984, soos in die Bylae hierby uiteengesit.

S. M. CAMERER,**Adjunkminister van Justisie.****DEPARTMENT OF JUSTICE****No. R. 2516****31 December 1993**

DESIGNATION OF COMMISSIONERS OF OATHS IN TERMS OF SECTION 6 OF THE JUSTICES OF THE PEACE AND COMMISSIONERS OF OATHS ACT, 1963 (ACT No. 16 OF 1963)

I, Sheila Margaret Camerer, Deputy Minister of Justice, acting on behalf and by direction of the Minister of Justice, hereby, under section 6 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No. 16 of 1963), amend the Schedule to Government Notice No. R. 2477 of 16 November 1984, as set out in the Schedule hereto.

S. M. CAMERER,**Deputy Minister of Justice.****BYLAE**

1. In hierdie Bylae beteken die uitdrukking "die Kennisgewing" Goewermentskennisgewing No. 2477 van 16 November 1984, soos gewysig by Goewermentskennisgewings Nos. R. 1138 van 13 Junie 1986, R. 616 van 27 Maart 1987, R. 2852 van 31 Januarie 1987, R. 1804 van 9 September 1988, R. 20 van 13 Januarie 1989, R. 256 van 24 Februarie 1989, R. 400 van 1 Maart 1991, R. 966 van 10 Mei 1991, R. 2490 en R. 2491 van 18 Oktober 1991, R. 2654 van 8 November 1991, R. 442 van 5 Februarie 1992, R. 2892 van 16 Oktober 1992, R. 3304 van 11 Desember 1992 en R. 485 van 26 Maart 1993.

Die Bylae by die Kennisgewing word hierby gewysig—

(a) deur subitem (c) van item 7 deur die volgende subitem te vervang:

"(c) Beamppte kragtens die een of ander wet aangestel of aangewys vir die bestuur van 'n woongebied of tehuis Distrik waarin woongebied of tehuis geleë is.";

(b) deur subitem (d) van item 7 te skrap;

(c) deur item 13 deur die volgende item te vervang:

"13. Kommissaris-generaal aangestel kragtens artikel 2 van die Wet op die Verteenwoordiging tussen die Republiek van Suid-Afrika en Selfregerende Gebiede, 1959 (Wet No. 46 van 1959) Republiek.";

(d) deur item 49 deur die volgende item te vervang:

"49. Verteenwoordiger en Assistentverteenwoordiger benoem en erken kragtens artikel 4 van die Wet op die Verteenwoordiging tussen die Republiek van Suid-Afrika en Selfregerende Gebiede, 1959 (Wet No. 46 van 1959) Stedelike gebied waarvoor aange-stel.".

SCHEDULE

1. In this Schedule the expression "the notice" means Government Notice No. R. 2477 of 16 November 1984, as amended by Government Notices Nos. R. 1138 of 13 June 1986, R. 616 of 27 March 1987, R. 2852 of 31 January 1987, R. 1804 of 9 September 1988, R. 20 of 13 January 1989, R. 256 of 24 February 1989, R. 400 of 1 March 1991, R. 966 of 10 May 1991, R. 2490 and R. 2491 of 18 October 1991, R. 2654 of 8 November 1991, R. 442 of 5 February 1992, R. 2892 of 16 October 1992, R. 3304 of 11 December 1992 and R. 485 of 26 March 1993.

The Schedule to the notice is hereby amended—

(a) by the substitution for subitem (c) of item (3) of the following subitem:

"(c) Officer appointed or designated in terms of any law for the management of a residential area or hostel District in which residential area or hostel is situated.";

(b) by the deletion of subitem (d) of item 3;

(c) by the substitution for item 12 of the following item:

"12. Commissioner-General appointed in terms of section 2 of the Representation between the Republic of South Africa and Self-governing Territories Act, 1959 (Act No. 46 of 1959) Republic.";

(d) by the substitution for item 5 of the following item:

"5. Representative and Assistant Representative nominated and recognised in terms of section 4 of the Representation between the Republic of South Africa and Self-governing Territories Act, 1959 (Act No. 46 of 1959) Urban area for which appointed.".

DEPARTEMENT VAN LANDBOU

No. R. 2534

31 Desember 1993

WET OP PLANTTELEERSREGTE, 1976
(WET No. 15 VAN 1976)REGULASIES BETREFFENDE PLANTTELEERS-
REGTE: WYSIGING*

Die Adjunkminister van Landbou, handelende namens die Minister van Landbou, het kragtens artikel 44 van die Wet op Planttelersregte, 1976 (Wet No. 15 van 1976), die regulasies in die Bylae uitgevaardig.

* Verklaring van Pronkertjies, Katjiepierings, Aronskelke, Scaevola en Basterraagrassie as soorte vir die doeleindes van die Wet.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermentskennisgewing No. R. 2630 van 24 Desember 1980, soos gewysig deur Goewermentskennisgewings Nos. R. 37 van 6 Januarie 1984, R. 990 van 3 Mei 1985, R. 1588 van 1 Augustus 1986, R. 2349 van 14 November 1986, R. 2341 van 16 Oktober 1987, R. 1519 van 14 Julie 1989 (soos verbeter deur R. 1975 van 15 September 1989), R. 1640 van 13 Julie 1990, R. 74 van 18 Januarie 1991, R. 989 van 10 Mei 1991, R. 2415 van 4 Oktober 1991, R. 1493 van 29 Mei 1992, R. 1561 van 20 Augustus 1993 en R. 2039 van 29 Oktober 1993.

Wysiging van Tabel 1 van die Regulasies

2. Tabel 1 van die Regulasies word hiermee gewysig deur die volgende inskrywings in hulle alfabeties-korrekte posisie in te voeg:

DEPARTMENT OF AGRICULTURE

No. R. 2534

31 December 1993

PLANT BREEDERS' RIGHTS, 1976
(ACT No. 15 OF 1976)REGULATIONS RELATING TO PLANT BREEDERS'
RIGHTS: AMENDMENT*

The Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture, has under section 44 of the Plant Breeders' Rights Act, 1976 (Act No. 15 of 1976), made the regulations in the Schedule.

* Declaration of Sweet Peas, Gardenias, Arum Lilies, Scaevola and Hybrid Rye Grass as kinds of plants for the purposes of the Act.

Definitions

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 2630 of 24 December 1980, as amended by Government Notices Nos. R. 37 of 6 January 1984, R. 990 of 3 May 1985, R. 1588 of 1 August 1986, R. 2349 of 14 November 1986, R. 2341 of 16 October 1987, R. 1519 of 14 July 1989 (as corrected by R. 1975 of 15 September 1989), R. 1640 of 13 July 1990, R. 74 of 18 January 1991, R. 989 of 10 May 1991, R. 2415 of 4 October 1991, R. 1493 of 29 May 1992, R. 1561 of 20 August 1993 and R. 2039 of 29 October 1993.

Amendment of Table 1 of the Regulations

2. Table 1 of the Regulations is hereby amended by the insertion of the following entries in their alphabetical correct positions:

1		2	3	4	5
Soort plant/Kind of plant					
Botaniese naam Botanical name	Gewone naam Common name	Ondersoek- geld* Examination fee*	Termyn van telerregte Period of plant breeders' rights (Jare/Years)	Jaargeld* Annual fee*	Termyn van alleenreg Period of sole right (Jare/Years)
"X <i>Festulolium</i> Aschers & Graebn. (<i>Festuca</i> supp. X <i>Lolium</i> spp.)	Basterraagrass/Hybrid Rye Grass	2	15	7	5
<i>Gardenia</i> spp.	Katjiepieping/Gardenia	3	15	7	5
<i>Lathyrus tingitanus</i> L.	Pronkertjie/Tangier Scar- let Pea, T. Sweet Pea, Gypsy Sweet Pea	3	15	7	5
<i>Lolium boucheanum</i> Kunth. (<i>Lolium multifo-</i> <i>rum</i> Lam. X <i>L. perenne</i> L.	Basterraagrass/Hybrid Rye Grass	2	15	7	5
<i>Scaevola</i>	<i>Scaevola</i>	3	15	7	5
<i>Zanthesdeschia</i> spp.	Aronskelk/Arum Lily	3	15	7	5

* Nota/Note:

2 = R570.

3 = R820.

7 = R90.

No. R. 2535**31 Desember 1993**BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)**BEHEER OOR DIE INVOER VAN BOTTER, KAAS, GEKONDENSEERDE MELK, GEKONDENSEERDE AFGEROOMDE MELK, MELKPOEIER EN AFGEROOMDE MELKPOEIER**

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 87 (1) (b) (i) van die Bemarkingswet, 1968 (Wet No. 59 van 1968) —

- (a) verbied hierby die invoer in die Republiek van botter, kaas, gekondenseerde melk, gekondenseerde afgeroomde melk, melkpoeier en afgeroomde melkpoeier behalwe op gesag van 'n permit uitgereik deur die Direkteur-generaal op die voorwaardes wat die Direkteur-generaal bepaal en in die permit uiteengesit: Met dien verstande dat die totale hoeveelheid van elkeen van voormelde produkte wat gedurende 'n bepaalde tydperk ingevoer mag word, nie 'n hoeveelheid mag oorskry nie wat ten opsigte van so 'n tydperk deur die Minister na oorlegpleging met die Bemarkingsraad bepaal is;

Met dien verstande verder dat hierdie Goewermentskennisgewing nie van toepassing is nie op 'n hoeveelheid van genoemde produkte met 'n massa van hoogstens 5 kg;

- (b) verklaar hierby dat genoemde verbod met ingang van 1 Januarie 1994 in werking tree; en
- (c) Proklamasie No. R. 190 van 1978, met ingang van genoemde datum van inwerkingtreding herroep word.

A. I. VAN NIEKERK,
Minister van Landbou.

No. R. 2536**31 Desember 1993**BEMARKINGSWET, 1968
(WET No. 59 VAN 1968)**AARTAPPELSKEMA: 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 Aartappelskema gepubliseer by Goewermentskennisgewing No. R. 2400 van 25 November 1988 (verbeter by Goewermentskennisgewing No. R. 304 van 24 Februarie 1989), soos gewysig by Goewermentskennisgewing No. R. 1353 van 30 Junie 1989.

A. I. VAN NIEKERK,
Minister van Landbou.

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS- ONTWIKKELING

No. R. 2515**31 Desember 1993****VERKLARING VAN DIE STADSRAAD VAN KAAPSTAD TOT PLAASLIKE BESTUUR VIR DIE HAWEGEBIED VAN KAAPSTAD**

Kragtens die bevoegdheid my verleen by artikel 30 (2) (a) van die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), verklaar ek, Elizabeth Hendrina Venter,

No. R. 2535**31 December 1993**MARKETING ACT, 1968
(ACT No. 59 OF 1968)**CONTROL OF THE IMPORTATION OF BUTTER, CHEESE, CONDENSED MILK, CONDENSED SKIM-MILK, MILK POWDER AND SKIM-MILK POWDER**

I, André Isak van Niekerk, Minister of Agriculture acting under section 87 (1) (b) (i) of the Marketing Act, 1968 (Act No. 59 of 1968), hereby —

- (a) prohibit the importation into the Republic of butter, cheese, condensed milk, condensed skim-milk, milk powder and skim-milk powder, except on the authority of a permit issued by the Director-General on such conditions as the Director-General may determine and set out in such permit: Provided that the total quantity of each of the above-mentioned products which may be imported during a particular period, shall not exceed a quantity determined in respect of such period by the Minister after consultation with the Marketing Council:

Provided further that this Government Notice shall not apply to a quantity of the above-mentioned products with a mass of not more than 5 kg;

- (b) declare that the said prohibition shall come into operation with effect from 1 January 1994.
- (c) Proclamation No. R. 190 of 1978 is repealed with effect from the said date of commencement.

A. I. VAN NIEKERK,
Minister of Agriculture.

No. R. 2536**31 December 1993**MARKETING ACT, 1968
(ACT No. 59 OF 1968)**POTATO 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 the Potato Scheme published by Government Notice No. R. 2400 of 25 November 1988 (corrected by Government Notice No. R. 304 of 24 February 1989), as amended by Government Notice No. R. 1353 of 30 June 1989, with effect from 1 January 1994.

A. I. VAN NIEKERK,
Minister of Agriculture.

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 2515**31 December 1993****DECLARATION OF THE CITY COUNCIL OF CAPE TOWN TO BE LOCAL AUTHORITY FOR CAPE TOWN HARBOUR AREA**

By virtue of the powers vested in me by section 30 (2) (a) of the Health Act, 1977 (Act No. 63 of 1977), I, Elizabeth Hendrina Venter, Minister for National Health

Minister vir Nasionale Gesondheid en Welsyn, hierby dat die Stadsraad van Kaapstad by die toepassing van die bepalings van vermeldde Wet die plaaslike bestuur is ten opsigte van die gebied in die Bylae hiervan beskryf.

E. H. VENTER,

Minister vir Nasionale Gesondheid en Welsyn.

BYLAE

Begin by Baken C op Kaart LG6350/1936 van Erf 1198, Groenpunt; daarvandaan ooswaarts met die huidige laagwatermerk (deur landterugwinning en die konstruksie van golfbrekers geskep) langs tot waar dit die verlenging in 'n noordwestelike rigting van die noordoostelike grens van Erwe 17461 en 17462 (grens BC—sien Algemene Plan TP 312 SD) Kaapstad, te Paardeneiland, kruis; daarvandaan suidooswaarts met sodanige verlengde lyn langs tot waar dit die hoogwatermerk kruis; daarvandaan suidweswaarts met die huidige munisipale grens langs, beskryf as die hoogwatermerk ingevolge Proklamasie No. 257 van 1906 (wat die omvang van die destydse Maitland munisipale gebied beskryf), tot by die mond van die Soutrivier (voor kanalisering); daarvandaan met die laagwatermerk ingevolge Proklamasie No. 238 van 1911 langs wat die grens van die destydse Woodstock munisipale gebied vanaf die hoogwatermerk tot by die laagwatermerk verleng tot by die militêre lyne by Fort Knokke; daarvandaan met die huidige munisipale grens langs, geproklameer ingevolge artikel 2 van Wet No. 26 van 1893 en beskryf as die laagwatermerk (tans geleë op teruggewinde land), tot by Baken C op Algemene Plan 995 LD; daarvandaan met die reeks reguit lyne langs wat Bakens B, A, Z, Y, X, W, V, U, T, S, R, Q, P, O, N, M, L, K, J, H, G, F, E, D, C, B verbind tot by Baken A (sien Algemene Plan 995 LD), wat ingevolge Proklamasie No. 316 van 1978 die huidige munisipale grens is; daarvandaan noordweswaarts met die huidige munisipale grens langs, geproklameer ingevolge artikel 2 van Wet No. 26 van 1893 en beskryf as die laagwatermerk, tot by Baken C, die beginpunt.

No. R. 2558

31 Desember 1993

REGULASIES KRAGTENS DIE WET OP MEDIESE SKEMAS, 1967 (WET No. 72 VAN 1967)

Die Minister vir Nasionale Gesondheid en Welsyn het kragtens artikel 41 van die Wet op Mediese Skemas, 1967 (Wet No. 72 van 1967), die regulasies in die Bylae vervat, uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Wet" die Wet op Mediese Skemas, 1967 (Wet No. 72 van 1967), en het enige uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis, en, tensy dit uit die samehang anders blyk, beteken—

"praktikkodenommer" die nommer wat deur die Verteenwoordigende Vereniging van Mediese Skemas aan 'n diensverskaffer toegeken is as 'n praktyknommer;

and Welfare, hereby declare that the City Council of Cape Town shall be the local authority for the purposes of the provisions of the said Act in respect of the area described in the Schedule hereto.

E. H. VENTER,

Minister for National Health and Welfare.

SCHEDULE

Beginning at Beacon C on SG Diagram 6350/1936 of Erf 1198, Green Point; thence eastwards along the present low-water mark (created by land reclamation and the construction of breakwaters) to where it intersects the north-westerly prolongation of the north-eastern boundary of Erven 17461 and 17462 (boundary lettered BC *vide* General Plan TP 312 SD) Cape Town, at Paardeneiland; thence in a south-easterly direction along such prolongation to where it intersects the high-water mark; thence in a south-westerly direction along the present municipal boundary, described as the high-water mark in terms of Proclamation No. 257 of 1906 (which describes the extent of the then Maitland municipal area), to the mouth of the Salt River (prior to canalisation); thence along the low-water mark in terms of Proclamation No. 238 of 1911 (which extends the boundary of the then Woodstock municipal area from the high water mark to the low water mark) to the military lines at Fort Knokke; thence along the present municipal boundary, proclaimed in terms of section 2 of Act No. 26 of 1893 and described as the low-water mark (now situated on reclaimed land), to Beacon C on General Plan 995 LD; thence along the series of straight lines joining Beacons B, A, Z, Y, X, W, V, U, T, S, R, Q, P, O, N, M, L, K, J, H, G, F, E, D, C, B to Beacon A (*vide* General Plan 995 LD), which in terms of Proclamation No. 316 of 1978 is the present municipal boundary; thence north-westwards along the present municipal boundary, proclaimed in terms of section 2 of Act No. 26 of 1893 and described as the low-water mark, to Beacon C, the point of beginning.

No. R. 2558

31 December 1993

REGULATIONS IN TERMS OF THE MEDICAL SCHEMES ACT, 1967 (ACT No. 72 OF 1967)

The Minister for National Health and Welfare has, in terms of section 41 of the Medical Schemes Act, 1967 (Act No. 72 of 1967), made the regulations contained in the Schedule hereto.

SCHEDULE

Definitions

1. In this Schedule "the Act" means the Medical Schemes Act, 1967 (Act No. 72 of 1967), and any expression to which a meaning has been assigned in the Act shall bear that meaning and, unless the context otherwise indicates—

"practice code number" means the number allotted to a supplier of service as a practice number by the Representative Association of Medical Schemes;

“**siektetoestand**” ’n liggaamlike of geestesgebrek, liggaamlike of geestesongesteldheid, liggaamlike of geestestekortkoming of besering by die mens;

“**voorskrif**” al die medisyne wat ’n geneesheer of tandarts of iemand wat by wet daartoe gemagtig is, terselfdertyd vir een persoon voorskryf vir die siektetoestand wat behandel word.

Registrasie van mediese skemas

2. (1) ’n Aansoek om registrasie van ’n mediese skema moet, behoudens artikel 14 van die Wet, vergees gaan van—

- (a) die naam waaronder die skema geregistreer moet word;
- (b) die volledige straatadres van die hoofkantoor van die skema;
- (c) die datum waarop die skema in werking tree; en
- (d) die geld wat by regulasie 13 (1) (a) ten opsigte van ’n aansoek om registrasie voorgeskryf word.

Werwing van lede

3. Geen geregistreerde mediese skema of administrateur daarvan mag ’n maatskappy, vennootskap of persoon vir die bekendstelling van ’n nuwe lid aan sodanige skema of om in te stem tot die instandhouding van sodanige lid by sodanige skema vergoed of laat vergoed nie en niemand mag wetens sodanige vergoeding ontvang nie.

Skriftelike bewys van lidmaatskap

4. Elke geregistreerde mediese skema moet aan elkeen van sy lede ’n skriftelike bewys van lidmaatskap uitreik wat minstens die volgende besonderhede bevat:

- (a) Die naam van die skema;
- (b) die van en eerste voornaam en verdere voorletters (as daar is) van die lid en sy afhanklikes;
- (c) die lidmaatskapnommer;
- (d) die datum waarop die lid op voordele van die betrokke skema geregtig word;
- (e) indien van toepassing, ’n aanduiding of daar dienste of siektetoestande is wat spesifiek van voordele uitgesluit is; en
- (f) indien van toepassing, die feit dat die lewering van dienste beperk is tot ’n spesifieke diensverskaffer of groep of kategorie diensverskaffers.

(2) ’n Geregistreerde mediese skema moet op versoek van ’n lid of voormalige lid daardie lid voorsien van ’n lidmaatskapsertifikaat waarin vermeld word die datum van toelating tot en die datum van beëindiging van lidmaatskap van die lid of enige van sy afhanklikes en enige beperking op of uitsluiting van voordele ten opsigte van sodanige persoon. Met dien verstande dat sodanige versoek die skema bereik binne ’n tydperk van twee jaar nadat sodanige persoon se lidmaatskap van die skema beëindig is.

“**prescription**” means all the medicine prescribed at any one time for one person by a medical practitioner or dentist or any person legally entitled thereto for the sickness condition being treated;

“**sickness condition**” means a physical or mental defect, physical or mental illness, or physical or mental deficiency or injury in humans.

Registration of medical schemes

2. (1) An application for registration by a medical scheme shall, subject to section 14 of the Act, be accompanied by—

- (a) the name under which the scheme is to be registered;
- (b) the full street address of the head office of the scheme;
- (c) the date on which the scheme is to come into operation; and
- (d) the fees prescribed by regulation 13 (1) (a) in respect of an application for registration.

Recruitment of members

3. No registered medical scheme or administrator of such a scheme may compensate or cause to be compensated any company, partnership or person for the introduction of a new member to such scheme or for consenting to keep such member in such scheme and no person shall knowingly receive such compensation.

Written proof of membership

4. Every registered medical scheme shall issue to each of its members written proof of membership containing at least the following particulars:

- (a) The name of the scheme;
- (b) the surname and first name and other initials (if any) of the member and his dependants;
- (c) the membership number;
- (d) the date on which the member shall become entitled to benefits from the scheme concerned;
- (e) if applicable, an indication of whether there are services or sickness conditions that are specifically excluded from benefits; and
- (f) if applicable, the fact that the rendering of services is limited to a specific supplier of service or a group or category of suppliers of services.

(2) A registered medical scheme shall at the request of a member or former member provide that member with a membership certificate stating the date of admission to and the date of termination of membership of the member or any of his dependants and any limitation of or exclusion from benefits in respect of such person: Provided that such request reaches the scheme within a period of two years after the termination of the membership of the scheme of such person.

Voorwaardes vir voortsetting van lidmaatskap

5. (1) Indien 'n geregistreerde mediese skema vereis dat die voortgesette lidmaatskap in artikel 20 (1) (d) van die Wet bedoel, onderworpe is aan 'n kwalifiserende tydperk van lidmaatskap, mag sodanige tydperk nie vyf jaar oorskry nie: Met dien verstande dat ten einde te kwalifiseer, ledegeld betaal kan word om enige tydperk wat kortkom te dek: Met dien verstande voorts dat 'n lid se lidmaatskap van enige ander geregistreerde mediese skema soos bedoel in artikel 20 (1) (f) van die Wet ook in berekening gebring moet word wanneer sodanige tydperk vasgestel word.

(2) Indien 'n geregistreerde mediese skema vereis dat die voortgesette lidmaatskap in artikel 20 (1) (e) van die Wet bedoel, onderworpe is aan 'n kwalifiserende tydperk van lidmaatskap ten opsigte van die afgestorwe lid, mag sodanige tydperk nie vyf jaar oorskry nie: Met dien verstande dat, ten einde te kwalifiseer, ledegeld betaal kan word om enige tydperk wat kortkom te dek: Met dien verstande voorts dat die afgestorwe lid se lidmaatskap van enige ander geregistreerde mediese skema soos bedoel in artikel 20 (1) (f) van die Wet ook in berekening gebring moet word wanneer sodanige tydperk vasgestel word.

Beperking van voordele

6. 'n Geregistreerde mediese skema kan, ten opsigte van die boekjaar waarin 'n lid tot die skema toetree, die jaarlikse voordele *pro rata* tot die tydperk van lidmaatskap in die betrokke boekjaar verminder, bereken vanaf die datum van toelating tot lidmaatskap tot aan die einde van die betrokke boekjaar.

Rekeninge gehê deur diensverskaffers

7. 'n Diensverskaffer wat 'n diens gelewê het aan 'n lid van 'n geregistreerde mediese skema of aan 'n afhanklike van so 'n lid, moet binne 30 dae vanaf die lewering van bedoelde diens en in die geval van 'n krediettransaksie maandeliks daarna aan die betrokke lid 'n rekening of staat verstrek waarin die volgende besonderhede uiteengesit word:

- (a) Die van en voorletters van die lid;
- (b) die van en eerste voornaam en verdere voorletters (as daar is) van die pasiënt;
- (c) die naam van die betrokke skema;
- (d) die lidmaatskapnommer van die lid;
- (e) die praktykkodenommer (indien van toepassing) van die diensverskaffer en in die geval van 'n groeppraktyk, die naam van die praktisyn wat die diens gelewê het;
- (f) die datum waarop iedere diens gelewê is;
- (g) die aard en die koste van iedere diens wat gelewê is, met inbegrip van die itemkodenommer wat op sodanige diens betrekking het (indien van toepassing), en waar die diensverskaffer aan die betrokke lid of aan 'n afhanklike van daardie lid medisyne verskaf het, die naam, hoeveelheid, dosering en netto bedrag betaalbaar ten opsigte van die medisyne;

Conditions for continued membership

5. (1) If a registered medical scheme requires that the continued membership referred to in section 20 (1) (d) of the Act be subject to a qualifying period of membership such period shall not exceed five years: Provided that in order to qualify, membership fees may be paid to cover any outstanding period: Provided further that a member's membership of any other registered medical scheme as referred to in section 20 (1) (f) of the Act shall also be taken into account in determining such period.

(2) If a registered medical scheme requires that the continued membership referred to in section 20 (1) (e) of the Act be subject to a qualifying period of membership in respect of the deceased member such period shall not exceed five years: Provided that in order to qualify, membership fees may be paid to cover any outstanding period: Provided further that the deceased member's membership of any other registered medical scheme as referred to in section 20 (1) (f) of the Act shall be taken into account in determining such period.

Limitation of benefits

6. A registered medical scheme may, in respect of the financial year in which a member joins the scheme, reduce the annual benefits *pro rata* to the period of membership in the financial year concerned, calculated from the date of admission to membership to the end of the financial year concerned.

Accounts levied by suppliers of services

7. A supplier of service who has rendered a service to a member of a registered medical scheme or to a dependant of such a member shall within 30 days of the rendering of the said service and, in the case of a credit transaction, monthly thereafter furnish to the member concerned an account or statement setting out the following particulars:

- (a) The surname and initials of the member;
- (b) the surname and first name and other initials (if any) of the patient;
- (c) the name of the scheme concerned;
- (d) the membership number of the member;
- (e) the practice code number (if applicable) of the supplier of service and, in the case of a group practice, the name of the practitioner who provided the service;
- (f) the date on which each service was rendered;
- (g) the nature and cost of each service rendered, including the item code number that relates to such service (if applicable), and where the supplier of service supplied medicine to the member concerned or to a dependant of that member, the name, quantity, dosage and net amount payable in respect of the medicine;

- (h) in die geval waar 'n apteker medisyne verskaf ingevolge 'n voorskrif aan 'n lid of aan 'n afhanklike van 'n lid van 'n mediese skema, 'n afskrif van die oorspronklike voorskrif of 'n gesertifiseerde afskrif van sodanige voorskrif, indien die skema dit vereis;
- (i) die naam en die praktykkodenommer van die verwysende geneesheer of tandarts;
- (j) in die geval waar melding in sodanige rekening of staat gemaak word van die gebruik van 'n teater waar 'n operasie op die lid of 'n afhanklike van daardie lid uitgevoer is—
 - (i) die naam en die praktykkodenommer van die geneesheer of tandarts wat sodanige operasie uitgevoer het;
 - (ii) die naam of name en die praktykkodenommer van iedere geneesheer of tandarts wat by sodanige operasie geassisteer het; en
 - (iii) alle prosedures wat verrig is; en
- (k) in die geval van 'n eerste rekening of staat ten opsigte van ortodontiese behandeling, 'n behandelingsplan ter aanduiding van—
 - (i) die verwagte totale bedrag wat deur die ortodontis vir die behandeling gehef sal word;
 - (ii) die verwagte duur van die behandeling;
 - (iii) die aanvanklike bedrag wat die lid moet betaal; en
 - (iv) die maandelikse bedrag wat die lid moet betaal.

Betaling van voordele

8. 'n Geregistreerde mediese skema moet—

- (a) behoudens sy reëls en hierdie regulasies, aan 'n lid of aan 'n diensverskaffer enige voordeel verskuldig aan die lid van die skema betaal binne ses weke na die dag waarop die eis met betrekking tot sodanige voordeel ontvang is; en
- (b) tesame met sodanige betaling, aan die lid 'n betalingsadvies stuur wat minstens die volgende besonderhede bevat:
 - (i) Die naam en die lidmaatskapnommer van die lid;
 - (ii) die naam van die diensverskaffer;
 - (iii) die laaste datum van diens vermeld op die rekening of staat deur die diensverskaffer wat deur die betaling gedek word; en
 - (iv) die totale bedrag wat vir die betrokke diens gehef is en die bedrag van die voordeel wat vir sodanige diens toegestaan is.

Beperking op betalings

9. (1) 'n Geregistreerde mediese skema mag nie in sy reëls of op enige ander wyse ten opsigte van 'n voordeel waarop 'n lid of voormalige lid van sodanige skema of 'n afhanklike van sodanige lid geregtig is, 'n betaling aan sodanige lid beperk, uitsluit, weerhou of terughou nie, na gelang van die geval, weens—

- (a) die laat indiening of laat herindiening, na gelang van die geval, van 'n eis met betrekking tot sodanige voordeel, voor die laaste dag van

- (h) where a pharmacist supplies medicine according to a prescription to a member or to a dependant of a member of a medical scheme, a copy of the original prescription or a certified copy of such prescription, if the scheme requires it;
- (i) the name and the practice code number of the referring medical practitioner or dentist;
- (j) where mention is made in such account or statement of the use of a theatre where an operation was performed on the member or a dependant of that member—
 - (i) the name and practice code number of the medical practitioner or dentist who performed that operation;
 - (ii) the name or names and the practice code number of every medical practitioner or dentist who assisted at that operation; and
 - (iii) all procedures carried out; and
- (k) in the case of a first account or statement in respect of orthodontic treatment, a treatment plan indicating—
 - (i) the expected total amount the orthodontist will charge for the treatment;
 - (ii) the expected duration of the treatment;
 - (iii) the initial amount the member has to pay; and
 - (iv) the monthly amount the member has to pay.

Payment of benefits

8. A registered medical scheme shall—

- (a) subject to its rules and these regulations, pay to a member or a supplier of service any benefit owing to that member of the scheme within six weeks after the day on which the claim in respect of such benefit was received; and
- (b) together with such payment, send to the member a payment advice containing at least the following particulars:
 - (i) The name and the membership number of the member;
 - (ii) the name of the supplier of service;
 - (iii) the final date of service given by the supplier of service on the account or statement which is covered by the payment; and
 - (iv) the total amount charged for the service concerned and the amount of the benefit awarded for such service.

Limitations on payments

9. (1) A registered medical scheme shall not in its rules or in any other manner in respect of any benefit to which a member or former member of such scheme or a dependant of such member is entitled limit, exclude, retain or withhold any payment to such member, as the case may be, on account of—

- (a) the late submission or late resubmission, as the case may be, of a claim with regard to such benefit, before the last day of the fourth month

die vierde maand wat volg op die maand waartydens die diens waarop sodanige eis berus, gelewer is of waartydens sodanige eis vir regstelling teruggestuur is; of

- (b) die wanbetaling, gedeeltelik of volledig, van 'n bedrag wat 'n lid of voormalige lid aan 'n diensverskaffer verskuldig is.

(2) Indien 'n geregistreerde mediese skema van oordeel is dat 'n eis foutief of vir betaling onaanvaarbaar is, moet hy die lid binne 30 dae na ontvangs van die eis in kennis stel dat sodanige eis foutief of vir betaling onaanvaarbaar is en die rede vermeld waarom sodanige eis foutief of onaanvaarbaar is.

(3) Nadat 'n lid in kennis gestel is soos in subregulasie (2) bedoel, moet sodanige lid tyd gegun word vir die regstelling en herindiening van sodanige eis soos in subregulasie (1) (a) beoog.

Appèlle na die raad

10. 'n Persoon wat hom veronreg voel deur 'n beslissing bedoel in artikel 27 (1) van die Wet en wat appèl wil aanteken, doen dit in die vorm van 'n beëdigde verklaring wat aan die raad gerig word en wat per aangetekende pos versend of per hand bestel word aan die registrateur by sy kantooradres sodat dit hom uiterlik drie maande ná die datum waarop die betrokke beslissing gegee is, bereik.

Beleggings

11. (1) Bates, in waarde gelyk aan minstens 20% van die totale waarde van al die bates van 'n geregistreerde mediese skema, moet deurlopend in die Republiek in een of meer van die volgende klasse bates gehou word:

- (a) Geld in kas in die Republiek;
- (b) 'n batige saldo van die betrokke skema in 'n rekening by 'n kantoor in die Republiek van 'n depositonemende instelling soos omskryf in die Wet op Depositonemende Instellings, 1990 (Wet No. 94 van 1990), of by 'n onderlinge bouvereniging geregistreer kragtens die Wet op Onderlinge Bouverenigings, 1965 (Wet No. 24 van 1965), of by die Posspaarbank ingestel by artikel 52 van die Poswet, 1958 (Wet No. 44 van 1958);
- (c) Suid-Afrikaanse Reserwebankaandele;
- (d) wissels, skuldbriewe of effekte uitgereik of gewaarborg deur—
 - (i) die Regering van die Republiek of 'n provinsiale regering;
 - (ii) 'n plaaslike owerheid in die Republiek wat regtens gemagtig is om belasting op onroerende eiendom te hef;
 - (iii) die Randwaterraad;
 - (iv) Eskom;
 - (v) die Land- en Landboubank van Suid-Afrika;
 - (vi) die Raad van die Leningsfonds vir Plaaslike Besture; of
 - (vii) enige instelling wat volgens die oordeel van die registrateur geldelik gesond is en wat deur hom goedgekeur is.

following the month during which the service on which such claim is based was rendered or during which such claim was returned for correction; or

- (b) the non-payment, partially or fully, of an amount owing to a supplier of service by a member or a former member.

(2) If a registered medical scheme is of the opinion that a claim is erroneous or unacceptable for payment it shall inform the member within 30 days after receipt of the claim that such claim is erroneous or unacceptable for payment and give the reasons why such claim is erroneous or unacceptable.

(3) After a member has been informed as referred to in subregulation (2), such member shall be afforded time to correct and resubmit such claim as contemplated in subregulation (1) (a).

Appeals to the council

10. Any person who feels aggrieved by a decision referred to in section 27 (1) of the Act and who wishes to lodge an appeal shall do so in the form of an affidavit directed to the council sent by registered post or delivered by hand to the registrar at his office address to reach him not later than three months after the date on which the decision concerned was made.

Investments

11. (1) Assets, equal in value to at least 20% of the total value of all the assets of a registered medical scheme, shall at all times be kept in the Republic in one or more of the following classes of assets:

- (a) Cash in hand in the Republic;
- (b) a credit balance of the scheme concerned in an account at an office in the Republic of a deposit-taking institution as defined in the Deposit-taking Institutions Act, 1990 (Act No. 94 of 1990), or at a mutual building society registered under the Mutual Building Societies Act, 1965 (Act No. 24 of 1965), or at the Post Office Savings Bank established by section 52 of the Post Office Act, 1958 (Act No. 44 of 1958);
- (c) South African Reserve Bank shares;
- (d) bills, debentures or securities issued or guaranteed by—
 - (i) the Government of the Republic or a provincial government;
 - (ii) a local authority in the Republic legally entitled to levy tax on immovable property;
 - (iii) the Rand Water Board;
 - (iv) Eskom;
 - (v) the Land and Agricultural Bank of South Africa;
 - (vi) the Council of the Loan Fund for Local Authorities; or
 - (vii) any organisation that, in the opinion of the registrar, is financially sound and that has been approved by him.

(2) By die toepassing van subregulasie (1) beteken "waarde"—

- (a) met betrekking tot 'n vaste bate, die verskil tussen die kosprys en die totale bedrag voorsien of afgeskryf vir depresiasië of vermindering van waarde sedert die datum van verkryging;
- (b) met betrekking tot ander bates, die waarde waarteen die bates in die finansiële state van die bedoelde geregistreerde skema aangeteken is en waaroor die ouditeur 'n mening uitgespreek het.

(3) By die toepassing van subregulasie (1) word by die totale waarde van al die bates van 'n skema nie die waarde van enige versekeringspolisse uitgereik deur iemand wat wettiglik versekeringsbesigheid binne die bedoeling van die Versekeringswet, 1943 (Wet No. 27 van 1943) dryf, ingereken nie.

Procedure op vergaderings van raad en komitees van raad

12. (1) Die persoon wat voorsit op 'n vergadering van die raad is verantwoordelik vir die behoorlike leiding van die vergadering.

(2) Tensy die raad 'n voorsitter aangestel het, kies 'n komitee van die raad uit eie geledere 'n voorsitter.

(3) Die meerderheid van die lede van die raad maak op 'n vergadering 'n kworum uit.

(4) Die besluit van 'n meerderheid van die lede van die raad wat op 'n vergadering van die raad teenwoordig is, maak 'n besluit uit van die raad.

(5) In die geval van 'n staking van stemme oor 'n saak het die persoon wat op die betrokke vergadering voorsit, benewens sy gewone stem 'n beslissende stem.

(6) (a) Die registrateur moet bevestiging van 'n gewone vergadering en kennis van 'n buitengewone vergadering van die raad gee, wat vergesel moet gaan van 'n sakelys waarin die sake gespesifiseer word wat op die vergadering behandel gaan word.

(b) In die geval van 'n gewone vergadering moet sodanige bevestiging minstens 14 dae voor die datum van sodanige vergadering aan iedere lid van die raad per pos gestuur of per hand bestel word.

(c) In die geval van 'n buitengewone vergadering moet sodanige kennis gegee word binne die tyd en op die wyse wat die voorsitter voldoende ag.

(d) Geen ander sake as dié wat op die sakelys is, word op 'n vergadering behandel nie, behalwe die sake wat die vergadering by eenparige besluit dringend ag.

(7) Die publiek het vrye toegang tot alle vergaderings van die raad: Met dien verstande dat 'n lid die reg het om te eniger tyd gedurende 'n vergadering van die raad 'n mosie voor te stel dat die raad in komitee gaan om 'n bepaalde item op die sakelys te beredeneer, en indien sodanige mosie gesekondeer en aangeneem word, moet nie-lede, met uitsondering van die registrateur, die vergadering verlaat.

(8) Enige lid van die raad kan 'n vergadering van 'n komitee van die raad waarvan hy nie 'n lid is nie, bywoon, maar hy is nie daarop geregtig om by sodanige vergadering te stem nie en is nie geregtig op gelde en toelaes vir die bywoning van sodanige vergadering nie.

(2) For the purposes of subregulation (1) "value" means—

- (a) with regard to a fixed asset, the difference between the cost price and the total amount provided or written off for depreciation or reduction in value since the date of acquisition;
- (b) with regard to other assets, the value at which the assets are recorded in the financial statements of the said registered scheme and in respect of which the auditor expressed an opinion.

(3) For the purposes of subregulation (1) the value of any insurance policies issued by any person lawfully carrying on insurance business as contemplated in the Insurance Act, 1943 (Act No. 27 of 1943), shall not be included in the total value of all the assets of a scheme.

Procedure at meetings of council and committees of council

12. (1) The person who presides at a meeting of the council shall be responsible for the proper conduct of the meeting.

(2) Unless the council has appointed a chairman, the committee of the council shall elect a chairman from among its number.

(3) The majority of the members of the council shall constitute a quorum at a meeting.

(4) The resolution of a majority of the members of the council present at a meeting of the council shall constitute a resolution of the council.

(5) In the event of an equality of votes on a matter the person presiding at the meeting concerned shall, in addition to his deliberative vote, have a casting vote.

(6) (a) The registrar shall give confirmation of an ordinary meeting and notice of an extraordinary meeting of the council, which shall be accompanied by an agenda specifying the matters that will be dealt with at the meeting.

(b) In the event of an ordinary meeting such confirmation shall be sent by mail or delivered by hand to each member of the council at least 14 days prior to the date of such meeting.

(c) In the event of an extraordinary meeting such notice shall be given within the time and in the manner the chairman deems fit.

(d) No matters other than those specified in the agenda shall be dealt with at a meeting, except the matters the council considers urgent by unanimous decision.

(7) The public shall have free access to all the meetings of the council: Provided that any member shall have the right to bring a motion at any time during a meeting of the council for the council to go into committee to discuss a certain item on the agenda, and if such motion is seconded and carried, non-members, excluding the registrar, shall leave the meeting.

(8) Any member of the council may attend a meeting of a committee of the council of which he is not a member, but he shall not be entitled to vote at such meeting nor shall he be entitled to fees and allowances for attending such meeting.

(9) Enige lid van die raad kan by die registrateur 'n algemene of spesifieke versoek indien om betyds kennis te kry van die datum, plek en sakelys van enige van of al die vergaderings, na gelang van die geval, van 'n komitee, en sodanige lid moet, as die tyd dit toelaat, aldus daarvan kennis gegee word.

(10) Die raad kan 'n vergadering tot enige later dag of tyd verdaag, maar geen saak wat nie op die sakelys van die verdaagde vergadering verskyn nie, word op die voortsettingsvergadering behandel nie, behalwe die sake wat die vergadering by eenparige besluit dringend ag.

(11) Die name van al die lede wat 'n vergadering van die raad bywoon, moet in die notule van sodanige vergadering opgeteken word.

(12) Indien daar 15 minute nadat 'n vergadering van die raad 'n aanvang moes geneem het, nie 'n kworum op die vergadering teenwoordig is nie, verklaar die voorsitter van die betrokke vergadering die vergadering uitgestel tot 'n dag of tyd wat hy bepaal.

(13) Die verrigtinge van vergaderings van die raad word in die vorm van getikte notules opgeteken en, na goedkeuring daarvan, op die volgende vergadering gesertifiseer deur middel van die handtekening van die betrokke voorsitter.

(14) Tensy 'n vergadering met betrekking tot 'n spesifieke saak anders besluit, is die notule van 'n vergadering van die raad 'n bondige opsomming van die sake wat bespreek is en die besluite wat geneem is.

(15) Die registrateur stuur so spoedig doenlik 'n afskrif van die notule aan iedere lid van die raad.

(16) Die voorsitter van die raad kan *ex officio* vergaderings van enige komitee van die raad bywoon, maar op sodanige vergadering sit hy nie voor nie en het hy nie stemreg nie, tensy die raad hom as voorsitter of as lid van sodanige komitee aangestel het.

(17) Die sakelys vir 'n gewone vergadering van die raad is soos volg:

- (a) Notule van die vorige vergadering en sake wat daaruit voortspruit;
- (b) notules van vergaderings van die uitvoerende komitee wat sedert die vorige vergadering van die raad gehou is en sake wat daaruit voortspruit;
- (c) notules van vergaderings van komitees van die raad en sake wat daaruit voortspruit;
- (d) sake met betrekking tot klagtes;
- (e) aansoeke om vrystelling kragtens artikel 3 van die Wet;
- (f) beleidsake; en
- (g) ander sake.

(18) 'n Lid van die raad het die reg om op 'n bepaalde vergadering voor te stel dat enige punt op die sakelys vir daardie vergadering voor of na ander punte op die betrokke sakelys bespreek word.

(19) Lede wat oor 'n onderwerp wil praat, moet die voorsitter aanspreek.

(9) Any member of the council may submit to the registrar a general or specific request to be notified in good time of the date, venue and agenda of any or all of the meetings, as the case may be, of a committee, and such member shall, if time permits, be so notified.

(10) The council may postpone a meeting to any later day or time, but no matter that does not appear on the agenda of the postponed meeting shall be dealt with at the continuation meeting, except the matters considered urgent by unanimous decision of the meeting.

(11) The names of all the members who attend a meeting of the council shall be recorded in the minutes of such meeting.

(12) If, 15 minutes after a meeting of the council was due to begin, a quorum is not present at the meeting, the chairman shall declare the meeting concerned to be postponed to a date and time determined by him.

(13) The proceedings of meetings of the council shall be recorded in the form of typed minutes and be certified, after approval at the following meeting by means of the signature of the chairman concerned.

(14) Unless a meeting decides otherwise with regard to a specific matter, the minutes of a meeting of the council shall be a concise summary of the matters discussed and the decisions taken.

(15) The registrar shall send as soon as possible a copy of the minutes to every member of the council.

(16) The chairman of the council may *ex officio* attend meetings of any committee of the council, but he shall not preside at such meetings nor shall he have a vote, unless the council has appointed him chairman or member of such committee.

(17) The agenda for an ordinary meeting of the council shall be as follows:

- (a) Minutes of the previous meeting and matters arising therefrom;
- (b) minutes of meetings of the executive committee held since the previous meeting of the council and matters arising therefrom;
- (c) minutes of meetings of committees of the council and matters arising therefrom;
- (d) matters with regard to complaints;
- (e) applications for exemption in terms of section 3 of the Act;
- (f) policy matters; and
- (g) other matters.

(18) A member of the council shall have the right to move at a particular meeting that any item on the agenda for that meeting should be discussed before or after other items on the agenda concerned.

(19) Members desiring to speak on any subject shall address the chair.

(20) Die voorafgaande subregulasies is *mutatis mutandis* van toepassing op vergaderings van die uitvoerende komitee: Met dien verstande dat, tensy hy uitdruklik deur die raad daartoe gelas is, die uitvoerende komitee nie die volgende behandel nie:

- (a) Notules van raadsvergaderings en sake wat daaruit voortspruit; en
- (b) appëlle.

(21) 'n Mosie of amendement wat voorgestel is en nie gesekondeer word nie, verval.

(22) 'n Mosie of amendement kan met die instemming van die vergadering teruggetrek word.

(23) Indien 'n amendement voorgestel word, kan ander amendemente daarop volg, en die laaste amendement word eerste oorweeg.

(24) Indien al die amendemente verwerp word, word die oorspronklike mosie tot stemming gebring.

(25) Indien 'n amendement aangeneem word, word dit as 'n substantiewe mosie beskou en in alle ander opsigte, sover dit daaropvolgende amendemente betref, as 'n oorspronklike mosie behandel.

(26) (a) Wanneer 'n saak tot stemming gebring word, moet die voorsitter van die vergadering, behoudens die bepalings van paragraaf (b), 'n handopsteeking vir of teen die mosie of amendement vra en moet hy dan verklaar dat dit vir hom voorkom of die stemming daarvoor of daarteen is, na gelang van die geval.

(b) 'n Lid het die reg om te versoek dat stemming per geheime stembrief geskied, en so 'n versoek word toegestaan as minstens drie ander lede dit steun.

Gelde betaalbaar

13. (1) Die volgende gelde is betaalbaar ten opsigte van die aangeleenthede soos aangedui:

- (a) 'n Aansoek om registrasie van 'n mediese skema: R500,00;
- (b) die registrasie van 'n mediese skema: R10,00;
- (c) 'n aansoek om toestemming om die naam van 'n geregistreerde mediese skema te verander: R10,00;
- (d) die verandering van die naam van 'n geregistreerde mediese skema: R30,00;
- (e) die registrasie van wysigings in artikel 21 (2) bedoel, per A4 bladsy of gedeelte daarvan: R10,00;
- (f) insae in dokumente in artikel 25E bedoel, per dokument: R4,00; en
- (g) 'n afskrif van of 'n uittreksel deur die registrateur gemaak uit 'n dokument in artikel 25E bedoel, per A4 bladsy of gedeelte daarvan: R4,00.

Herroeping

14. Goewermentskennisgewings Nos. R. 2234 van 10 November 1978, R. 2768 van 21 Desember 1984, R. 422 van 22 Februarie 1985, R. 429 van 14 Maart 1986 en R. 1969 van 15 September 1989 word hierby herroep.

Inwerkingtreding

15. (1) Hierdie regulasies, met uitsondering van regulasie 13 (1) (e), tree in werking op 1 Januarie 1994.

(2) Regulasie 13 (1) (e) tree in werking op 1 Julie 1994.

(20) The foregoing subregulations shall *mutatis mutandis* apply to meetings of the executive committee: Provided that, unless it is expressly instructed to do so by the council, the executive committee shall not deal with the following:

- (a) Minutes of council meetings and matters arising therefrom; and
- (b) appeals.

(21) A motion or amendment which is proposed and not seconded shall lapse.

(22) A motion or amendment may, with the consent of the meeting, be withdrawn.

(23) If an amendment is proposed, it may be followed by other amendments, and the last amendment shall be considered first.

(24) If all the amendments are rejected, the original motion shall be put to the vote.

(25) If an amendment is carried it shall be regarded as a substantive motion and in all other respects, as far as subsequent amendments are concerned, be dealt with as an original motion.

(26) (a) When a matter is put to the vote, the chairman of the meeting shall, subject to the provisions of paragraph (b), ask for a show of hands for or against the motion or amendment whereupon he shall declare that the vote appears to him to be for or against such motion or amendment, as the case may be.

(b) Any member has the right to ask for a vote by secret ballot and such a request shall be granted if at least three other members support it.

Fees payable

13. (1) The following fees shall be payable in respect of the matters as indicated:

- (a) An application for registration of a medical scheme: R500,00;
- (b) the registration of a medical scheme: R10,00;
- (c) an application for permission to change the name of a registered medical scheme: R10,00;
- (d) to change the name of a registered medical scheme: R30,00;
- (e) registration of amendments in terms of section 21 (2), per A4 page or part thereof: R10,00;
- (f) inspection of documents in terms of section 25E, per document: R4,00; and
- (g) a copy or extract made by the registrar of or from a document referred to in section 25E, per A4 page or part thereof: R4,00.

Repeal

14. Government Notices Nos. R. 2234 of 10 November 1978, R. 2768 of 21 December 1984, R. 422 of 22 February 1985, R. 429 of 14 March 1986 and R. 1969 of 15 September 1989 are hereby repealed.

Commencement

15. (1) These regulations with the exception of regulation 13 (1) (e) shall come into operation on 1 January 1994.

(2) Regulation 13 (1) (e) shall come into operation on 1 July 1994.

DEPARTEMENT VAN OMGEWINGSACE

No. R. 2556

31 Desember 1993

WET OP SEEVISSERY, 1988
(WET No. 12 VAN 1988)

WYSIGING VAN REGULASIES

Die Minister van Omgewingsake het, na oorleg met die Seevisserij-advieskomitee, kragtens artikel 45 van die Wet op Seevisserij, 1988 (Wet No. 12 van 1988), die regulasies uitgevaardig kragtens genoemde Wet, gewysig soos in die Bylae uiteengesit.

BYLAE

1. "Die Regulasies" beteken die regulasies afgekondig by Goewermentskennisgewing No. R. 2934 gedateer 23 Oktober 1992, soos gewysig by Goewermentskennisgewings No. R. 3248 van 27 November 1992, No. R. 5 van 8 Januarie 1993, No. R. 1052 van 18 Junie 1993, No. R. 2003 van 15 Oktober 1993 en No. R. 2228 van 17 November 1993.

2. Regulasie 43 van die Regulasies word hierby gewysig deur paragraaf (c) deur die volgende paragraaf te vervang:

"(c) Oesters—1 Desember tot en met 15 Januarie van die daaropvolgende jaar: Met dien verstande dat die geslote seisoen nie van toepassing is op 'n persoon wat vir eie gebruik 'n maksimum van 25 oesters per dag vang of versamel nie;"

3. Regulasie 52 van die Regulasies word hiermee deur die volgende regulasie vervang:

- "52. (1) Niemand mag enige oesters vir kommersiële doeleindes vang, probeer vang, versamel of versteur nie tensy hy daartoe gemagtig is deur middel van 'n permit wat deur die direkteur-generaal uitgereik mag word teen betaling van die bedrag soos voorgeskryf.
- (2) Oesters wat vir kommersiële doeleindes gevang of versamel is, moet aan 'n permitthouer soos in subregulasie (3) bedoel, gelewer word en moet in 'n heel toestand gehou word totdat dit aan sodanige permitthouer gelewer word.
- (3) Niemand mag enige oesters van 'n visser ontvang of sodanige oesters verwerk nie, tensy hy in besit is van 'n permit uitgereik deur die direkteur-generaal en teen betaling van die bedrag soos voorgeskryf, wat hom magtig om sodanige oesters te ontvang en te verwerk.
- (4) Niemand mag—
- (a) enige oester vang, probeer vang of versteur deur daarna te duik nie;
- (b) enige oester vanaf rotse vang of versamel of enige uitgespoelde oester optel en behou met die oog op hervestiging daarvan nie; of

DEPARTMENT OF ENVIRONMENT AFFAIRS

No. R. 2556

31 December 1993

SEA FISHERY ACT, 1988
(ACT No. 12 OF 1988)

AMENDMENT OF REGULATIONS

The Minister of Environment Affairs has, after consultation with the Sea Fishery Advisory Committee, under section 45 of the Sea Fishery Act, 1988 (Act No. 12 of 1988), amended the regulations promulgated in terms of the said Act, as set out in the Schedule.

SCHEDULE

1. "The Regulations: means the regulations published under Government Notice No. R. 2934 dated 23 October 1992 and amended by Government Notices No. R. 3248 of 27 November 1992, No. R. 5 of 8 January 1993, No. R. 1052 of 18 June 1993, No. R. 2003 of 15 October 1993 and No. R. 2228 of 17 November 1993.

2. Regulation 43 of the Regulations is hereby amended by the substitution for paragraph (c) of the following paragraph:

"(c) Oysters—1 December up to and including 15 January in the following year: Provided that the closed season is not applicable to a person catching or collecting not more than 25 oysters per day for his own use;"

3. The following regulation is hereby substituted for regulation 52 of the Regulations:

- "52. (1) No person shall catch, attempt to catch, collect or disturb any oyster for commercial purposes unless authorised thereto by a permit which may be issued by the director-general upon payment of the fees as prescribed.
- (2) Oysters caught or collected for commercial purposes shall be delivered to a permit holder as intended in subregulation (3) and shall be kept in a whole state until it has been delivered to such a permit holder.
- (3) No person shall receive from a fisherman any oysters or process such oysters, unless he is in possession of a permit issued by the director-general upon payment of the fees as prescribed, authorising him to receive and process such oysters.
- (4) No person shall—
- (a) catch, attempt to catch or disturb any oyster by diving for it;
- (b) catch or collect any oyster from the rocks or collect any washed-up oyster and retain such oyster with a view to re-establishing it; or

- (c) enige oester vang of versamel en behou, of in sy besit hê nie, indien sodanige oester se skulp vrylik deur 'n ring met 'n binne deursnee van 51 mm kan gaan, en enige sodanige oester wat gevang word moet sonder versuim in die see teruggeplaas word: Met dien verstande dat die bepalings van paragrafe (a) en (b) nie van toepassing is nie op 'n persoon wat vir eie gebruik deur middel van duik sonder die gebruik van kunsmatige asemhalingsapparaat (snorkel uitgesluit), 'n maksimum van 25 oesters per dag vang of versamel en behou."

- (c) catch or collect and retain or have in his possession any oyster if the shell of such oyster can pass freely through a ring with an inner diameter of 51 mm, and any such oyster which has been caught shall be returned to the sea without delay: provided that the provisions of paragraphs (a) and (b) shall not be applicable to any person catching or collecting and retaining not more than 25 oysters per day for his own use by means of diving without the use of artificial breathing apparatus (except a snorkel)."

DEPARTEMENT VAN POS- EN TELEKOMMUNIKASIEWESE

No. R. 2557 31 Desember 1993

RADIOWET, 1952

WYSIGING VAN RADIOREGULASIES

Die Minister van Vervoer en van Pos- en Telekommunikasiewese het kragtens artikel 18 van die Radiowet, 1952 (Wet No. 3 van 1952), die regulasies in die Bylae uitgevaardig.

DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

No. R. 2557 31 December 1993

RADIO ACT, 1952

AMENDMENT OF RADIO REGULATIONS

The Minister of Transport and of Posts and Telecommunications has, under section 18 of the Radio Act, 1952 (Act No. 3 of 1952), made the regulations in the Schedule.

BYLAE

WOORDOMSKRYWING

- In hierdie regulasies, tensy uit die samehang anders blyk, beteken "die Regulasies" die Radioregulasies afgekondig by Goewermentskennisgewing No. R. 2862 van 28 Desember 1979, soos gewysig deur Goewermentskennisgewings Nos. R. 148 van 25 Januarie 1980, R. 2661 van 4 Desember 1981, R. 366 van 26 Februarie 1982, R. 855 van 30 April 1982, R. 1945 van 10 September 1982, R. 181 van 31 Januarie 1986, R. 587 van 27 Maart 1986, R. 624 van 4 April 1986, R. 2633 van 12 Desember 1986, R. 1145 van 29 Mei 1987, R. 712 van 15 April 1988, R. 1349 van 30 Junie 1989, R. 1356 van 22 Junie 1990, R. 1814 en R. 1826 van 3 Augustus 1990, R. 114 en R. 115 van 25 Januarie 1991, R. 367 van 1 Maart 1991, R. 1666 van 19 Julie 1991, R. 2133 van 31 Julie 1992, R. 3302 van 4 Desember 1992, R. 1898 van 1 Oktober 1993 en R. 2412 van 17 Desember 1993.

WYSIGING VAN INHOUDSOPGAWE BY DIE REGULASIES

- Die Inhoudsopgawe by die Regulasies word hierby gewysig deur die uitdrukking "Hoofstuk 5A: Aardstasie vir privaat satellietontvangs" te skrap.

WYSIGING VAN HOOFSTUK 1 VAN DIE REGULASIES

- Hoofstuk 1 van die Regulasies word hierby gewysig deur die uitdrukking "(viiAA) enkele stuk grond", "(xviiiAA) ontvangs van televisieprogramme vir gemeenskaplike gebruik" en "(xviiiA) ontvangs van televisieprogramme vir huishoudelike gebruik" te skrap.

HERROEPING VAN HOOFSTUK 5A VAN DIE REGULASIES

- Hoofstuk 5A van die Regulasies word hierby herroep.

WYSIGING VAN HOOFSTUK 6 VAN DIE REGULASIES

- Hoofstuk 6 van die Regulasies word hierby gewysig:

- deur die volgende item onder item 3.2 (iv) (c) in te voeg:

"(d) Hoëfrekwensieband:

- Eerste basisstasie 42,00
- Elke bykomende basisstasie 834,00";

- deur die volgende onder item 3.5 (v) (c) in te voeg:

"(d) Hoëfrekwensieband: per mobiele stasie 834,00";

(c) deur die volgende item in te voeg:

"3.11 Lisensiegeld betaalbaar deur die SA Weermag, die SA Polisie, Telkom SA Bpk. en Transnet Bpk.:

Per megahertz frekwensiespektrum..... 1 400,00";

(d) deur item 4.2 deur die volgende te vervang:

"4.2 Kusstasie:

(i) Nie-kommersieel 42,00

(ii) Kommersieel:

(a) In die medium- en hoëfrekwensiebande; per basisstasie met—

1 tot 5 mobiele stasies..... 1 842,00

6 tot 10 mobiele stasies..... 3 642,00

11 tot 15 mobiele stasies..... 5 442,00

16 tot 20 mobiele stasies..... 7 242,00

21 en meer mobiele stasies..... 9 042,00

(b) In die baie hoëfrekwensieband; per basisstasie met—

1 tot 5 mobiele stasies..... 1 122,00

6 tot 10 mobiele stasies..... 2 202,00

11 tot 15 mobiele stasies..... 3 282,00

16 tot 20 mobiele stasies..... 4 362,00

21 en meer mobiele stasies..... 5 442,00";

en

(e) deur item 6.1 en subitems (i) en (ii) te skrap en item 6.2 te hernoem om 6.1 te lees.

6. Hierdie regulasies tree op 1 Januarie 1994 in werking.

SCHEDULE

DEFINITION

1. In these regulations, unless the context indicates otherwise, "the Regulations" means the Radio Regulations published by Government Notice No. R. 2862 of 28 December 1979, as amended by Government Notices Nos. R. 148 of 25 January 1980, R. 2661 of 4 December 1981, R. 366 of 26 February 1982, R. 855 of 30 April 1982, R. 1945 of 10 September 1982, R. 181 of 31 January 1986, R. 587 of 27 March 1986, R. 624 of 4 April 1986, R. 2633 of 12 December 1986, R. 1145 of 29 May 1987, R. 712 of 15 April 1988, R. 1349 of 30 June 1989, R. 1356 of 22 June 1990, R. 1814 and R. 1826 of 3 August 1990, R. 114 and R. 115 of 25 January 1991, R. 367 of 1 March 1991, R. 1666 of 19 July 1991, R. 2133 of 31 July 1992, R. 3302 of 4 December 1992, R. 1898 of 1 October 1993 and R. 2412 of 17 December 1993.

AMENDMENT OF THE INDEX TO THE REGULATIONS

2. The index to the Regulations is hereby amended by the deletion of the expression "Chapter 5A: Earth station for private satellite reception".

AMENDMENT OF CHAPTER 1 OF THE REGULATIONS

3. Chapter 1 of the Regulations is hereby amended by the deletion of the expressions "(xxiAA) reception of television programmes for communal use", "(xxiA) reception of television programmes for domestic use" and "(xxiiiA) single piece of land".

REPEALING OF CHAPTER 5A OF THE REGULATIONS

4. Chapter 5A of the Regulations is hereby repealed.

AMENDMENT OF CHAPTER 6 OF THE REGULATIONS

5. Chapter 6 of the Regulations is hereby amended:

(a) by the insertion of the following item under item 3.2 (iv) (c):

"(d) High frequency band:

(i) First base station 42,00

(ii) Each additional base station..... 834,00";

(b) by the insertion of the following item under item 3.5 (v) (c):

"(d) High frequency band: per mobile station 834,00";

(c) by insertion of the following:

"3.11 Licence fee payable by the SA Defence Force, the SA Police, Telkom SA Ltd and Transnet Ltd:

Per megahertz frequency spectrum 1 400,00";

(d) by the substitution for item 4.2 of the following item:

"4.2 Coast station:

(i) Non-commercial 42,00

(ii) Commercial:

(a) In the medium and high frequency bands; per base station with—

1 to 5 mobile stations 1 842,00

6 to 10 mobile stations 3 642,00

11 to 15 mobile stations 5 442,00

16 to 20 mobile stations 7 242,00

21 and more mobile stations 9 042,00

(b) In the very high frequency band; per base station with—

1 to 5 mobile stations 1 122,00

6 to 10 mobile stations 2 202,00

11 to 15 mobile stations 3 282,00

16 to 20 mobile stations 4 362,00

21 and more mobile stations 5 442,00";

and

(e) by the deletion of item 6.1 and subitems (i) and (ii) and the renumbering of item 6.2 to read 6.1.

6. These Regulations come into operation on 1 January 1994.

PROVINSIALE ADMINISTRASIE VAN DIE ORANJE-VRYSTAAT

No. R. 2540

31 Desember 1993

REGULASIES KRAGTENS DIE KINDERWET, 1960
WYSIGING VAN GOEWERMENSKENNISGEWING
No. R. 1086 VAN 1960

Kragtens artikel 92 (1) (k) van die Kinderwet, 1960 (Wet No. 33 van 1960), wysig ek, Louis van der Watt, Administrateur van die provinsie die Oranje-Vrystaat, hierby die regulasies afgekondig by Goewermenskennisgewing No. R. 1086 van 22 Julie 1960, soos gewysig, ooreenkomstig die bygaande Bylae, terugwerkend met ingang van 1 September 1993.

BYLAE

1. In hierdie Bylae beteken die uitdrukking "die Regulasies" die regulasies afgekondig by Goewermenskennisgewing No. R. 1086 van 22 Julie 1960, soos gewysig.

2. Regulasie 62 van die Regulasies word gewysig—

(a) deur in paragraaf (a) van subregulasie (1) die uitdrukking "R318" deur die uitdrukking "R370" te vervang;

(b) deur in paragraaf (b) van subregulasie (1) die uitdrukking "R97" deur die uitdrukking "R115" te vervang;

(c) deur in "Opmerking D" die uitdrukking "R706" deur die uitdrukking "R830" te vervang; en

(d) deur in die voorbehoudsbepaling tot "Opmerking D" die uitdrukking "R787,25" deur die uitdrukking "R920,00" te vervang.

PROVINCIAL ADMINISTRATION OF THE ORANGE FREE STATE

No. R. 2540

31 December 1993

REGULATIONS UNDER THE CHILDREN'S ACT,
1960

AMENDMENT OF GOVERNMENT NOTICE
No. R. 1086 OF 1960

By virtue of section 92 (1) (k) of the Children's Act, 1960 (Act No. 33 of 1960), I, Louis van der Watt, Administrator of the Orange Free State Province, hereby amend the regulations promulgated by Government Notice No. R. 1086 of 22 July 1960, as amended, in accordance with the accompanying Schedule, with retrospective effect from 1 September 1993.

SCHEDULE

1. In the Schedule the expression "the Regulations" means the regulations promulgated by Government Notice No. R. 1086 of 22 July 1960, as amended.

2. Regulation 62 of the Regulations is amended—

(a) by the substitution in paragraph (a) of sub-regulation (1) for the expression "R318" of the expression "R370";

(b) by the substitution in paragraph (b) of sub-regulation (1) for the expression "R97" of the expression "R115";

(c) by the substitution in "Note D" for the expression "R706" of the expression "R830"; and

(d) by the substitution in the proviso to "Note D" for the expression "R787,25" of the expression "R920,00".

No. R. 2541 31 Desember 1993**REGULASIES Kragtens die Wet op Maatskaplike Pensioene, 1973****WYSIGING VAN GOEWERMENSKENNISGEWING
No. R. 1034 VAN 1974**

Kragtens artikel 17 (1), saamgelees met artikel 17 (4), van die Wet op Maatskaplike Pensioene, 1973 (Wet No. 37 van 1973), wysig ek, Louis van der Watt, Administrateur van die provinsie die Oranje-Vrystaat, hierby die regulasies afgekondig by Goewermentskennisgewing No. R. 1034 van 21 Junie 1974, soos gewysig, ooreenkomstig die bygaande Bylae, terugwerkend met ingang van 1 September 1993.

BYLAE

1. In hierdie Bylae beteken die uitdrukking "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1034 van 21 Junie 1974, soos gewysig.

2. Regulasie 12 van die Regulasies word gewysig—

(a) deur in paragraaf (d) die uitdrukking "R3 225" deur die uitdrukking "R4 440" te vervang.

3. Regulasies word verder gewysig deur Aanhangel 1 deur bygaande aanhangel te vervang.

AANHANGSEL 1**TABEL WAARVOLGENS MAATSKAPLIKE PENSIOENE
MET INGANG VAN 1 SEPTEMBER 1993 TOEGEKEN
MOET WORD****1. OUDERDOMSPENSIOEN/ONGESKIKTHEIDSPENSIOEN**

Inkomste- groep	Jaarlikse inkomste (middele en omstandighede in ag geneem) (in rande)	Maksimum toekenning (in rande)
		Maandeliks
1	0 tot 1 080	370
2	1 080 tot 1 200	360
3	1 200 tot 1 320	350
4	1 320 tot 1 440	340
5	1 440 tot 1 560	330
6	1 560 tot 1 680	320
7	1 680 tot 1 800	310
8	1 800 tot 1 920	300
9	1 920 tot 2 040	290
10	2 040 tot 2 160	280
11	2 160 tot 2 280	270
12	2 280 tot 2 400	260
13	2 400 tot 2 520	250
14	2 520 tot 2 640	240
15	2 640 tot 2 760	230
16	2 760 tot 2 880	220
17	2 880 tot 3 000	210
18	3 000 tot 3 120	200
19	3 120 tot 3 240	190
20	3 240 tot 3 360	180

No. R. 2541 31 December 1993**REGULATIONS UNDER THE SOCIAL PENSIONS
ACT, 1973****AMENDMENT OF GOVERNMENT NOTICE
No. R. 1034 OF 1974**

By virtue of section 17 (1), read with section 17 (4), of the Social Pensions Act, 1973 (Act No. 37 of 1973), I, Louis van der Watt, Administrator of the Orange Free State Province, hereby amend the regulations promulgated by Government Notice No. R. 1034 of 21 June 1974, as amended, in accordance with the accompanying Schedule, with retrospective effect from 1 September 1993.

SCHEDULE

1. In this schedule the expression "the Regulations" means the regulations promulgated by Government Notice No. R. 1034 of 21 June 1974, as amended.

2. Regulation 12 of the Regulations is amended—

(a) by the substitution in paragraph (d) for the expression "R3 225" of the expression "R4 440".

3. The Regulations are further amended by the substitution for Annexure 1 of the accompanying annexure.

ANNEXURE 1**TABLE ACCORDING TO WHICH SOCIAL PENSIONS ARE
TO BE GRANTED WITH EFFECT FROM 1 SEPTEMBER
1993****1. OLD AGE PENSION/DISABILITY PENSION**

Income group	Annual income (allowing for means and circum- stances) (in rands)	Maximum grant (in rands)
		Monthly
1	0 to 1 080	370
2	1 080 to 1 200	360
3	1 200 to 1 320	350
4	1 320 to 1 440	340
5	1 440 to 1 560	330
6	1 560 to 1 680	320
7	1 680 to 1 800	310
8	1 800 to 1 920	300
9	1 920 to 2 040	290
10	2 040 to 2 160	280
11	2 160 to 2 280	270
12	2 280 to 2 400	260
13	2 400 to 2 520	250
14	2 520 to 2 640	240
15	2 640 to 2 760	230
16	2 760 to 2 880	220
17	2 880 to 3 000	210
18	3 000 to 3 120	200
19	3 120 to 3 240	190
20	3 240 to 3 360	180

Inkomste-groep	Jaarlikse inkomste (middele en omstandighede in ag geneem) (in rande)	Maksimum toekenning (in rande)
		Maandeliks
21	3 360 tot 3 480	170
22	3 480 tot 3 600	160
23	3 600 tot 3 720	150
24	3 720 tot 3 840	140
25	3 840 tot 3 960	130
26	3 960 tot 4 080	120
27	4 080 tot 4 200	110
28	4 200 tot 4 320	100
29	4 320 tot 4 440	90

Income group	Annual income (allowing for means and circumstances) (in rands)	Maximum grant (in rands)
		Monthly
21	3 360 to 3 480	170
22	3 480 to 3 600	160
23	3 600 to 3 720	150
24	3 720 to 3 840	140
25	3 840 to 3 960	130
26	3 960 to 4 080	120
27	4 080 to 4 200	110
28	4 200 to 4 320	100
29	4 320 to 4 440	90

No. R. 2542 31 Desember 1993

REGULASIES KRAGTENS DIE WET OP MAAT-LIKE PENSIOENE, 1973

WYSIGING VAN GOEWERMENSKENNISGEWING No. R. 1034 van 1974

Kragtens artikel 17 (1), saamgelees met artikel 17 (4), van die Wet op Maatskaplike Pensioene, 1973 (Wet No. 37 van 1973), wysig ek, Louis van der Watt, Administrateur van die provinsie die Oranje-Vrystaat, hierby die regulasies afgekondig by Goewermenskennisgewing No. R. 1034 van 21 Junie 1974, soos gewysig, ooreenkomstig die bygaande Bylae, terugwerkend met ingang van 1 April 1992.

BYLAE

1. In hierdie bylae beteken die uitdrukking "die Regulasies" die regulasies afgekondig by Goewermenskennisgewing No. R. 1034 van 21 Junie 1974, soos gewysig.

2. Regulasie 13 van die Regulasies word gewysig deur in paragraaf (e) van subregulasie (2) die uitdrukking "R7 400" deur die uitdrukking "R9 000" te vervang.

3. Regulasie 14 van die Regulasies word gewysig deur die uitdrukking "R600" deur die uitdrukking "R660" te vervang.

No. R. 2543 31 Desember 1993

REGULASIES KRAGTENS DIE WET OP MAATSKAPLIKE PENSIOENE, 1973

WYSIGING VAN GOEWERMENSKENNISGEWING No. R. 1034 VAN 1974

Kragtens artikel 17 (1), saamgelees met artikel 17 (4), van die Wet op Maatskaplike Pensioene, 1973 (Wet No. 37 van 1973), wysig ek, Louis van der Watt, Administrateur van die provinsie die Oranje-Vrystaat, hierby die regulasies afgekondig by Goewermenskennisgewing No. R. 1034 van 21 Junie 1974, soos gewysig, ooreenkomstig die bygaande Bylae, terugwerkend met ingang van 1 Julie 1993.

No. R. 2542 31 December 1993

REGULATIONS UNDER THE SOCIAL PENSIONS ACT, 1973

AMENDMENT OF GOVERNMENT NOTICE No. R. 1034 of 1974

By virtue of section 17 (1), read with section 17 (4), of the Social Pensions Act, 1973 (Act No. 37 of 1973), I, Louis van der Watt, Administrator of the Orange Free State Province, hereby amend the regulations promulgated by Government Notice No. R. 1034 of 21 June 1974, as amended, in accordance with the accompanying Schedule, with retrospective effect from 1 April 1992.

SCHEDULE

1. In this schedule the expression "the Regulations" means the regulations promulgated by Government Notice No. R. 1034 of 21 June 1974, as amended.

2. Regulation 13 of the Regulations is amended by the substitution in paragraph (e) of subregulation (2) for the expression "R7 400" of the expression "R9 000".

3. Regulation 14 of the Regulations is amended by the substitution for the expression "R600" of the expression "R660".

No. R. 2543 31 December 1993

REGULATIONS UNDER THE SOCIAL PENSIONS ACT, 1973

AMENDMENT OF GOVERNMENT NOTICE No. R. 1034 OF 1974

By virtue of section 17 (1), read with section 17 (4), of the Social Pensions Act, 1973 (Act No. 37 of 1973), I, Louis van der Watt, Administrator of the Orange Free State Province, hereby amend the regulations promulgated by Government Notice No. R. 1034 of 21 June 1974, as amended, in accordance with the accompanying Schedule, with retrospective effect from 1 July 1993.

BYLAE

1. In hierdie bylae beteken die uitdrukking "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 1034 van 21 Junie 1974, soos gewysig.

2. Regulasie 13 van die Regulasies word gewysig deur in paragraaf (e) van subregulasie (2) die uitdrukking "R9 000" deur die uitdrukking "R10 000" te vervang.

3. Regulasie 14 van die Regulasies word gewysig deur die uitdrukking "R660" deur die uitdrukking "R720" te vervang.

DEPARTEMENT VAN MANNEKRAG**No. R. 2510****31 Desember 1993**

WET OP ARBEIDSVERHOUDINGE, 1956

ELEKTROTEGNIËSE AANNEMINGSNYWERHEID, TRANSSVAAL: WYSIGING VAN HOOFOOREENKOMS

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 Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die eerste 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 die genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a), 7 en 10 van Deel I, met ingang van die eerste 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 ELEKTROTEGNIËSE AANNEMINGSNYWERHEID****OOREENSKOMS**

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

SCHEDULE

1. In this schedule the expression "the Regulations" means the regulations promulgated by Government Notice No. R. 1034 of 21 June 1974, as amended.

2. Regulation 13 of the Regulations is amended by the substitution in paragraph (e) of subregulation (2) for the expression "R9 000" of the expression "R10 000".

3. Regulation 14 of the Regulations is amended by the substitution for the expression "R660" of the expression "R720".

DEPARTMENT OF MANPOWER**No. R. 2510****31 December 1993**

LABOUR RELATIONS ACT, 1956

ELECTRICAL CONTRACTING INDUSTRY, TRANSSVAAL: AMENDMENT OF MAIN 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 (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 the heading to this notice, shall be binding, with effect from the first 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), 7 and 10 of Part I, shall be binding, with effect from the first 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 CONTRACTING INDUSTRY****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
 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 Aannemingsnywerheid,

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1189 van 24 Mei 1991 (hierna die "Herbeksigtigingsooreenkoms" genoem), soos hernieu en gewysig by Goewermentskennisgewings Nos. R. 1743 van 2 Augustus 1991, R. 2412 van 4 Oktober 1991, R. 3 van 3 Januarie 1992, R. 1963 van 10 Julie 1992, R. 2688 van 25 September 1992 en R. 2143 van 12 November 1993.

Deel I

**ALGEMENE VOORWAARDES WAT DEURGAANS OP
 HIERDIE OOREENKOMS VAN TOEPASSING IS**

1. GEBIED EN TOEPASSINGSBESTEK

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

- (a) wat lede is van onderskeidelik die werkgewers-organisasie en die vakverenigings; en
- (b) wat betrokke is by of werksaam is in die Nywerheid in die provinsie Transvaal; en
- (c) in die landdrostdistrikte Bloemfontein en Sasolburg.

(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 wat daarkragtens voorgeskryf of kennisgewings wat daarkragtens beteken is.

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

2. ALGEMENE BEPALINGS

Vervang klousule 2 van die Herbeksigtigingsooreenkoms deur die volgende:

"2. KLOUSULE 4: ALGEMENE BEPALINGS

Klousules 3 tot en met 8 (2) (a) (vi), 8 (2) (b) tot en met 14, 15 (2) tot en met 17, 19 tot en met 33, 37 (1) en (2) en 38 tot en met 40 van Deel I en klousules 1 tot en met 5 van Deel II van die Vorige Ooreenkoms, soos van tyd tot tyd gewysig, herbeksigtig, verleng en/of hernieu, is van toepassing op werkgewers en werknemers."

3. KLOUSULE 3: WOORDOMSKRYWING

(1) Vervang die omskrywing van "Gebied A" deur die volgende:

"**'Gebied A'** die landdrostdistrikte Alberton, Benoni, Boksburg, Brakpan, Bronkhorstspuit, Carletonville, Cullinan, Delmas, Germiston, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Springs, Vanderbijlpark, Vereeniging, Westonaria, Witbank en Wonderboom;"

South African Electrical Workers' Association
 and the
Metal and Electrical Workers' Union of South Africa

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

being the parties to the Industrial Council of the Electrical Contracting Industry,

to amend the Agreement published under Government Notice No. R. 1189 of 24 May 1991 (hereinafter referred to as the "Re-enacting Agreement"), as renewed as amended by Government Notices Nos R. 1743 of 2 August 1991, R. 2412 of 4 October 1991, R. 3 of 3 January 1992, R. 1963 of 10 July 1992 and R. 2688 of 25 September 1992 and R. 2143 of 12 November 1993.

PART I

**GENERAL CONDITIONS APPLICABLE THROUGHOUT
 THIS AGREEMENT**

1. AREA AND SCOPE OF APPLICATION

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

- (a) who are members of the employers' organisation and the trade unions, respectively; and
- (b) who are engaged or employed in the Industry in the Province of the Transvaal; and
- (c) in the Magisterial Districts of Bloemfontein and Sasolburg.

(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 notices 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. GENERAL PROVISIONS

Substitute the following for clause 2 of the Re-enacting Agreement:

"2. CLAUSE 4: GENERAL PROVISIONS

The provisions contained in clauses 3 to 8 (2) (a) (vi), inclusive, 8 (2) (b) to 14, inclusive, 15 (2) to 17, inclusive, 19 to 33, inclusive, 37 (1) and (2) and 38 to 40, inclusive, of Part I and clauses 1 to 5, inclusive, of Part II of the Former Agreement, as amended, re-enacted, extended and/or renewed from time to time shall apply to employers and employees."

3. CLAUSE 3: DEFINITIONS

(1) Substitute the following for the definition of "Area A":

"**'Area A'** means the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan, Bronkhorstspuit, Carletonville, Cullinan, Delmas, Germiston, Heidelberg, Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Nigel, Oberholzer, Pretoria, Randburg, Randfontein, Roodepoort, Sasolburg, Springs, Vanderbijlpark, Vereeniging, Westonaria, Witbank and Wonderboom;"

(2) Vervang die omskrywing van "Gebied C" deur die volgende:

"**Gebied C** die landdrosdistrikte Barberton, Belfast, Bloemfontein, Bloemhof, Carolina, Christiana, Coligny, Delareyville, Eerstehoeek, Ellisras, Groblersdal, Koster, Letaba, Lichtenburg, Lydenburg, Marico, Messina, Pelgrimsrus 1 en 2, Phalaborwa, Potgietersrus (slegs die distrik noord van die Melkivier), Schweizer-Reneke, Soutpansberg, Swartruggens, Thabazimbi, Ventersdorp, Waterberg, Waterval Boven en Wolmaransstad en die munisipale gebied van Warmbad";

(3) Vervang die omskrywing van "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";

(4) Vervang die omskrywing van "sertifikaat" deur die volgende:

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

(5) In die omskrywing van "Elektrotegniese 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) vervang paragraaf (j) deur die volgende:

"(j) 'n meester-installasie-elektrisiën, 'n installasie-elektrisiën, 'n elektriese toetsers 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";

(6) Voeg die volgende nuwe omskrywing in na die omskrywing van "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";

(7) Voeg die volgende nuwe omskrywing in na die omskrywing van "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";

(8) Vervang die omskrywing van "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;

(2) Substitute the following for the definition of "Area C":

"**Area C** means the Magisterial Districts of Barberton, Belfast, Bloemfontein, Bloemhof, Carolina, Christiana, Coligny, Delareyville, Eerstehoeek, Ellisras, Groblersdal, Koster, Letaba, Lichtenburg, Lydenburg, Marico, Messina, Pelgrimsrus 1 and 2, Phalaborwa, Potgietersrus (only the district north of the Melk River), Schweizer-Reneke, Soutpansberg, Swartruggens, Thabazimbi, Ventersdorp, Waterberg, Waterval Boven and Wolmaransstad and the Municipal Area of Warmbaths";

(3) Substitute the following for the definition of "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";

(4) Substitute the following for the definition of "certificate":

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

(5) In the definition of "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) substitute the following for paragraph (j):

"(j) assisting a master installation electrician, an 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";

(6) Insert the following new definition after the definition of "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";

(7) Insert the following new definition after the definition of "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";

(8) Substitute the following for the definition of "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) 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;"

(9) Voeg die volgende nuwe omskrywing in na die omskrywing van "elektriese installasies":

"**'elektriese toetsers 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 toetsers 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-elektrisitoevoer voorsien word;"

(10) Vervang die omskrywing van "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 Aannemingsnuwerheid 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;"

(11) Voeg die volgende nuwe omskrywing in na die omskrywing van "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;"

(12) In die omskrywing van "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 toetsers 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) hierby 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;"

(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;"

(9) Insert the following new definition after the definition of "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 Regulation, 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;"

(10) Substitute the following for the definition of "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;"

(11) Insert the following new definition after the definition of "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;"

(12) In the definition of "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 Elkonop 1, Elkonop 2 or Elkonop 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 Elkonop 1, he shall be employed as not less than an Elkonop 1;"

(13) Skrap die omskrywing van "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;"

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

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

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

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

4. KLOUSULE 8: BETALING VAN BESOLDIGING

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

5. KLOUSULE 15: VERHOUDING VAN KATEGORIEË WERKNEMERS TOT MEKAAR EN VERANTWOORDELIKHEDE VAN WERKGEWERS EN WERKNEMERS

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

"(b) Vir die toepassing van hierdie subklausule 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."

(2) Vervang subklausule (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 klausule 3 van die Ooreenkoms."

6. KLOUSULE 16: DIENSBEËINDIGING EN UITTREETLOON

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

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

7. KLOUSULE 18: LEDEGELD VIR VAKVERENIGING EN WERKGEWERSORGANISASIEHEFFING

In subklausule (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".

(13) Delete the definition of "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;"

(14) In the definition of "prescribed formal training", substitute the expression "Electrical Contracting Industries' Training Board" for the expression "Electrical Development and Training Fund".

(15) Insert the following new definition after the definition of "remuneration":

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

- (a) hazardous locations as contemplated in SABS 0108;
- (b) anaesthetising 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;"

4. CLAUSE 8: PAYMENT OF REMUNERATION

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

5. CLAUSE 15: RATIO OF CATEGORIES OF EMPLOYEES TO EACH OTHER AND RESPONSIBILITIES OF EMPLOYERS AND EMPLOYEES

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

"(b) For the purposes 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) Substitute the following for subclause (2):

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

6. 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."

7. 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, Elkonop 3 and Elkonop 2" for the expression "Master Electrician, Electrician, artisan, Elkonop 3 and Elkonop 2".

8. KLOUSULE 22: REGISTRASIE VAN WERKGEWERS

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

"(1) (a) Elke werkgever 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 werkgever, die persoonlike besonderhede wat die Raad verlang;
- (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 moet gedurende die registrasietydperk in stand gehou word, 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 Werkgever 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) Werkgevers 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.

8. 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) a 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) an electrical contractor's certificate of registration issued by the Electrical Contracting Board of South Africa, in terms of regulation 5 of the Electrical Installation Regulations, 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 be maintained 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) Elke werkgever 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 bepalings van hierdie Ooreenkoms nakom.
- (3) Alle aansoeke om registrasie moet gerig word aan die Sekretaris, Nywerheidsraad vir die Elektrotegniese Aannemingsnywerheid, Posbus 10604, Johannesburg, 2000."
- (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 en ambagsman.....	1 200
(v) Elkonop 3.....	1 000
(vi) Elkonop 2.....	550
(vii) Drywer.....	350
(viii) Elkonop 1.....	450
(ix) Arbeider.....	250"

9. 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".

10. KLOUSULE 36: INDIENSNEMING 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

11. 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 en Elkonop 3.....	30,00
Elkonop 2, Elkonop 1 en arbeider.....	20,00"

12. KLOUSULE 2: UITGAWES VAN DIE RAAD

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

"A Loongroep of klas werknemer	B Werknemer se bydrae	C Werkgever se bydrae
	Sent per week	Sent per week
Meester-installasie-elektrisiën.....	55	55
Installasie-elektrisiën.....	55	55
Elektriese toetser vir enkelfase.....	55	55
Elektrisiën en ambagsman.....	50	50
Elkonop 3.....	50	50
Elkonop 2.....	42	42
Elkonop 1.....	35	35
Drywer.....	40	40
Vakleerling.....	25	25
Arbeider.....	25	25"

(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 Contracting Industry, P.O. Box 10604, Johannesburg, 2000."

(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 and artisan.....	1 200
(v) Elkonop 3.....	1 000
(vi) Elkonop 2.....	550
(vii) Driver.....	350
(viii) Elkonop 1.....	450
(ix) Labourer.....	250"

9. 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".

10. 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

11. 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 and Elkonop 3.....	30,00
Elkonop 2, Elkonop 1 and labourer.....	20,00"

12. CLAUSE 2: EXPENSES OF THE COUNCIL

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

"A Wage group or class of employee	B Employee's contribution	C Employer's contribution
	Cents per week	Cents per week
Master installation electrician.....	55	55
Installation electrician.....	55	55
Electrical tester for single phase.....	55	55
Electrician and artisan.....	50	50
Elkonop 3.....	50	50
Elkonop 2.....	42	42
Elkonop 1.....	35	35
Driver.....	40	40
Apprentice.....	25	25
Labourer.....	25	25"

(2) Vervang subklousule (4) deur die volgende:

"In 'n geval waar geen bydraes, soos by subklousules (1), (2) en (3) hiervan bepaal, betaalbaar is nie, en die totale bedrag ingevolge subklousule (3) bepaal minder as R20 in Gebied A en R15 in Gebied B en Gebied C is, moet die totale bedrag in subklousule (3) bedoel, deur die werkgewer met 'n som aangevul word wat elke maand 'n totaal van R20 in Gebied A en R15 in Gebied B en Gebied C gee."

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

Vervang klousule 4 deur die volgende:

"Met ingang vanaf die datum van inwerkingtreding van hierdie ooreenkoms mag geen laer lone as die onderstaande deur 'n werkgewer betaal en deur 'n werknemer aanvaar word nie:

	Gebied A Per uur	Gebied B Per uur	Gebied C Per uur
	Sent	Sent	Sent
Meester-installasie-elektrisiën	1 871	1 590	1 498
Installasie-elektrisiën	1 722	1 463	1 378
Elektriese toetser vir enkelfase	1 572	1 336	1 258
Elektrisiën en ambagsman	1 497	1 272	1 198
Elkonop 3	1 089	926	870
Elkonop 2	924	785	739
Elkonop 1	569	484	457
Drywer van 'n voertuig waarvan die onbelaste massa—			
(a) hoogstens 3 500 kg is	626	532	501
(b) van 3 501 kg tot 9 000 kg is	740	630	593
(c) 9 001 kg en meer is	823	699	658
Arbeider	491	416	393"

14. KLOUSULE 5: VERLOFBONUS

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

	"Werkdae"
Meester-installasie-elektrisiën	20
Installasie-elektrisiën	20
Elektriese toetser vir enkelfase	20
Elektrisiën en ambagsman	20
Elkonop 3	15
Elkonop 2	15
Elkonop 1	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 verlofkwalifikasie	20"

(2) In subklousule (3) (a), 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".

(2) Substitute the following for subclause (4):

"In any instance where no contributions are payable as provided for in subclauses (1), (2) and (3) hereof and the total amount under subclause (3) is less than R20 in Area A and R15 in Area B and Area C the total amount referred to in subclause (3) shall be supplemented by the employer by such sum as to make a total of R20 in Area A and R15 in Area B and Area C in each month."

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

Substitute the following for clause 4:

"With effect from the date of coming into operation of this agreement, no employer shall pay and no employee shall accept wages at rates lower than the following:

	Area A Per hour	Area B Per hour	Area C Per hour
	Cents	Cents	Cents
Master installation electrician	1 871	1 590	1 498
Installation electrician	1 722	1 463	1 378
Electrical tester for single phase	1 572	1 336	1 258
Electrician and artisan	1 497	1 272	1 198
Elkonop 3	1 089	926	870
Elkonop 2	924	785	739
Elkonop 1	569	484	457
Driver of a vehicle, the unladen mass of which is—			
(a) up to 3 500 kg	626	532	501
(b) from 3 501 kg to 9 000 kg	740	630	593
(c) 9 001 kg and over	823	699	658
Labourer	491	416	393"

14. 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 and artisan	20
Elkonop 3	15
Elkonop 2	15
Elkonop 1	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 qualification	15
Apprentice: Second, third and fourth year leave qualification	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 subklousule (3) (b), vervang die uitdrukking "Meester-elektrisiën, Elektrisiën, ambagsman, Elkonop 3 of Elkonop 2" deur die uitdrukking "Meester-installasie-elektrisiën, installasie-elektrisiën, elektriese toetser vir enkelfase, elektrisiën, ambagsman, Elkonop 3 of Elkonop 2".

Soos gemagtig, vir en namens die partye by die Raad, op hede die 12de dag van Augustus 1993 te Johannesburg onderteken.

B. NICHOLSON,
Voorsitter.

J. C. BAKER,
Ondervoorsitter.

G. R. J. STRYDOM,
Sekretaris.

No. R. 2531 31 Desember 1993

WET OP MANNEKRAGOPLEIDING, 1981

TEKSTIELNYWERHEID: AANWYSING VAN
AMBAGTE EN VOORSKRYWING VAN LEERVOOR-
WAARDES

Ek, Leon Wessels, Minister van Mannekrag—

- (a) wys hierby, kragtens artikel 13 (1) van die Wet op Mannekragopleiding, 1981, die ambagte "Spinmasjienmeganikus—Half-Kam—Afwerking; Spinmasjienmeganikus—Half-Kam—Optol en Twyning; Spinmasjienmeganikus—Half-Kam—Voorgaring en Spin; Spinmasjienmeganikus—Half-Kam—Vorbereiding; Spinmasjienmeganikus—Wol Proseses—Mengeling—Kaarding en Afkam; Spinmasjienmeganikus—Wol Proseses—Ringspin—Wervelspin en Twyning; Spinmasjienmeganikus—Wol Proseses—Ringspin—Optol; en Spinmasjienmeganikus—Wol Proseses—Ringspin—Dref en Twyning" in die Tekstielywerheid in die Republiek van Suid-Afrika aan as ambagte waarop die bepalinge van die Wet van toepassing is;
- (b) skryf hierby kragtens artikel 13 (2) van die Wet die Leervoerwaardes soos voorgeskryf by Goewermentskenningsgewing No. R. 2708 van 15 November 1991, soos gewysig by Goewermentskenningsgewings Nos. R. 1943 van 10 Julie 1992, R. 2780 van 2 Oktober 1992, R. 719 van 30 April 1993 en R. 1420 van 6 Augustus 1993 voor as leervoerwaardes wat op die ambagte in die nywerheid en gebied in paragraaf (a) gemeld van toepassing is;
- (c) vervang hierby die lys van ambagte wat in paragraaf (a) van genoemde kennisgewing verskyn deur die volgende:

AMBAGTE

1. Weefmasjienmeganikus—Rapiërweef;
2. Weefmasjienmeganikus—Lugstraalweef;
3. Weefmasjienmeganikus—Skietspoelweef;
4. Weefmasjienmeganikus—Skietgryperweef;
5. Spinmasjienmeganikus—Langvesel;

(3) In subklousule (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 Johannesburg, as authorised, for and on behalf of the parties to the Council, this 12th day of August 1993.

B. NICHOLSON,
Chairman.

J. C. BAKER,
Vice-Chairman.

G. R. J. STRYDOM,
Secretary.

No. R. 2531 31 December 1993

MANPOWER TRAINING ACT, 1981

TEXTILE INDUSTRY: DESIGNATION OF TRADES
AND PRESCRIPTION OF CONDITIONS OF
APPRENTICESHIP

I, Leon Wessels, Minister of Manpower—

- (a) hereby, in terms of section 13 (1) of the Manpower Training Act, 1981, designate the trades "Spinning Machine Mechanician—Semi Worsted—Finishing; Spinning Machine Mechanician—Semi Worsted—Winding and Twisting; Spinning Machine Mechanician—Semi Worsted—Roving and Spinning; Spinning Machine Mechanician—Semi Worsted—Preparation; Spinning Machine Mechanician—Woollen System—Blending—Carding and Drawing; Spinning Machine Mechanician—Woollen System—Ringframe—Open End and Twisting; Spinning Machine Mechanician—Woollen System—Ringframe—Winding and Spinning Machine Mechanician—Woollen System—Ringframe—Dref and Twisting" in the Textile Industry in the Republic of South Africa as trades to which the provisions of the Act shall apply;
- (b) hereby in terms of section 13 (2) of the Act, prescribe the Conditions of Apprenticeship prescribed by Government Notice No. R. 2708 of 15 November 1991, as amended by Government Notices Nos. R. 1943 of 10 July 1992, R. 2780 of 2 October 1992, R. 719 of 30 April 1993 and R. 1420 of 6 August 1993 as conditions of apprenticeship applicable to the trades in the industry and area mentioned in paragraph (a);
- (c) hereby substitute the following for the list of trades that appears in paragraph (a) of the said notice:

TRADES

1. Weaving Machine Mechanician—Rapiër Loom;
2. Weaving Machine Mechanician—Airjet Loom;
3. Weaving Machine Mechanician—Shuttle Loom;
4. Weaving Machine Mechanician—Projectile Loom;
5. Spinning Machine Mechanician—Long Staple;

6. Spinmasjienmeganikus—Kortvesel: Wan-
kamer en Kaarte;
7. Spinmasjienmeganikus—Kortvesel: Voor-
bereiding;
8. Spinmasjienmeganikus—Kortvesel:
Ringspin; Ringtwyning en Dubbelstyg-
draaier;
9. Spinmasjienmeganikus—Kortvesel:
Werwelspin;
10. Spinmasjienmeganikus—Kortvesel:
Optol;
11. Spinmasjienmeganikus—Kortvesel:
Rotorspin;
12. Breimasjienmeganikus—Inslag;
13. Tegniëse Kleurder—Afronder;
14. Tegniëse Bedrukker—Afronder;
15. Spinmasjienmeganikus—Half-Kam—
Afwerking;
16. Spinmasjienmeganikus—Half-Kam—
Optol en Twyning;
17. Spinmasjienmeganikus—Half-Kam—
Voorgaring en Spin;
18. Spinmasjienmeganikus—Half-Kam—
Voorbereiding;
19. Spinmasjienmeganikus—Wol Proses—
Mengeling—Kaarding en Afkam;
20. Spinmasjienmeganikus—Wol Proses—
Ringspin—Werwelspin en Twyning;
21. Spinmasjienmeganikus—Wol Proses—
Ringspin—Optol;
22. Spinmasjienmeganikus—Wol Proses—
Ringspin—Dref en Twyning; en

(d) bepaal hierby dat die bepalings van paragrawe (a), (b) en (c) van hierdie kennisgewing op die tweede Maandag na die datum van publikasie van hierdie kennisgewing in werking sal tree en dat "Tekstielywerheid" soos hierby vermeld, dieselfde betekenis het as in die kennisgewing in paragraaf (a) hiervan bedoel.

L. WESSELS,

Minister van Mannekrag.

No. R. 2546

31 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

MEUBELNYWERHEID, OOSTELIKE KAAPPROVIN-
SIE: HERNUWING VAN OPLEIDINGSFONDSOOR-
EENKOMS

Ek, Leon Wessels, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermenskennisgewings Nos. R. 667 van 30 Maart 1979, R. 2410 van 12 November 1982, R. 2709 van 9 Desember 1983, R. 2095 van 21 September 1984 en R. 2809 van 18 Desember 1987 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1994 eindig.

L. WESSELS,

Minister van Mannekrag.

6. Spinning Machine Mechanician—Short
Staple: Blowroom and Cards;
7. Spinning Machine Mechanician—Short
Staple: Preparation;
8. Spinning Machine Mechanician—Short
Staple: Ringframe, Ringdoubling and Two-
for-one-Uptwister;
9. Spinning Machine Mechanician—Short
Staple: Open End;
10. Spinning Machine Mechanician—Short
Staple: Winding;
11. Spinning Machine Mechanician—Short
Staple: Rotor Spinning;
12. Knitting Machine Mechanician—Weft;
13. Technical Dyer—Finisher;
14. Technical Printer—Finisher;
15. Spinning Machine Mechanician—Semi
Worsted—Finishing;
16. Spinning Machine Mechanician—Semi
Worsted—Winding and Twisting;
17. Spinning Machine Mechanician—Semi
Worsted—Roving and Spinning;
18. Spinning Machine Mechanician—Semi
Worsted—Preparation;
19. Spinning Machine Mechanician—Wool-
len System—Blending—Carding and
Drawing;
20. Spinning Machine Mechanician—Wool-
len System—Ringframe—Open End and
Twisting;
21. Spinning Machine Mechanician—Wool-
len System—Ringframe—Winding;
22. Spinning Machine Mechanician—Wool-
len System—Ringframe—Dref and Twisting;
and

(d) hereby determine that the provisions of paragraphs (a), (b) and (c) of this notice shall come into operation with effect from the second Monday after the date of publication of this notice and that "Textile Industry" as mentioned above shall have the same meaning as in the notice referred to in paragraph (a) hereof.

L. WESSELS,

Minister of Manpower.

No. R. 2546

31 December 1993

LABOUR RELATIONS ACT, 1956

FURNITURE MANUFACTURING INDUSTRY, EAST-
ERN CAPE PROVINCE: RENEWAL OF TRAINING
FUND AGREEMENT

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices Nos. R. 667 of 30 March 1979, R. 2410 of 12 November 1982, R. 2709 of 9 December 1983, R. 2095 of 21 September 1984 and R. 2809 of 18 December 1987, to be effective from the date of publication of this notice and for the period ending 30 June 1994.

L. WESSELS,

Minister of Manpower.

No. R. 2547**31 Desember 1993****WET OP ARBEIDSVERHOUDINGE, 1956****MEUBELNYWERHEID, OOSTELIKE KAAPPROVINSIE: WYSIGING VAN OPLEIDINGSFONDSOOREENKOMS**

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 Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 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) (a), 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 MEUBELNYWERHEID VAN DIE OOSTELIKE KAAPPROVINSIE****OPLEIDINGSFONDSOOREENKOMS**

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

Midland Furniture Manufacturers' Association

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

National Union of Furniture and Allied Workers of South Africa

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

wat die partye is by die Nywerheidsraad vir die Meubelnywerheid van die Oostelike Kaapprovinsie,

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 2407 van 24 Desember 1975, soos verleng, gewysig en hernieu by Goewermentskennisgewings Nos. R. 1993 van 26 September 1980, R. 2299 van 30 Oktober 1981, R. 2410 en R. 2411 van 12 November 1982, R. 2708 en R. 2709 van 9 Desember 1983, R. 2095 van 21 September 1984, R. 2089 van 18 Desember 1987, R. 913 van 13 Mei 1988 en R. 1088 van 25 Junie 1993.

No. R. 2547**31 December 1993****LABOUR RELATIONS ACT, 1956****FURNITURE MANUFACTURING INDUSTRY, EASTERN CAPE PROVINCE: AMENDMENT OF TRAINING FUND 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 (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 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) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 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 FURNITURE MANUFACTURING INDUSTRY OF THE EASTERN CAPE PROVINCE****TRAINING FUND AGREEMENT**

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

Midland Furniture Manufacturers' Association

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

National Union of Furniture and Allied Workers of South Africa

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

being the parties to the Industrial Council for the Furniture Manufacturing Industry of the Eastern Cape Province,

to amend the Agreement published under Government Notice No. R. 2407 of 24 December 1975, as extended, amended and renewed by Government Notices Nos. R. 1993 of 26 September 1980, R. 2299 of 30 October 1981, R. 2410 and R. 2411 of 12 November 1982, R. 2708 and R. 2709 of 9 December 1983, R. 2095 of 21 September 1984, R. 2089 of 18 December 1987, R. 913 of 13 May 1988 and R. 1088 of 25 June 1993.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Meubelnywerheid van die Oostelike Kaapprovinsie nagekom word—

- (a) deur alle werkgewers wat lede is van die werkgewers-organisasie en deur alle werknemers wat lede is van die vakvereniging, en wat onderskeidelik betrokke is by en werksaam is in genoemde Nywerheid;
- (b) in die landdrosdistrikte Port Elizabeth, Cradock, Graaff-Reinet, Humansdorp, Hankey, Somerset-Oos, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Colesberg, Hanover, Jansenville, Joubertina, Kirkwood, Hofmeyr, Middelburg (K.P.), Murraysburg, Noupoot, Pearston, Richmond (K.P.), Steytler-ville, Steynsburg, Uniondale, Uitenhage, Venterstad en Willowmore.

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

- (a) slegs op werknemers vir wie lone in die Hoofooreenkoms voorgeskryf word en op die werkgewers van sodanige werknemers;
- (b) op vakleerlinge en kwekelinge slegs vir sover dit nie strydig is nie met die Wet op Mannekrag-opleiding, 1981, of met voorwaardes of enige kennisgewing wat daarkragtens voorgeskryf of beteken is.

2. KLOUSULE 3: WOORDOMSKYWING

(1) In die eerste paragraaf, vervang die uitdrukking "Wet op Nywerheidsversoening, 1956" deur die uitdrukking "Wet op Arbeidsverhoudinge, 1956".

(2) In die omskrywing "Wet", vervang die uitdrukking "Wet op Nywerheidsversoening, 1956" deur die uitdrukking "Wet op Arbeidsverhoudinge, 1956".

(3) In die omskrywing "werknemer", skrap die uitdrukking "(behalwe 'n Bantoe)" en "(uitgesonderd 'n Bantoe)".

3. KLOUSULE 4: OPLEIDINGSFONDS VIR DIE MEUBELNYWERHEID

(1) Voeg aan die einde van subklousule (2) die volgende sin in:

"By die 1,25 persent wat afgetrek word, moet 'n bedrag gelyk aan die heersende BTW-koers bygevoeg word."

(2) In subklousule (6), vervang die uitdrukking "Sekretaris van Arbeid" deur die uitdrukking "Departement van Mannekrag".

Namens die partye op hede die 18de dag van Oktober 1993 te Port Elizabeth onderteken.

J. B. CONNACHER,
Voorsitter van die Raad.

C. E. HOULIE,
Ondervoorsitter van die Raad.

I-M. DUNSTAN,
Sekretaris van die Raad.

No. R. 2548 31 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

MEUBELNYWERHEID, OOSTELIKE KAAPPROVIN-
SIE: WYSIGING VAN HOOFOOREENKOMS

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 Wysigingsooreenkoms genoem) wat in die Bylae hiervan

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Furniture Manufacturing Industry of the Eastern Cape Province—

- (a) by all employers who are members of the employer's organisation and by all employees who are members of the trade union, and who are engaged and employed, respectively, in the said Industry;
- (b) within the Magisterial Districts of Port Elizabeth, Cradock, Graaff-Reinet, Humansdorp, Hankey, Somerset East, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Colesberg, Hanover, Jansenville, Joubertina, Kirkwood, Hofmeyr, Middelburg (C.P.), Murraysburg, Noupoot, Pearston, Richmond (C.P.), Steytler-ville, Steynsburg, Uniondale, Uitenhage, Venterstad and Willowmore.

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

- (a) only to employees for whom wages are prescribed in the Main Agreement and to the employers of such employees;
- (b) 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.

2. CLAUSE 3: DEFINITIONS

(1) In the first paragraph, substitute the expression "Labour Relations Act, 1956" for the expression "Industrial Conciliation Act, 1956".

(2) In the definition "Act", substitute the expression "Labour Relations Act, 1956" for the expression "Industrial Conciliation Act, 1956".

(3) In the definition "employee", delete the expression "(other than a Bantu)" wherever it occurs.

3. CLAUSE 4: FURNITURE MANUFACTURING INDUSTRY TRAINING FUND

(1) At the end of subclause (2), insert the sentence:

"To the 1,25 per cent deducted, an amount equal to the ruling VAT rate shall be added."

(2) In subclause (6), substitute the expression "Department of Manpower" for the expression "Secretary for Labour".

Signed at Port Elizabeth, on behalf of the parties, this 18th day of October 1993.

J. B. CONNACHER,
Chairman of the Council.

C. E. HOULIE,
Vice-Chairman of the Council.

I-M. DUNSTAN,
Secretary of the Council.

No. R. 2548 31 December 1993

LABOUR RELATIONS ACT, 1956

FURNITURE MANUFACTURING INDUSTRY,
EASTERN CAPE PROVINCE: AMENDMENT OF
MAIN 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 (hereinafter referred to as the Amending Agreement) which appears in the

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) (a), 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 MEUBELNYWERHEID VAN DIE OOSTELIKE KAAPPROVINSIE

OOREENKOMS

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

Midland Furniture Manufacturers' Association

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

National Union of Furniture and Allied Workers of South Africa

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

wat die partye is by die Nywerheidsraad vir die Meubelnywerheid van die Oostelike Kaapprovinsie,

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1654 van 6 Augustus 1982, soos gewysig, verleng en hernieu by Goewermentskennisgewings Nos. R. 33 van 7 Januarie 1983, R. 162 en R. 163 van 3 Februarie 1984, R. 2093 van 21 September 1984, R. 141 van 24 Januarie 1986, R. 842 en R. 843 van 2 Mei 1986, R. 438 van 6 Maart 1987, R. 1703 en R. 1704 van 7 Augustus 1987, R. 2808 van 18 Desember 1987, R. 805 van 21 April 1989, R. 1914 van 1 September 1989, R. 2525 van 17 November 1989, R. 1827 van 3 Augustus 1990, R. 99 van 18 Januarie 1991, R. 725 van 5 April 1991, R. 1757 van 2 Augustus 1991, R. 751 van 13 Maart 1992, R. 1746 van 26 Junie 1992, R. 3444 en R. 3445 van 31 Desember 1992 en R. 1415 en R. 1416 van 6 Augustus 1993.

DEEL I

BEPALINGS VAN TOEPASSING OP DIE NYWERHEID ORAL IN DIE GEBIED WAT DEUR DIE OOREENKOMS GEDEK WORD, TENSY DIE TEENOORGESTELDE GEMELD WORD

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Meubelnywerheid van die Oostelike Kaapprovinsie nagekom word—

- (a) deur alle werkgewers wat lede is van die werkgewersorganisasie en deur alle werknemers wat lede is van die vakvereniging, en wat onderskeidelik betrokke is by en werksaam is in genoemde nywerheid;

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) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 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 FURNITURE MANUFACTURING INDUSTRY OF THE EASTERN CAPE PROVINCE

AGREEMENT

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

Midland Furniture Manufacturers' Association

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

National Union of Furniture and Allied Workers of South Africa

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

being the parties to the Industrial Council for the Furniture Manufacturing Industry of the Eastern Cape Province,

to amend the Agreement published under Government Notice No. R. 1654 of 6 August 1982, as amended, extended and renewed by Government Notices Nos. R. 33 of 7 January 1983, R. 162 and R. 163 of 3 February 1984, R. 2093 of 21 September 1984, R. 141 of 24 January 1986, R. 842 and R. 843 of 2 May 1986, R. 438 of 6 March 1987, R. 1703 and R. 1704 of 7 August 1987, R. 2808 of 18 December 1987, R. 805 of 21 April 1989, R. 1914 of 1 September 1989, R. 2525 of 17 November 1989, R. 1827 of 3 August 1990, R. 99 of 18 January 1991, R. 725 of 5 April 1991, R. 1757 of 2 August 1991, R. 751 of 13 March 1992, R. 1746 of 26 June 1992, R. 3444 and R. 3445 of 31 December 1992 and R. 1415 and R. 1416 of 6 August 1993.

PART I

PROVISIONS APPLICABLE TO THE INDUSTRY THROUGHOUT THE AREA COVERED BY THE AGREEMENT UNLESS THE CONTRARY IS STATED

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Furniture Manufacturing Industry of the Eastern Cape Province—

- (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union, and who are engaged and employed, respectively, in the said industry;

- (b) in die landdrosdistrikte Port Elizabeth, Cradock, Graaff-Reinet, Humansdorp, Hankey, Somerset-Oos, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Colesberg, Hanover, Jansenville, Joubertina, Kirkwood, Hofmeyr, Middelburg (K.P.), Murraysburg, Noupoot, Pearston, Richmond (K.P.) [met inbegrip van die gedeelte van die landdrosdistrik Victoria-Wes wat voor 29 Januarie 1982 (Goewermentskennigswing No. 165 van 29 Januarie 1982) binne die landdrosdistrik Richmond (K.P.) geval het], Steytleville, Steynsburg, Uniondale, Uitenhage, Venterstad en Willowmore.

2. KLOUSULE 1: TOEPASSINGSBESTEK VAN OOREENKOMS

Voeg die volgende nuwe subklousule in na subklousule (1) (b):

- “(2) (a) Die doel van die Ooreenkoms is om die vaardigheidsvlak van elke werknemer te erken, om geleenthede vir sy verdere vordering te bied en om vlakke van besoldiging en ander diensvoorwaardes vir werknemers vas te stel sonder om ondernemersinisiatief en werkgeleenthede enigsins te beperk.
- (b) Waar 'n werkgever of 'n werknemer die Raad daarvan kan oortuig dat enige van die bepalinge van hierdie Ooreenkoms ondernemersinisiatief en/of werkgeleenthede beperk, kan sodanige werkgever of werknemer by die Raad aansoek doen om vrystelling van daardie spesifieke bepalinge en die Raad kan sodanige vrystelling verleen.”

3. KLOUSULE 12: VAKANSIEDAE EN VAKANSIEFONDS

(1) In klousule 12.4.1, vervang die uitdrukking “drie” deur die uitdrukking “een”.

(2) Voeg die volgende nuwe klousule na klousule 12.5.2 in:

“12.5.2.1 Vir die doeleindes van 'n werknemer in diens as 'n sekuriteitswag, strek afwesigheid van sy werk in die mate dat dit sy gewone werkure verminder tot minstens 44 uur in 'n enkele week, nie om die voordele betaalbaar aan voorgenoemde werknemer ingevolge klousule 12.5.2, te verminder nie: Met dien verstande dat sodanige afwesigheid geregverdig kan word op grond van redes buite die beheer van die betrokke werknemer: Met dien verstande voorts dat waar genoemde werknemer se afwesigheid sy gewone werkure tot minder as 44 uur in 'n enkele week verminder, klousule 12.5.2 in daardie geval *mutatis mutandis* van toepassing is.”

(3) Voeg die volgende nuwe paragraaf na die tweede paragraaf van klousule 12.5.3 in:

“'n Werkgever wat agterstallig is met betalings en wat, nadat hy skriftelik deur die Bestuurskomitee gewaarsku is, versuim om die uitstaande bedrae binne sewe dae na die datum van sodanige waarskuwing aan te stuur, moet, nadat die Bestuurskomitee hom dienooreenkomstig skriftelik in kennis gestel het, die bedrae week vir week aanstuur sodat dit die Sekretaris bereik voor of op die Vrydag na die betaaldag van die week ten opsigte waarvan die bedrae betaalbaar is. Die betaling wat ten opsigte van die laaste betaaldag van elke kalendermaand aangestuur word, moet vergesel gaan van die staat in hierdie klousule bedoel. 'n Werkgever op wie hierdie paragraaf toegepas is, kan slegs nadat hy skriftelik deur die Bestuurskomitee in kennis gestel is, terugkeer na die betaling op die maandelikse grondslag soos hierbo bepaal van die bedrae wat ingevolge hierdie klousule betaalbaar is.”

- (b) within the Magisterial Districts of Port Elizabeth, Cradock, Graaff-Reinet, Humansdorp, Hankey, Somerset East, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Colesberg, Hanover, Jansenville, Joubertina, Kirkwood, Hofmeyr, Middelburg (C.P.), Murraysburg, Noupoot, Pearston, Richmond (C.P.) [including that portion of the Magisterial District of Victoria West which, prior to 29 January 1982 (Government Notice No. 165 of 29 January 1982), fell within the Magisterial District of Richmond (C.P.)], Steytleville, Steynsburg, Uniondale, Uitenhage, Venterstad and Willowmore.

2. CLAUSE 1: SCOPE OF APPLICATION OF AGREEMENT

Insert the following new subclause after subclause (1) (b):

- “(2) (a) The purpose of the Agreement shall be to recognise the level of skill of every employee, to provide opportunities for his further progress and to establish levels of remuneration and other conditions of employment for employees without in any way restricting entrepreneurial initiative and employment opportunities.
- (b) Where an employer or an employee can satisfy the Council that any of the provisions of this Agreement are restricting entrepreneurial initiative and/or employment opportunities, such employer or employee may apply to the Council for exemption from those specific provisions and the Council may grant such exemption.”

3. CLAUSE 12: HOLIDAYS AND HOLIDAY FUND

(1) In clause 12.4.1, substitute the expression “one” for the expression “three”.

(2) Insert the following new clause after clause 12.5.2:

“12.5.2.1 For the purposes of an employee employed as a security guard, absence from work, to the extent that it reduces his ordinary hours of work to not less than 44 hours in any one week, shall not serve to reduce the benefit payable to the aforementioned employee in terms of clause 12.5.2: Provided that the aforementioned absence can be justified on the basis of reasons beyond the control of the employee in question: Provided further that where the said employee's absence reduces his ordinary hours of work to less than 44 hours in any one week, then in that event clause 12.5.2 shall *mutatis mutandis* apply.”

(3) Insert the following new paragraph after the second paragraph in clause 12.5.3:

“An employer who is in arrears with payments and who fails, after having been warned in writing by the Management Committee, to forward the outstanding amounts within seven days of the date of such warning, shall upon being notified by the Management Committee in writing to do so, submit the amounts week by week so as to reach the Secretary not later than the Friday following the pay-day of the week in respect of which the amounts are due. The payment submitted in respect of the last pay-day of each calendar month shall be accompanied by the statement referred to in this clause. An employer to whom the provisions of this paragraph have been applied may only upon being notified by the Management Committee in writing revert to the payment of amounts payable in terms of this clause on the monthly basis provided for in term of the above.”

4. KLOUSULE 15: UITGAWES VAN DIE RAAD

Voeg die volgende nuwe paragraaf na paragraaf drie in:

"'n Werkgewer wat agterstallig is met betalings en wat, nadat hy skriftelik deur die Raad gewaarsku is, versuim om die uitstaande bedrae binne sewe dae na die datum van sodanige waarskuwing aan te stuur, moet, nadat die Raad hom dienoooreenkomstig skriftelik in kennis gestel het, die bedrae week vir week aanstuur sodat dit die Sekretaris bereik voor of op die Vrydag na die betaaldag van die week ten opsigte waarvan die bedrae betaalbaar is. Die betaling wat ten opsigte van die laaste betaaldag van elke kalendermaand aange-stuur word, moet vergesel gaan van die staat in hierdie klousule bedoel. 'n Werkgewer op wie hierdie paragraaf toegepas is, kan slegs nadat hy skriftelik deur die Raad in kennis gestel is, terugkeer na die betaling op die maandelikse grondslag soos in die tweede paragraaf bepaal van die bedrae wat ingevolge hierdie klousule betaalbaar is."

DEEL II: LONE**5. KLOUSULE 1: GRAAD 1: VAKMANNE**

Vervang die uitdrukking "Gedurende die tydperk eindigende 30 Junie 1993 . . . 6,87 6,26" deur die uitdrukking "Gedurende die tydperk eindigende 30 Junie 1994 . . . 7,47 6,80".

6. KLOUSULE 2: GRAAD 2A + B: OPERATEURS**(1) GRAAD 2A:**

Vervang die uitdrukking "Gedurende die tydperk eindigende 30 Junie 1993 . . . 5,39 4,91" deur die uitdrukking "Gedurende die tydperk eindigende 30 Junie 1994 . . . 5,89 5,37".

(2) GRAAD 2B:

Vervang die uitdrukking "Gedurende die tydperk eindigende 30 Junie 1993 . . . 5,34 4,86" deur die uitdrukking "Gedurende die tydperk eindigende 30 Junie 1994 . . . 5,84 5,31".

7. KLOUSULE 3: GRAAD 3: ARBEIDERS

Vervang die uitdrukking "Gedurende die tydperk eindigende 30 Junie 1993:" deur die uitdrukking "Gedurende die tydperk eindigende 30 Junie 1994:" en die uitdrukking "15,13 4,68" deur die uitdrukking "5,53 5,05".

Namens die partye op hede die 18de dag van Oktober 1993 te Port Elizabeth onderteken.

J. B. CONNACHER,
Voorsitter van die Raad.

C. E. HOULIE,
Ondervoorsitter van die Raad.

I-M. DUNSTAN,
Sekretaris van die Raad.

No. R. 2549**31 Desember 1993****WET OP ARBEIDSVERHOUDINGE, 1956****KLERASIENYWERHEID, TRANSVAAL: WYSIGING VAN FONDSOOREENKOMS**

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 Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming,

4. CLAUSE 15: EXPENSES OF THE COUNCIL

Insert the following new paragraph after the third paragraph:

"An employer who is in arrears with payments and who fails, after having been warned in writing by the Council, to forward the outstanding amounts within seven days of the date of such warning, shall upon being notified by the Council in writing to do so, submit the amounts week by week so as to reach the Secretary not later than the Friday following the pay-day of the week in respect of which the amounts are due. The payment submitted in respect of the last pay-day of each calendar month shall be accompanied by the statement referred to in this clause. An employer to whom the provisions of this paragraph have been applied may only upon being notified by the Council in writing revert to the payment of amounts payable in terms of this clause on the monthly basis provided for in terms of the second paragraph."

PART II: WAGES**5. CLAUSE 1: GRADE 1: JOURNEYMEN**

Substitute the expression "During the period ending 30 June 1994 . . . 7,47 6,80" for the expression "During the period ending 30 June 1993 . . . 6,87 6,26".

6. CLAUSE 2: GRADE 2A + B: OPERATORS**(1) GRADE 2A:**

Substitute the expression "During the period ending 30 June 1994 . . . 5,89 5,37" for the expression "During the period ending 30 June 1993 . . . 5,39 4,91".

(2) GRADE 2B

Substitute the expression "During the period ending 30 June 1994 . . . 5,84 5,31" for the expression "During the period ending 30 June 1993 . . . 5,34 4,86".

7. CLAUSE 3: GRADE 3: LABOURERS

Substitute the expression "During the period ending 30 June 1994:" for the expression "During the period ending 30 June 1993:" and the expression "5,53 5,05" for the expression "5,13 4,68".

Signed at Port Elizabeth, on behalf of the parties, this 18th day of October 1993.

J. B. CONNACHER,
Chairman of the Council.

C. E. HOULIE,
Vice-Chairman of the Council.

I-M. DUNSTAN,
Secretary of the Council.

No. R. 2549**31 December 1993****LABOUR RELATIONS ACT, 1956****CLOTHING INDUSTRY, TRANSVAAL: AMENDMENT OF FUND 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 (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Under-

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) (a) 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 KLERASIENYWERHEID (TRANSCVAAL)

FONDSSOOREENKOMS

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

Transvaal Clothing 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 Klerasienywerheid (Transvaal),

tot wysiging van die Fondsooreenkoms gepubliseer by Goewermentskennisgewing No. R. 3150 van 24 Desember 1991, soos hernieu en gewysig by Goewermentskennisgewings Nos. R. 243 van 10 Januarie 1992, R. 1065 van 16 April 1992, R. 1685 van 19 Junie 1992, R. 3107 van 13 November 1992, R. 3260 van 4 Desember 1992 en R. 1232 van 9 Julie 1993.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Klerasienywerheid (Transvaal) nagekom word—

- (a) deur alle werkgewers wat lede is van die werkgewersorganisasie en betrokke is by die Klerasienywerheid, en deur alle werknemers wat lede is van die vakvereniging en in diens is in die Nywerheid;
- (b) in die provinsie Transvaal.

(2) Ondanks subklousule (1)—

- (a) is hierdie Ooreenkoms van toepassing slegs ten opsigte van werknemers vir wie lone in die Hoof-ooreenkoms van die Raad voorgeskryf word;
- (b) is klousules 5, 6, 7 en 10 van die Ooreenkoms van toepassing ten opsigte van 'n werknemer in die Nywerheid vir wie geen lone in die Hoof-ooreenkoms voorgeskryf word nie, indien so 'n werknemer en sy werkgewer onderling en met die Nywerheidsraad skriftelik daartoe ooreengekom het.

taking, 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) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 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 CLOTHING INDUSTRY (TRANSCVAAL)

FUND AGREEMENT

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

Transvaal Clothing 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 Clothing Industry (Transvaal),

to amend the Fund Agreement published under Government Notice No. R. 3150 of 24 December 1991, as renewed and amended by Government Notices Nos. R. 243 of 10 January 1992, R. 1065 of 16 April 1992, R. 1685 of 19 June 1992, R. 3107 of 13 November 1992, R. 3260 of 4 December 1992 and R. 1232 of 9 July 1993.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Clothing Industry (Transvaal)—

- (a) by all employers who are members of the employers' organisation and are engaged in the Clothing Industry, and by all employees who are members of the trade union and who are employed in the Industry;
- (b) in the Province of the Transvaal.

(2) Notwithstanding the provisions of subclause (1)—

- (a) the terms of this Agreement shall apply only in respect of employees for whom wages are prescribed in the Council's Main Agreement;
- (b) the provisions of clauses 5, 6, 7 and 10 of the Agreement shall apply in respect of any employee in the Industry for whom no wages are prescribed in the Main Agreement if such employee and his employer have mutually, and with the Industrial Council agreed thereto in writing.

(3) By die toepassing van subklousule (2) (b) word 'n verwysing na werknemers vir wie lone in die Hoofooreenkoms voorgeskryf word, geag werknemers in te sluit wat in daardie Ooreenkoms bedoel word, en word 'n verwysing na die loon wat vir 'n werknemer voorgeskryf word, geag so 'n werknemer se werklike loon te bedoel.

2. KLOUSULE 5: MEDIESE BYSTANDSVERENIGING

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

“(2) Elke werkgever moet op die betaaldag van elke week en vanaf die eerste betaaldag na die inwerkingtreding van hierdie Ooreenkoms 'n bedrag wat gelyk is aan 1,25 persent van die voorgeskrewe loon vir 'n naaimasjienwerker aftrek van die loon van elkeen van sy werknemers vir wie minimum lone in die Hoofooreenkoms voorgeskryf word, uitgesonderd werknemers in subklousule (8) (a) (iii) bedoel: Met dien verstande dat geen bedrag afgetrek mag word nie van die loon van 'n werknemer wat minder as 20 uur gewerk het in die week waarin die bedrae afgetrek moet word. Die werkgever moet die bedrae aldus afgetrek, tesame met 'n bedrag deur die werkgever bygevoeg wat gelyk is aan 1,25 persent in die geval van 'n werknemer van wie se loon 1,25 persent afgetrek word, binne sewe dae vanaf die einde van die week waarin die bedrae afgetrek moet word, aan die Sekretaris van die Raad, Posbus 5101, Johannesburg, 2000, stuur, tesame met 'n staat in die vorm van Aanhangsel B van hierdie Ooreenkoms, behoudens subklousules (15) en (16): Met dien verstande voorts dat vir slegs die tydperk na die inwerkingtreding van die Ooreenkoms en tot 30 Junie 1994 elke werkgever 'n bykomende bedrag van R0,14 per werknemer per week moet byvoeg, by die bedrag wat ingevolge hierdie klousule aldus afgetrek en aangestuur word.”

(2) In subklousule (8) (c), vervang die uitdrukking “R150,00” deur die uitdrukking “R175,00”.

3. KLOUSULE 7: SIEKTEBESOLDIGINGSFONDS

(1) In subklousule (7) (b), vervang die uitdrukking “12 weke” deur die uitdrukking “ses weke”.

(2) In subklousule (7) (c), vervang die uitdrukking “65 persent” waar dit voorkom deur die uitdrukking “50 persent”.

(3) In subklousule (9) (b), vervang die uitdrukking “Julie” deur die uitdrukking “Januarie”, en die uitdrukking “Junie in die volgende jaar” deur die uitdrukking “Desember”.

4. KLOUSULE 11: OPLEIDINGSRAAD VIR DIE KLERASIENYWERHEID

In subklousule (2) (a), vervang die uitdrukking “R1,03 + BTW” deur die uitdrukking “R1,12 + BTW”.

Op hede die 8ste dag van Oktober 1993 te Johannesburg onderteken.

W. ARON,
Voorsitter.

N. RATSHIDI,
Ondervoorsitter.

A. MARGOLIS,
Sekretaris.

(3) For the purposes of subclause (2) (b), any reference to employees for whom wages are prescribed in the Main Agreement shall be deemed to include employees referred to in that Agreement and any reference to the wage prescribed for an employee shall be deemed to be a reference to such employee's actual wage.

2. CLAUSE 5: MEDICAL BENEFIT SOCIETY

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

“(2) Every employer shall, on the pay-day of each week and from the first pay-day after this Agreement comes into operation, deduct from the wages of each of his employees for whom minimum wages are prescribed in the Main Agreement, other than employees referred to in subclause (8) (a) (iii), an amount equal to 1,25 per cent of the prescribed sewing machinist's wage: Provided that no deduction shall be made from the wages of any employee who has worked less than 20 hours in the week in which the deductions fall due. The employer shall forward the amounts so deducted, together with an amount added by the employer equal to 1,25 per cent in the case of an employee from whose wages 1,25 per cent has been deducted, within seven days from the end of the week in which the deductions fall due to the Secretary of the Council, P.O. Box 5101, Johannesburg, 2000, together with a statement in the form of Annexure B to this Agreement, except as provided for in subclauses (15) and (16): Provided further that, for the period from the first pay-week after the date of coming into operation of this Agreement to 30 June 1994 only, every employer shall add to the amount so deducted and forwarded in terms of this clause, an additional amount of R0,14 per employee per week.”

(2) In subclause (8) (c), substitute the expression “R175,00” for the expression “R150,00”.

3. CLAUSE 7: SICK PAY FUND

(1) In subclause (7) (b), substitute the expression “six weeks” for the expression “12 weeks”.

(2) In subclause (7) (c), substitute the expression “50 per cent” for the expression “65 per cent”, wherever it appears.

(3) In subclause (9) (b), substitute the expression “January” for the expression “July”, and the expression “December” for the expression “June in the following year”.

4. CLAUSE 11: CLOTHING INDUSTRY TRAINING BOARD

In subclause (2) (a), substitute the expression “R1,12 + VAT” for the expression “R1,03 + VAT”.

Signed at Joannesburg this 8th day of October 1993.

W. ARON,
Chairman.

N. RATSHIDI,
Vice-Chairman.

A. MARGOLIS,
Secretary.

No. R. 2550**31 Desember 1993****WET OP ARBEIDSVERHOUDINGE, 1956****BREINYWERHEID, 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 Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf, of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 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) (a) 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**NYWERHEID VIR DIE BREINYWERHEID (TRANSVAAL)****OOREENKOMS**

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

Transvaal Clothing 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 Breinywerheid (Transvaal),

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 3124 van 13 November 1992, soos hernieu by Goewermentskennisgewing No. R. 1253 van 16 Julie 1993.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in Breinywerheid (Transvaal) nagekom word—

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

No. R. 2550**31 December 1993****LABOUR RELATIONS ACT, 1956****KNITTING INDUSTRY, TRANSVAAL: AMENDMENT 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 (hereinafter) referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 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) (a) shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 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 KNITTING INDUSTRY (TRANSVAAL)****AGREEMENT**

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

Transvaal Clothing 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 Knitting Industry (Transvaal),

to amend the Agreement published under Government Notice No. R. 3124 of 13 November 1992, as renewed by Government Notice No. R. 1253 of 16 July 1993.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Knitting Industry (Transvaal)—

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

(b) in die munisipale gebied van Pretoria en die landdrosdistrikte Johannesburg, Germiston, Roodepoort [uitgesonderd die gedeeltes van genoemde distrikte wat voor 1 November 1970 (Goewermentskennisgewing No. 1618 van 2 Oktober 1970) binne onderskeidelik die landdrosdistrikte Kempton Park, Boksburg en Krugersdorp geval het en uitgesonderd die gedeeltes van die landdrosdistrikte Johannesburg en Germiston wat voor 1 Julie 1972 (Goewermentskennisgewing No. 871 van 26 Mei 1972) binne onderskeidelik die landdrosdistrikte Kempton Park en Boksburg geval het], Alberton en Benoni [uitgesonderd die gedeelte wat voor 1 Julie 1972 (Goewermentskennisgewing No. 871 van 26 Mei 1972) binne die landdrosdistrikte Brakpan en Springs geval het] en in die gedeeltes van die landdrosdistrikte Boksburg en Springs wat voor 1 Julie 1972 (Goewermentskennisgewing No. 871 van 26 Mei 1972) binne die landdrosdistrikte Germiston en Benoni geval het, en met inbegrip van die gedeeltes van die landdrosdistrik Randburg wat voor 1 Januarie 1975 (Goewermentskennisgewing No. 2152 van 22 November 1974) binne die landdrosdistrikte Johannesburg en Roodepoort geval het, deur werkgewers en werknemers wat betrokke is by of in diens is vir die werksaamhede vermeld in paragraaf (b) van die omskrywing van "Breinywerheid" in klousule 3 van die Ooreenkoms; en

(c) in die gebiede gespesifiseer in paragraaf (b), uitgesonderd die landdrosdistrikte Germiston en Alberton en die gedeelte van die landdrosdistrik Boksburg wat voor 1 Julie 1972 (Goewermentskennisgewing No. 871 van 26 Mei 1972) binne die landdrosdistrik Germiston geval het, deur werkgewers en werknemers wat betrokke is by of in diens is vir die werksaamhede vermeld in paragraaf (a) van die omskrywing van "Breinywerheid" in klousule 3 van die Ooreenkoms.

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

- (a) behoudens klousule 5 (2) (d), van toepassing slegs op werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word; en
- (b) met uitsondering van klousule 5 (2) (d), nie van toepassing nie op werknemers wie se lone hoër is as dié van persone wat in die Werkloosheidsversekeringswet, 1966, as persone wat in die Werkloosheidsversekeringswet, 1966, as bydraers omskryf word.

2. GELDIGHEDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Mannekrag vasstel, en bly van krag tot 30 Junie 1994 of vir die tydperk of tydperke wat hy bepaal.

3. KLOUSULE 4: BESOLDIGING

(1) In subklousule (1) (a), vervang die loontabel deur die volgende:

	<i>"Loon per week vanaf die datum van inwerkingtre- ding van hierdie Ooreenkoms</i>
	R
(i) Voorman/Voorvrou	457,65
(ii) Kleurder:	
(a) Gekwalifiseer	457,65

(b) in the municipal area of Pretoria and the Magisterial District of Johannesburg, Germiston, Roodepoort, [excluding those portions of the said districts which, prior 1 November 1970 (Government Notice No. 1618 of 2 October 1970), fell within the Magisterial Districts of Kempton Park, Boksburg, and Krugersdorp, Respectively, and excluding those portions of the Magisterial Districts of Johannesburg and Germiston which prior 1 July 1972 (Government Notice No. 871 of 26 May 1972), fell within the Magisterial Districts of Kempton Park and Boksburg, respectively], Alberton and Benoni [excluding that portion which, prior to 1 July 1972 (Government Notice No. 871 of 26 May 1972), fell within the Magisterial Districts of Brakpan and Springs], and in those portions of the Magisterial Districts of Boksburg and Springs which, prior to 1 July 1972 (Government Notice No. 871 of 26 May 1972), fell within the Magisterial Districts of Germiston and Benoni, and including those portions of the Magisterial District of Randburg which, prior to 1 January 1975 (Government Notice No. 2152 of 22 November 1974), fell within the Magisterial Districts of Johannesburg and Roodepoort, by employers and employees who are engaged or employed in the operations set forth in paragraph (b) of the definition of "Knitting Industry" in clause 3 of the Agreement; and

(c) in the areas specified in paragraph (b), excluding the Magisterial Districts of Germiston and Alberton and that portion of the Magisterial District of Boksburg which, prior to 1 July 1972 (Government Notice No. 871 of 26 May 1972), fell within the Magisterial District of Germiston, by employers and employees who are engaged or employed in the operations set forth in paragraph (a) of the definition of "Knitting Industry" in clause 3 of the Agreement.

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

- (a) save as provided in clause 5 (2) (d), apply only in respect of employees for whom wages are prescribed in this Agreement; and
- (b) with the exception of clause (5) (2) (d), not apply to employees whose wages are in excess of those of persons defined as contributors in the Unemployment Insurance Act, 1966.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be specified by the Minister of Manpower, and shall remain in operation until 30 June 1994 or for such period or periods as may be determined by him.

3. CLAUSE: 4 REMUNERATION

(1) In subclause (1) (a), substitute the following for the wage table:

	<i>"Wage per week from the date of coming into opera- tion of this Agreement</i>
	R
(i) Foreman/Forewoman	457,65
(ii) Dyer:	
(a) Qualified	457,65

	<i>"Loon per week vanaf die datum van inwerkingtre- ding van hierdie Ooreenkoms</i>		<i>"Wage per week from the date of coming into opera- tion of this Agreement</i>
	R		R
(b) Leerling:		(b) Learner:	
Eerste jaar—		First year—	
eerste ses maande ondervinding	158,70	first six months of experience	158,70
tweede ses maande ondervinding	188,55	second six months of experience	188,55
Tweede jaar—		Second year—	
eerste ses maande ondervinding	218,45	first six months of experience	218,45
tweede ses maande ondervinding	248,30	second six months of experience	248,30
Derde jaar—		Third year—	
eerste ses maande ondervinding	278,20	first six months of experience	278,20
tweede ses maande ondervinding	308,10	second six months of experience	308,10
Vierde jaar—		Fourth year—	
eerste ses maande ondervinding	337,95	first six months of experience	337,95
tweede ses maande ondervinding	367,85	second six months of experience	367,85
Vyfde jaar—		Fifth year—	
eerste ses maande ondervinding	397,70	first six months of experience	397,70
tweede ses maande ondervinding	427,60	second six months of experience	427,60
Daarna, die loon by (a) voorgeskryf.		Thereafter, the wage specified in (a).	
(iii) Magasynman:		(iii) Storeman:	
(a) Gekwalifiseer	440,50	(a) Qualified	440,50
(b) Leerling:		(b) Learner:	
Eerste jaar—		First year—	
eerste ses maande ondervinding	158,70	first six months of experience	158,70
tweede ses maande ondervinding	229,15	second six months of experience	229,15
Tweede jaar—		Second year—	
eerste ses maande ondervinding	299,60	first six months of experience	299,60
tweede ses maande ondervinding	370,10	second six months if experience	370,10
Daarna, die loon by (a) voorgeskryf.		Thereafter, the wage specified in (a).	
(iv) Werktuigkundige:		(iv) Mechanic:	
(a) Gekwalifiseer	457,65	(a) Qualified	457,65
(b) Leerling:		(b) Learner:	
Eerste jaar—		First year—	
eerste ses maande ondervinding	158,70	first six months of experience	158,70
tweede ses maande ondervinding	188,55	second six months of experience	188,55
Tweede jaar—		Second year—	
eerste ses maande ondervinding	218,45	first six months of experience	218,45
tweede ses maande ondervinding	248,30	second six months of experience	248,30
Derde jaar—		Third year—	
eerste ses maande ondervinding	278,20	first six months of experience	278,20
tweede ses maande ondervinding	308,10	second six months of experience	308,10
Vierde jaar—		Fourth year—	
eerste ses maande ondervinding	337,95	first six months of experience	337,95
tweede ses maande ondervinding	367,85	second six months of experience	367,85
Vyfde jaar—		Fifth year—	
eerste ses maande ondervinding	397,70	first six months of experience	397,70
tweede ses maande ondervinding	427,60	second six months of experience	427,60
Daarna, die loon by (a) voorgeskryf.		Thereafter the wage specified in	

	<i>"Loon per week vanaf die datum van inwerkingtre- ding van hierdie Ooreenkoms</i>		<i>"Wage per week from the date of coming into opera- tion of this Agreement</i>
	R		R
(v) Werktuigkundige se assistent:		(v) Mechanic's assistant:	
(a) Gekwalifiseer	299,05	(a) Qualified	299,05
(b) Leerling:		(b) Learner:	
Eerste jaar —		First year —	
eerste ses maande ondervinding	155,15	first six months of experience	155,15
tweede ses maande ondervinding	169,50	second six months of experience	169,50
Tweede jaar —		Second year —	
eerste ses maande ondervinding	183,85	first six months of experience	183,85
tweede ses maande ondervinding	198,25	second six months of experience	198,25
Derde jaar —		Third year —	
eerste ses maande ondervinding	212,60	first six months of experience	212,60
tweede ses maande ondervinding	226,95	second six months of experience	226,95
Vierde jaar —		Fourth year —	
eerste ses maande ondervinding	241,35	first six months of experience	241,35
tweede ses maande ondervinding	255,70	second six months of experience	255,70
Vyfde jaar —		Fifth year —	
eerste ses maande ondervinding	270,05	first six months of experience	270,05
tweede ses maande ondervinding	284,45	second six months of experience	284,45
Daarna, die loon by (a) voorgeskryf.		Thereafter, the wage specified in (a).	
(vi) Toesighouer	316,65	(vi) Superviso	316,65
(vii) Finale ondersoeker van volgefatsoneerde kledingstukke	294,00	(vii) Final examiner of fully-fashioned garments	294,00
(viii) Fabrieksklerk, versendingsklerk, magasynklerk:		(viii) Factory clerk, despatch clerk, stores clerk:	
(a) Gekwalifiseer	282,40	(a) Qualified	282,40
(b) Leerling:		(b) Learner:	
Eerste jaar —		First year —	
eerste ses maande ondervinding	158,70	first six months of experience	158,70
tweede ses maande ondervinding	189,60	second six months of experience	189,60
Tweede jaar —		Second year —	
eerste ses maande ondervinding	220,50	first six months of experience	220,50
tweede ses maande ondervinding	251,45	second six months of experience	251,45
Daarna, die loon by (a) voorgeskryf.		Thereafter the wage specified in (a).	
(ix) Breimasjienbediener, skeringbreimasjienbediener, kleurder se assistent, kleursel-massabepaler en/of snyer of fatsoneerder van volgefatsoneerde kledingstukke, faktotum, skeringopsteller:		(ix) Knitting machine operator, warp knitting machine operator, dyer's assistant, colouring mass-measurer and/or cutter or shaper of fully-fashioned garments, handyman, warper:	
(a) Gekwalifiseer	282,40	(a) Qualified	282,40
(b) Leerling:		(b) Learner:	
Eerste jaar —		First year —	
eerste ses maande ondervinding	158,70	first six months of experience	158,70
tweede ses maande ondervinding	179,25	second six months of experience	179,25
Tweede jaar —		Second year —	
eerste ses maande ondervinding	199,85	first six months of experience	199,85
tweede ses maande ondervinding	220,45	second six months of experience	220,45
Derde jaar —		Third year —	
eerste ses maande ondervinding	241,05	first six months of experience	241,05
tweede ses maande ondervinding	261,65	second six months of experience	261,65
Daarna, die loon by (a) voorgeskryf.		Thereafter, the wage specified in (a).	

	<i>"Loon per week vanaf die datum van inwerkingtre- ding van hierdie Ooreenkoms R</i>
(x) Laaier van masjyn of kam; kettelma- sienbediener; omsluitbenater, uitgeson- derd 'n omsluitbenater vir afgekeurde sok- kies; snyer of fatsoneerder van volgef- soeneerde kledingstukke en/of naaia- sienwerker, met inbegrip van 'n knoop- knoopsgat- en soommasienwerker; hersteller; gewone naaldwerker:	
(a) Gekwalifiseer	247,35
(b) Leerling:	
Eerste jaar—	
eerste ses maande ondervinding	155,15
tweede ses maande ondervin- ding	178,20
Tweede jaar—	
eerste ses maande ondervinding	201,25
tweede ses maande ondervin- ding	224,30
Daarna, die loon by (a) voorge- skryf.	
<i>Hierdie kategorie is van toepassing op werknemers wat voor 30 Junie 1987 in diens geneem is: Verwys ook na kategorie (XVI) en (XVII) vir werknemers wat op of na die datum van inwerkingtreding van hierdie Ooreenkoms in diens geneem word:</i>	
(xi) Naatwerker; hersteller van sokkies; sor- teerder; skoonmaker (d.w.s. 'n werk- nemer wat kledingstukke en/of kledestof skoonmaak); gradeerder; monster- kaartopsteller (d.w.s. 'n werknemer wat monsterkaarte opstel); wikkelaar; omsluitbenater; vir afgekeurde sokkies en/of ondersoeker van gebreide kledestof en artikels; terugwikkelaar; trekdraad- werker; voorvormsetter of navormsetter; voorsnyer; parser; omkeerder; bediener van kalander-, splits-, set- of stoomma- sien; bediener van borsel-, pluus- en/of kleedskeermasjien; bediener van 'n kleur- masjien; bediener van 'n droogmasjien; en/of 'n wenteldroër; werknemer wat af- druk en/of etiketteer, oortollige drade af- knip en/of vouwerk, kaarding en/of verpak- king verrig; wasringmaker; ketelbediener voorraadbediener (creeler); teamaker; versendingsverpakker; pakketmaker; al- gemene werker, vloerloper:	
(a) Gekwalifiseer	235,75
(xii) Drywer van 'n motorvoertuig waarvan die onbelaste massa, tesame met die onbe- laste massa van 'n sleepwa of sleepwaens wat deur sodanige voertuig getrek word—	
(a) hoogstens 453,5 kg is	235,75
(b) meer as 453,5 kg maar hoogstens 2 721 kg is	283,40
(c) meer as 2 721 kg maar hoogstens 4 535 kg is	301,60
(d) meer as 4 535 kg is	327,80
(xiii) Veiligheidsbeampte	365,85
(xiv) Wag	282,95
(xv) Werknemer nie elders vermeld nie:	
(a) Gekwalifiseer	295,10
(b) Leerling:	
Eerste jaar—	
eerste ses maande ondervinding	155,15
tweede ses maande ondervin- ding	190,10

	<i>"Wage per week from the date of coming into opera- tion of this Agreement R</i>
(x) Loader of magazine or comb; linker; overlocker, other than an overlocker for seconds in socks; cutter or shaper or fully- fashioned garments and/or sewing machinist, including a button, buttonhole and hemming machinist; mender; plain sewer:	
(a) Qualified	247,35
(b) Learner:	
First year—	
first six months of experience	155,15
second six months of experience	178,20
Second year—	
first six months of experience	201,25
second six months of experience	224,30
Thereafter, the wage specified in (a).	
<i>This category applies to employees engaged prior to 30 June 1987; see also categories XVI and XVII for employees engaged on or after the date of coming into operation of this Agreement.</i>	
(xi) Seamer, mender of socks; sorter; cleaner (i.e. an employee engaged in cleaning garments and/or fabrics); grader; sampler (i.e. an employee engaged in the making up of sample cards); winder; overlocker for seconds in socks and/or examiner of knitted fabrics and articles; backwinder; draw threader; pre- or post-boarder or former; precutter; presser; turner; operator of calender; slitting, setting or steaming machine; operator of a brushing, raising and/or crop- ping machine; operator of a dye machine; operator of a drying and/or hydro-extrating machine; employee engaged in transfer- ring and/or labelling, trimming off of sur- plus threads, folding, carding and/or pack- ing; waxing maker; boiler attendant; creeler; teamaker; despatch packer; parcel maker; general worker; floor wal- ker/runner:	
(a) Qualified	235,75
(xii) Driver of a motor vehicle, the unladen mass of which, together with the unladen mass of any trailer or trailers drawn by such vehicle—	
(a) does not exceed 453,5 kg	235,75
(b) exceeds 453,5 kg but not 2 721 kg	283,40
(c) exceeds 2 721 kg but not 4 535 kg	301,60
(d) exceeds 4 535 kg	327,80
(xiii) Security officer	365,85
(xiv) Watchman	282,95
(xv) Employee not elsewhere specified:	
(a) Qualified	295,10
(b) Learner:	
First year—	
first six months of experience	155,15
second six months of experience	190,10

	"Loon per week vanaf die datum van inwerkingtre- ding van hierdie Ooreenkoms R
Tweede jaar —	
eerste ses maande ondervinding	225,05
tweede ses maande ondervinding	260,00
<i>Die volgende kategorieë is van toepassing op werknemers wat op/of na die datum van inwerkingtreding van hierdie Ooreenkoms in diens geneem word:</i>	
(xvi) Algemene werker, handelsreisiger se assistent, kleedkamertoessighouer en/of bediener, teemaker:	
(a) Gekwalifiseer	204,75
Sorteerder; terugwikkelaar; trekdraadwerker; wasringmaker; vloerloper; versendingsverpakker en/of pakketmaker:	
(a) Gekwalifiseer	204,75
(b) Leerling:	
Eerste jaar —	
eerste ses maande ondervinding	155,15
tweede ses maande ondervinding	171,70
Tweede jaar —	
eerste ses maande ondervinding	188,25
Daarna, die loon by (a) voorgeskryf.	
(xvii) Naatwerker; hersteller van sokkies; skoonmaker (d.w.s. 'n werknemer wat kledingstukke en/of klederstof skoonmaak; gradeerder; monsterkaartopsteller (d.w.s. 'n werknemer wat monsterkaarte opstel); wikkelaar; omsluitbenater vir afgekeurde sokkies en/of ondersoeker van gebreide klederstof en artikels; voorvormsetter of navormsetter; voorsnyer; parser; omkeerder; bediener van kalander-, splits-, set- of stoommasjien; bediener van borsel-, pluus- en/of kleedskeermasjien; bediener van 'n kleurmasjien; bediener van 'n droogmasjien en/of 'n wenteldroeër; werknemer wat afdruk en/of etiketteer, oortollige drade afknip en/of vouwerk; kaarding en/of verpakking verrig; ketelbediener; voerraambediener (creeler):	
(a) Gekwalifiseer	206,00
(b) Leerling:	
Eerste jaar —	
eerste ses maande ondervinding	155,15
tweede ses maande ondervinding	167,85
Tweede jaar —	
eerste ses maande ondervinding	180,60
tweede ses maande ondervinding	193,30
Daarna, die loon by (a) voorgeskryf:";	
(2) Skrap subklousule (2) (d).	

4. KLOUSULE 7: OORTYDWERK EN SONDAGWERK

In subklousule (1) (b) (ii), vervang die uitdrukking "een en 'n derde maal" deur die uitdrukking "een en 'n half maal".

	"Wage per week from the date of coming into opera- tion of this Agreement R
Second year —	
first six months of experience	225,05
second six months of experience	260,00
<i>The following categories apply to employees engaged on or after the date of coming into operation of this Agreement:</i>	
(xvi) General worker; traveller's assistant; cloakroom supervisor and/or attendant; teamaker:	
(a) Qualified	204,75
Sorter; backwinder; drawthreader; wax-ring maker; floor walker/runner; despatch packer and/or parcel maker:	
(a) Qualified	204,75
(b) Learner:	
First year —	
first six months of experience	155,15
second six months of experience	171,70
Second year —	
first six months of experience	188,25
Thereafter, the wage specified in (a).	
(xvii) Seamer; mender of socks; cleaner (i.e. an employee engaged in cleaning garments and/or fabrics); grader; sampler (i.e. and employee engaged in the making up of sample cards); winder; overlocker for seconds in socks and/or examiner of knitted fabrics and articles; pre- or post-boarder or former; precutter; presser; turner; operator of calender; slitting; setting or steaming machine; operator of brushing, raising and/or cropping machine; operator of a dye machine; operator of a drying and/or hydro-extracting machine; employee engaged in transferring and/or labelling, trimming off of surplus threads; folding, carding and/or packing; boiler attendant, creeler:	
(a) Qualified	206,00
(b) Learner:	
First year —	
first six months of experience	155,15
second six months of experience	167,85
Second year —	
first six months of experience	180,60
second six months of experience	193,30
Thereafter, the wage specified in (a);";	
(2) Delete subclause (2) (d).	

4. CLAUSE 7: OVERTIME AND SUNDAY WORK

In subclause (1) (b) (ii), substitute the expression "one and a half times" for the expression "one and a third times".

5. KLOUSULE 9: DIENSBEËINDIGING

In subklousule (1) (e), vervang die uitdrukking "10 werkdag" deur die uitdrukking "15 werkdag".

Namens die partye op hede die 16de dag van Junie 1993 te Johannesburg onderteken.

S. L. CHAITEI,

Voorsitter van die Raad.

N. RATSHIDI,

Lid van die Raad.

A. MARGOLIS,

Sekretaris van die Raad.

No. R. 2551

31 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN GOEWERMENTS-
KENNISGEWING

TRANSNET NYWERHEIDSRAAD

Ek, Leon Wessels, Minister van Mannekrag, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermentskennisgewing No. R. 2208 van 19 November 1993 in met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing.

L. WESSELS,

Minister van Mannekrag.

No. R. 2552

31 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

TRANSNET NYWERHEIDSRAAD: HERBEKRAGTING
VAN HOOFOOREENKOMS

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 werkgever 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 klousule 1 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 gebied in klousule A van genoemde Ooreenkoms gespesifiseer.

L. WESSELS,

Minister van Mannekrag.

5. CLAUSE 9: TERMINATION OF EMPLOYMENT

In subclause (1) (e) substitute the expression "15 working days" for the expression "10 working days".

Signed at Johannesburg, on behalf of the parties, this 16th day of June 1993.

S. L. CHAITEI,

Chairman of the Council.

N. RATSHIDI,

Member of the Council.

A. MARGOLIS,

Secretary of the Council.

No. R. 2551

31 December 1993

LABOUR RELATIONS ACT, 1956

CANCELLATION OF GOVERNMENT
NOTICE

TRANSNET INDUSTRIAL COUNCIL

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notice No. R. 2208 of 19 November 1993 with effect from the second Monday after the date of publication of this notice.

L. WESSELS,

Minister of Manpower.

No. R. 2552

31 December 1993

LABOUR RELATIONS ACT, 1956

TRANSNET INDUSTRIAL COUNCIL: RE-ENACTMENT OF MAIN 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 clause 1 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 area specified in clause A of the said Agreement.

L. WESSELS,

Minister of Manpower.

TRANSNET-NYWERHEIDSRAAD**HOOFOOREENKOMS**

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

Transnet Beperk

(hierna "Transnet" genoem), en

SALSTAFF

S. A. Voetplaatpersoneelvereniging

Transnet-unie van Suid-Afrika

South African Aviation Engineering and Allied Union (SAAEAU)

Suid-Afrikaanse Lugdiens Boordingenieursvereniging (SAAFEA)

Transnet Geallieerde Vakbond

Swart Vakvereniging van Transnet

South African Railways and Harbours Workers Union

(hierna die "vakverenigings" genoem,

wat die partye is by die Transnet-nywerheidsraad,

tot wysiging van die Hofooreenkoms gepubliseer by Goewermentskennisgewing No. R. 2411 van 28 Augustus 1992, soos verleng en gewysig by Goewermentskennisgewings Nos. R. 3228 van 27 November 1992, R. 1184 van 2 Julie 1993 en R. 2208 van 19 November 1993.

A. TOEPASSINGSBESTEK VAN HIERDIE OOREENKOMS

Hierdie Ooreenkoms is van toepassing op—

- (a) alle werknemers van Transnet Beperk in die Republiek van Suid-Afrika wat in vaste of tydelike diens aangestel is, ongeag of hulle deur 'n vakvereniging verteenwoordig word al dan nie, uitgesonderd—
 - (i) werknemers wat deel vorm van die bestuurskader; en
 - (ii) senior amptenare met wie 'n bestuursooreenkoms aangegaan is;
- (b) werknemers in 'n los hoedanigheid behalwe vir sover—
 - (i) anders in hierdie Ooreenkoms vermeld; of
 - (ii) die bepalings van enige ooreenkoms wat met 'n los werknemer aangegaan is, diensvoorwaardes bevat wat verskil van die bepalings van hierdie Ooreenkoms.

1. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die 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.

2. ALGEMENE BEPALINGS

Die bepalings soos vervat in Afdelings D tot R van die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 2411 van 28 Augustus 1992 soos verleng en gewysig deur Goewermentskennisgewings R. 3228 van 27 November 1992, R. 1184 van 2 Julie 1993 en R. 2208 van 19 November 1993 (hierna die "Vorige Ooreenkoms" genoem) soos verder verleng, hernieu, gewysig of herbekragtig van tyd tot tyd, is van toepassing op sowel werkgevers as werknemers.

3. G. VERGOEDING

3.1 Klousule 18 (1) van die Hofooreenkoms word hierby gewysig deur die uitdrukking "R900" deur die uitdrukking "R967,50" te vervang en deur die uitdrukking "Julie 1992 tot Junie 1993" deur die uitdrukking "vanaf die datum van inwerkingtreding van hierdie Ooreenkoms tot Junie 1994", te vervang.

TRANSNET INDUSTRIAL COUNCIL**MAIN AGREEMENT**

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

Transnet Limited

(hereinafter referred to as "Transnet"), and

SALSTAFF

S. A. Footplate Staff Association

Transnet Union of South Africa

Artisan Staff Association

Transnet Employee's Union

South African Aviation Engineering and Allied Union (SAAEAU)

South African Airways Flight Engineers Association (SAAFEA)

Transnet Allied Trade Union

Black Trade Union of Transnet

South African Railways and Harbours Workers Union

(hereinafter referred to as the "trade unions",

being the parties to the Transnet Industrial Council,

to amend the Main Agreement published under Government Notice No. R. 2411 of 28 August 1992, as extended and amended by Government Notices Nos. R. 3228 of 27 November 1992, and R. 1184 of 2 July 1993, and R. 2208 of 19 November 1993.

A. AREA AND SCOPE OF THIS AGREEMENT

This Agreement shall be applicable to—

- (a) all employees of Transnet Limited in the Republic of South Africa who have been appointed permanently or temporarily, irrespective of whether they are represented by a trade union or not, except—
 - (i) employees in the management corps; and
 - (ii) senior officers with whom a management agreement has been entered into;
- (b) employees in a casual capacity, except where—
 - (i) mentioned otherwise in this Agreement; or
 - (ii) the provisions of any agreement entered into with a casual employee contain service conditions which differ from the provisions of this Agreement.

1. 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.

2. GENERAL PROVISIONS

The provisions contained in Sections D to R of the Agreement published under Government Notice R. 2411 of 28 August 1992 as extended and amended by Government Notices R. 3228 of 27 November 1992, R. 1184 of 2 July 1993 and R. 2208 of 19 November 1993 (hereinafter referred to as the "Former Agreement") as further extended, renewed and re-enact from time to time, shall apply to employers and employees.

3. G. REMUNERATION

3.1 Clause 18 (1) of the Main Agreement is hereby amended by the substitution for the expression "R900" of the expression "R967,50" and by the substitution for the expression "July 1992 to June 1993" of the expression "from the date of coming into operation of this Agreement to June 1994".

3.2 Klousule 24—Voeg die volgende nuwe klousule in:

"WAARNEMING IN HOËR GRAAD"

24. (1) Behoudens die beperkings wat van tyd tot tyd opgelê word en die bepalings van hierdie klousule kan magtiging verleen word dat bykomende besoldiging, bereken ingevolge paragraaf (2), betaal word aan 'n werknemer wat in 'n hoër graad moet waarneem en die volle verantwoordelikhede verbonde aan sodanige betrekking moet aanvaar.

(2) Die bykomende besoldiging word in die vorm van 'n toelae betaal en is gelyk aan die verhoging wat ingevolge die bepalings van klousule 96 aan die betrokke werknemer toegeken sou word indien hy bevorder sou word tot die betrekking waarin hy waarneem: Met dien verstande dat as dit die mening is dat die bedrag van die toelae wat aldus bepaal is, onvoldoende besoldiging is vir die dienste en verantwoordelikhede van die betrekking waarin 'n werknemer waarneem, sodanige hoër toelae toegeken kan word as wat gemagtig word.

(3) Indien 'n werknemer, wanneer hy in 'n hoër graad waarneem—

- (a) 'n amptelike raads- of komiteevergadering moet bywoon in sy hoedanigheid as lid of plaasvervangende lid van sodanige raad of komitee;
- (b) 'n konferensie of seminaar moet bywoon wat deur Transnet belê is;
- (c) 'n amptelike ondersoek moet bywoon of as getuie in 'n hof moet verskyn;
- (d) 'n wedstryd, konferensie of vergadering van die St. John Ambulansvereniging of die Suid-Afrikaanse Noodhulpiga moet bywoon of 'n inspeksie of ander amptelike pligte in verband met die werksaamhede van so 'n organisasie moet uitvoer;
- (e) hom by die Besturende Direkteur se kantoor of 'n departementskantoor moet aanmeld sodat sy geskiktheid vir bevordering vasgestel kan word;
- (f) betaalpligte aan die end van 'n maand moet onderneem,

verbeur hy nie as gevolg daarvan enige bykomende besoldiging wat aan hom betaal sou geword het vir die tydperk wat hy andersins in die hoër graad sou waargeneem het nie.

(4) (a) Behoudens die bepalings van subparagrafe (b) en (c) is die diensvoorwaardes van 'n werknemer, wanneer hy die pligte van 'n ander graad onderneem, ongeag of hy bykomende besoldiging ontvang of nie, die diensvoorwaardes wat van toepassing is op die graad waarin hy waarneem, behalwe waar daar uitdruklik anders bepaal word.

(b) Indien 'n lid van die treinpersoneel vir 'n gedeelte van 'n skof 'n ander graad as sy eie waarneem, word sy betaling, mits hy die pligte verbonde aan sy eie graad vir enige tydperk op dieselfde dag verrig, gebaseer op sy gewone diensure wanneer dit minder is as die ure wat van toepassing is op die graad waarin hy waarneem.

(c) Vir elke dag, Sondae ingesluit, wat 'n lid van die trein- of eetpersoneel vir 'n ononderbroke tydperk van minstens 3 uur 45 minute in 'n hoër graad waarneem, word hy 'n volle dag se toelae vir waarneming in 'n hoër graad betaal.

(d) Indien 'n werknemer, behalwe 'n lid van die trein- of eetwapersoneel bedoel in subparagrafe (b) en (c), minder as een dag in 'n ander graad waarneem en die vasgestelde daaglikse diensure vir daardie graad verskil van dié wat op sy eie graad van toepassing is, is sy werkure vir die skof dié wat bepaal is vir die graad waarin hy die langste gedurende sodanige skof werk, en enige tyd wat hy langer as sodanige ure werk, word behoudens die bepalings van hierdie Ooreenkoms as oortyd behandel. Wanneer oortyd betaalbaar is, is die oortydskaal in sodanige gevalle dié wat van toepassing is op die graad waarin die oortyd werklik gewerk word.

3.2 Clause 24—

Insert the following new clause:

"ACTING IN HIGHER GRADE"

24. (1) Subject to such limitations as may be imposed from time to time and to the provisions of this clause, the payment of additional remuneration, assessed in terms of paragraph (2), may be authorised to an employee who is required to act in a higher grade and to undertake the full responsibilities of such appointment.

(2) The additional remuneration shall be paid in the form of an allowance and shall be equivalent to the increment which would be granted to the employee concerned under the provisions of clause 96 should he be promoted to the position in which he is acting: Provided that, should it be considered that the amount of the allowance so determined affords insufficient remuneration for the duties and responsibilities of the position in which an employee is acting, such increased allowance as may be authorised may be granted.

(3) An employee who, when acting in a higher grade, is required—

- (a) to attend an official board or committee meeting in his capacity as a member or alternate member of such board or committee;
- (b) to attend a conference or seminar convened by Transnet;
- (c) to attend an official inquiry or a court as a witness;
- (d) to attend a St John Ambulance or a Suid-Afrikaanse Noordhulpiga competition, conference or meeting or to undertake an inspection or perform other official duties connected with the activities of such an organisation;
- (e) to report to the Managing Director's office or a departmental office so that his suitability for promotion can be ascertained; or
- (f) undertake pay duties at a month end,

shall not, in consequence, be deprived of any additional remuneration that would have been paid to him in respect of the period during which he would otherwise have acted in the higher grade.

(4) (a) Subject to the provisions of subparagraphs (b) and (c), the service conditions of an employee, when he is undertaking the duties of another grade, shall, whether or not he is in receipt of additional remunerations, be those applicable to the grade in which he is acting, except where specifically provided to the contrary.

(b) If a trainman acts in a grade other than his own for a portion of a shift, his pay shall, provided he carries out the duties of his own grade for any period on the same day, be based on his ordinary hours of duty when they are less than those applicable to the grade in which he acts.

(c) For every day, including Sundays, that a trainman or member of the dining-car personnel acts in a higher grade for an uninterrupted period of at least 3 hours 45 minutes, he shall be paid an allowances for acting in a higher grade for a full day.

(d) If an employee, other than a trainman or a member of the dining-car personnel referred to in subparagraphs (b) and (c), acts in another grade for less than one day, and the fixed daily hours of duty for that grade are different from those applicable to his own grade, his working hours for the shift shall be those operative for the grade in which he works longest during such shift, and any time worked in excess of such hours shall, subject to the terms of this Agreement, be treated as overtime. When overtime is payable, the overtime rate in such cases shall be that applicable to the grade in which the overtime is actually worked.

(5) Ondanks die groter verantwoordelikhede wat nagekom word, word geen bykomende besoldiging aan 'n werknemer (behalwe 'n lid van die trein- of eetwapersonneel) betaal nie vir 'n tydperk van waarnemingsdiens in 'n hoër graad wat minder as een dag duur, tensy anders bepaal word."

3.3 Klousule 25 van die Hoofdooreenkoms word hierby gewysig deur subklousule (5) te skrap en subklousule (6) te hernoem tot subklousule (5).

4. J. OORTYD EN SONDAGTYD

4.1 Klousule 54 (1) (b) van die Hoofdooreenkoms word hierby gewysig deur die uitdrukking "R41 100" deur die uitdrukking "R44 190" te vervang en deur die uitdrukking "Julie 1992 tot Junie 1993" deur die uitdrukking "vanaf die datum van inwerkingtreding van hierdie Ooreenkoms tot Junie 1994" te vervang.

5. L. VERLOF

Vervang klousule 59 (2) deur die volgende:

"Nuwe werknemers wat 'n salaris van meer as R22 740 per jaar ontvang (met ingang van die datum van publikasie van hierdie Ooreenkoms, welke salarisskaal saamvallend met hersiening van salarisse aangepas word), verdien 28 dae verlof per jaar."

6. Klousule 68—Voeg die volgende nuwe klousule in:

"BETALING IN PLAAS VAN VERLOF BY DIENS-
VERLATING

68. (1) Die waarde van alle verlof word by diensverlating uitbetaal, uitgesonderd in gevalle waar werknemers as gevolg van 'n dissiplinêre oortreding ontslaan word, waar werknemers bedank om dissiplinêre stappe te voorkom en waar werknemers dros. Werknemers wat uit die diens van Transnet tree, behalwe om die redes hierbo vermeld, moet voor diensverlating 'n *pro rata*-gedeelte van hul verpligte verlof neem. Indien hulle in gebreke bly om dit te doen, word die getal dae waarvoor betaal word diensooreenkomstig verminder.

(2) Indien 'n werknemer op die normale aftreeouderdom aftree of weens blywende slegte gesondheid of ernstige liggaamlike letsel afgedank word op 'n datum wat saamval met die datum waarop verlof hom toeval, sal hy nie die verpligte getal dae *pro rata*-verlof kan neem nie en kan die waarde van sodanige verlof dan aan hom uitbetaal word. Indien 'n werknemer egter op 'n ander datum as sy normale aftreedatum aftree wat nie saamval nie met die datum waarop verlof hom toeval, word die *pro rata*-gedeelte van sodanige verlof wat nie geneem word nie, verbeur.

(3) In die geval van vrywillige bedanking kan die verlof wat 'n werknemer verplig is om te neem, in die geheel of gedeeltelik as tydperk van kennisgewing dien. Indien verpligte verlof nie toegestaan kan word nie, geld die bepalinge van klousule 61 (3). Indien die hoof van die besigheidsonderneming instem dat die gedeelte van die verlof wat 'n werknemer verplig is om te neem, nie toegestaan kan word nie, kan die waarde van sodanige verlof ook uitbetaal word. Indien die datum van vrywillige bedanking saamval met die datum waarop verlof die betrokke werknemer toeval, word die verpligte verlof verbeur.

(4) Die waarde van alle verlof wat op die datum van sy afsterwe tot 'n werknemer se krediet staan, word ooreenkomstig klousule 91 (2) aan die weduwee/wewenaar/afhanklike kinders bedoel uitbetaal.

(5) Vir die doel van hierdie klousule word die waarde van verlof bereken op die salaris van die werknemer plus enige toelaes wat as salaris beskou word."

7. M. SIEKTEVERLOF

7.1 Klousule 76—

Voeg die volgende nuwe klousule in:

76. A. SIEKTEVERLOF

(1) Transnet moet aan 'n werknemer wat weens ongeskiktheid van sy werk afwesig is altesaam 150 dae siekteverlof met volle besoldiging toestaan gedurende elke tydperk van 36 agtereenvolgende maande (hierna 'n siektever-

(5) Notwithstanding the higher responsibilities discharged, no additional remuneration shall be paid to an employee (except a trainman or member of the dining-car personnel) for a period of acting-in-higher-grade duty of less than one day's duration, unless otherwise determined."

3.3 Clause 25 of the Main Agreement is hereby amended by the deletion of subclause (5) and the renumbering of subclause (6) to be subclause (5).

4. J. OVERTIME AND SUNDAY TIME

4.1 Clause 54 (1) (b) of the Main Agreement is hereby amended by the substitution for the expression "R41 100" of the expression "R44 190" and by the substitution for the expression "July 1992 to June 1993" of the expression "date of coming into operation of this Agreement to June 1994".

5. L. LEAVE

Substitute the following for clause 59 (2):

"New employees in receipt of a salary of more than R22 740 (with effect from the date of publication of this Agreement, salary scale which coincides with the revision of salaries) shall earn 28 days' leave per annum."

6. Clause 68—Insert the following new clause:

"PAYMENT IN LIEU OF LEAVE AT RETIREMENT

68. (1) The value of all leave shall be paid out at retirement, except in cases where employees are dismissed as a result of a disciplinary infringement, where employees resign to avoid disciplinary steps and where employees abscond. Employees who retire from Transnet, except for the reasons mentioned above, shall take a *pro rata* part of their compulsory leave before retirement. If they fail to do so, the number of days for which payment is made shall be reduced accordingly.

(2) If an employee retires on reaching the normal retirement age or is dismissed owing to permanent ill-health or severe bodily injury on a date that coincides with the date on which leave is due to him, he will be unable to take the compulsory number of days' *pro rata* leave and the value of such leave may then be paid out to him. If, however, an employee retires on a date other than his normal retirement age, which does not coincide with the date on which leave accrues to him, the *pro rata* part of such leave which is not taken shall lapse.

(3) In the case of voluntary resignation, the leave which an employee is compelled to take may be used to cover all or part of the notice period. If compulsory leave cannot be granted, the provisions of clause 61 (3) shall apply. Should the head of the business unit agree that the part of the leave an employee is compelled to take cannot be granted, the value of such leave may also be paid out. Should the date of voluntary resignation coincide with the date on which leave accrues to the employee concerned, the compulsory leave shall lapse.

(4) The value of all leave to an employee's credit on the day of his death shall be paid out in accordance with clause 91 (2) to the widow/widower/dependent children/estate.

(5) For the purpose of this clause the value of leave shall be calculated on the salary of the employee plus any allowances that are regarded as salary."

7. M. SICK LEAVE

7.1 Clause 76—

Insert the following new clause:

76. A. SICK LEAVE

(1) Transnet shall grant an employee who is absent from work through incapacity 150 days' sick leave in the aggregate on full pay during each period of 36 consecutive months (hereinafter referred to as a sick leave cycle) for which the

lofsiklus genoem) wat die werknemer by hom in diens is: Met dien verstande dat gedurende die eerste siekteverlofsiklus diens 'n nuwe werknemer nie geregtig is nie op siekteverlof met volle besoldiging teen 'n skaal van meer as een werkdag ten opsigte van elke voltooide week diens, maar tot hoogstens 150 dae.

(2) Die bedrag wat ingevolge paragraaf (1) aan 'n werknemer ten opsigte van 'n dag siekteverlof met volle besoldiging betaal moet word, mag nie minder wees nie as die loon betaalbaar ten opsigte van die tyd (uitgesonderd oortyd) wat hy gewoonlik op daardie dag van die week werk.

(3) Transnet is nie ingevolge subartikel (1) gebind om aan 'n werknemer 'n bedrag ten opsigte van afwesigheid van sy werk vir 'n tydperk wat strek oor meer as twee agtereenvolgende dae te betaal nie, tensy die werknemer 'n sertifikaat wat deur 'n mediese praktisyn onderteken is, voorlê wat die aard en duur van die werknemer se ongeskiktheid vermeld: Met dien verstande dat indien 'n werknemer gedurende 'n tydperk van hoogstens agt weke by twee of meer geleenthede betaling ingevolge daardie paragraaf ontvang het sonder om so 'n sertifikaat aan sy werkgever voor te lê, sy werkgever gedurende die tydperk van agt weke onmiddellik na die jongste sodanige geleentheid nie gebind is om bedoelde bedrag aan die werknemer ten opsigte van enige afwesigheid van sy werk te betaal nie, tensy hy so 'n sertifikaat voorlê.

(4) By die toepassing van hierdie klousule—

(a) word 'n tydperk waartydens 'n werknemer—

- (i) met verlof sonder betaling is;
- (ii) uit hoofde van paragraaf (1) met siekteverlof is;
- (iii) op las of versoek van Transnet van sy werk afwesig is; of
- (iv) militêre opleiding ondergaan,

wat in enige siekteverlofsiklus altesaam hoogstens 30 weke beloop ten opsigte van die in subparagraaf (i), (ii) en (iii) bedoelde tydperke plus tot 12 maande van enige tydperk van in subparagraaf (iv) bedoelde militêre opleiding gedurende daardie siekteverlofsiklus ondergaan, geag diens by Transnet te wees;

(b) beteken "ongeskiktheid" onvermoë om te werk weens enige siekte of besering, behalwe enige siekte of besering wat deur 'n werknemer se eie wangedrag of deelname aan enige vorm van professionele sport veroorsaak is: Met dien verstande dat 'n onvermoë om te werk wat veroorsaak is deur 'n ongeval of 'n vergoedingspligtige siekte soos omskryf in artikel 2 van die Ongevalwet, 1941 (Wet No. 30 van 1941), slegs as ongesiktheid beskou word gedurende 'n tydperk ten opsigte waarvan geen skadeloosstelling ingevolge daardie Wet betaalbaar is nie.

B. ALGEMENE BEPALINGS

(1) Saterdag en Sondag wat in 'n tydperk van ongeskiktheid val wat deur 'n mediese sertifikaat gedek is, word as siekteverlof beskou.

(2) Indien 'n mediese praktisyn sertifiseer dat dit nodig is dat 'n werknemer wat moontlik in aanraking kan kom met 'n persoon wat aan 'n besmetlike of aansteeklike siekte ly, hom nie aan die gevaar van sodanige besmetting of aansteeking blootstel nie, moet sodanige werknemer aan die voorskrifte van die mediese praktisyn voldoen. Indien 'n werknemer reeds aan die gevaar van besmetting of aansteeking blootgestel is en die mediese praktisyn van mening is dat gesondheidsvoorsorgmaatreëls dit noodsaak dat sodanige werknemer van diens afwesig moet wees totdat daar vasgestel kan word of hy die siekte opgedoen het of nie, en dienoreenkomstig sertifiseer, word siekteverlof behoudens die bepalings van paragraaf A (1) aan die werknemer toegestaan vir sodanige tydperk as wat die mediese praktisyn nodig het om vas te stel of die werknemer die siekte opgedoen het of nie: Met dien verstande dat siekteverlof nie toegestaan word nie indien 'n werknemer in gebreke bly om te voldoen aan enige nieblootstellingsvoorwaardes wat die mediese praktisyn opgelê het.

employee is employed in its service: Provided that during the first sick leave cycle of employment a new employee shall not be entitled to sick leave on full pay at a rate of more than one working day in respect of each completed week of employment, but not exceeding 150 days.

(2) The amount paid in terms of paragraph (1) to an employee in respect of a days' sick leave on full pay shall not be less than the wage payable in respect of the time (excluding overtime) ordinarily worked by him on that day of the week.

(3) Transnet shall not be bound in terms of paragraph (1) to pay an employee an amount in respect of any absence from work for a period covering more than two consecutive days, unless the employee produces a certificate signed by a medical practitioner stating the nature and duration of the employee's incapacity: Provided that if an employee has during any period of up to eight weeks received payment in terms of that paragraph on two or more occasions without having produced such a certificate to his employer, his employer shall during the period of eight weeks immediately succeeding the last such occasion not be bound to pay the said amount to the employee in respect of any absence from work unless he produces such a certificate.

(4) For the purposes of this clause—

(a) any period during which an employee—

- (i) is on unpaid leave;
- (ii) is on such sick leave by virtue of paragraph (1);
- (iii) is absent from work on the instruction or at the request of Transnet; or
- (iv) is undergoing military training,

amounting in the aggregate in any sick leave cycle to not more than 30 weeks in respect of the periods referred to in subparagraphs (i), (ii) and (iii) plus up to 12 months of any period of military training referred to in subparagraph (iv) undergone in that sick leave cycle shall be deemed to be employment with Transnet;

(b) "incapacity" means inability to work owing to any sickness or injury other than sickness or injury caused by an employee's own misconduct or participation in any form of professional sport: Provided that any inability to work caused by an accident or a scheduled disease as defined in section 2 of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), shall be regarded as incapacity only during any period in respect of which no compensation is payable in terms of that Act.

B. GENERAL PROVISIONS

(1) Saturdays and Sundays falling in a period of incapacitation covered by a medical certificate shall be regarded as sick leave.

(2) If a medical practitioner certifies that it is necessary that an employee who is liable to come into contact with any person suffering from an infectious or contagious disease should isolate himself from the risk of such infection or contagion, such employee shall comply with the directions of the medical practitioner. If an employee has already incurred the risk of infection or contagion and the medical practitioner considers that health precautions necessitate that such employee should absent himself from duty until it can be determined whether he has contracted the disease or not and certifies accordingly, the employee shall be allowed sick leave subject to the provisions of paragraph A (1) for such period as the medical practitioner requires to determine whether the employee has contracted the disease or not: Provided that if any employee fails to comply with any isolation conditions imposed by the medical practitioner, sick leave shall not be granted.

(3) Siekteverlof word nie toegestaan vir tydperke van afwesigheid buite die Republiek nie, behalwe met spesiale magtiging, en dan net as 'n sertifikaat wat deur twee mediese praktisyns onderteken is, ingedien word waarin behandeling deur 'n deskundige of in 'n hospitaal buite genoemde gebiede aanbeveel word.

(4) Siekteverlof ten opsigte van afwesigheid van diens vir hersteldoelindes kan slegs na 'n bepaalde siekte toegestaan word as 'n verandering, of spesiale behandeling wat nie by 'n werknemer se tuisstasie beskikbaar is nie, vir sy herstel noodsaaklik is. Siekteverlof word nie ten opsigte van afwesigheid van diens toegestaan as die begeleidende mediese sertifikaat aandui dat dit wenslik is dat 'n werknemer rus neem en/of van woonplek verander vir die doel van algemene herstel nie.

(5) Siekteverlof kan geweier word indien die betrokke werknemer onredelik weier of versuim om behoorlike geneeskundige sorg te verkry of te ondergaan, of indien die werknemer die bepalings van paragraaf (6) of (7) van hierdie klousule oortree: Met dien verstande egter dat, in 'n geval waar die onbesonnenheid die vorm aanneem van alkoholisme of verslawing aan afhanklikheidsvormende medisyne, die volgende bepalings van toepassing is:

- (a) By die eerste geleentheid na indiensneming waarby die werknemer vrywillig as 'n binne- of buitepatiënt tot 'n erkende inrigting vir die behandeling van alkoholisme of verslawing aan afhanklikheidsvormende medisyne toegelaat word, word verlof tot sy krediet aangewend om die tydperk van sy verblyf in die inrigting en enige nodige reistyd te dek. Indien die verlof tot sy krediet onvoldoende is, kan siekteverlof behoudens die bepalings van paragraaf A(1) toegestaan word. Tydperke van afwesigheid voor toelating tot en na ontslag uit die inrigting, reistyd uitgesluit, word as siekteafwesigheid sonder betaling behandel.
- (b) 'n Werknemer wie se toelating tot 'n inrigting bedoel in subparagraaf (a) gereël word, moet so volledig moontlik ingelig word oor hoe daar beoog word om hom gedurende die tydperk sy verblyf in die inrigting en vir die nodige reistyd te betaal.
- (c) Behandeling wat 'n werknemer in 'n inrigting voor indiensneming ondergaan het, sluit hom nie van die voordele waarvoor in subparagraaf (a) voorsiening gemaak word, uit nie.

(d) Indien die werknemer—

- (i) weier om behandeling in 'n erkende inrigting te ondergaan;
- (ii) uit eie beweging nie die volle tydperk van behandeling in so 'n inrigting waartoe die toepaslike gesag in die inrigting besluit het, voltooi nie;
- (iii) versuim om gedurende die tydperk in die inrigting ten volle saam te werk; of
- (iv) slegs vir detoksifikasie of 'uitdroging' tot die inrigting toegelaat word,

word verlof wat tot sy krediet staan nie toegestaan nie en word vir siekteverlof nie betaal nie. Die afwesigheid word as 'n siekteafwesigheid sonder betaling behandel.

- (e) By die tweede geleentheid na indiensneming waarby die werknemer tot 'n erkende inrigting toegelaat word, word die bepalings hierbo uiteengesit weer toegepas.
- (f) By die derde en daaropvolgende sodanige geleenthede word geen betaling gedoen nie.

(3) Sick leave shall not be granted for periods of absence from the Republic except on special authority, and then only where a certificate is submitted that has been signed by two medical practitioners, recommending treatment by an expert or in a hospital outside the area stated.

(4) Sick leave in respect of absence from duty for recuperative purposes may be granted only after as specific illness, where a change, or special treatment not available at his home station, is essential for an employee's recovery. Sick leave shall not be granted in respect of an absence from duty where the covering medical certificate indicates that it is desirable for an employee to obtain a rest and/or change of residence for the purpose of general recuperation.

(5) Sick leave may be refused if the employee concerned unreasonably refuses or neglects to obtain or submit to adequate medical attention, or if the employee contravenes the provisions of paragraph (6) or (7) of this clause: Provided, however, that in a case where the indiscretion takes the form of alcoholism or addiction to dependence-producing substances, the following provisions shall apply:

- (a) On the first occasion after employment on which the employee is admitted voluntarily as an in or out-patient to a recognised institution for the treatment of alcoholism or addiction to dependence-producing substances, leave to his credit shall be used to cover the period of his stay in the institution and any necessary travelling time. Should there be insufficient leave to his credit, sick leave may be granted subject to the provisions of paragraph A(1). Periods of absence before admission to and after discharge from the institution, excluding travelling time, shall be treated as sickness absences without pay.
- (b) An employee whose admission to an institution referred to in subparagraph (a) is being arranged shall be informed as fully as possible as to how it is proposed to pay him during the period of his stay in the institution and for necessary travelling time.
- (c) Treatment received by an employee in an institution prior to employment shall not debar him from the benefits provided for in subparagraph (a).
- (d) Should the employee—

- (i) refuse to undergo treatment in a recognised institution;
- (ii) of his own volition, not complete the full period of treatment in such an institution as decided by the appropriate authority in the institution;
- (iii) fail to co-operate fully during the period in the institution; or
- (iv) be admitted to the institution for detoxification or 'drying out' only,

leave standing to his credit shall not be granted and sick pay shall not be paid. The absence shall be treated as a sickness absence without pay.

- (e) On the second occasion after employment on which the employee is admitted to a recognised institution, the provisions set out above shall be applied again.
- (f) On the third and subsequent such occasions, no payment shall be made.

- (g) Indien die werknemer deur 'n hof na 'n inrigting verwys word, kan verlof wat tot sy krediet staan toegestaan word. Vir siekteverlof word egter nie betaal nie, selfs as die verlof tot sy krediet onvoldoende is.
- (h) Verlof wat tot die werknemer se krediet staan en ingevolge subparagraaf (a) of (e) toegestaan is, word 12 maande vanaf die datum van sy toelating tot die inrigting, tot 'n maksimum gelyk aan sy jaarlikse verlofaanwas en beperk tot die siekteverlof wat tot sy krediet staan, weer tot sy krediet geplaas: Met dien verstande dat die streekampenaar in beheer van Sielkundige Dienste sertifiseer dat hy as gerehabiliteer beskou kan word. Hierdie toegewing word slegs een keer gedoen.
- (6) 'n Werknemer wat as ongeskik vir diens gesertifiseer word, mag nie sy woning sonder toestemming van 'n mediese praktisyn verlaat nie tensy daar dringende en noodsaaklike redes is om dit te doen, waarvan die bewyslas op hom rus.
- (7) 'n Werknemer wat as ongeskik vir diens gesertifiseer word, mag nie enige werk vir of ten behoeve van iemand anders buite Transnet verrig nie, hetsy hy op vergoeding daarvoor geregtig is of nie, en mag ook nie enige vorm van besigheid of bedryf beoefen nie, hetsy vir eie rekening of in deelgenootskap met enigiemand anders.
- (8) Werknemers wat 'n veneriese siekte opdoen, kom, mits hulle hul by die eerste geleentheid by 'n mediese praktisyn aanmeld en hul sonder versuim aan behandeling onderwerp, daarvoor in aanmerking om siekteverlof ingevolge hierdie Ooreenkoms te ontvang by voorlegging van 'n sertifikaat wat deur 'n mediese praktisyn uitgereik is.
- (9) Indien 'n werknemer wat op 'n afgeleë plek gestasioneer is, 'n spesialis by 'n groot sentrum moet besoek en as gevolg daarvan noodwendig van sy hoofkwartier afwesig sal wees, word koste vir die duur van sodanige afwesigheid aan hom betaal teen die skale voorgeskryf by klousule 29. Die koste word betaal slegs ten opsigte van 'n besoek aan 'n spesialis weens die slegte gesondheid of liggaamlike ongeskiktheid van die werknemer self en nie ten opsigte van 'n tydperk van hospitaalbehandeling nie."

8. Q. BEVORDERING

8.1 Klousule 96 (4) van die Hoofdooreenkoms word hierby gewysig deur onmiddelik na die laaste sin die volgende by te voeg:

" 'n Meester (indien hy aan die bogenoemde voldoen) wat in besit is van 'n geldige loodslisensie, verkry voor die ouderdom van 50 jaar, en wat op 'n gereëide grondslag waarneem of aflos as 'n loods kan egter na dié ouderdom van 50 jaar aangestel word."

No. R. 2553

31 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

DIE NASIONALE NYWERHEIDSRAAD VIR DIE MOTORYWERHEID: WYSIGING VAN PENSIOENFONDSOORENKOMS VIR MOTORWERKERS

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 Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van

- (g) Should the employee be committed to an institution by a court, leave to his credit may be granted. Sick pay shall not, however, be payable even if the leave to his credit is insufficient.

- (h) Leave to the employee's credit and granted in terms of subparagraph (a) or (e) shall be credited to him, up to a maximum equivalent to his annual leave accrual and limited to the sick leave standing to his credit, 12 months from the date of his admission to the institution: Provided that the regional officer in charge of Psychological Services certifies that he may be regarded as rehabilitated. This concession may be made only once.

- (6) An employee who is certified as unfit for duty shall not absent himself from his residence without the consent of a medical practitioner unless there are urgent and necessary reasons for doing so, the onus of proving which shall rest with him.

- (7) An employee who is certified as unfit for duty shall not perform any work for or on behalf of another person outside Transnet, whether or not he is entitled to remuneration therefor, nor shall he engage in any form of business or trade, whether on his own account or in association with any other person.

- (8) Employees who contract a venereal disease shall, provided they report to a medical practitioner at the earliest opportunity and submit themselves for treatment without delay, be eligible to receive sick leave in terms of this Agreement on production of a certificate issued by a medical practitioner.

- (9) An employee stationed at an outlying point who is required to visit a specialist at a large centre, necessitating absence from his headquarters, shall be paid, for the duration of such absence, expenses at the rates laid down in clause 29. The expenses shall be paid only in respect of a visit to a specialist on account of the illhealth or physical disability of the employee himself and not in respect of any period of hospital treatment."

8. Q. PROMOTION

8.1 Clause 96 (4) of the Main Agreement is hereby amended by the addition of the following immediately after the last sentence:

" A master (if he complies with the above) in possession of a valid pilot's licence obtained before the age of 50 and who acts as or relieves a pilot on a regular basis may, however, be appointed after the age of 50."

No. R. 2553

31 December 1993

LABOUR RELATIONS ACT, 1956

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY: AMENDMENT OF AUTO WORKERS' PENSION FUND 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 (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding,

die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Julie 1995 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is; en

- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalinge 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 31 Julie 1995 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

DIE NASIONALE NYWERHEIDSRaad VIR DIE MOTORNYWERHEID

MOTORWERKERSPENSIOENFONDS- OOREENKOMS

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

South African Motor Industry Employers' Association
en die

South African Vehicle Builders' and Repairers' Association

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

National Union of Metalworkers of South Africa
Motor Industry Employees' Union of South Africa
en die

Motor Industry Staff Association

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

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid,

tot wysiging van die Motorwerkerspensioenfonds-ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1510 van 25 Julie 1980, soos gewysig en verleng by Goewermentskennisgewings Nos. R. 2022 van 3 Oktober 1980, R. 2635 van 24 Desember 1980, R. 1017 van 15 Mei 1981, R. 1280 van 26 Junie 1981, R. 2318 van 26 Oktober 1984, R. 1203 van 30 Mei 1985, R. 1725 van 15 Augustus 1986, R. 1803 van 21 Augustus 1987, R. 1689 van 19 Augustus 1988 en R. 1488 van 29 Junie 1990.

1. KLOUSULE 2: TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Behoudens subklousule (2) van hierdie klousule moet hierdie Ooreenkoms nagekom word—

- (a) in die Motornywerheid in die Republiek van Suid-Afrika (uitgesonderd die gebied geokkupeer deur die Cape Explosives Works Ltd, Somerset-Wes);
- (b) deur alle werkgewers wat lede is van die werkgewersorganisasies en deur alle werknemers in die Nywerheid wat lede is van die vakverenigings.

with effect from the second Monday after the date of publication of this notice and for the period ending 31 July 1995, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions; and

- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (b), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 31 July 1995, 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

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY

AUTO WORKERS' PENSION FUND AGREEMENT

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

South African Motor Industry Employers' Association
and the

South African Vehicle Builders' and Repairers' Association

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

National Union of Metalworkers of South Africa
Motor Industry Employees' Union of South Africa
and the

Motor Industry Staff Association

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

being the parties to the National Industrial Council for the Motor Industry,

to amend the Auto Workers' Pension Fund Agreement published under Government Notice No. R. 1510 of 25 July 1980, as amended and extended by Government Notices Nos. R. 2022 of 30 October 1980, R. 2635 of 24 December 1980, R. 1017 of 15 May 1981, R. 1280 of 26 June 1981, R. 2318 of 26 October 1984, R. 1203 of 30 May 1985, R. 1725 of 15 August 1986, R. 1803 of 21 August 1987, R. 1689 of 19 August 1988 and R. 1488 of 29 June 1990.

1. CLAUSE 2: SCOPE OF APPLICATION OF AGREEMENT

(1) Subject to the provisions of subclause (2) of this clause, the terms of this Agreement shall be observed—

- (a) in the Motor Industry in the Republic of South Africa (excluding the area occupied by the Cape Explosives Works Ltd, Somerset West);
- (b) by all employers who are members of the employers' organisations and by all employees in that Industry who are members of the trade unions.

(2) Ondanks subklousule (1) van hierdie klousule is hierdie Ooreenkoms nie van toepassing nie op—

- (a) werknemers wat in aanmerking kom vir lidmaatskap van die Motor Industry Employees' Union of South Africa en die Motor Industry Staff Association;
- (b) lede van die National Union of Metalworkers of South Africa wat lede is van die Pensioenfonds vir die Motornywerheid;
- (c) vakmanne wat nie lede van die National Union of Metalworkers of South Africa is nie of vakleerlinge wat nie lede van die National Union of Metalworkers of South Africa is nie, uitgesonderd dié van wie daar in omskrywing van onderskeidelik "vakman" en "vakleerling" melding gemaak word;
- (d) 'n werknemer aan wie aftreebystand toegestaan is deur 'n fonds wat vir sodanige bystand voorsiening maak;
- (e) werknemers ten opsigte van wie hul werkgever bydra, en solank as wat hul werkgever aldus bydra, tot 'n pensioenfonds wat in werking was op die datum waarop hierdie Ooreenkoms in werking getree het en wat na die mening van die Raad bystand verskaf wat nie minder gunstig is nie as dié wat deur die Motorwerkerspensioenfonds verskaf word;
- (f) 'n werknemer vir ses maande vanaf die datum waarop hy by die Motornywerheid in diens tree: Met dien verstande dat 'n werkgever na goeë dunde van hierdie uitsluiting kan afsien.

2. AANHANGSEL A VAN DIE MOTORWERKERS-PENSIOENFONDS-OOREENKOMS

Vervang Aanhangel A deur die volgende:

"AANSOEK OM REGISTRASIE AS LID

Fondsnummer.....
 Vakverenigingnummer (indien enige)
 Identiteitsnummer
 Familienaam
 Voorname
 Geboortedatum (jaar) (maand) (dag)
 Geslag (meld manlik of vroulik)
 Werkzaam by (werkgever se naam en adres)
 Beroep
 Aansoeker se huisadres.....

Was u voorheen in die Motornywerheid werkzaam?
 As die antwoord "Ja" is, meld die werkgever se naam en adres.....

Ek, die ondergetekende, lid van die * doen hierby aansoek om as lid van die Motorwerkspensioenfonds geregistreer te word en ek onderneem om die reëls van die Fonds na te kom wat van tyd tot tyd van krag is.

As my bevooroordeelde ingeval ek te sterwe sou kom, benoem ek:

Voorname (Mnr./Mev./Mej.)
 Familienaam
 Verwantskap (meld vrou, man, vader, moeder, seun, dogter, na gelang van die geval)
 Adres
 Bevooroordeelde se identiteitsnummer (indien van toepassing) ..
 Datum
 (Lid van naamtekening)

* Vul naam van vakvereniging in indien van toepassing.

(2) Notwithstanding the provisions of subclause (1) of this clause, the provisions of this Agreement shall not apply to—

- (a) employees who are eligible for membership of the Motor Industry Employees' Union of South Africa and the Motor Industry Staff Association;
- (b) members of the National Union of Metalworkers of South Africa who are members of the Motor Industry Pension Fund;
- (c) journeymen who are not members of the National Union of Metalworkers of South Africa or apprentices who are not members of the National Union of Metalworkers of South Africa, other than those referred to in the definition of "journeyman" and "apprentice" respectively;
- (d) any employee who has been granted a retirement benefit by any fund which provides for such benefits;
- (e) employees in respect of whom their employer contributes, and for as long as their employer so contributes, to a pension fund which was in operation on the date of commencement of operation of this Agreement and which in the opinion of the Council provides benefits not less favourable than those provided by the Auto Workers' Pension Fund;
- (f) any employee for six months from the date on which he begins employment in the Motor Industry: Provided that any employer may in his discretion waive this exclusion.

2. ANNEXURE A TO THE AUTO WORKERS' PENSION FUND AGREEMENT

Substitute the following Annexure A:

"APPLICATION FOR REGISTRATION AS A MEMBER

Fund No.
 Union No. (if any)
 Identity No.
 Surname
 First names
 Date of birth (year) (month) (day)
 Sex (state male or female)
 Employed by (employer's name and address)
 Occupation.....
 Applicant's private address.....

Were you employed in the Motor Industry previously?.....
 If the answer is "Yes", state name and address of employer ..

I, the undersigned, a member of the * hereby apply to be registered as a member of the AUTO WORKERS' PENSION FUND and agree to abide by the provisions of the Fund's rules in force from time to time.

I nominate as my beneficiary in the event of my death:

First names (Mr/Mrs/Miss)
 Surname
 Relationship (state: wife, husband, father, mother, son, daughter, as the case may be)
 Address.....
 Identity No. of beneficiary (where applicable).....
 Date
 Member's signature)

* Please insert name of trade union if applicable.

MEDIËSE GESKIEDENIS

Geliewe "JA" of "NEE" op die volgende vrae te antwoord, om die Fonds in staat te stel om te beslis of 'n VOLLEDIGE, GEDETAILLEERDE MEDIËSE ONDERSOEK benodig word.

Indien "JA", verstrek asseblief volle besonderhede in die Bylae hieronder.

1. Het u al aan een of meer van die volgende gely:

JA/NEE

- 1.1 Enige hartongesteldheid, bv. ruma-tiekkoors, hartgeruise, koronêre slagaarsiekte, borspyne, kortasem-heid of hartkloppings. ☐
- 1.2 Hoë bloeddruk of 'n bloedvaatsiekte of 'n omloopafwyking of spatare. ☐
- 1.3 Enige respiratoriese of longkwale, bv. asma, brongitis, aanhoudende gehoos, toring (TB). ☐
- 1.4 Enige ongesteldheid van die spysverteringstelsel, galblaas of lewer, bv. werklike of vermeende maag- of twaalfvingerdermseer, terugkerende slegte spysvertering of spleetbreuk. ☐
- 1.5 Siekte of aandoening van die niere, blaas of voortplantingsorgane, bv. eiwit in urine, stene of veneriese siekte. ☐
- 1.6 Enige senu- of geesteskwaal, bv. vallende siekte, floutes, verlamming, aangstoestand of bedruktheid. ☐
- 1.7 Oor-, oog-, neus- of keelaandoen-ing, bv. ooruitstroming, gebrekkige gesigsvermoë, terugkerende man-gelontsteking, katarak of gesigsge-brek. ☐
- 1.8 Ongesteldheid of siekte van die spiere, bene, gewrigte, ledemate, ruggraat, bv. rumatiek, gewrigs-ontsteking, jig, verskuifde werwel of ander rugprobleme. ☐
- 1.9 Suikersiekte, suiker in die urine, skildklier- of ander klier- of bloed-ongesteldheid. ☐
- 1.10 Kanker, 'n vergroei-sel of gewas van enige aard. ☐
- 1.11 Enige tropiese siekte, bv. bilharzia, malaria. ☐
- 1.12 Enige ander siekte, ongesteldheid, operasie, ongeskiktheid of ongeluk. ☐

2. Indien nie reeds genoem nie, het u ge-durende die afgelope vyf jaar:

- 2.1 Enige X-strale, EKG's of ander ondersoeke, operasies of hospitali-sasie ondergaan? ☐
- 2.2 Enige kursus pynstillers, kalmeer-middels of geneesmiddels om mediese of enige ander redes ondergaan? ☐
- 2.3 Enige dokters of spesialiste geraad-pleeg? ☐

MEDICAL HISTORY

Please answer "YES" or "NO" to the following questions, to allow the Fund to determine whether or not a FULL, DETAILED MEDICAL EXAMINATION is required.

If "YES" please give full details in the Schedule below.

1. Have you ever suffered from one or more of the following:

YES/NO

- 1.1 Any disorder of the heart, e.g. rheu-matic fever, heart murmur, coronary artery disease, chest pains, short-ness of breath or palpitations. ☐
- 1.2 High blood pressure or a disease of the blood vessels or a circulatory disorder, or varicose veins. ☐
- 1.3 Any respiratory or lung trouble, e.g. asthma, bronchitis, persistent cough, tuberculosis (TB). ☐
- 1.4 Any disorder of the digestive sys-tem, gall bladder or liver, e.g. actual or suspected gastric or duodenal ulcer, recurrent indigestion or hiatus hernia. ☐
- 1.5 Disease or disorder of the kidneys, bladder or reproductive organs, e.g. albumin in urine, stones or venereal disease. ☐
- 1.6 Any nervous or mental complaint, e.g. epilepsy, blackouts, paralysis, anxiety state or depression. ☐
- 1.7 Ear, eye, nose or throat disorder, e.g. ear discharge, effective vision, recurrent tonsillitis, cataract or visual defect. ☐
- 1.8 Disorder or disease of muscles, bones, joints, limbs, spine, e.g. rheu-matism, arthritis, gout, slipped disc or other back trouble. ☐
- 1.9 Diabetes, sugar in urine, thyroid or other glandular or blood disorder. ☐
- 1.10 Cancer, growth or tumour of any kind. ☐
- 1.11 Any tropical disease, e.g. bilharzia, malaria. ☐
- 1.12 Any other illness, disorder, opera-tion, disability or accident. ☐

2. If not already stated, have you during the past five years:

- 2.1 Had any X-rays, ECGs or other investigations, operations or been hospitalised? ☐
- 2.2 Taken any course of sedatives, tran-quillisers or drugs for medical or any other reasons? ☐
- 2.3 Consulted any doctors or special-ists? ☐

3. Is u MIV-positief getoets: ☐
4. Het u enige soort toets vir vigs ondergaan? ☐
5. Het u enige vorm van ongeskiktheids-toelae/pensioen en/of swakgesondheidspensioen van enige ander pensioenfonds/WVF/militêr/versekering, ens. ontvang? ☐

BYLAE

Vraag-nummer	Aard en duur van kwaal/simptome	Datum	Naam en adres van behandelende dokter of hospitaal	Wanneer het aansoeker simptome openbaar

Ek sertifiseer hierby dat die antwoorde soos deur my verstrekk op bogenoemde vrae volledig en waar is in alle opsigte en versuim deur my om mediese inligting aan die Fonds te verstrek, kan lei tot beperkings en/of nie-betaling van enige vorm van swakgesondheidspensioen en/of doodsvoordele. Ek aanvaar dat die Fonds my mag adviseer om op hulle onkoste 'n meer gedetailleerde mediese ondersoek te ondergaan en indien so 'n mediese verslag in enige opsig onbevredigend is, beperkings op die normale voordele kragtens die reëls van die Pensioenfonds toegepas kan word.

AANSOEKER SE HAND-TEKENING

DATUM

SLEGS VIR KANTOORGEBRUIK

Datum van ontvangs..... Datum van registrasie.....
 Datum van eerste betaling.... Retroernommer

Nadat dit ingevul is, moet hierdie vorm gestuur word aan:

Die Streeksekretaris
 Nasionale Nywerheidsraad vir die Motornywerheid
 Streek.....
 Posbus.....

Namens die partye op hede die 11de dag van November 1993 te Johannesburg onderteken.

T. NIEUWOUDT,
 President van die Raad.

C. S. ROBERTS,
 Visepresident van die Raad.

B. G. DU PREEZ,
 Hoofsekretaris van die Raad.

3. Have you tested HIV positive? ☐

4. Have you had any kind of AIDS test? ☐

5. Have you received any form of disability grant/pension and/or ill health pension from any other pension fund/WCA/military/insurance, etc.? ☐

SCHEDULE

Question number	Nature and duration of complaint or symptoms	Date	Name and address of attending doctor or hospital	When did applicant have symptoms

I hereby certify that the answers provided by me to the above questions are complete and true in every respect and failure on my behalf to disclose medical information to the Fund may lead to restrictions and/or non-payment of any form of ill-health pension and/or death benefit. I also accept the Fund may advise me at their cost to undergo a more detailed medical examination and if such medical report is unsatisfactory in any way, restrictions may be applied to the normal benefits in terms of the rules of the Pension Fund.

APPLICANT'S SIGNATURE

DATE

FOR OFFICE USE ONLY

Date received..... Date registered.....
 Date of first payment..... Return no.....

When completed, this form must be forwarded to:

The Regional Secretary
 National Industrial Council for the Motor Industry
 Region.....
 P.O. Box.....

Signed at Johannesburg, on behalf of the parties, this 11th day of November 1993.

T. NIEUWOUDT,
 President of the Council.

C. S. ROBERTS,
 Vice-President of the Council.

B. G. DU PREEZ,
 General Secretary of the Council.

No. R. 2554

31 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

DIE NASIONALE NYWERHEIDSRAAD VIR DIE MOTORNYWERHEID: WYSIGING VAN PENSIOENFONDSDOOREENKOMS VIR DIE MOTORNYWERHEID

Ek, Leon Wessels, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die

No. R. 2554

31 December 1993

LABOUR RELATIONS, 1956

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY: AMENDMENT OF MOTOR INDUSTRY PENSION FUND AGREEMENT

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement

Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na datum van publikasie en vir die tydperk wat op 1 Februarie 1996 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is.

L. WESSELS,
Minister van Mannekrag.

BYLAE

DIE NASIONALE NYWERHEIDSRaad VIR DIE MOTORNYWERHEID

PENSIOENFONDS VIR DIE MOTORNYWERHEID OOREENKOMS

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

South African Motor Industry Employers' Association

en die

South African Vehicle Builders' and Repairers' Association

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

Motor Industry Employees' Union of South Africa

en die

National Union of Metalworkers of South Africa

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

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid,

tot wysiging van die Ooreenkoms vir die Pensioenfonds vir die Motornywerheid, gepubliseer by Goewermentskennisgewing No. R. 7 van 2 Januarie 1981, soos gewysig en hernieu by Goewermentskennisgewings Nos. R. 1581 van 30 Julie 1982, R. 2319 van 26 Oktober 1984, R. 358 van 28 Februarie 1986, R. 1724 van 15 Augustus 1986, R. 1800 van 21 Augustus 1987, R. 1687 van 19 Augustus 1988, R. 1483 en R. 1484 van 29 Junie 1990, R. 522 van 15 Maart 1991 en R. 3050 van 13 Desember 1991.

1. KLOUSULE 2—TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet oral in die Republiek van Suid-Afrika (uitgesonderd die gebied geokkupeer deur die Cape Explosives Works Ltd, Somerset-Wes) nagekom word deur alle werkgewers in die Motornywerheid wat lede van die werkgewersorganisasies is en deur—

- (a) alle lede van die Motor Industry Employees' Union of South Africa, met inbegrip van vakleerlinge; en
- (b) alle vakmanlede van die National Union of Metalworkers of South Africa wat in besit is van 'n geldige lidmaatskapkaart graad CA of graad CAE wat voor 1 Januarie 1984 aan hulle uitgereik is.

(2) Ondanks subklausule (1) moet hierdie Ooreenkoms, in die geval van vakmanne wat lede is van die National Union of Metalworkers of South Africa en hul werkgewers (ten opsigte van sodanige vakmanne), nagekom word net in die provinsie Natal, die Kaapprovinsie en die landdrosdistrikte Alberton,

hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade of Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication and for the period ending 1 February 1996 upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions.

L. WESSELS,
Minister of Manpower.

SCHEDULE

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY

MOTOR INDUSTRY PENSION FUND AGREEMENT

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

South African Motor Industry Employers' Association

and the

South African Vehicle Builders' and Repairers' Association

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

Motor Industry Employees' Union of South Africa

and the

National Union of Metalworkers of South Africa

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

being the parties to the National Industrial Council for the Motor Industry,

to amend the Motor Industry Pension Fund Agreement published under Government Notice No. R. 7 of 2 January 1981, as amended and renewed by Government Notices Nos. R. 1581 of 30 July 1982, R. 2319 of 26 October 1984, R. 358 of 28 February 1986, R. 1724 of 15 August 1986, R. 1800 of 21 August 1987, R. 1687 of 19 August 1988, R. 1483 and R. 1484 of 29 June 1990, R. 522 of 15 March 1991 and R. 3050 of 13 December 1991.

1. CLAUSE 2: SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed throughout the Republic of South Africa (excluding the area occupied by the Cape Explosives Works Ltd, Somerset West) by all employers in the Motor Industry who are members of the employers' organisation and by—

- (a) all members of the Motor Industry Employees' Union of South Africa, including apprentices; and
- (b) all journeymen members of the National Union of metalworkers of South Africa who are validly in possession of a Grade CA or CAE membership card issued to them prior to 1 January 1984.

(2) Notwithstanding the provisions of subclause (1), in the case of journeymen who are members of the National Union of Metalworkers of South Africa and their employers (in respect of such journeymen), the terms of this Agreement shall be observed only in the Province of Natal, the Cape

Barberton, Benoni, Bethal, Boksburg, Brakpan, Brits, Ermelo, Germiston, Heidelberg (Transvaal), Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Lichtenburg, Middelburg (Transvaal), Nelspruit, Pietersburg, Piet Retief, Potchefstroom, Pretoria [met inbegrip van die gedeeltes van die landdrosdistrikte Odi en Moretele wat voor 1 Junie 1972 (Goewermentskennigsgewing No. 872, gelees saam met Goewermentskennigsgewings Nos. 893 en 894 van 26 Mei 1972) binne die landdrosdistrik Pretoria geval het], Randburg, Randfontein, Roodepoort, Rustenburg, Springs, Standerton, Vanderbijlpark, Vereeniging, Witbank, Bloemfontein (met inbegrip van die gedeeltes van die landdrosdistrikte Jagersfontein en Petrusburg wat voor die publikasie van Goewermentskennigsgewing No. 1106 van 26 Julie 1963 deel uitgemaak het van die landdrosdistrik Bloemfontein, maar uitgesonderd die gedeelte van die landdrosdistrik Bloemfontein wat voor die publikasie van Goewermentskennigsgewing No. 2076 van 19 November 1971 binne die landdrosdistrik Thaba Nchu geval het) en Kroonstad (met inbegrip van die gedeelte van die landdrosdistrik Hennenman wat voor die publikasie van Goewermentskennigsgewing No. 790 van 30 Mei 1963 deel uitgemaak het van die landdrosdistrik Kroonstad).

2. AANHANGSEL A VAN DIE PENSIOENFONDS-OOREENKOMS VIR DIE MOTORNYWERHEID

Vervang Aanhangsel A deur die volgende:

"AANSOEK OM REGISTRASIE AS LID

Ek (voor name in blokletters)
 'n lid van die volgende vakvereniging
 Vakverenigingsnommer in diens van (naam en
 adres van werkgewer)
 en woonagtig te (private adres van
 aansoeker) gebore op (dag)
 (maand) (jaar), en met die beroep
 van (meld motor-
 werktuigkundige, paneelklopper, ens., na gelang van die
 geval), doen hierby aansoek om as lid van die PENSIOEN-
 FONDS VIR DIE MOTORNYWERHEID geregistreer te word
 en onderneem om my te hou aan die bepalings van die reëls
 van die Fonds wat van tyd tot tyd van krag is.

My identiteitsnommer is

Ek benoem die volgende tot my begunstigde ingeval ek te
 sterwe kom:

Voorname (Mnr./Mev./Mej.)

Van

Verwantskap (meld vrou, seun, dogter, na gelang van die
 geval)

Adres

Identiteitsnommer (van begunstigde)

Datum (Handtekening van lid)

Opmerking: Hierdie vorm moet deur die lid en nie deur die
 begunstigde nie, onderteken word.

Province and the Magisterial Districts of Alberton, Barberton, Benoni, Bethal, Boksburg, Brakpan, Brits, Ermelo, Germiston, Heidelberg (Transvaal), Johannesburg, Kempton Park, Klerksdorp, Krugersdorp, Lichtenburg, Middelburg (Transvaal), Nelspruit, Pietersburg, Piet Retief, Potchefstroom, Pretoria [including those portions of the Magisterial District of Odi and Moretele which, prior to 1 June 1972 (Government Notice No. 872 read with Government Notices Nos. 893 and 894 of 26 May 1972), fell within the Magisterial District of Pretoria], Randburg, Randfontein, Roodepoort, Rustenburg, Springs, Standerton, Vanderbijlpark, Vereeniging, Witbank, Bloemfontein (including those portions of the Magisterial Districts of Jagersfontein and Petrusburg which, prior to the publication of Government Notice No. 1106 of 26 July 1963, formed part of the Magisterial District of Bloemfontein, but excluding that portion of the Magisterial District of Bloemfontein which, prior to the publication of Government Notice No. 2076 of 19 November 1971, fell within the Magisterial District of Thaba Nchu) and Kroonstad (including that portion of the Magisterial District of Hennenman which, prior to the publication of Government Notice No. 790 of 30 May 1963, formed part of the Magisterial District of Kroonstad).

2. ANNEXURE A TO MOTOR INDUSTRY PENSION FUND AGREEMENT

Substitute the following for Annexure A:

"APPLICATION FOR REGISTRATION AS A MEMBER

I (first names in block letters)
 surname
 a member of the following trade union
 Union No.
 employed by (employer's name and address)
 and residing at (applicant's
 private address)
 my date of birth being (day)
 (month) (year), and my
 trade (state motor mechanic,
 panel beater, as the case may be) hereby apply to be regis-
 tered as a member of the MOTOR INDUSTRY PENSION
 FUND and agree to abide by the provisions of the Fund's
 rules in force from time to time.

My Identity No. is

I nominate the following as my beneficiary in the event of
 my death:

First names (Mr./Mrs./Miss.)

Surname

Relationship (state wife, son, daughter, as the case may
 be)

Address

Identity No. (of nominee)

Date (Signature of member)

Note: This form must be signed by the member and not the
 nominee.

MEDIËSE GESKIEDENIS

Geliewe "JA" of "NEE" op die volgende vrae te antwoord, om die Fonds in staat te stel om te beslis of 'n VOLLEDIGE, GEDETAILEERDE MEDIËSE ONDERSOEK benodig word.

Indien "JA", verstrek asseblief volle besonderhede in die Bylae hieronder.

1. Het u al aan een of meer van die volgende gely:

JA/NEE

- 1.1 Enige hartongesteldheid, bv. ruma-tiekkoors, hartgeruise, kore-nêre slagaarsiekte, borspyne, kortasem-heid of hartkloppings. ☐
 - 1.2 Hoë bloeddruk of 'n bloedvaatsiekte of omloopafwyking of spatare. ☐
 - 1.3 Enige respiratoriese of longkwaal, bv. asma, brongitis, aanhoudende gehoës, toring (TB). ☐
 - 1.4 Enige ongesteldheid van die spys-verteringstelsel, galblaas of lewer, bv. werklike of vermeende maag- of twaalfvingerdermseer, terugkerende slegte spysvertering of spleetbreuk. ☐
 - 1.5 Siekte of aandoening van die niere, blaas of voortplantingsorgane, bv. eiwit in urine, stene of veneriese siekte. ☐
 - 1.6 Enige senu- of geestes-kwaal, bv. vallende siekte, floutes, verlamming, angstoestand of bedruktheid. ☐
 - 1.7 Oor-, oog-, neus- of keelaandoe-ning, bv. ooruitstroming, gebrekkige gesigsvermoë, terugkerende man-gelontsteking, katarak of gesigsge-brek. ☐
 - 1.8 Ongesteldheid of siekte van die spiere, bene, gewrigte, ledemate, ruggraat, bv. rumatiek, gewrig-ontsteking, jig, verskuifde werwel of ander rugprobleme. ☐
 - 1.9 Suikersiekte, suiker in die urine, skildklier- of ander klier- of bloed-ongesteldheid. ☐
 - 1.10 Kanker, 'n vergroëisel of gewas van enige aard. ☐
 - 1.11 Enige tropiese siekte, bv. bilharzia, malaria. ☐
 - 1.12 Enige ander siekte, ongesteldheid, operasie, ongeskiktheid of ongeluk. ☐
2. Indien nie reeds genoem nie, het u gedurende die afgelope vyf jaar:
- 2.1 Enige X-strale, EKG's of ander ondersoeke, operasies of hospitali-sasie ondergaan? ☐
 - 2.2 Enige kursus pynstillers, kalmeer-middels of geneesmiddels om mediese of enige ander redes ondergaan? ☐
 - 2.3 Enige dokters of spesialiste geraad-pleeg? ☐
3. Is u MIV-positief getoets? ☐
4. Het u enige soort toets vir vigs onder-gaan? ☐
5. Het u enige vorm van ongeskiktheids-toelae/pensioen en/of swakgesond-heidspensioen van enige ander pen-sioenfonds / WVF / militêr / versekering, ens. ontvang? ☐

MEDICAL HISTORY

Please answer "YES" or "NO" to the following questions, to allow the Fund to determine whether or not a FULL, DETAILED MEDICAL EXAMINATION is required. If "YES" please give full details in the Schedule below.

1. Have you ever suffered from one or more of the following:

YES/NO

- 1.1 Any disorder of the heart, e.g. rheu-matic fever, heart murmur, coronary artery disease, chest pains, short-ness of breath or palpitations. ☐
 - 1.2 High blood pressure or a disease of the blood vessels or a circulatory disorder, or varicose veins. ☐
 - 1.3 Any respiratory or lung trouble, e.g. asthma, bronchitis, persistent cough, tuberculosis (TB). ☐
 - 1.4 Any disorder of the digestive system, gall bladder or liver, e.g. actual or suspected gastric or duodenal ulcer, recurrent indigestion or hiatus hernia. ☐
 - 1.5 Disease or disorder of the kidneys, bladder or reproductive organs, e.g. albumin in urine, stones or venereal disease. ☐
 - 1.6 Any nervous or mental complaint, e.g. epilepsy, blackouts, paralysis, anxiety state or depression. ☐
 - 1.7 Ear, eye, nose or throat disorder, e.g. ear discharge, defective vision, recurrent tonsilitis, cataract or visual defect. ☐
 - 1.8 Disorder or disease of muscles, bones, joints, limbs, spine. e.g. rheu-matism, arthritis, gout, slipped disc or other back trouble. ☐
 - 1.9 Diabetes, sugar in urine, thyroid or other glandular or blood disorder. ☐
 - 1.10 Cancer, growth or tumour of any kind. ☐
 - 1.11 Any tropical disease, e.g. bilharzia, malaria. ☐
 - 1.12 Any other illness, disorder, opera-tion, disability or accident. ☐
2. If not already stated, have you during the past five years:
- 2.1 Had any X-rays, ECG's or other in-vestigations, operations or been hospitalised? ☐
 - 2.2 Taken any course of sedatives, tran-quillizers or drugs for medical or any other reasons? ☐
 - 2.3 Consulted any doctors or special-ists? ☐
3. Have you tested HIV positive? ☐
4. Have you had any kind of AIDS test? ☐
5. Have you received any form of disabil-ity grant/pension and/or ill health pen-sion from any other pension fund/WCA/ military/insurance, etc.? ☐

BYLAE

Vraag-nommer	Aard en duur van kwaal/simptome	Datum	Naam en adres van behandelende dokter of hospitaal	Wanneer het aansoeker simptome openbaar

Ek sertifiseer hierby dat die antwoorde soos deur my verstrekk op bogenoemde vrae volledig en waar is in alle opsigte en versuim deur my om mediese inligting aan die Fonds te verstrek, kan lei tot beperkings en/of nie-betaling van enige vorm van swakgesondheidspensioen en/of doodsvoordele. Ek aanvaar dat die Fonds my mag adviseer om op hulle onkoste 'n meer gedetailleerde mediese ondersoek te ondergaan en indien so 'n mediese verslag in enige opsig onbevredigend is, beperkings op die normale voordele kragtens die reëls van die Pensioenfonds toegepas kan word.

AANSOEKER SE HAND-
TEKENING

DATUM

SLEGS VIR KANTOORGEBRUIK

Datum van ontvangs..... Datum van registrasie.....

Registrasienommer.....

Nadat dit ingevul is, moet hierdie vorm gestuur word aan:

Die Streeksekretaris

Nasionale Nywerheidsraad vir die Motornywerheid

Streek.....

Posbus.....

Namens die partye op hede die 11de dag van November 1993 te Johannesburg onderteken.

T. NIEUWOUDT,

President van die Raad.

C. S. ROBERTS,

Visepresident van die Raad.

B. G. DU PREEZ,

Hoofsekretaris van die Raad.

SCHEDULE

Question number	Nature and duration of complaint or symptoms	Date	Name and address of attending doctor or hospital	When did applicant have symptoms

I hereby certify that the answers provided by me to the above questions are complete and true in every respect and failure on my behalf to disclose medical information to the Fund may lead to restrictions and/or non-payment of any form of ill-health pension and/or death benefit. I also accept the Fund may advise me at their cost to undergo a more detailed medical examination and if such medical report is unsatisfactory in any way, restrictions may be applied to the normal benefits in terms of the rules of the Pension Fund.

APPLICANT'S SIGNATURE

DATE

FOR OFFICE USE ONLY

Date received..... Date registered.....

Reg. No.

When completed, this form must be forwarded to:

The Regional Secretary

National Industrial Council for the Motor Industry

Region,

P.O. Box

Signed at Johannesburg, on behalf of the parties, this 11th day of November 1993.

T. NIEUWOUDT,

President of the Council.

C. S. ROBERTS,

Vice-President of the Council.

B. G. DU PREEZ,

General Secretary of the Council.

No. R. 2555

31 Desember 1993

WET OP ARBEIDSVERHOUDINGE, 1956

DIE NASIONALE NYWERHEIDSRaad VIR DIE
MOTORNYWERHEID: WYSIGING VAN MISA-PEN-
SIOENFONDSOORENKOMS

Ek, Leon Wessels, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms

No. R. 2555

31 December 1993

LABOUR RELATIONS ACT, 1956

THE NATIONAL INDUSTRIAL COUNCIL FOR THE
MOTOR INDUSTRY: AMENDMENT OF MISA PEN-
SION FUND AGREEMENT

I, Leon Wessels, Minister of Manpower, hereby, in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement)

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 datum van publikasie en vir die tydperk wat op 31 Julie 1995 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is.

L. WESSELS,
Minister van Mannekrag.

BYLAE

DIE NASIONALE NYWERHEIDSRaad VIR DIE MOTORNYWERHEID

MISA-PENSIOENFONDSOOREENKOMS

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

South African Motor Industry Employers' Association
en die

South African Vehicle Builders' and Repairers' Association

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

Motor Industry Staff Association

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

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid,

tot wysiging van die Misa-pensioenfondsooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1530 van 25 Julie 1980, soos gewysig en verleng by Goewermentskennisgewings Nos. R. 2634 van 24 Desember 1980, R. 1582 van 30 Julie 1982, R. 2320 van 26 Oktober 1984, R. 1201 van 30 Mei 1985, R. 1726 van 15 Augustus 1986, R. 1801 van 21 Augustus 1987, R. 1688 van 19 Augustus 1988, R. 1485 en R. 1486 van 29 Junie 1990 en R. 3049 van 13 Desember 1991.

1. KLOUSULE 2: TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Behoudens die uitsonderings bedoel in subklousule (2) van hierdie klousule en in klousule 5 van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1530 van 25 Julie 1980, soos van tyd tot tyd gewysig en hernieu, is hierdie Ooreenkoms in die Streke hierin omskryf, bindend vir alle werkgewers in die Motornywerheid wat lede van die werkgewersorganisasies is, uitgesonderd die werkgewers wat—

- (a) ingevolge Hoofstuk II van die Hoofdooreenkoms vir die Motornywerheid, gepubliseer by Goewermentskennisgewing No. R. 1495 van 25 Julie 1980, as voertuigbouers geregistreer is; en/of
- (b) ingevolge Hoofstuk III van genoemde Hoofdooreenkoms as vervaardigers geregistreer is;

en vir alle manlike klerke onder die ouderdom van 65 jaar en vroulike klerke onder die ouderdom van 60 jaar wat lede van die vakvereniging is en nie in diens is nie by die werkgewers wat in paragrawe (a) en (b) van hierdie subklousule bedoel word.

(2) 'n Werkgewer wat op 1 September 1965 'n pensioenskema in werking gehad het wat sy klerke dek en wat voorgaan om die pensioenskema in werking te hou en daaraan deel te neem, is nie, behoudens die uitsonderings in subklousule (3) van hierdie klousule vermeld, aan hierdie Ooreenkoms onderworpe wat betref sy werknemers wat aan so 'n pensioenskema deelneem nie.

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 and for the period ending 31 July 1995 upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions.

L. WESSELS,
Minister of Manpower.

SCHEDULE

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY

MISA PENSION FUND AGREEMENT

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

South African Motor Industry Employers' Association
and the

South African Vehicle Builders' and Repairers' Association

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

Motor Industry Staff Association

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

being the parties to the National Industrial Council for the Motor Industry,

to amend the Misa Pension Fund Agreement published under Government Notice No. R. 1530 of 25 July 1980, as amended and extended by Government Notices Nos. R. 2634 of 24 December 1980, R. 1582 of 30 July 1982, R. 2320 of 26 October 1984, R. 1201 of 30 May 1985, R. 1726 of 15 August 1986, R. 1801 of 21 August 1987, R. 1688 of 19 August 1988, R. 1485 and R. 1486 of 29 June 1990 and R. 3049 of 13 December 1991.

1. CLAUSE 2: SCOPE OF APPLICATION OF AGREEMENT

(1) Subject to the exclusions referred to in subclause (2) of this clause and in clause 5 of the Agreement published under Government Notice No. R. 1530 of 25 July 1980, as amended and renewed from time to time, the terms of this Agreement shall be binding in the Regions defined herein upon all employers in the Motor Industry who are members of the employers' organisations other than those employers who—

- (a) are registered as vehicle body builders in terms of the provisions of Chapter II of the Main Agreement for the Motor Industry published under Government Notice No. R. 1495 of 25 July 1980; and/or
- (b) are registered as manufacturers in terms of the provisions of Chapter III of the said Main Agreement;

and upon all male clerical employees under 65 years of age and female clerical employees under 60 years of age who are members of the trade union and who are not employed by the employers referred to in paragraphs (a) and (b) of this subclause.

(2) An employer who had in operation on 1 September 1965 and continues to operate and participate in a pension scheme which covers his clerical employees shall not, in respect of those of his employees who are participants in such pension scheme and, subject to the exceptions detailed in subclause (3) of this clause, be subject to the provisions of this Agreement.

(3) Die uitsondering in subklousule (2) van hierdie klousule vervat, is nie van toepassing nie—

(a) as 'n werkgewer se pensioenskema gewysig word op 'n wyse wat, of vervang word deur 'n ander pensioenskema wat, minder gunstige pensioenvoordele vir sy klerke meebring as dié verskaf deur die skema wat op 1 September 1965 bestaan het;

(b) op werknemers wat 'n proeftydperk moet voltooi voordat hulle vir lidmaatskap van die werkgewer se skema in aanmerking kom—

(i) in alle gevalle, ten opsigte van 'n tydperk wat die proeftydperk langer as 12 maande is; en

(ii) in die geval van werknemers wat lede is van die Misa-pensioenfonds wat gestig is ingevolge die Ooreenkoms gepubliseer by Goewerments-kennisgewing No. R. 1253 van 27 Augustus 1965, vanaf die tyd wat hulle by die werkgewer in diens tree totdat die proeftydperk voltooi is.

2. AANHANGSEL A VAN MISA-PENSIOENFONDS-OOREENKOMS

Vervang Aanhangel A deur die volgende:

"AANSOEK OM REGISTRASIE AS LID

DEEL I

Ek (voornamen in blokletters) van
gebore op (geboortedatum) (dag)
(maand) (jaar), 'n lid van die Motor Industry Staff Association, Lidmaatskapno , by (werkgewer se naam en adres) in diens as 'n (meld klerk, tikster, pakhuysman, rekenmeester, sekretaris, ens.), wat te (aansoeker se private adres) woon, doen hierby aansoek om as lid van die MISA-PENSIOENFONDS geregistreer te word, en stem in om my by die bepalinge van die reëls van die Fonds wat van tyd tot tyd van krag is, te hou. My identiteitsnommer is

Ek benoem die volgende persoon tot my begunstigde ingeval ek te sterwe kom:

(Voornamen) Mnr./Mev./Mej.

Van:

Verwantskap (meld vrou, seun, dogter, na gelang van die geval)

Adres:

Identiteitsnommer van begunstigde (waar van toepassing)

Datum (Handtekening van lid)

DEEL II

(MOET DEUR WERKGEWER TEN OPSIGTE VAN VROU-LIKE WERKNEMERS INGEVUL WORD)

Ek/Ons doen hierby aansoek om lidmaatskap van die Misa-pensioenfonds namens en met die toestemming van Mev./Mej. en stem in om elke maand die betrokke bydraes deur middel van my/ons maandelikse opgawes aan die Raad te stuur.

Datum (HANDTEKENING VAN WERKGEWER OF GEMAGTIGDE VERTEENWOORDIGER)

(3) The exclusion contained in subclause (2) of this clause shall not apply—

(a) if an employer's pension scheme is amended in a manner which, or is replaced by another pension scheme which results in less favourable pension benefits to his clerical employees than those provided by the scheme which was in existence of 1 September 1965;

(b) in respect of employees who must complete a period of probation before they become eligible for membership of the employers' scheme—

(i) in all cases, in respect of any period by which the probationary period exceeds 12 months; and

(ii) in the case of employees who are members of the Misa Pension Fund established in terms of the Agreement published under Government Notice No. R. 1253 of 27 August 1965 from the time they join the employer's service, until the period of probation has been completed.

2. ANNEXURE A TO MISA PENSION FUND AGREEMENT

Substitute the following for Annexure A:

"APPLICATION FOR REGISTRATION AS A MEMBER

PART I

I (First names, in block letters)
surname born (date of birth) (day)
(month) (year), a member of the Motor Industry Staff Association, Membership No.
employed by (employer's name and address)

as a (state clerk, typist, storekeeper, accountant, secretary, etc.) and residing

at (applicant's private address)
hereby apply to be registered as a member of the MISA PENSION FUND and agree to abide by the provisions of the Fund's rules in force from time to time.

My identity No. is:

I nominate as my beneficiary in the event of my death:

(First names) Mr./Mrs./Miss

Surname:

Relationship (state wife, son, daughter, as the case may be)

Address:

Identity No. of beneficiary (where applicable)

Date (Signature of member)

PART II

(FOR COMPLETION BY EMPLOYER IN RESPECT OF FEMALE EMPLOYEES)

I/We hereby apply for membership of the Misa Pension Fund on behalf and with the approval of Mrs/Miss and agree to forward the relevant contributions to the Council each month through the medium of my/our monthly returns.

Date SIGNATURE OF EMPLOYER OR AUTHORISED REPRESENTATIVE

MEDIËSE GESKIEDENIS

Geliewe "JA" of "NEE" op die volgende vrae te antwoord, om die Fonds in staat te stel om te beslis of 'n VOLLEDIGE, GEDETAILLEERDE MEDIËSE ONDERSOEK benodig word.

Indien "JA", verstrek asseblief volle besonderhede in die Bylae hieronder.

1. Het u al aan een of meer van die volgende gely:

JA/NEE

1. Enige hartongesteldheid, bv. ruma-tiekkoors, hartgeruise, koronêre slagaarsiekte, borspyne, kortasem-heid of hartkloppings. ☐
2. Hoë bloeddruk of 'n bloedvaatsiekte of omloopafwyking of spatare. ☐
3. Enige respiratoriese of longkwale, bv. asma, brongitis, aanhoudende gehoos, toring (TB). ☐
4. Enige ongesteldheid van die spys-verteringstelsel, galblaas of lewer, bv. werklike of vermeende maag- of twaalfvingerdermseer, terugkerende slegte spysvertering of spleetbreuk. ☐
5. Siekte of aandoening van die niere, blaas of voortplantingsorgane, bv. eiwit in urine, stene of veneriese siekte. ☐
6. Enige senu- of geesteskwaal, bv. vallende siekte, floutes, verlamming, angstoestand of bedruktheid. ☐
7. Oor-, oog-, neus- of keelaandoe-ning, bv. ooruitstroming, gebrekkige gesigsvermoë, terugkerendemangel-ontsteking, katarak of gesigsgebrek. ☐
8. Ongesteldheid of siekte van die spiere, bene, gewrigte, ledemate, ruggraat, bv. rumatiek, gewrig-ontsteking, jig, verskuifde werwel of ander rugprobleme. ☐
- 1.9 Suikersiekte, suiker in die urine, skildklier- of ander klier- of bloed-ongesteldheid. ☐
- 1.10 Kanker, 'n vergroei-sel of gewas van enige aard. ☐
- 1.11 Enige tropiese siekte, bv. bilharzia, malaria. ☐
- 1.12 Enige ander siekte, ongesteldheid, operasie, ongeskiktheid of ongeluk. ☐

2. Indien nie reeds genoem nie, het u gedurende die afgelope vyf jaar:

- 2.1 Enige x-strale, EKG's of ander ondersoeke, operasies of hospitali-sasie ondergaan? ☐
- 2.2 Enige kursus pynstillers, kalmeer-middels of geneesmiddels om mediese of enige ander redes ondergaan? ☐
- 2.3 Enige dokters of spesialiste geraad-pleeg? ☐

13. Is u MIV-positief getoets?

14. Het u enige soort toets vir vigs onder-gaan? ☐

MEDICAL HISTORY

Please answer "YES" or "NO" to the following questions, to allow the Fund to determine whether or not a FULL, DETAILED MEDICAL EXAMINATION is required. If "YES" please give full details in the Schedule below.

1. Have you ever suffered from one or more of the following:

YES/NO

1. Any disorder of the heart, e.g. rheu-matic fever, heart murmur, coronary artery disease, chest pains, short-ness of breath or palpitations. ☐
2. High blood pressure or a disease of the blood vessels or a circulatory disorder, or varicose veins. ☐
3. Any respiratory or lung trouble, e.g. asthma, bronchitis, persistent cough, tuberculosis (TB). ☐
4. Any disorder of the digestive system, gall bladder or liver, e.g. actual or suspected gastric or duo-denal ulcer, recurrent indigestion or hiatus hernia. ☐
5. Disease or disorder of the kidneys, bladder or reproductive organs, e.g. albumin in urine, stones or venereal disease. ☐
6. Any nervous or mental complaint, e.g. epilepsy, blackouts, paralysis, anxiety state or depression. ☐
7. Ear, eye, nose or throat disorder, e.g. ear discharge, defective vision, recurrent tonsillitis, cataract or visual defect. ☐
8. Disorder or disease of muscles, bones, joints, limbs, spine, e.g. rheu-matism, arthritis, gout, slipped disc or other back trouble. ☐
- 1.9 Diabetes, sugar in urine, thyroid or other glandular or blood disorder. ☐
- 1.10 Cancer, growth or tumour of any kind. ☐
- 1.11 Any tropical disease, e.g. bilharzia, malaria. ☐
- 1.12 Any other illness, disorder, opera-tion, disability or accident. ☐

2. If not already stated, have you during the past five years:

- 2.1 Had any X-rays, EGG's or other investigations, operations or been hospitalised? ☐
- 2.2 Taken any course of sedatives, tran-quillisers or drugs for medical or any other reasons? ☐
- 2.3 Consulted any doctors or special-ists? ☐

13. Have you tested HIV positive? ☐14. Have you had any kind of AIDS test? ☐

15. Het u enige vorm van ongeskiktheidstoelae/pensioen en/of swakgesondheidspensioen van enige ander pensioenfonds / WVF / militêr / versekering, ens. ontvang?

BYLAE

Vraag-nummer	Aard en duur van kwaal/simptome	Datum	Naam en adres van behandelende dokter of hospitaal	Wanneer het aansoeker simptome openbaar

Ek sertifiseer hierby dat die antwoorde soos deur my verstrekte op bogenoemde vrae volledig en waar is in alle opsigte en versuim deur my om mediese inligting aan die Fonds te verstrek, kan lei tot beperkings en/of nie-betaling van enige vorm van swakgesondheidspensioen en/of doodsvoordele. Ek aanvaar dat die Fonds my mag adviseer om op hulle onkoste 'n meer gedetailleerde mediese ondersoek te ondergaan en indien so 'n mediese verslag in enige opsig onbevredigend is, beperkings op die normale voordele kragtens die reëls van die Pensioenfonds toegepas kan word.

AANSOEKER SE HANDTEKENING

DATUM

SLEGS VIR KANTOORGEBRUIK

Datum van ontvangs Datum van registrasie
 Registrasienommer

Nadat dit ingevul is, moet hierdie vorm gestuur word aan:

Die Streeksekretaris
 Nasionale Nywerheidsraad vir die Motornywerheid
 Streek
 Posbus

Namens die partye op hede die 11de dag van November 1993 te Johannesburg onderteken.

T. NIEUWOUDT,

President van die Raad.

C. S. ROBERTS,

Visepresident van die Raad.

B. G. DU PREEZ,

Hoofsekretaris van die Raad.

15. Have you received any form of disability grant/pension and/or ill health pension from any other pension fund/WCA/military/insurance, etc.?

SCHEDULE

Question number	Nature and duration of complaint or symptoms	Date	Name and address of attending doctor or hospital	When did applicant have symptoms

I hereby certify that the answers provided by me to the above questions are complete and true in every respect and failure on my behalf to disclose medical information to the Fund may lead to restrictions and/or non-payment of any form of ill-health pension and/or death benefit. I also accept the Fund may advise me at their cost to undergo a more detailed medical examination and if such medical report is unsatisfactory in any way, restrictions may be applied to the normal benefits in terms of the rules of the Pension Fund.

APPLICANT'S SIGNATURE

DATE

FOR OFFICE USE ONLY

Date received Date registered
 Reg. No.

When completed, this form must be forwarded to:

The Regional Secretary
 National Industrial Council for the Motor Industry
 Region
 P.O. Box

Signed at Johannesburg on behalf of the parties, this 11th day of November 1993.

T. NIEUWOUDT,

President of the Council.

C. S. ROBERTS,

Vice-President of the Council.

B. G. DU PREEZ,

General Secretary of the Council.

INHOUD

No.

Bladsy No. Koerant No.

GOEWERMENSKENNISGEWINGS

Handel en Nywerheid, Departement van
 Goewermenskennisgewings

R. 2514	Wysiging van Bylae 1 kragtens die Wet op Patente	47	15389
R. 2519	Wysiging van Bylae 1 kragtens die Wet op Handelsmerke	51	15389
R. 2520	Wysiging van Bylae 1 kragtens die Wet op Modelle	56	15389
R. 2521	Wysiging van Bylae 1 kragtens die Wet op Registrasie van Outeursreg in Rolprente	57	15389
R. 2527	Sekuriteitereguleringskode vir Oornames en Samesmeltings en die Reëls van die Paneel oor Sekuriteiteregulering: Wysiging	59	15389

Justisie, Departement van
 Goewermenskennisgewings

R. 2516	Kommissaris van Ede: Aanwysing	61	15389
---------	--------------------------------------	----	-------

CONTENTS

No.

Page No. Gazette No.

GOVERNMENT NOTICES

Agriculture, Department of

Government Notices

R. 2534	Regulations: Plant Breeders' Rights: Amendment	62	15389
R. 2535	Control of the importation of butter, cheese, condensed milk, condensed skim-milk, milk powder and skim-milk powder	63	15389
R. 2536	Potato Scheme: Revocation	63	15389

Environment Affairs, Department of

Government Notice

R. 2556	Amendment of regulations	72	15389
---------	--------------------------------	----	-------

Justice, Department of

Government Notice

R. 2516	Commissioners of Oaths: Designation	61	15389
---------	---	----	-------

No.	Bladsy No.	Koerant No.	No.	Page No.	Gazette No.
Landbou, Departement van			Manpower, Department of		
<i>Goewermentskennisgewings</i>			<i>Government Notices</i>		
R. 2534	Regulasies: Planttelersregte: Wysiging ...	62 15389	R. 2510	Electrical Contracting Industry, Transvaal: Amendment of Main Agreement	78 15389
R. 2535	Beheer oor die invoer van botter, kaas, gekondenseerde melk, gekondenseerde afgeroomde melk, melkpoeier en afgeroomde melkpoeier	63 15389	R. 2531	Textile Industry: Designation of trades and prescription of conditions of apprenticeship	86 15389
R. 2536	Aartappelskema: Herroeping	63 15389	R. 2546	Furniture Manufacturing Industry, Eastern Cape Province: Renewal of Training Fund Agreement	87 15389
Mannekrag, Departement van			R. 2547	do.: Amendment of Training Fund Agreement	88 15389
<i>Goewermentskennisgewings</i>			R. 2548	do.: Amendment of Main Agreement	89 15389
R. 2510	Elektrotegniese Aannemingsnywerheid, Transvaal: Wysiging van Hoofdooreenkoms	78 15389	R. 2549	Clothing Industry, Transvaal: Amendment of Fund Agreement	92 15389
R. 2531	Tekstielynwyerheid: Aanwysing van ambagte en voorskrywing van leervoerwaardes	86 15389	R. 2550	Knitting Industry, Transvaal: Amendment of Agreement	95 15389
R. 2546	Meubelnywerheid, Oostelike Kaapprovinsie: Hernuwing van Opleidingsfondsooreenkoms	87 15389	R. 2551	Cancellation of Government Notice: Transnet Industrial Council	101 15389
R. 2547	do.: Wysiging van Opleidingsfondsooreenkoms	88 15389	R. 2552	Transnet Industrial Council: Re-enactment of Main Agreement	101 15389
R. 2548	do.: Wysiging van Hoofdooreenkoms	89 15389	R. 2553	National Industrial Council for the Motor Industry: Amendment of Auto Workers' Pension Fund Agreement	107 15389
R. 2549	Klerasiennywerheid, Transvaal: Wysiging van Fondsooreenkoms	92 15389	R. 2554	do.: Amendment of Motor Industry Pension Fund Agreement	111 15389
R. 2550	Breinywerheid, Transvaal: Wysiging van Ooreenkoms	95 15389	R. 2555	do.: Amendment of MISA Pension Fund Agreement	115 15389
R. 2551	Intrekking van Goewermentskennisgewing: Transnet Nywerheidsraad	101 15389	National Health and Population Development, Department of		
R. 2552	Transnet Nywerheidsraad: Herbekragtiging van Hoofdooreenkoms	101 15389	<i>Government Notices</i>		
R. 2553	Nasionale Nywerheidsraad vir die Motornywerheid: Wysiging van Pensioenfondsooreenkoms vir Motorwerkers	107 15389	R. 2515	Declaration of the City Council of Cape Town to be local authority for Cape Town Harbour area	63 15389
R. 2554	do.: Wysiging van Pensioenfondsooreenkoms vir die Motornywerheid	111 15389	R. 2558	Regulations: Medical Schemes Act	64 15389
R. 2555	do.: Wysiging van MISA Pensioenfondsooreenkoms	115 15389	Posts and Telecommunications, Department of		
Nasionale Gesondheid en Bevolkingsontwikkeling, Departement van			<i>Government Notices</i>		
<i>Goewermentskennisgewings</i>			R. 2557	Amendment of Radio Regulations	73 15389
R. 2515	Verklaring van die Stadsraad van Kaapstad tot plaaslike bestuur vir die hawegebied van Kaapstad	63 15389	Provincial Administration of the Orange Free State		
R. 2558	Regulasies: Wet op Mediese Skemas	64 15389	<i>Government Notices</i>		
Omgewingsake, Departement van			R. 2540	Regulations: Amendment of Government Notice No. R. 1086 of 1960	75 15389
<i>Goewermentskennisgewing</i>			R. 2541	do.: Amendment of Government Notice No. R. 1034 of 1974	76 15389
R. 2556	Wysiging van regulasies	72 15389	R. 2542	do.: do.	77 15389
Pos- en Telekommunikasiewese, Departement van			R. 2543	do.: do.	77 15389
<i>Goewermentskennisgewings</i>			Trade and Industry, Department of		
R. 2557	Wysiging van Radioregulasies	73 15389	<i>Government Notices</i>		
Provinsiale Administrasie van die Oranje-Vrystaat			R. 2514	Amendment of Schedule 1 in terms of the Patents Act	47 15389
<i>Goewermentskennisgewings</i>			R. 2519	Amendment of Schedule 1 in terms of the Trade Marks Act	51 15389
R. 2540	Regulasies: Wysiging van Goewermentskennisgewing No. R. 1086 van 1960	75 15389	R. 2520	Amendment of Schedule 1 in terms of the Designs Act	56 15389
R. 2541	do.: Wysiging van Goewermentskennisgewing No. R. 1034 van 1974	76 15389	R. 2521	Amendment of Schedule 1 in terms of the Registration of Copyright in Cinematograph Films Act	57 15389
R. 2542	do.: do.	77 15389	R. 2527	Securities Regulation Code on Takeovers and Mergers and the Rules of the Securities Regulation Panel: Amendment	59 15389
R. 2543	do.: do.	77 15389	Transport, Department of		
Vervoer, Departement van			<i>Government Notices</i>		
<i>Goewermentskennisgewings</i>			R. 2513	Merchant Shipping Fees: Regulations	1 15389
R. 2513	Regulasies: Handelskeepvaartgelde	1 15389	R. 2559	Twenty-Fifth Amendment of the Air Navigation Regulations	36 15389
R. 2559	Vyf-en-twintigste Wysiging van die, Lugvaartregulasies	36 15389			