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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 154

9 February 1996

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

TOBACCO SCHEME: RETURNS TO BE RENDERED AND RECORDS TO BE KEPT BY CERTAIN PERSONS IN
CONNECTION WITH TOBACCO: AMENDMENT

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

(a) the Tobacco Board referred to in section 6 of the Tobacco Scheme published by Proclamation No. R. 159 of 1971, as amended, has under section 31 of the said Scheme made the requirements set out in the Schedule;

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

(c) Government Notice No. R. 1189 of 7 July 1972 as amended by Government Notices Nos. R. 2057 of 5 November 1976 and R. 1370 of 6 July 1984, are hereby repealed with effect from the said date.

A. I. VAN NIEKERK
Minister of Agriculture

SCHEDULE

Definitions

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

“agent” means a person specified under section 37 of the said Scheme as a person through whom producers shall sell all tobacco produced by them;

“wholesaler”, “exporter” and “manufacturer” means a person registered as such under section 35 of the said Scheme or who ought to be so registered.

“quarter” means each of the four ensuing three months periods extending from 1 January to 31 March, 1 April to 30 June, 1 July to 30 September and 1 October to 31 December of a year.

Agents

2. (1) Each agent shall within 14 days after the last day of each quarter furnish the Board with a return reflecting the particulars required on such forms in respect of that quarter.

- (2) An agent shall retain the records referred to in subclause (1) for a period of not less than three years.

Wholesalers

3. (1) Each wholesaler shall within 14 days after the last day of each quarter furnish the Board with a return reflecting the particulars required on such form in respect of that quarter.

- (2) The provisions of clause 2 (2) shall *mutatis mutandis* apply to any person referred to in subclause (1).

Exporters

4. (1) Each exporter shall within 14 days after the last day of each quarter furnish the Board with a return reflecting the particulars required on such forms in respect of that quarter.

- (2) The provisions of clause 2 (2) shall *mutatis mutandis* apply to any person referred to in subclause (1).

Manufacturers

5. (1) Each manufacturer shall within 14 days after the last day of each quarter furnish the Board with a return reflecting the particulars required on such forms in respect of that quarter.

- (2) The provisions of clause 2 (2) shall *mutatis mutandis* apply to any person referred to in subclause (1).

Manner in which returns have to be rendered

6. (1) The returns referred to in clauses 2, 3, 4 and 5 shall —

(a) be rendered on the applicable form which is obtainable on request from the Board for this purpose;

(b) be completed in ink;

(c) when forwarded by post, be addressed to the General Manager, Tobacco Board, P.O. Box 26100, Arcadia, 0007;

(d) when delivered by hand, be delivered to the office of the General Manager, Tobacco Board, Oil Seeds Building, 526 Vermeulen Street, Arcadia, Pretoria; and

(e) be thus forwarded or delivered to reach the General Manager of the Board on or before the applicable return dates mentioned in those clauses.

- (2) Postage on and delivery costs of a return referred to in subclause (1) shall be prepaid by the consigner concerned.

(3) A return referred to in clauses 2, 3, 4 and 5 shall be rendered even if no transactions in or dealings with tobacco occurred during the period concerned.

No. R. 154

9 Februarie 1996

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

TABAKSKEMA: OPGAWES WAT VERSTREK EN AANTEKENING WAT GEHOU MOET WORD DEUR SEKERE PERSONE IN VERBAND MET TABAK: WYSIGING

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

(a) die Tabakraad bedoel in artikel 6 van die Tabakskema gepubliseer by Proklamasie No. R. 159 van 1971, soos gewysig, kragtens artikel 31 van genoemde Skema die voorskrifte in die Bylae uitgevaardig het;

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

(c) Goewermmentskennisgewing No. R. 1189 van 7 Julie 1972 soos gewysig deur Goewermmentskennisgewings Nos. R. 2057 van 5 November 1976 en R. 1370 van 6 Julie 1984, met ingang van genoemde datum herroep word.

A. I. VAN NIEKERK

Minister van Landbou

BYLAE

Woordskrywings

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

“agent” iemand wat kragtens artikel 37 van die genoemde Skema vermeld is as 'n persoon deur bemiddeling van wie produsente alle tabak deur hul geproduseer, moet verkoop;

“groothandelaar”, “uitvoerder” en “verwerker” iemand wat kragtens artikel 35 van die genoemde Skema as sulks geregistreer is of geregistreer behoort te wees; en

“kwartaal” elkeen van die vier opeenvolgende drie maande tydperke wat strek vanaf 1 Januarie tot 31 Maart, 1 April tot 30 Junie, 1 Julie tot 30 September en 1 Oktober tot 31 Desember van 'n jaar.

Agente

2. (1) Elke agent moet binne 14 dae na die laaste dag van elke kwartaal aan die Raad 'n opgawe verstrek waarop die besonderhede op die betrokke vorms vereis ten opsigte van daardie kwartaal aangetoon word.

(2) 'n Agent moet die in subklousule (1) bedoelde aantekeninge vir 'n tydperk van nie minder nie as drie jaar behou.

Groothandelaars

3. (1) Elke groothandelaar moet binne 14 dae na die laaste dag van elke kwartaal aan die Raad 'n opgawe verstrek waarop die besonderhede op die betrokke vorm vereis ten opsigte van daardie kwartaal aangetoon word.

(2) Die bepalings van subklousule 2 (2) is *mutatis mutandis* van toepassing op 'n in subklousule (1) bedoelde persoon.

Uitvoerders

4. (1) Elke uitvoerder moet binne 14 dae na die laaste dag van elke kwartaal aan die Raad 'n opgawe verstrek waarop die besonderhede op die betrokke vorms vereis ten opsigte van daardie kwartaal aangetoon word.

(2) Die bepalings van subklousule 2 (2) is *mutatis mutandis* van toepassing op 'n in subklousule (1) bedoelde persoon.

Verwerkers

5. (1) Elke verwerker moet binne 14 dae na die laaste dag van elke kwartaal aan die Raad 'n opgawe verstrek waarop die besonderhede op die betrokke vorms vereis ten opsigte van daardie kwartaal aangetoon word.

(2) Die bepalings van subklousule 2 (2) is *mutatis mutandis* van toepassing op 'n in subklousule (1) bedoelde persoon.

Wyse waarop opgawes verstrek moet word

6. (1) Die opgawes in klousules 2, 3, 4 en 5 bedoel, moet—

(a) op die toepaslike vorm verstrek word wat vir die doel op aanvraag by die Raad verkrygbaar is;

(b) in ink ingevul word;

(c) wanneer per pos gestuur, geadresseer wees aan die Hoofbestuurder, Tabakraad, Posbus 26100, Arcadia, 0007;

(d) wanneer per hand afgelewer, afgelewer word by die kantoor van die Hoofbestuurder, Tabakraad, Oliesadegebou, Vermeulenstraat 526, Arcadia, Pretoria; en

(e) aldus gestuur of afgelewer word om die Hoofbestuurder van die Raad te bereik voor of op die toepaslike keerdadums in daardie klousules vermeld.

(2) Posgeld op en afleweringkoste van 'n opgawe in subklousule (1) bedoel, moet deur die betrokke afsender vooruitbetaal word.

(3) 'n Opgawe in klousules 2, 3, 4 en 5 bedoel, moet verstrek word selfs al het geen transaksies of handeling met tabak gedurende die betrokke tydperk plaasgevind nie.

No. R. 182**9 February 1996****MARKETING ACT, 1968 (ACT No. 59 OF 1968)****DECIDUOUS FRUIT SCHEME: RETURNS IN RESPECT OF FRUIT TREES**

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

(a) the Deciduous Fruit Board referred to in section 6 of the Deciduous Fruit Scheme published by Government Notice No. R. 945 of 20 May 1994, as corrected, has under section 35 of the said Scheme issued the directions set out in the Schedule;

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

(c) Government Notice No. R. 1939 of 31 August 1984 is repealed with effect from the said date of commencement.

A. I. VAN NIEKERK**Minister of Agriculture****SCHEDULE****Definition**

1. In this Schedule any word or expression to which a meaning has been assigned in the Scheme shall have that meaning, and "the Scheme" means the Deciduous Fruit Scheme published by Government Notice No. R. 945 of 20 May 1994, as corrected.

Furnishing of information

2. (1) Each producer of deciduous fruit shall annually furnish to the Board such information as the Board may specify, relating to the fruit trees of which such producer produces fruit of such kinds.

(2) Such information shall be entered on a form which is provided to such producer for this purpose by the board, or is available on request at the Board.

(3) Each producer shall submit the form thus completed by him to the address specified in such form for this purpose on or before 31 October of each year.

No. R. 182**9 Februarie 1996**

BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)

SAGTEVRUGTESKEMA: OPGAWE TEN OPSIGTE VAN VRUGTEBOME

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

(a) die Sagtevrugteraad bedoel in artikel 6 van die Sagtevrugteskema, gepubliseer by Goewermenskennisgewing No. R. 945 van 20 Mei 1994, soos verbeter, kragtens artikel 35 van genoemde Skema die lasgewing in die bylae uitgevaardig het;

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

(c) Goewermenskennisgewing No. R. 1939 van 31 Augustus 1984, met ingang van genoemde datum van inwerkingtreding herroep word.

A. I. VAN NIEKERK**Minister van Landbou****BYLAE****Woordomskrywing**

1. In hierdie bylae het enige woord of uitdrukking waaraan 'n betekenis in die Skema geheg is, daardie betekenis, en beteken "die Skema" die Sagtevrugteskema gepubliseer by Goewermenskennisgewing No. R. 945 van 20 Mei 1994, soos verbeter.

Verstreking van besonderhede

2. (1) Elke produsent van sagtevrugte moet jaarliks die besonderhede wat die Raad spesifiseer, met betrekking tot die vrugtebome waarvan so 'n produsent vrugte van sodanige soorte produseer, aan die Raad verstrek.

(2) Sodanige besonderhede moet op 'n vorm ingevul word wat vir dié doel deur die Raad aan so 'n produsent voorsien is, of op aanvraag by die Raad verkrygbaar is.

(3) Elke produsent moet die vorm wat aldus deur hom ingevul is, voor of op 31 Oktober van elke jaar by die adres indien wat vir dié doel op so 'n vorm aangedui is.

No. R. 183**9 February 1996**

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

DECIDUOUS FRUIT SCHEME: REPEAL OF GOVERNMENT NOTICES*

I, André Isak van Niekerk, Minister of Agriculture, acting under section 79 of the Marketing Act, 1968 (Act No. 59 of 1968), hereby repeal the undermentioned Government Notices Nos.:

R. 2861 of 28 December 1984 (Prohibition of the sale in or introduction into certain areas of certain classes of apples).

R. 2862 of 28 December 1984 (Prohibition of the sale in or introduction into certain areas of certain classes of grapes).

R. 2423 of 12 November 1982, as amended by Government Notice No. R 923 of 6 May 1983 (Prohibition of the sale in or introduction into certain areas of peaches and nectarines except certain classes of peaches and nectarines).

R. 94 of 20 January 1984, as amended by Government Notice No. R. 1847 of 24 August 1984 (Prohibition on the sale or introduction into certain areas of certain classes of pears)roduction into certain areas of certain classes of pears).

R. 2143 of 22 November 1974 (Prohibition on the export for sale of certain classes of pears and apples except under permit).

R. 2260 of 9 October 1987 (Notice by Producers of Deliveries of pears for export).

A. I. VAN NIEKERK**Minister of Agriculture**

* The Government Notices which are repealed, became redundant.

No. R. 183**9 Februarie 1996****BEMARKINGSWET, 1968 (WET No. 59 VAN 1968)****SAGTEVRUGTESKEMA: HERROEPING VAN GOEWERMENSKENNISGEWINGS***

Ek, André Isak van Niekerk, Minister van Landbou, handelende kragtens artikel 79 van die Bemarkingswet, 1968 (Wet No. 59 van 1968), herroep hierby die onderstaande Goewermenskennisgewings Nos.:

R. 2861 van 28 Desember 1984 (Verbod op die verkoop of inbring in sekere gebied van sekere klasse appels).

R. 2862 van 28 Desember 1984 (Verbod op die verkoop of inbring in sekere gebiede van sekere klasse druiwe).

R. 2423 van 12 November 1982, soos gewysig deur Goewermenskennisgewing No. R 923 van 6 Mei 1983 (Verbod op die verkoop of inbring van perskes en nektariens behalwe sekere klasse perskes en nektariens in sekere gebiede).

R. 94 van 20 Januarie 1984, soos gewysig deur Goewermenskennisgewing No. R. 1847 van 24 Augustus 1984 (Verbod op die verkoop of inbring in sekere gebiede van sekere klasse pere).

R. 2143 van 22 November 1974 (Verbod op die uitvoer vir verkoop van sekere klasse pere en appels behalwe kragtens permit).

R. 2260 van 9 Oktober 1987 (Kennisgewing deur produsente van lewerings van pere vir uitvoer).

A. I. VAN NIEKERK**Minister van Landbou**

* Die Goewermenskennisgewings wat herroep word, het oorbodig geraak.

DEPARTMENT OF FINANCE
DEPARTEMENT VAN FINANSIES

No. R. 149**9 February 1996****CORRECTION NOTICE****CUSTOMS AND EXCISE ACT, 1964****AMENDMENT OF SCHEDULE No. 1 (No. 1/1/761)**

The Schedule in Government Notice No. 69 of 26 January 1996 in *Government Gazette* No. 16938 is hereby amended by the substitution in heading No. 15.11 for the expression "Palm oil and its functions," of the expression "Palm oil and its fractions,".

No. R. 149**9 Februarie 1996****VERBETERINGSKENNISGEWING****DOEANE- EN AKSYNSWET, 1964****WYSIGING VAN BYLAE No. 1 (No. 1/1/761)**

Die Bylae van die Engelse teks by Goewermenskennisgewing No. 69 in *Staatskoerant* No. 16938 van 26 Januarie 1996 word hiermee gewysig deur die uitdrukking "Palm oil and its functions," in pos No. 15.11 deur die uitdrukking "Palm oil and its fractions," te vervang.

No. R. 150**9 February 1996****CUSTOMS AND EXCISE ACT, 1964****AMENDMENT OF SCHEDULE No. 1 (No. 1/1/762)**

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 of the said Act—

1. is hereby amended to the extent set out in the Schedule hereto; and
2. this amendment, in so far as it relates to subheadings Nos. 5209.43.30, 5209.59.52, 5211.29.60, 5212.11.50, 5212.25.35, 5402.31, 5515.19.50, 5515.19.50, 5515.91.47 and 5515.91.50, shall be deemed to have come into operation on 1 September 1995.

A. ERWIN**Deputy Minister of Finance**

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
52.09			By the substitution for subheading No. 5209.43.30 of the following:			
	“.30	7	Of a mass exceeding 250 g/m ² but not exceeding 300 g/m ²	kg	42% with a maximum of 960c/kg or 590c/kg	
			By the substitution for subheading No. 5209.59.50 of the following:			
	“.50	4	Other, of a mass exceeding 250 g/m ² but not exceeding 300 g/m ²	kg	42% with a maximum of 960c/kg or 590c/kg	
52.11			By the substitution for subheading No. 5211.29.60 of the following:			
	“.60	1	Of a mass exceeding 350 g/m ² but not exceeding 400 g/m ²	kg	42% with a maximum of 775c/kg or 402c/kg	
52.12			By the substitution for subheading No. 5212.11.50 of the following:			
	“.50	2	Other, of a mass exceeding 90 g/m ² but not exceeding 130 g/m ²	kg	42% with a maximum of 1 830c/kg or 1 121c/kg	
			By the substitution for subheading No. 5212.25.35 of the following:			
	“.35	9	Other, of a mass exceeding 250 g/m ² but not exceeding 300 g/m ²	kg	42% with a maximum of 960c/kg or 590c/kg	
54.02			By the substitution for subheading No. 5402.31 of the following:			
	“5402.31	6	Of nylon or other polyamides, measuring per single yarn not more than 500 dtex	kg	15%	
54.07			By the substitution for subheading No. 5407.83.65 of the following:			
	“.65	4	Other, of a mass exceeding 200 g/m ² but not exceeding 240 g/m ²	kg	42% with a maximum of 1 150c/kg or 702c/kg	
			By the substitution for subheading No. 5407.92.60 of the following:			
	“.60	1	Other, of a mass exceeding 120 g/m ² but not exceeding 160 g/m ²	kg	42% with a maximum of 1 155c/kg or 954c/kg	
55.15			By the substitution for subheadings Nos. 5515.19.47 and 5515.19.50 of the following:			
	“.47	4	Other, of a mass exceeding 250 g/m ² but not exceeding 300 g/m ² , of yarns of different colours	kg	42% with a maximum of 960c/kg or 590c/kg	
	.50	5	Other, of a mass exceeding 250 g/m ² , printed	kg	42% with a maximum of 960c/kg or 590c/kg	
			By the substitution for subheadings Nos. 5515.91.47 and 5515.91.50 of the following:			
	“.47	5	Other, of a mass exceeding 250 g/m ² but not exceeding 300 g/m ² , of yarns of different colours	kg	42% with a maximum of 960c/kg or 590c/kg	
	.50	5	Other, of a mass exceeding 250 g/m ² , printed	kg	42% with a maximum of 960c/kg or 590c/kg	

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
60.01			By the substitution for subheading No. 6001.91.20 of the following:	kg	42% with a maximum of 1 790c/kg or 1 094c/kg"	
	".20	5	Of a mass not exceeding 100 g/m ²			

No. R. 150

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/762)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, Deel 1 van Bylae No. 1 by genoemde Wet—

1. word hiermee gewysig in die mate in die Bylae hiervan aangetoon; en
2. hierdie wysiging, vir sover dit betrekking het op subposte Nos. 5209.43.30, 5209.59.52, 5211.29.60, 5212.11.50, 5212.25.35, 5402.31, 5515.19.50, 5515.19.50, 5515.91.47 en 5515.91.50, word geag op 1 September 1995 in werking te getree het.

A. ERWIN

Adjunkminister van Finansies

BYLAE

Pos	Subpos	T. S.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
52.09			Deur subpos No. 5209.43.30 deur die volgende te vervang:			
	".30	7	Met 'n massa van meer as 250 g/m ² maar hoogstens 300 g/m ²	kg	42% met 'n maksimum van 960c/kg of 590c/kg"	
			Deur subpos No. 5209.59.50 deur die volgende te vervang:			
	".50	4	Ander, met 'n massa van meer as 250 g/m ² maar hoogstens 300 g/m ²	kg	42% met 'n maksimum van 960c/kg of 590c/kg"	
52.11			Deur subpos No. 5211.29.60 deur die volgende te vervang:			
	".60	1	Met 'n massa van meer as 350 g/m ² maar hoogstens 400 g/m ²	kg	42% met 'n maksimum van 775c/kg of 402c/kg"	
52.12			Deur subpos No. 5212.11.50 deur die volgende te vervang:			
	".50	2	Ander, met 'n massa van meer as 90 g/m ² maar hoogstens 130 g/m ²	kg	42% met 'n maksimum van 1 830c/kg of 1 121c/kg"	
			Deur subpos No. 5212.25.35 deur die volgende te vervang:			
	".35	9	Ander, met 'n massa van meer as 250 g/m ² maar hoogstens 300 g/m ²	kg	42% met 'n maksimum van 960c/kg of 590c/kg"	
54.02			Deur subpos No. 5402.31 deur die volgende te vervang:			
	"5402.31	6	Van nylon of ander poliamiede, met 'n lesing per enkelgaring van hoogstens 500 dtex	kg	15%"	

Pos	Subpos	T. S.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
54.07			Deur subpos No. 5407.83.65 deur die volgende te vervang:			
	“.65	4	Ander, met 'n massa van meer as 200 g/m ² maar hoogstens 240 g/m ²	kg	42% met 'n maksimum van 1 150c/kg of 702c/kg"	
			Deur subpos No. 5407.92.60 deur die volgende te vervang:			
	“.60	1	Ander, met 'n massa van meer as 120 g/m ² maar hoogstens 160 g/m ²	kg	42% met 'n maksimum van 1 155c/kg of 954c/kg"	
55.15			Deur subposte Nos. 5515.19.47 en 5515.19.50 deur die volgende te vervang:			
	“.47	4	Ander, met 'n massa van meer as 250 g/m ² maar hoogstens 300 g/m ² , van garings van verskillende kleure	kg	42% met 'n maksimum van 960c/kg of 590c/kg	
	.50	5	Ander, met 'n massa van meer as 250 g/m ² , bedruk	kg	42% met 'n maksimum van 960c/kg of 590c/kg"	
			Deur subposte Nos. 5515.91.47 en 5515.91.50 deur die volgende te vervang:			
	“.47	5	Ander, met 'n massa van meer as 250 g/m ² maar hoogstens 300 g/m ² , van garings van verskillende kleure	kg	42% met 'n maksimum van 960c/kg of 590c/kg	
	.50	5	Ander, met 'n massa van meer as 250 g/m ² , bedruk	kg	42% met 'n maksimum van 960c/kg of 590c/kg"	
60.01			Deur subpos No. 6001.91.20 deur die volgende te vervang:			
	“.20	5	Met 'n massa van hoogstens 100 g/m ²	kg	42% met 'n maksimum van 1 790c/kg of 1 094c/kg"	

No. R. 184

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 4 (No. 4/185)

Under section 75 of the Customs and Exise Act, 1964, Schedule No. 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Rebate Item	II			III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.		
405.04		“03.00	06	Full duty”	
					By the substitution for rebate code 03.00 to tariff heading No. 00.00 of the following: Goods approved by the Commissioner, entered on or before 8 February 1997, forwarded free to an organisation or body approved by the Commissioner which cares for the welfare of children, subject to the conditions imposed by the Commissioner in each case and to a permit issued by him on or before 8 February 1996 By the insertion after rebate code 05.00 to tariff heading No. 00.00 of the following:

I Rebate Item	II				III Extent of Rebate	Anno- tations
	Tariff Heading	Rebate Code	C. D.	Description		
460.11		"06.00	09	Goods (excluding foodstuffs) forwarded free, as a donation, to any educational organisation, hospital (including a clinic), welfare organisation, religious organisation or sporting organisation, recommended by the Board on Tariffs and Trade, cleared on or before 31 December 1999, in such quantities and under such conditions as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade may allow by specific permit and he being satisfied that the issuing of such permit will not have a detrimental affect on local industry within the common customs area, provided that the applicant and anybody responsible for distribution have furnished an undertaking that— (a) such goods are for use by the organisation or for free distribution; (b) such goods will not be sold, leased, hired or otherwise disposed of for gain without the prior approval of the Board on Tariffs and Trade and without the duty which has been rebated paid to the Commissioner; and (c) that no donation or other counterperformance may be accepted by anybody in respect of such goods By the substitution for rebate code 01.04 to tariff heading No. 63.09 of the following:	Full duty"	
		"01.04	48	Worn clothing, entered on or before 8 February 1997 in terms of a specific permit issued by the Director-General: Trade and Industry, on or before 8 February 1996, on the recommendation of the Board on Tariffs and Trade, purchased by or forwarded unsolicited and free to any church or any welfare organisation registered in terms of the National Welfare Act, 1978 (Act No. 100 of 1978), for free distribution to indigent persons by such church or organisation	Full duty"	

No. R. 184

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 4 (No. 4/185)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
405.04		"03.00	06	Deur kortingkode 03.00 by tariefpos No. 00.00 deur die volgende te vervang: Deur die Kommissaris goedgekeurde goedere, geklaar voor of op 8 Februarie 1997, wat gratis versend word aan 'n deur die Kommissaris goedgekeurde organisasie of liggaam wat omsien na die belange van kinders, onderworpe aan die voorwaardes wat die Kommissaris in elke geval stel en aan 'n permit wat voor of op 8 Februarie 1996 deur hom uitgereik is Deur na kortingkode 05.00 by tariefpos No. 00.00 die volgende in te voeg:	Volle reg"	

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
460.11		"06.00	09	Goedere (uitgesonderd voedingstowwe) wat gratis versend word as 'n donasie aan enige opvoedkundige organisasie, hospitaal (met inbegrip van 'n kliniek), welsynsorganisasie, godsdienstige organisasie of sportorganisasie, deur die Raad op Tariewe en Handel aanbeveel, geklaar voor of op 31 Desember 1999, in die hoeveelhede en onderhewig aan die voorwaardes wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad op Tariewe en Handel, by bepaalde permit toelaat en dat hy tevrede gestel is dat die uitreiking van sodanige permit nie 'n negatiewe uitwerking op die plaaslike nywerheid binne die gemeenskaplike doeanegebied sal hê nie, op voorwaarde dat die applikant en enige iemand verantwoordelik vir verspreiding 'n onderneming gegee het dat— (a) sodanige goedere vir gebruik deur die organisasie of vir gratis verspreiding is; (b) sodanige goedere nie verkoop, verhuur, geleen of andersins vervreem sal word nie vir wins sonder die vooraf goedkeuring van die Raad op Tariewe en Handel en sonder dat die gekorte reg aan die Kommissaris betaal word; en (c) dat geen donasie of ander teenprestasie deur enige iemand aanvaar mag word nie ten opsigte van sodanige goedere Deur die kortingkode 01.04 by tariefpos No. 63.09 deur die volgende te vervang:	Volle reg"	
		"01.04	48	Verslete klerasie, geklaar voor of op 8 Februarie 1997, ingevolge 'n bepaalde permit uitgereik deur die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad op Tariewe en Handel voor of op 8 Februarie 1996, wat aangekoop is deur of ongevraagd en gratis versend word aan enige kerk of enige welsynsorganisasie wat kragtens die Nasionale Welsynswet, 1978 (Wet No. 100 van 1978) geregistreer is, vir gratis verspreiding aan behoeftige mense deur sodanige kerk of organisasie	Volle reg"	

No. R. 185

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/763)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended with retrospective effect to 1 September 1995 to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
87.02			By the substitution of subheading No. 8702.10.80 of the following:			
	"80	9	Other, of a vehicle mass not exceeding 2 000 kg	u	65%"	

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
87.04			By the substitution of subheading No. 8704.21.80 of the following:			
	“.80	7	Other, of a vehicle mass not exceeding 2 000 kg or a G.V.M. not exceeding 3 500 kg, or of a mass not exceeding 1 600 kg or a G.V.M. not exceeding 3 500 kg per chassis fitted with a cab.	u	65%”	
			By the substitution of subheading No. 8704.31.80 of the following:			
	“.80	1	Other, of a vehicle mass not exceeding 2 000 kg or a G.V.M. not exceeding 3 500 kg, or of a mass not exceeding 1 600 kg or a G.V.M. not exceeding 3 500 kg per chassis fitted with a cab.	u	65%”	
			By the substitution of subheading No. 8704.90.80 of the following:			
	“.80	2	Other, of a vehicle mass not exceeding 2 000 kg or a G.V.M. not exceeding 3 500 kg, or of a mass not exceeding 1 600 kg or a G.V.M. not exceeding 3 500 kg per chassis fitted with a cab.	u	65%”	
87.06			By the substitution for subheading No. 8706.00.20 of the following:			
	“.20	5	Other of a vehicle mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg.	u	40%”	

No. R. 185

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/763)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig met terugwerkende krag tot 1 September 1995 in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

Pos	Subpos	T. S.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
87.02			Deur subpos No. 8702.10.80 deur die volgende te vervang:			
	“.80	9	Ander, met 'n voertuigmassa van hoogstens 2 000 kg	u	65%”	
87.04			Deur subpos No. 8704.21.80 deur die volgende te vervang:			
	“.80	7	Ander, met 'n voertuigmassa van hoogstens 2 000 kg of met 'n B.V.M. van hoogstens 3 500 kg, of met 'n massa van hoogstens 1 600 kg of met 'n B.V.M. van hoogstens 3 500 kg per onderstel toegerus met 'n kajuit.	u	65%”	
			Deur subpos No. 8704.31.80 deur die volgende te vervang:			
	“.80	1	Ander, met 'n voertuigmassa van hoogstens 2 000 kg of met 'n B.V.M. van hoogstens 3 500 kg of met 'n massa van hoogstens 1 600 kg of met 'n B.V.M. van hoogstens 3 500 kg per onderstel toegerus met 'n kajuit.	u	65%”	
			Deur subpos No. 8704.90.80 deur die volgende te vervang:			

Pos	Subpos	T. S.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
87.06	“.80	2	Ander, met 'n voertuigmassa van hoogstens 2 000 kg of met 'n B.V.M. van hoogstens 3 500 kg, of met 'n massa van hoogstens 1 600 kg of met 'n B.V.M. van hoogstens 3 500 kg per onderstel toegerus met 'n kajuit. Deur subpos No. 8706.00.20 deur die volgende te vervang:	u	65%”	
	“.20	5	Ander, met 'n voertuigmassa van hoogstens 1 600 kg en met 'n B.V.M. van hoogstens 3 500 kg.	u	40%”	

No. R. 186

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/764)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended with retrospective effect to 1 September 1995 to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

	Annotasies
By the substitution of Section XXII of the following: “SECTION XXII SPECIAL CLASSIFICATION PROVISIONS CHAPTER 98 ORIGINAL EQUIPMENT COMPONENTS Additional notes: - Motor vehicle manufacturers importing original equipment components provided for in this Chapter must be approved by the Director-General: Trade and Industry. - Automotive components described in any other Chapter of Schedule No. 1 shall, if imported by a motor vehicle manufacturer approved by the Director-General: Trade and Industry for the assembly or manufacture of motor vehicles specified in this Chapter, be deemed to be original equipment components classifiable in this Chapter. - Original equipment components under the provisions of this Chapter shall include all automotive components as defined in Note 8 for incorporation in motor vehicles specified in this Chapter, but shall not include consumables or materials if not cut to size or shape or made up suitable for such use. “Consumables” mean those goods which are used in the manufacture of motor vehicles and components therefor, but do not form part of such motor vehicles or components. - Any reference in this Chapter to a tariff heading comprising two digits followed by a point and two noughts (for example 01.00) shall, for the purposes of Note 5 to this part, be construed as referring to all tariff headings in part 1 of this Schedule the first two digits of which correspond to the two digits referred to in this Part. - Original equipment components for motor vehicles enumerated under heading No. 98.01 shall not include automotive components of which— - the floor panels, body sides or roof panels are permanently attached to each other (except in the case of cabs for road tractors for semi-trailers of a vehicle mass exceeding 1 600 kg, for motor vehicles for the transport of goods of a vehicle mass exceeding 2 000 kg and a G.V.M. exceeding 3 500 kg and for chassis fitted with cabs of a mass exceeding 1 600 kg and a G.V.M. exceeding 3 500 kg in which case the cabs may be assembled and trimmed);	

	Annotations
(ii) the engine and transmission assemblies, axles, radiators, suspension components, steering mechanisms, braking or electrical equipment or instruments are fitted to such floor pans or chassis frames; and (iii) the bodies/cabs are fitted to floor pans or chassis frames (except in the case of vehicles of a mono-built construction of a vehicle mass exceeding 2 000 kg). 6. The expression "vehicle mass" shall be taken not to include the mass of any fuel or water but to include the mass of any lubricants, spare wheel and tools which are supplied as standard equipment. 7. The expression "mono-built" shall be taken to mean a vehicle— (i) without a chassis frame in which the body itself supports the engine, transmission and axles; or (ii) of unitary body construction, with or without certain elements of the chassis incorporated in the body. 8. For the purposes of this Chapter "automotive components" means a new article which can be identified as being suitable for use in the manufacture of motor vehicles manufactured under rebate items 317.04 and 317.07 or original equipment components, including carpet cut to floorpan shape, leather seat covers cut to size, unfinished articles, including blanks and rough castings, having the essential character of automotive components.	

Head- ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
98.01	9801.00		Original equipment components:			
	9801.00.10	0	For road tractors for semi-trailers of subheading No. 8701.20 of a vehicle mass not exceeding 1 600 kg	kg	49%	
	.15	0	For road tractors for semi-trailers of subheading No. 8701.20 of a vehicle mass exceeding 1 600 kg	kg	49%	
	.20	7	For motor vehicles for the transport of ten or more persons including the driver, of heading No. 87.02 of a vehicle mass not exceeding 2 000 kg	kg	49%	
	.25	8	For motor vehicles for the transport of ten or more persons including the driver of heading No. 87.02 of a vehicle mass exceeding 2 000 kg (excluding vehicles of subheading No. 8702.10.10)	kg	49%	
	.30	4	For motor cars (including station wagons) of heading No. 87.03	kg	49%	
	.40	1	For motor vehicles for the transport of goods of heading No. 87.04, of a vehicle mass not exceeding 2 000 kg or of a G.V.M. not exceeding 3 500 kg, or of a mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg per chassis fitted with a cab (excluding dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks)	kg	49%	
	.45	2	For motor vehicles for the transport of goods of heading No. 87.04, of a vehicle mass exceeding 2 000 kg and of a G.V.M. exceeding 3 500 kg, or of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg per chassis fitted with a cab (excluding dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks)	kg	49%	
	.50	9	For chassis fitted with engines of heading No. 87.06, of a mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg (excluding those for dumpers designed for off-highway use, shuttle cars and low construction flameproof vehicles, for use in underground mines and off-the-road logging trucks)	kg	49%	
	.55	8	For chassis fitted with engines of heading No. 87.06, of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg (excluding those for dumpers designed for off-highway use, shuttle cars and low construction flameproof vehicles, for use in underground mines and off-the-ground logging trucks)	kg	49%"	

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/764)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Bylae No. 1 by genoemde Wet hiermee gewysig met terugwerkende krag tot 1 September 1995 in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

	Annotationes
Deur Afdeling XXII deur die volgende te vervang: “AFDELING XXII SPESIALE INDELING VOORSIENINGS HOOFSTUK 98 OORSPRONKLIKE TOERUSTING KOMPONENTE Addisionele opmerkings: - Motorvoertuigvervaardigers wat oorspronklike toerusting komponente invoer soos voorsien in hierdie Hoofstuk moet goedgekeur word deur die Direkteur-generaal: Handel en Nywerheid. - Motorvoertuigkomponente omskryf in enige ander Hoofstuk van Bylae No. 1 sal, indien ingevoer, deur 'n motorvoertuigvervaardiger wat deur die Direkteur-generaal: Handel en Nywerheid goedgekeur is vir die montering of vervaardiging van motorvoertuie in hierdie Hoofstuk gespesifiseer geag word oorspronklike toerusting komponente te wees indeelbaar by hierdie Hoofstuk. - Oorspronklike toerusting komponente onder die voorsiening van hierdie Hoofstuk sal alle motorvoertuigkomponente soos omskryf in Opmerking 8 insluit vir inkorporering in motorvoertuie gespesifiseer in hierdie Hoofstuk, maar sal nie verbruiksartikels of materiale wat nie na lengte gesny of gevorm of opgemaak geskik vir sodanige gebruik insluit nie. “Verbruikersartikels” beteken goedere wat gebruik word in die vervaardiging van motorvoertuie- en komponente maar nie deel is van genoemde motorvoertuie of komponente nie. - Enige verwysing in hierdie Hoofstuk na 'n tariefpos wat twee syfers gevolg deur 'n punt en twee nulle bevat (byvoorbeeld 01.00) sal, vir doeleindes van Opmerking 5 van hierdie Deel, geag word as 'n verwysing na alle tariefposte in Deel 1 van hierdie Bylae waarvan die eerste twee syfers ooreenstem met die twee syfers waarna verwys word in hierdie Deel. - Oorspronklike toerusting komponente vir motorvoertuie genoem onder pos No. 98.01 sal nie motorvoertuigkomponente insluit waarvan— - Die vloerplate, sypanele of dakpanele permanent aan mekaar geheg is nie (behalwe in die geval van kajuite vir padtrekkers vir leunsleepwaens met 'n voertuigmassa van meer as 1 600 kg, vir die vervoer van goedere met 'n voertuigmassa van meer as 2 000 kg en 'n B.V.M. van meer as 3 500 kg en vir onderstelle met kajuite toegerus met 'n massa van meer as 1 600 kg en 'n B.V.M. van meer as 3 500 kg in welke geval die kajuite gemonteer en met bekleedsel toegerus mag wees); - die enjin en transmissie monterings, asse, verkoelers, veringstelsel, stuurmeganismes, rem of elektriese toebehore of instrumentasie geheg is aan sulke vloerplate of onderstelrame; en - die bakke/kajuite aan vloerpanele of onderstelrame geheg is (behalwe in die geval van voertuie met 'n eenheidsgeboude konstruksie met 'n voertuigmassa van hoogstens 2 000 kg.) - Die uitdrukking “voertuigmassa” sal gereken word om die massa van enige brandstof of water uit te sluit, maar wel die massa van enige smeermiddels, noodwiel en gereedskap wat voorsien word as oorspronklike toerusting in te sluit. - Die uitdrukking “eenheidsgeboude” sal gereken word 'n voertuig te wees— - sonder 'n onderstelraam waarvan die bakwerk self die enjin, transmissie en asse ondersteun; of - van 'n eenheidsbak konstruksie, met of sonder dat sekere elemente van die onderstelraam in die bak ingesluit is. - Vir die doeleindes van hierdie Hoofstuk beteken “motorvoertuigkomponente” 'n nuwe artikel wat uitgeken kan word as geskik vir gebruik in die vervaardiging van motorvoertuie vervaardig onder kortingitem 317.04 en 317.07 of oorspronklike toerusting komponente, insluitende tapyt tot vloerpanvorm gesny, leer sitplek-oortreksels na grootte gesny, onverwerkte artikels, insluitende ru-stukke en gietstukke wat die wesentlike aard van motorvoertuigkomponente het.	

Pos	Subpos	T. S.	Artikelbeskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
98.01	98.00		Oorspronklike toerusting komponente:			
	9801.00.10	0	Vir padtrekkers vir leunsleepwaens van subpos No. 8701.20 met 'n voertuigmassa van hoogstens 1 600 kg	kg	49%	
	.15	0	Vir padtrekkers vir leunsleepwaens van subpos No. 8701.20 met 'n voertuigmassa van meer as 1 600 kg	kg	49%	
	.20	7	Vir motorvoertuie vir die vervoer van tien of meer persone met inbegrip van die bestuurder van pos No. 87.02 met 'n voertuigmassa van hoogstens 2 000 kg	kg	49%	
	.25	8	Vir motorvoertuie vir die vervoer van tien of meer persone met inbegrip van die bestuurder van pos No. 87.02 met 'n voertuigmassa van meer as 2 000 kg (uitgesonderd voertuie van subpos No. 8702.10.10)	kg	49%	
	.30	4	Vir motorkarre (met inbegrip van stasiewaens) van pos No. 87.03	kg	49%	
	.40	1	Vir motorvoertuie vir die vervoer van goedere van pos No. 87.04, met 'n voertuigmassa, van hoogstens 2 000 kg of met 'n B.V.M. van hoogstens 3 500 kg, of met 'n massa van hoogstens 1 600 kg of met 'n B.V.M. van hoogstens 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvrugmotors)	kg	49%	
	.45	2	Vir motorvoertuie vir die vervoer van goedere van pos No. 87.04, met 'n voertuigmassa van meer as 2 000 kg en 'n B.V.M. van meer as 3 500 kg, of met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvrugmotors)	kg	49%	
	.50	9	Vir onderstelle met enjins toegerus van pos No. 87.06, of 'n massa van hoogstens 1 600 kg of met 'n B.V.M. van hoogstens 3 500 kg (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvrugmotors)	kg	49%	
	.55	8	Vir onderstelle met enjins toegerus van pos No. 87.06, met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvrugmotors)	kg	49%	

No. R. 187

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/314)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended with effect from 1 January 1996 to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Rebate Item	II			III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.		
316.13	"84.09	01.00	49	Full duty"	
	"84.83	01.00	47	Full duty"	

No. R. 187**9 Februarie 1996**

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/314)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig met ingang van 1 Januarie 1996 in die mate in die Bylae hiervan aangetoon.

A. ERWIN**Adjunkminister van Finansies****BYLAE**

I Korting- item	II			III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.		
316.13	"84.09	01.00	49	Volle reg"	
	"84.83	01.00	47	Volle reg"	

No. R. 188**9 February 1996**

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/315)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended with effect from 1 January 1996 to the extent set out in the Schedule hereto.

A. ERWIN**Deputy Minister of Finance**

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.	Description		
317.03 "317.03				By the substitution of rebate item 317.03 of the following: 317.03 Industry: Motor vehicle assembly Note: This rebate item covers the assembly of disassembled motor vehicles and chassis therefor or the assembly of such vehicles imported in an unassembled condition not complying with the definition in Note 5 to Chapter 98 of Schedule No. 1. Furthermore, the rebate is subject to a manufacturing programme as agreed upon by the Contracting Parties to the Southern African Customs Union and in such quantities, at such times and subject to such further conditions as determined by the said Contracting Parties in terms of a specific permit issued by the Director General: Trade and Industry.		
	87.00	01.02	21	Disassembled or unassembled road tractors for semi-trailers, of sub-heading No. 8701.20, of a vehicle mass not exceeding 1 600 kg	Full duty less 23%	
		02.02	24	Disassembled or unassembled motor vehicles for the transport of ten or more persons, including the driver, of heading No. 87.02, of a vehicle mass not exceeding 2 000 kg	Full duty less 23%	
		03.02	28	Disassembled or unassembled motor cars (including station wagons) of heading No. 87.03	Full duty less 23%	
		04.02	23	Disassembled or unassembled motor vehicles for the transport of goods, of heading No. 87.04, of a vehicle mass not exceeding 2 000 kg or a G.V.M. not exceeding 3 500 kg or of a mass not exceeding 1 600 kg or a G.V.M. not exceeding 3 500 kg per chassis fitted with cab (excluding motor vehicles of subheading No. 8704.10)	Full duty less 23%	
		05.02	23	Disassembled or unassembled chassis fitted with engines, of heading No. 87.06, of a mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg (excluding those for motor vehicles of subheading No. 8704.10)	Full duty less 23%	

No. R. 188

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/315)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig met ingang van 1 Januarie 1996 in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

23331 — B

BYLAE

I Korting- item	II			III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.		
317.03					Deur kortingitem 317.03 deur die volgende te vervang:
"317.03					317.03 Nywerheid: Motorvoertuig montering
					Opmerking:
					Hierdie kortingitem dek die montering van uitmekaar-gehaalde motorvoertuie en onderstelle daarvoor of die montering van sodanige voertuie in 'n ongemonteerde toestand ingevoer wat nie aan die omskrywing in Opmerking 5 by Hoofstuk 98 van Bylae No. 1 voldoen nie. Voorts is die korting onderhewig aan 'n vervaardigingsprogram soos ooreengekom deur die kontrakterende partye tot die Suider Afrikaanse Doeane Unie en in sodanige hoeveelhede, op sodanige tye en onderhewig aan sodanige verdere voorwaardes soos bepaal deur die genoemde Kontrakterende Partye ingevolge 'n bepaalde permit uitgereik deur die Direkteur-generaal: Handel en Nywerheid.
	87.00	01.02	21		Uitmekaargehaalde of ongemonteerde padtrekkers vir leunsleepwaens, van subpos No. 8701.20, met 'n voertuigmassa van hoogstens 1 600 kg
		02.02	24		Uitmekaargehaalde of ongemonteerde motorvoertuie vir die vervoer van minstens tien persone, met inbegrip van die bestuurder, van pos No. 87.02, met 'n voertuig-massa van hoogstens 2 000 kg
		03.02	28		Uitmekaargehaalde of ongemonteerde motorvoertuie (met inbegrip van stasiewaens) van pos No. 87.03
		04.02	23		Uitmekaargehaalde of ongemonteerde motorvoertuie vir die vervoer van goedere, van pos No. 87.04, met 'n voertuig massa van hoogstens 2 000 kg of 'n B.V.M. van hoogstens 3 500 kg of met 'n massa van hoogstens 1 600 kg of 'n B.V.M. van hoogstens 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd motorvoertuie van subpos No. 8704.10)
		05.02	23		Uitmekaargehaalde of ongemonteerde onderstelle toegerus met enjins, van pos No. 87.06, met 'n massa van hoogstens 1 600 kg of met 'n B.V.M. van hoogstens 3 500 kg (uitgesluit die vir motorvoertuie van subpos No. 8704.10)

No. R. 189

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/316)

Under Section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended with retrospective effect to 1 September 1995 to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Rebate Item	II			III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.		
317.04					
"317.04					By the substitution of rebate item 317.04 of the following: Industry: Specified Motor Vehicles Notes: 1. The extent of rebate provided for in this item shall not exceed the duty payable on the goods imported in terms of Chapter 98 of Schedule No. 1. 2. Registrants under this item shall: (i) (a) during the first accounting period, as defined in Note 3 (a), submit a customs account for the first four months period to the Controller and any customs duty due shall be brought to account on bill of entry for home consumption within thirty days from the closing date of such account but not later than the penultimate official working day of the month following the period of four months during which the date for closing of duty accounts occurs and for the four remaining quarters submit accumulative quarterly customs accounts to the Controller and any customs duty due shall be paid on a provisional payment within thirty days from the closing date of each quarter and should it be found that the accumulative duty payable at the end of a quarter is less than that paid at the end of the previous quarter, such difference in duty shall be refunded to the motor vehicle manufacturer, if, however, the duty payable should be more than that paid at the end of the previous quarter, the motor vehicle manufacturer shall bring the difference in duty to account by means of a provisional payment, provided that at the end of the accounting period, the duty due on the final return so calculated shall be brought to account on a bill of entry for home consumption within thirty days from the closing date of such account but not later than the penultimate official working day of the month following the period of twelve months during which the date for closing of duty accounts occurs and the provisional payments refunded; and (b) during the second and ensuing accounting periods as defined in Note 3 (b), submit customs accounts to the Controller and any customs duty due shall be brought to account on a bill of entry for home consumption within thirty days from the closing date of the relative accounting period but not later than the penultimate official working day of the month following the period of three months during which the date for closing of duty accounts occurs.

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				(ii) For the purposes of Notes 2 (1) (a) and (b) the duty due shall be the duty applicable on the date of the certificate for removal of excisable/specified goods ex warehouse (form DA 32). 3. The accounting periods shall be as follows: (a) The first accounting period for original equipment components entered under this rebate item, those received from local component manufacturers or suppliers and motor vehicles produced shall be for five periods commencing on 1 September 1995, consisting of a four months' period followed by four periods of three months each and shall end on 31 December 1996. (b) The second and ensuing accounting periods shall be on a quarterly basis commencing on 1 January 1997. 4. "Import rebate credit certificates" means certificates issued by the Director-General: Trade and Industry in respect of eligible exports of goods defined in Note 5. 5. "Eligible exports" means exports of any of the following which are new and unused at the time of export: (a) Specified motor vehicles defined in Note 7 manufactured under this rebate item and exported from the licensed premises by the manufacturer. (b) Motor vehicles manufactured under rebate item 317.07 and exported from the registered premises by the manufacturer. (c) Automotive components and automotive tooling as defined in Note 10 for which a certificate was issued by the Director-General: Trade and Industry on the recommendation of the Board on Tariffs and Trade that the export of such components and tooling contribute to the achievement of the overall objectives of the Government's Motor Industry Development Programme. Such components and tooling shall, furthermore, meet the following criteria, namely that— (i) they were wholly or partly manufactured in the common customs area; (ii) not less than 25 per cent of the foreign currency earnings (as defined in Note 9) of the component is represented by the sum of: — the cost of labour in the common customs area; — the value of materials of the common customs area; — the factory overhead expenses (excluding profit) incurred in the common customs area in respect of the components and tooling; and		

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					(iii) the final process of manufacture (which may not include packaging or painting operations) was carried out in the common customs area. (d) Motor vehicles, automotive components and automotive tooling (as defined in Note 10), exported between 1 June 1995 and 31 August 1995 and which was not utilised under any provision of rebate item 609.17 prior to 1 September 1995. 6. For the purposes of Note 5— (a) the Director-General: Trade and Industry may, based on information provided by the component manufacturer, in respect of exports considered to be eligible to earn import rebate credits, issue such certificate subject to such conditions as he may determine; and (b) "automotive tooling" shall be regarded as automotive components. 7. "Specified motor vehicles" means: (a) road tractors for semi-trailers of subheading No. 8701.20 of a vehicle mass not exceeding 1 600 kg; (b) motor vehicles for the transport of ten or more persons, including the driver, of heading No. 87.02, of a vehicle mass not exceeding 2 000 kg (excluding those of subheading No. 8702.10.10); (c) motor cars (including station wagons) of heading No. 87.03; (d) motor vehicles for the transport of goods of heading No. 87.04 of a vehicle mass not exceeding 2 000 kg or a G.V.M. not exceeding 3 500 kg or of a mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg per chassis fitted with a cab (excluding motor vehicles of subheading No. 8704.10, shuttle cars and low construction flame-proof vehicles for use in underground mines and off-the-road logging trucks); and (e) chassis fitted with engines of heading No. 87.06, of a mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg (excluding those for motor vehicles of subheading No. 8704.10, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks). 8. "The value of any import rebate credit certificates in respect of eligible exports" means the foreign currency earnings as defined in Note 9 of such goods at the place of despatch from the common customs area less the foreign currency usage as defined in Note 18.

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			9. The expression "foreign currency earnings" means the free carrier value [i.e. free-on-board (f.o.b.) and, in the case of overland transport through exit points in the common customs area, free-on-rail (f.o.r.), or free-on-truck (f.o.t.), at the border] of export sales. For the purposes of the definition the following shall not form part of the foreign currency earnings, namely: (a) Freight and insurance costs in respect of eligible exports, outside the common customs area, whether or not these costs have been paid for in the common customs area; (b) any expenditure or costs, of whatever nature incurred by an exporter for any activity, including services performed, or to be performed, outside the common customs area for any export sale, including, but without limiting it to— (i) commission paid to an overseas representative; (ii) costs incurred in the marketing, advertising, positioning, warehousing, repairing and clearance of products sold in terms of an export sale; and (iii) any taxes, import and excise duties. Whether or not such expenditure or costs have been paid, or are payable, in the common customs area, provided that, in the event of any dispute arising as to the determination of foreign currency earnings, the Director-General: Trade and Industry may determine a notional foreign currency earning. 10. "Automotive tooling" means— — dies for drawing or extruding metal, of subheading No. 8207.20; — tools for pressing, stamping or punching, of subheading No. 8207.30; — work holders of subheading No. 8466.20; — assembly jigs of subheading No. 8479.89; and — injection moulds, moulding patterns and moulds of heading No. 84.80, where the principle use is for the manufacture of specified motor vehicles and automotive components for such motor vehicles. 11. "Duty free allowance" means 27 per cent of the value for duty free allowance purposes as defined in Note 12 plus in respect of each motor vehicle of a value for duty free allowance purposes of less than R40 000, .0030 per cent per R1 value in respect of each R1 value less than R40 000.			

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				12. The value for duty free allowance purposes means the value, determined on the basis prescribed in this Note, of all motor vehicles produced in terms of this item during a quarter and ready for sale, excluding such vehicles exported during the same quarter, provided that such value shall further be reduced by the value for duty free allowance purposes allocated in any previous period, to any such motor vehicle exported during the specific quarter. For the purpose of this note: (a) the value for duty free allowance purposes for such a quarter shall be the recommended retail list price for the domestic market (exclusive of VAT and <i>ad valorem</i> excise duty in terms of Schedule 1 Part 2B), applicable to such motor vehicle/s at the time of production thereof, less a company specific percentage/s determined by the Director-General: Trade and Industry on a quarterly basis; (b) the company's specific percentage/s shall be based on the financial information of the quarter prior to the production quarter and shall <i>inter alia</i> include the variance/s between the average recommended retail list price/s (exclusive of VAT and <i>ad valorem</i> excise duty in terms of Schedule 1 Part 2B), and the average invoice price/s (excluding VAT and <i>ad valorem</i> excise duty) of the specific motor vehicle manufacturer, plus any other cost item/s which may result in a distortion of sales price/s which may include, but not limited to discounts, commissions and service contracts. The information shall, for purposes of Note 12, be based on sales on the domestic market and to buyers not related to the vehicle manufacturer in terms of section 66 (2) (a) of the Act; (c) the Director-General: Trade and Industry may determine the apportionment of any related item and may, if the company specific percentage/s were incorrectly calculated, adjust such percentage/s retrospectively; (d) the Director-General: Trade and Industry may request a report that includes computations and schedules supporting the calculation of the company specific percentage/s from the registered motor vehicle manufacturer, or his practising accountant or auditor registered in terms of Section 15 of the Accountant's and Auditors' Act 1991 at the cost of the Registered Motor Vehicle Manufacturer;		

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					(e) the Director-General: Trade and Industry may in the case of any model for which relevant price and cost structures are not available, determine the company's specific percentage/s in consultation with the motor vehicle manufacturer; (f) the Commissioner may, in the case of any model for which a recommended retail list price (exclusive of VAT and <i>ad valorem</i> excise duty) is not available, determine a recommended price in consultation with the motor vehicle manufacturer. 13. For the purpose of Note 12: (i) all documentation, including but not limited to books of account, which support or may support information furnished in respect of the company's specific percentage/s shall be kept for a period of not less than three years from the end of the producing quarter and shall be made available and produced to the Department of Trade and Industry on request for purposes of verification and should such documentation not be available, all benefits relating to such documents are recoverable; (ii) the Director-General: Trade and Industry may, for the period of 1 September 1995 to 31 December 1995, determine a provisional company's specific percentage/s in consultation with the motor vehicle manufacturer, which may be adjusted with retrospective effect. 14. The duty free allowance in any period shall in the first instance be utilised by such manufacturer to reduce the value of original equipment components entered under this rebate item and the foreign currency usage incorporated in original equipment components purchased from any person in the common customs area. Any excess duty free allowance may be utilised by such manufacturer to reduce the value of motor vehicles imported under rebate item 460.17. 15. (i) The motor vehicle manufacturer shall obtain certificates (forms DA 190) as prescribed by rule declaring the foreign currency usage in respect of automotive components for use in the manufacture of motor vehicles, purchased from any person in the common customs area. Such certificates shall be obtained at the times and in the manner as prescribed by the Commissioner from time to time. (ii) If such certificates are not obtained or duly completed, the foreign currency usage in respect of such goods shall be deemed to be the price at which such goods were purchased by the motor vehicle manufacturer.

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				16. (i) The foreign currency earnings in respect of exports by local component manufacturers, suppliers or other exporters shall be supported by a certificate (form DA 190) as prescribed by rule declaring the foreign currency usage in respect of imported automotive components and imported materials excluding consumables incorporated into each type of automotive component and automotive tooling exported. (ii) The foreign currency earnings in respect of motor vehicles, automotive components and automotive tooling exported by a motor vehicle manufacturer shall be supported by a certificate (form DA 190) as prescribed by rule declaring the foreign currency usage in respect of imported automotive components and imported materials excluding consumables incorporated into such exports. (iii) If such certificates duly completed are not obtained the foreign currency usage in respect of such motor vehicles, automotive components and automotive tooling exported shall be deemed to be the full value of the foreign currency earning. (iv) The value of precious metals in respect of catalytic converters whether or not incorporated in exhaust systems shall be restricted to 90% of the value of South African precious metals incorporated therein. 17. For the purposes of Notes 15 and 16, the Director-General: Trade and Industry may determine the method and basis of calculation and method and conditions regarding the verification of the foreign currency usage declared on such certificates and may verify the correctness of such foreign currency usage. 18. "Foreign currency usage" means the value for customs duty purposes of any imported components and materials (excluding consumables, petrol, distillate fuels, lubricating grease and prepared engine, gearbox, steering case and drive-axle lubricating oils) imported by or purchased from any person in the common customs area and used in the manufacture or assembly of automotive components specified motor vehicles and automotive tooling. 19. In addition to any liability of component manufacturers and suppliers to declare the correct foreign currency usage motor vehicle manufacturers acquiring such foreign currency usage shall be liable for any discrepancies resulting from the underdeclaration of foreign currency usage by such component manufacturers and suppliers, and shall remain liable for the import duty as if no rebate had been allowed. In the event of a dispute as to whether a motor vehicle manufacturer is entitled to a rebate claim, the onus shall rest on such motor vehicle manufacturer to prove its entitlement to the rebate.		

I Rebate Item	II				III Extent of Rebate	Annotations
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				20. The Director-General: Trade and Industry may issue import rebate credit certificates to exporters approved by him in respect of eligible exports as defined in Note 5 exported provided the undermentioned conditions are complied with: (a) Such goods were packed and exported under customs supervision unless otherwise determined by the Commissioner; and (b) all export documentation supported by duly completed forms DA 190, and proof of repatriation of funds for the goods exported be kept available by the registered exporter under such conditions that may be determined by the Director-General: Trade and Industry. (c) In order to qualify for stated benefits, applications for import rebate credit certificates are to be submitted to the Director-General: Trade and Industry not later than 12 months from the date of the export bill of entry. (d) Only goods which have physically left the common customs area may qualify. Such foreign currency earnings may only qualify for import rebate credit certificates if proof, to the satisfaction of the Director-General: Trade and Industry, has been furnished to include evidence that the payment of such proceeds emanates from the direct inflow of foreign exchange through a registered banking institution. Non-compliance with any of the above will not release the user of the import rebate credit certificate of any obligations in terms of this item. 21. For the purposes of Notes 15 and 20, the Director-General: Trade and Industry may: (a) prescribe the method, basis and conditions on which applications for import rebate credit certificates and the substantiation and verification of such application, shall be based. All documentation, including but not limited to books of account, which support or may support an application for an import rebate credit certificate in terms of the scheme, shall be kept for a period of not less than five years from the date of the certificate and shall be available and produced to the Department of Trade and Industry on request for purposes of verification and should such documents not be available all benefits relating to such documents are recoverable. (b) for the period 1 September 1995 to 31 December 1995 under such circumstances as he may prescribe issue provisional import rebate credit certificates before proof of payment is produced provided such proof of payment is produced not later than twelve months from the date of the export bill of entry.		

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		22. In addition to the liability of suppliers or component manufacturers to declare the correct foreign currency usage and of exporters to declare the correct foreign currency earnings, the person in whose name and import rebate credit certificate is issued shall be liable for any discrepancies resulting from the under or over declaration of foreign currency usage or earnings or any other incorrect information supplied, for whatever reason, which resulted in the issue of an incorrect certificate and shall remain liable for the import duty as if no rebate had been allowed. In the event of a dispute as to whether such person is entitled to a rebate claim, the onus shall rest on him to prove his entitlement to the rebate. 23. The Director-General: Trade and Industry shall indicate, based on information supplied by the applicant, on the import rebate credit certificate, whether it is in respect of automotive components, automotive tooling or motor vehicles exported. 24. Import rebate credit certificates may only be used— (a) by motor vehicle manufacturers to reduce the value of imported automotive components and specified motor vehicles; or (b) by other importers to claim a refund of import duties paid on automotive components and specified motor vehicles imported by the person in whose name the certificate is issued. 25. On application for an import rebate credit certificate, the applicant may by means of a letter of authorisation name the beneficiary of such certificate. Any beneficiary shall acquire such import rebate credit certificate subject to any limitations or impediments that might at any time be applicable to such import rebate credit certificate. 26. Import rebate credit certificates obtained by local component manufacturers, suppliers or other exporters in respect of eligible exports as defined in Note 5 exported may subject to Notes 24 and 25 only be transferred once. 27. For the purposes of this item— (a) the value for customs duty purposes of original equipment components imported (excluding complete consignments not yet unboxed as per specific bills of entry) shall be included in the period during which such goods were entered for warehousing. For the purposes of this note the value of the complete consignments excluded shall be carried forward as an opening balance for the ensuing quarter;	

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				(b) the foreign currency usage of original equipment components acquired from any person in the common customs area during a quarter shall be recorded in the ensuing quarter. However, for the first four months period (1 September 1995 to 31 December 1995) of the programme goods received during the four months period 1 June 1995 to 30 September 1995 shall be accounted for in the four months period 1 September 1995 to 31 December 1995. 28. (a) The Director-General: Trade and Industry may at any time verify any matter or information relating to this item save for those relating to the Commissioner. (b) The Director-General: Trade and Industry may withdraw an import rebate credit certificate which was issued on the basis of incorrect information pertaining to the application. If, at the time of the withdrawal, any of the benefits in terms of such certificate had been used, such benefits will be recoverable from the user(s). (c) In the event of any dispute arising as to the interpretation or application of any of the provisions of this item, save for those relating to the Commissioner, the decision of the Director-General: Trade and Industry will be final. 29. For the purposes of this rebate item the extent of rebate of "Full duty less the duty payable on the value calculated in terms of Note 29" means— (i) the value for customs duty purposes as prescribed in Note 27 (a); Less (ii) the value for customs duty purposes of— (a) imported automotive components used in the manufacture of original equipment components by such motor vehicle manufacturer and supplied to other motor vehicle manufacturers or exported; (b) original equipment components returned to overseas suppliers; (c) original equipment components transferred to parts and accessories; and (d) original equipment components which have been incorporated in motor vehicles exported, (iii) plus the foreign currency usage of original equipment components received by a motor vehicle manufacturer from any person in the common customs area during the accounting period subject to Note 27 (b),		

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				<i>Plus</i> (iv) the duty free allowance originally allocated to motor vehicles at the time of production but which were exported, <i>Less</i> (v) the duty free allowance calculated in terms of Note 12, <i>Less</i> (vi) the value of import rebate credit certificates. 30. To qualify for any rebate in terms of this rebate item (including the duty free allowance) all components imported for the manufacture of specified motor vehicles as defined in Note 7, shall be entered under Chapter 98		
	98.01	01.04	45	Original equipment components, for the manufacture of road tractors for semi-trailers of subheading No. 8701.20, of a vehicle mass not exceeding 1 600 kg.	Full duty less the duty payable on the value calculated in terms of Note 29	
		02.04	47	Original equipment components, for the manufacture of motor vehicles for the transport of ten or more persons, including the driver, of heading No. 87.02 of a vehicle mass not exceeding 2 000 kg.	Full duty less the duty payable on the value calculated in terms of Note 29	
		02.05	44	Original equipment components, for the manufacture of motor cars (including station wagons) of heading No. 87.03.	Full duty less the duty payable on the value calculated in terms of Note 29	
		04.04	49	Original equipment components, for the manufacture of motor vehicles for the transport of goods of heading No. 87.04 of a vehicle mass not exceeding 2 000 kg or a G.V.M. not exceeding 3 500 kg or of a mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg per chassis fitted with a cab (excluding motor vehicles of subheading No. 8704.10, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks).	Full duty less the duty payable on the value calculated in terms of Note 29	
		05.06	43	Original equipment components, for the manufacture of chassis fitted with engines of heading No. 87.06 of a mass not exceeding 1 600 kg or of a G.V.M. not exceeding 3 500 kg (excluding those for motor vehicles of subheading No. 8704.10, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks).	Full duty less the duty payable on the value calculated in terms of Note 29"	

No. R. 189

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/316)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig met terugwerkende krag tot 1 September 1995 in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarif- pos	Korting- kode	T. S.	Beskrywing		
317.04 "317.04				Deur kortingitem 317.04 deur die volgende te ver- vang: Nywerheid: Gespesifiseerde motorvoertuie Opmerkings: - Die mate van korting waarvoor in hierdie item voorsiening gemaak word, sal nie die reg betaalbaar op die ingevoerde goedere ingevolge Hoofstuk 98 van Bylae No. 1, oorskry nie. - Geregistreerdes onder hierdie kortingitem sal: (a) gedurende die eerste verrekeningstydperk, soos omskryf in Opmerking 3 (a) 'n doeanerekening vir die eerste vier maande aan die Kontroleur voorlê en enige doeanereg betaalbaar sal in rekening gebring word op 'n klaringsbrief vir binnelandse verbruik binne dertig dae na die sluitingsdatum van sodanige rekening maar nie later as die voorlaaste amptelike werksdag van die maand wat volg op die tydperk van vier maande waarin die datum vir sluiting van belastingrekeninge voorkom en vir die vier oorblywende kwartale akkumulatiewe kwartaallikse doeane rekeninge aan die Kontroleur voorlê en enige doeanereg betaalbaar sal op 'n voorlopige betaling inbetaal word binne dertig dae na die sluitingsdatum van elke kwartaal en indien dit sou gevind word dat die akkumulatiewe reg betaalbaar aan die einde van 'n kwartaal minder is as wat betaal is aan die einde van die vorige kwartaal sal die verskil in reg aan die motorvoertuigvervaardiger terugbetaal word. Indien die reg betaalbaar egter meer is as wat aan die einde van die vorige kwartaal betaal is moet die motorvoertuigvervaardiger die verskil in reg in berekening bring deur middel van 'n voorlopige betaling op voorwaarde dat aan die einde van die berekenings-tydperk die reg betaalbaar op die finale rekening so bereken in rekening gebring sal word op 'n klaringsbrief vir binnelandse verbruik binne dertig dae na die sluitingsdatum van sodanige rekening maar nie later as die voorlaaste amptelike werksdag of die maand wat volg op die tydperk van twaalf maande waarin die datum vir sluiting van belastingrekeninge voorkom; en		

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				(b) gedurende die tweede en daaropvolgende berekeningstydperke soos omskryf in Opmerking 3 (b), doeane-rekeninge aan die Kontroleur voorlê en enige doeane-reg betaalbaar sal in rekening gebring word op 'n klarings-brief vir binnelandse verbruik binne dertig dae na die sluitingsdatum van sodanige berekeningsperiode maar nie later as die voorlaaste amptelike werksdag van die maand wat volg op die tydperk van drie maande waarin die datum vir sluiting van belastingrekeninge voorkom. (ii) Vir die doeleindes van Opmerkings 2 (1) (a) en (b) sal die reg van toepassing wees op die datum van die sertifikaat vir verwydering van synsbare/gespesifiseerde goedere ex pakhuys (vorm DA 32). 3. Die verrekeningstydperke sal soos volg wees: (a) Die eerste verrekeningstydperk vir oorspronklike toerusting komponente wat onder hierdie kortingitem geklaar is, die ontvangs van plaaslike komponentvervaardigers of voorsieners en motorvoertuie geproduseer sal vir vyf periodes wees beginnende op 1 September 1995, bestaande uit 'n vier maande tydperk, gevolg deur vier periodes van drie maande elk en sal eindig op 31 Desember 1996. (b) Die tweede en daaropvolgende verrekeningstydperke sal op 'n kwartaallikse basis wees, beginnende op 1 Januarie 1997. 4. "Invoerkorting kredietseffekte" beteken sertifikate uitgereik deur die Direkteur-generaal: Handel en Nywerheid ten opsigte van geskikte uitvoere van goedere soos omskryf in Opmerking 5. 5. "Gesikhte uitvoere" beteken uitvoere van enige van die volgende wat nuut of ongebruik is ten tye van uitvoer: (a) Gespesifiseerde motorvoertuie omskryf in Opmerking 7 vervaardig onder hierdie kortingitem en uitgevoer vanaf die gelisensieerde persele deur die vervaardiger. (b) Motorvoertuie vervaardig onder kortingitem 317.07 en uitgevoer vanaf die geregistreerde persele deur die vervaardiger. (c) Motorvoertuigkomponente en motorvoertuiggereedskap soos omskryf in Opmerking 10 waarvoor 'n sertifikaat deur die Direkteur-Generaal: Handel en Nywerheid op aanbeveling van die Raad op Tariewe en Handel uitgereik was dat die uitvoer van sodanige komponente en gereedskap 'n bydrae lewer tot die bereiking van die algehele doelwit van die Staat se Motor Nywerheid Ontwikkelingsprogram.		

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				Sodanige komponente en gereedskap sal verder aan die volgende vereistes voldoen, naamlik dat— (i) dit geheel of gedeeltelik in die gemeenskaplike doeanegebied vervaardig is; (ii) nie minder nie as vyf-en-twintig persent van die vreemde valutaverdienste (soos omskryf in Opmerking 9) van die komponent verteenwoordig is deur die som van— — die koste van arbeid in die gemeenskaplike doeanegebied; — die waarde van materiale in die gemeenskaplike doeanegebied; — die fabrieks oorhoofse kostes (uitgesonderd wins) aangegeaan in die gemeenskaplike doeanegebied ten opsigte van die komponente en gereedskap; en (iii) die finale vervaardigingsproses (wat nie verpakking en verprosesse mag insluit nie) binne die gemeenskaplike doeanegebied plaasgevind het. (d) Motorvoertuie, motorvoertuigkomponente en motorvoertuiggereedskap (soos omskryf in Opmerking 10), uitgevoer tussen 1 Junie 1995 en 31 Augustus 1995 en wat nie onder enige voorsiening onder kortingitem 609.17 voor 1 September 1995 aangewend is nie. 6. Vir die doeleindes van Opmerking 5— (a) mag die Direkteur-generaal: Handel en Nywerheid, gebaseer op inligting verskaf deur die komponentvervaardiger ten opsigte van uitvoere wat geag word geskik te wees om invoerkorting krediete te verdien, sodanige sertifikaat uitreik onderhewig aan sodanige voorwaardes wat hy mag bepaal; en (b) "motorvoertuiggereedskap" sal as motorvoertuigkomponente beskou word. 7. "Gespesifiseerde motorvoertuie" beteken— (a) padtrekkers vir leunsleepwaens van subpos No. 8701.20 met 'n voertuigmassa van hoogstens 1 600 kg; (b) motorvoertuie vir die vervoer van tien of meer persone, insluitende die bestuurder, van pos No. 87.02, met 'n voertuigmassa van hoogstens 2 000 kg, (uitgesonderd die van subpos No. 8702.10.10); (c) motorkarre (insluitende stasiewaens) van pos No. 87.03;		

I Korting- item	II				III Mate van Korting	Annota- sies
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				(d) motorvoertuie vir die vervoer van goedere van pos No. 87.04 met 'n voertuigmassa van hoogstens 2 000 kg of 'n B.V.M. van hoogstens 3 500 kg of met 'n massa van hoogstens 1 600 kg of met 'n B.V.M. van hoogstens 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd motorvoertuie van subpos No. 8704.10, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbos-blokvragmotors); en (e) onderstelle met enjins toegerus van pos No. 87.06, met 'n massa van hoogstens 1 600 kg of 'n B.V.M. van hoogstens 3 500 kg (uitgesonderd die vir motorvoertuie van subpos No. 8704.10, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors). 8. "Die waarde van enige invoerkorting krediet sertifikaat ten opsigte van geskikte uitvoere" beteken die vreemde valutaverdienste soos omskryf in Opmerking 9 van sodanige goedere by die plek van versending vanuit die gemeenskaplike doeanegebied min die vreemde valutagebruik soos omskryf in Opmerking 18. 9. Die uitdrukking "vreemde valutaverdienste" beteken die vry vervoer waarde [met ander woorde vry aan boord (v.a.b.) en, in die geval van oorland vervoer deur uitgangspunte in die gemeenskaplike doeanegebied, vry op spoor (v.o.s.), of vry op trok (v.o.t.), by die grens] van uitvoerverkope. Vir die doeleindes van die omskrywing sal die volgende nie deel vorm van die vreemde valutaverdienste nie, naamlik: (a) Vrag en assuransië koste ten opsigte van geskikte uitvoere buite die gemeenskaplike doeanegebied, ongeag of die koste in die gemeenskaplike doeanegebied betaal is; (b) enige uitgawe of koste, op enige wyse aangegaan deur 'n uitvoerder vir enige aktiwiteit, insluitende dienste verrig, of wat nog verrig moet word, buite die gemeenskaplike doeanegebied vir enige uitvoer verkope, insluitende, maar nie beperkend tot— (i) kommissie betaal aan 'n oorsese verteenwoordiger; (ii) koste aangegaan in die bemaking, advertering, plasing, opslag, herstel en klaring van produkte verkoop ingevolge 'n uitverkoping; en (iii) enige belasting, invoer- en aksyns-regte.		

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				Hetsy sodanige uitgawes of koste betaal is of betaalbaar is of nie, in die gemeenskaplike doeanegebied, op voorwaarde dat, in geval van enige geskil wat ontstaan oor die bepaling van vreemde valutaverdienste, die Direkteur-generaal: Handel en Nywerheid 'n denkbeeldige vreemde valutaverdienste kan bepaal. 10. "Motorvoertuiggereedskap" beteken— — matryse vir die trek en ekstrusie van metaal, van subpos No. 8207.20; — gereedskap vir persstempel- of ponswerk, van subpos No. 8207.30; — werkstukhouers van subpos No. 8466.20; — monteerselmate van subpos No. 8479.89; en — inspuitsmatryse, vormpatrone en gietvorms van pos No. 84.80, waar die hoof gebruik vir die vervaardiging van gespesifiseerde motorvoertuie en motorvoertuig-komponente vir sodanige voertuie is. 11. "Belastingvrye vergunning" beteken 27 persent van die waarde vir belastingvrye vergunning doeleindes soos omskryf in Opmerking 12 plus ten opsigte van elke motorvoertuig met 'n waarde vir belastingvrye vergunning doeleindes van minder as R40 000, 0,0030 persent per R1 waarde ten opsigte van elke R1 waarde minder as R40 000. 12. Die waarde vir belastingvrye vergunning doeleindes beteken die waarde bepaal op die wyse voorgeskryf in hierdie Opmerking, van alle motorvoertuie wat ingevolge hierdie item gedurende 'n kwartaal vervaardig is en gereed vir verkoop is, uitgesonderd sodanige voertuie wat gedurende dieselfde kwartaal uitgevoer is, op voorwaarde dat sodanige waarde verder verminder sal word met die waarde vir belastingvrye vergunning doeleindes wat in enige vorige tydperk aan enige sodanige motorvoertuig toegeken is en wat gedurende die spesifieke kwartaal uitgevoer is. Vir die doeleindes van hierdie opmerking: (a) sal die waarde vir belastingvrye vergunning doeleindes vir sodanige kwartaal die aanbevole kleinhandel lysprys vir die plaaslike mark wees (uitgesluit B.T.W. en <i>ad valorem</i> aksynsreg ingevolge Bylae 1 Deel 2B), van toepassing op sodanige motorvoertuie ten tye van vervaardiging daarvan, min 'n maatskappy spesifieke persentasie/s bepaal deur die Direkteur-Generaal: Handel en Nywerheid op 'n kwartaallikse basis;		

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				(b) sal die maatskappy spesifieke persentasie/s gebaseer word op die finansiële inligting van die kwartaal voor die vervaardigingskwartaal en sal onder andere die verskil/le insluit tussen die gemiddelde aanbevole kleinhandel lysprys/se (uitgesonderd B.T.W en <i>ad valorem</i> aksynsreg ingevolge Bylae 1 Deel 2B), en die gemiddelde faktuurprys/e (uitgesonderd B.T.W. en <i>ad valorem</i> aksynsreg) van die spesifieke motorvoertuigvervaardiger plus enige ander koste item/s wat 'n distorsie tot gevolg mag hê wat mag insluit, maar nie beperk tot afslagte, kommissies en dienskontrakte nie. Die inligting sal, vir doeleindes van Opmerking 12 gebaseer word op verkope op die plaaslike mark en aan kopers wat nie verwant is aan die motorvoertuigvervaardiger ingevolge artikel 66 (2) (a) van die Wet; (c) mag die Direkteur-Generaal: Handel en Nywerheid die toedeling van enige verwante item bepaal en mag indien die maatskappy spesifieke persentasie/s foutiewelik bereken is sodanige persentasie/s terugwerkend wysig; (d) mag die Direkteur-generaal: Handel en Nywerheid 'n verslag aanvra wat berekenings en skedules insluit wat die berekening van die maatskappy spesifieke persentasie/s ondersteun van die geregistreerde motorvoertuigvervaardiger of sy praktiserende rekenmeester of ouditeure geregistreer ingevolge artikel 15 van die Rekenmeesters en Ouditeurs Wet 1991 aanvra vir die rekening van die geregistreerde motorvoertuigvervaardiger; (e) mag die Direkteur-Generaal: Handel en Nywerheid in die geval van enige model waarvoor die betrokke prys en kostestruktuur nie beskikbaar is nie, die maatskappy spesifieke persentasie/s in oorleg met die motorvoertuigvervaardiger bepaal; (f) mag die Kommissaris, in die geval van enige model waarvoor daar nie 'n aanbevole kleinhandel lysprys (uitgesonderd BTW en <i>ad valorem</i> aksynsreg) beskikbaar is nie 'n aanbevole kleinhandelprys in oorleg met die motorvoertuigvervaardiger bepaal.		

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				13. Vir die doeleindes van Opmerking 12: (i) moet alle dokumentasie, insluitende maar nie beperk tot boeke van rekeninge, wat die inligting voorgelê ten opsigte van die maatskappy spesifieke persentasie/s ondersteun of mag ondersteun gehou word vir 'n tydperk van nie minder as drie jaar van die einde van die produksie kwartaal en sal beskikbaar gemaak word en op aanvraag aan die Departement Handel en Nywerheid voorgelê word vir doeleindes van verifiëring en indien sodanige dokumentasie nie beskikbaar is nie sal alle voordele met betrekking tot sodanige dokumente verhaalbaar wees. (ii) mag die Direkteur-Generaal: Handel en Nywerheid vir die tydperk 1 September 1995 tot 31 Desember 1995 'n voorlopige maatskappy spesifieke persentasie/s in oorleg met die motorvoertuigvervaardiger bepaal wat met terugwerkende krag gewysig kan word. 14. Die belastingvrye vergunning in enige tydperk sal in die eerste plek deur sodanige vervaardiger aangewend word om die waarde van oorspronklike toerusting komponente wat onder hierdie kortingitem geklaar is te verminder en die vreemde valutagebruik wat in oorspronklike toerusting komponente geïnkorporeer is, wat aangekoop is van enige persoon in die gemeenskaplike doeanegebied. Enige oorskot belastingvrye vergunning mag deur sodanige vervaardiger aangewend word om die waarde van motorvoertuie onder kortingitem 460.17 te verminder. 15. (i) Die motorvoertuigvervaardiger moet sertifikaat (vorms DA 190) soos voorgeskryf by reël verkry wat die vreemde valutagebruik ten opsigte van motorvoertuigkomponente vir gebruik in die vervaardiging van motorvoertuie, aangekoop van enige persoon in die gemeenskaplike doeanegebied, verklaar. Sodanige sertifikaat sal verkry word op die tye en wyse soos die Kommissaris van tyd tot tyd voorskryf. (ii) Indien sodanige sertifikaat nie verkry word of behoorlik ingevul is nie, sal die vreemde valutagebruik ten opsigte van sodanige goedere geag word die prys te wees waarteen sodanige goedere deur die motorvoertuigvervaardiger aangekoop is.		

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				16. (i) Die vreemde valutaverdienste ten opsigte van uitvoere deur plaaslike komponentvervaardigers, verskaffers of ander uitvoerders sal ondersteun word deur 'n sertifikaat (vorm DA 190) soos voorgeskryf by reël wat die vreemde valutagebruik ten opsigte van ingevoerde motorvoertuigkomponente en ingevoerde grondstowwe uitgesonderd verbruiksgoedere in elke tipe motorvoertuigkomponent en motorvoertuiggereedskap geïnkorporeer uitgevoer, verklaar. (ii) Die vreemde valutaverdienste ten opsigte van motorvoertuie, motorvoertuigkomponente en motorvoertuiggereedskap uitgevoer deur 'n motorvoertuigvervaardiger sal ondersteun word deur 'n sertifikaat (vorm DA 190) soos voorgeskryf by reël wat die vreemde valutagebruik ten opsigte van ingevoerde motorvoertuigkomponente en ingevoerde grondstowwe verklaar uitgesonderd verbruikersgoedere wat in sodanige uitvoere geïnkorporeer is. (iii) Indien sodanige sertifikate nie behoorlik ingevul verkry word nie, sal die vreemde valutagebruik ten opsigte van sodanige motorvoertuie, motorvoertuigkomponente en motorvoertuiggereedskap, uitgevoer, geag word die volle waarde van die vreemde valutaverdienste te wees. (iv) Die waarde van edelmetale ten opsigte van katalitiese omskakelaars hetsy al dan nie, geïnkorporeer in uitlaatstelsels, sal beperk word tot 90% van die waarde van Suid-Afrikaanse edelmetale daarin geïnkorporeer. 17. Vir die doeleindes van Opmerkings 15 en 16 mag die Direkteur-generaal: Handel en Nywerheid die metode en basis van berekening en die metode en voorwaardes aangaande die verifiëring van die vreemde valutagebruik wat op sodanige sertifikate verklaar is bepaal en mag hy die korrektheid van sodanige vreemde valutagebruik verifieer. 18. "Vreemde valutagebruik" beteken die waarde vir doeaneregdoeleindes van enige ingevoerde komponente en materiale (uitgesonderd verbruiksartikels, petrol, distillaatbrandstowwe, smeergries en bereide enjin-, ratkas-, stuurkas- en aandryfwielas-smeerolies) ingevoer deur of aangekoop van enige persoon in die gemeenskaplike doeanegebied en gebruik in die vervaardiging van of montering van motorvoertuigkomponente, motorvoertuie en motorvoertuiggereedskap.		

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				19. Bykomend tot enige aanspreeklikheid van komponentvervaardigers en verskaffers om die korrekte vreemde valutagebruik te verklaar sal motorvoertuigvervaardigers wat sodanige vreemde valutagebruik verkry verantwoordelik wees vir enige ongerymdhede wat mag voortspruit as gevolg van die onderverklaring van vreemde valutagebruik deur sodanige komponentvervaardigers en verskaffers, en sal aanspreeklik bly vir die doeanereg asof geen korting toegestaan was nie. In die geval van 'n meningsverskil of 'n motorvoertuigvervaardiger wat die reg het op 'n kortingeis sal die bewyslas op sodanige motorvoertuigvervaardiger rus om sy reg op die korting te bewys. 20. Die Direkteur-generaal: Handel en Nywerheid mag invoerkorting kredietseffikate uitreik aan uitvoerders wat deur hom goedgekeur is ten opsigte van geskikte uitvoere soos omskryf in Opmerking 5 uitgevoer, op voorwaarde dat die onderstaande bepalings nagekom word: (a) sodanige goedere onder doeane toesig verpak en uitgevoer is tensy andersins deur die Kommissaris bepaal; en (b) alle uitvoerdokumentasie ondersteun deur behoorlik voltooide vorms DA 190 en die bewys van repatriasie van fondse vir die goedere uitgevoer beskikbaar gehou word deur die geregistreerde uitvoerder op sodanige voorwaardes wat deur die Direkteur-generaal: Handel en Nywerheid bepaal mag word. (c) ten einde vir enige genoemde voordele te kwalifiseer, moet aansoek vir invoerkorting kredietseffikate nie later as 12 maande van die datum van die uitvoerklaringsbrief aan die Direkteur-generaal: Handel en Nywerheid voorgelê word. (d) slegs goedere wat fisies die gemeenskaplike doeanegebied verlaat het mag kwalifiseer. Sodanige vreemde valutaverdienste mag alleenlik vir invoerkorting kredietseffikate kwalifiseer indien bewys tot bevrediging van die Direkteur-generaal: Handel en Nywerheid gelewer is wat bewyse dat die betaling van sodanige opbrengste afkomstig is van die direkte invloed van die vreemde valuta deur 'n geregistreerde bankinstelling, insluit. Nie-voldoening aan enige van die voornoemde sal nie die gebruiker van die invoerkorting kredietseffikaat vrystel van enige verpligtinge ingevolge hierdie item nie.		

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				21. Vir die doeleindes van Opmerkings 15 en 20, mag die Direkteur-Generaal: Handel en Nywerheid: (a) die metode, basis en voorwaardes waarop aansoeke vir invoerkorting kredietseffikaate en die wesentlikheid en nagaan van sodanige aansoeke gebaseer sal word voorskryf. Alle dokumentasie, inluitende maar nie beperk tot boeke van rekeninge, wat 'n aansoek vir 'n invoerkorting kredietseffikaat ondersteun of mag ondersteun ingevolge die program sal vir 'n tydperk van nie minder as vyf jaar van die datum van die seffikaat gehou word en sal beskikbaar wees en op versoek aan die Departement Handel en Nywerheid voorgelê word vir doeleindes van verifiëring en indien sodanige dokumente nie beskikbaar is nie sal alle voordele wat betrekking het op sodanige dokumente verhaalbaar wees. (b) vir die tydperk 1 September 1995 tot 31 Desember 1995 onder sodanige omstandighede wat hy mag voorskryf voorlopige invoer korting kredietseffikaate uitreik voordat bewys van betaling voorgelê is op voorwaarde dat sodanige bewys van betaling voorgelê word binne twaalf maande vanaf die datum van die uitvoerklaringsbrief. 22. Bykomend tot die aanspreeklikheid van verskaffers of komponentvervaardigers om die korrekte vreemde valutagebruik te verklaar en van uitvoerders om die korrekte vreemde valutaverdiensies te verklaar, sal die persoon in wie se naam 'n invoer korting kredietseffikaat uitgereik is aanspreeklik wees vir enige ongerymdhede voortspuitend uit die onder- en oorverklaring van vreemde valutagebruik of verdienste of enige ander foutiewe inligting verskaf vir watter rede ookal, wat gelei het tot die uitreik van 'n foutiewe seffikaat en sal aanspreeklik bly vir die doeanereg asof geen korting toegestaan was nie. In die geval van 'n meningsverskil of sodanige persoon die reg het op die invoer korting kredietseffikaat sal die bewyslas op hom rus om sy reg op die korting te bewys. 23. Die Direkteur-Generaal: Handel en Nywerheid sal op die invoer kredietseffikaat aandui, gebaseer op inligting voorsien deur die applikant, of dit ten opsigte van motorvoertuigkomponente, motorvoertuiggereedskap of motorvoertuie is wat uitgevoer is. 24. Invoer korting kredietseffikaat mag slegs gebruik word— (a) deur motorvoertuigvervaardigers om die waarde van ingevoerde motorvoertuigkomponente en gespesifiseerde motorvoertuie te verminder; of.		

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				(b) deur ander invoerders om 'n terugbetaling van invoerbelasting te verkry op motorvoertuigkomponente en gespesifiseerde motorvoertuie ingevoer deur die persoon in wie se naam die sertifikaat uitgereik is. 25. By aansoek vir 'n invoerkorting kredietertifikaat mag die aansoeker deur middel van 'n magtigingsbrief die begunstigde van sodanige sertifikaat benoem. Enige begunstigde sal sodanige invoer korting kredietertifikaat verkry onderhewig aan enige beperkings of belemmerings wat te enige tyd op sodanige invoer korting kredietertifikaat van toepassing mag wees. 26. Invoer korting kredietertifikate verkry deur plaaslike komponentvervaardigers, verskaffers of ander uitvoerders ten opsigte van geskikte uitvoere soos omskryf in Opmerking 5 uitgevoer, mag onderhewig aan Opmerkings 24 en 25, slegs een keer oorgedra word. 27. Vir die doeleindes van hierdie item— (a) sal die waarde vir doeaneregdoeleindes van oorspronklike toerusting komponente ingevoer (uitgesonderd volledige besendings wat nog nie oopgemaak opgemaak is nie soos per spesifieke klaringsbriewe) ingesluit word in die tydperk waartydens sodanige goedere vir opslag geklaar is. Vir die doeleindes van hierdie opmerking sal die waarde van volledige besendings uitgesluit as 'n openingsbalans na die daaropvolgende kwartaal oorgedra word; (b) sal die vreemde valutagebruik van oorspronklike toerusting komponente verkry word van enige persoon in die gemeenskaplike doeanegebied gedurende 'n kwartaal in berekening gebring word in die daaropvolgende kwartaal. Ewenwel, vir die eerste vier maande tydperk (1 September 1995 tot 31 Desember 1995) van die program sal goedere wat gedurende die vier maande tydperk 1 Junie 1995 tot 30 September 1995 in berekening gebring word in die vier maande tydperk 1 September 1995 tot 31 Desember 1995. 28. (a) Die Direkteur-Generaal: Handel en Nywerheid, mag te enige tyd enige aangeleentheid of inligting aangaande hierdie item verifieer behalwe vir die wat betrekking het op die Kommissaris. (b) Die Direkteur-Generaal: Handel en Nywerheid mag 'n invoerkorting kredietertifikaat wat uitgereik was op die basis van foutiewe inligting met betrekking tot die aansoek, terugtrek. Indien ten tyde van die terugtrekking enige van die voordele ingevolge so 'n sertifikaat alreeds gebruik is sal sodanige voordele van die gebruiker verhaalbaar wees.		

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				(c) In die geval van enige meningsverskil met betrekking tot die vertolking/toepassing van enige van die voorsienings van hierdie item, behalwe vir die wat betrekking het op die Kommissaris, sal die beslissing van die Direkteur-Generaal: Handel en Nywerheid finaal wees. 29. Vir die doeleindes van hierdie kortingitem beteken die mate van korting van "Volle reg min die reg betaalbaar op die waarde bereken ingevolge Opmerking 29" — (i) die waarde vir doeaneregdoeleindes soos voorgeskryf in Opmerking 27 (a); <i>Min</i> (ii) die waarde vir doeaneregdoeleindes van — (a) ingevoerde motorvoertuigkomponente gebruik in die vervaardiging van oorspronklike toerusting komponente deur 'n motorvoertuigvervaardiger en verskaf aan ander motorvoertuigvervaardigers of uitvoer; (b) oorspronklike toerusting komponente wat aan oorsese verskaffers teruggestuur is; (c) oorspronklike toerusting komponente oorgedra aan onderdele en bybehore; en <i>Plus</i> (iii) die vreemde valutagebruik van oorspronklike toerusting komponente ontvang deur 'n motorvoertuigvervaardiger van enige persoon binne die gemeenskaplike doeanegebied gedurende die berekeningsperiode, onderhewig aan Opmerking 27 (b), <i>Plus</i> (iv) die belastingvrye vergunning oorspronklik toegeken aan motorvoertuie ten tye van die vervaardiging daarvan maar wat uitvoer is, <i>Min</i> (v) die belastingvrye vergunning bereken ingevolge Opmerking 12, <i>Min</i> (vi) die waarde van invoer korting kredietsekkate. 30. Ten einde vir enige korting ingevolge hierdie kortingitem te kwalifiseer (insluitende die belastingvrye vergunning) moet alle komponente ingevoer vir die vervaardiging van gespesifiseerde motorvoertuie, soos omskryf in Opmerking 7, onder Hoofstuk 98 geklaar word."		

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	98.01	01.04	45	Oorspronklike toerusting komponente vir die vervaardiging van padtrekkers vir leunsleepwaens van subpos No. 8701.20 met 'n voertuig massa van hoogstens 1 600 kg.	Volle reg min die reg betaalbaar op die waarde bereken ingevolge Opmerking 29	
		02.04	47	Oorspronklike toerusting komponente vir die vervaardiging van motorvoertuie vir die vervoer van tien of meer persone, insluitende die bestuurder, van pos No. 87.02 met 'n voertuigmassa van hoogstens 2 000 kg.	Volle reg min die reg betaalbaar op die waarde bereken ingevolge Opmerking 29	
		02.05	44	Oorspronklike toerusting komponente vir die vervaardiging van motorkarre (insluitende stasiewaens) van pos No. 87.03.	Volle reg min die reg betaalbaar op die waarde bereken ingevolge Opmerking 29	
		04.04	49	Oorspronklike toerusting komponente vir die vervaardiging van motorvoertuie vir die vervoer van goedere van pos No. 87.04 met 'n voertuigmassa van hoogstens 2 000 kg of 'n B.V.M. van hoogstens 3 500 kg of met 'n massa van hoogstens 1 600 kg of met 'n B.V.M. van hoogstens 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd motorvoertuie van subpos No. 8704.10, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors).	Volle reg min die reg betaalbaar op die waarde bereken ingevolge Opmerking 29	
		05.06	43	Oorspronklike toerusting komponente vir die vervaardiging van onderstelle met enjins toegerus van pos No. 87.06 met 'n massa van hoogstens 1 600 kg of 'n B.V.M. van hoogstens 3 500 kg (uitgesonderd die vir motorvoertuie van subpos No. 8704.10, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors).	Volle reg min die reg betaalbaar op die waarde bereken ingevolge Opmerking 29"	

No. R. 190

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/317)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended with effect from 1 January 1996 to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
317.06	00.00	01.00	07	By the substitution for rebate codes 01.00 and 02.00 to tariff heading 00.00 to rebate item 317.06 of the following: Parts, for the manufacture of automatic or semi-automatic gear-boxes (complete with fluid couplings, gear selectors, retarders and control systems) and manual gear-boxes subject to a permit issued by the Director-General: Trade and Industry on the recommendation of the Board on Tariffs and Trade.	Full duty	

I Rebate Item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
		02.00	01	Parts and accessories (excluding single row radial ball bearings and single row tapered roller bearings, with an outside diameter of 31 mm or more but not exceeding 90 mm), for the manufacture of driving axles subject to a permit issued by the Director-General: Trade and Industry on the recommendation of the Boards on Tariffs and Trade.	Full duty"	

No. R. 190

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/317)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig met ingang van 1 Januarie 1996 in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting kode	T. S.	Beskrywing		
317.06				Deur kortingkode 01.00 en 02.00 by tariefpos 00.00 by kortingitem 317.06 deur die volgende te vervang:		
	"00.00	01.00	07	Onderdele, vir die vervaardiging van outomatiese en semi-outomatiese ratkaste (volledig met hidrouliese koppelings, ratkiesers, vertraers en beheerstelsels) en handratkaste onderhewig aan 'n permit uitgereik deur die Direkteur-generaal: Handel en Nywerheid op aanbeveling van die Raad op Tariewe en Handel.	Volle reg	
		02.00	01	Onderdele en bybehoorsels (uitgesonderd enkelry radiale koeëllaers en enkelry tapse rollaers, met 'n buite-deursnee van minstens 31 mm maar hoogstens 90 mm), vir die vervaardiging van aandryfwielasse onderhewig aan 'n permit uitgereik deur die Direkteur-Generaal: Handel en Nywerheid op aanbeveling van die Raad op Tariewe en handel.	Volle reg"	

No. R. 191

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/318)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended with effect from 1 January 1996 to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.	Description		
317.07 "317.07"				By the insertion after rebate item 317.06 of the following: 317.07 Industry Heavy Vehicles Notes: 1. "Heavy Vehicles" means— (a) road tractors for semi-trailers of subheading No. 8701.20 of a vehicle mass exceeding 1 600 kg; (b) motor vehicles for the transport of ten or more persons, including the driver, of heading No. 87.02, of a vehicle mass exceeding 2 000 kg (excluding those of subheading No. 8702.10.10); (c) motor vehicles for the transport of goods of heading No. 87.04, of a vehicle mass exceeding 2 000 kg and of a G.V.M. exceeding 3 500 kg or of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg per chassis fitted with cab (excluding dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks); and (d) chassis fitted with engines of heading No. 87.06, of a mass exceeding 1 600 kg and of a G.V.M. exceeding 3 500 kg (excluding those for dumpers designed for off-highway use, shuttle cars and low construction flame-proof vehicles, for use in underground mines and off-the-road logging trucks). 2. To qualify for any rebate in terms of this rebate item all components imported for the manufacture of the motor vehicles specified in Note 1 to this rebate item shall be entered under chapter 98 of Schedule No. 1.		
	98.01	01.04	40	Compression ignition engines of a cylinder capacity of 3 700 cc or more but not exceeding 22 000 cc and cylinder blocks, cylinder heads, crankshafts and camshafts therefor, whether or not fitted with components, in such quantities, at such times and subject to such conditions as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specific permit	Full duty less 27,5%	
		02.04	45	Gear-boxes designed to operate without torque converters or fluid flywheels for vehicles of a G.V.M. of 7 500 kg or more and main housings, shafts and gears therefor, whether or not fitted with any components, in such quantities, at such times and subject to such conditions as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specific permit	Full duty less 27,5%	
		03.04	44	Drive axles with differentials, whether or not including foundation brakes, wheel hubs and brake drums, for vehicles of a G.V.M. of 16 000 kg or more (other than vehicles for the transport of persons) and main axle housings, shafts and gears therefor, whether or not fitted with any components, in such quantities, at such times and subject to such conditions as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specific permit	Full duty less 27,5%	

I Rebate Item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
		04.04	44	Cabs or bodies, whether or not fitted with bonnets, doors and tailgates and whether or not painted or trimmed or fitted with any components, in such quantities, at such times and subject to such conditions as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specific permit	Full duty less 17,5%	
		05.04	49	Pneumatic tyres, whether or not fitted to wheel rims, in such quantities, at such times and subject to such conditions as the Director-General: Trade and Industry, on the recommendation of the Board on Tariffs and Trade, may allow by specific permit	Full duty less 27,5%	
		06.04	43	Other original equipment components	Full duty"	

No. R. 191

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/318)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig met ingang van 1 Januarie 1996 in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
317.07 "317.07"				Deur na kortingitem 317.06 die volgende in te voeg: 317.07 Nywerheid: Swaar voertuie <i>Opmerkings:</i> 1. "Swaar voertuie" beteken — (a) padtrekkers vir leunsleepwaens van subpos No. 8701.20 met 'n voertuig massa van meer as 1 600 kg; (b) motorvoertuie vir die vervoer van tien of meer persone, insluitende die bestuurder, van pos No. 87.02, met 'n voertuigmassa van meer as 2 000 kg (uitgesonderd voertuie van subpos No. 8702.10.10); (c) motorvoertuie vir die vervoer van goedere van pos No. 87.04, met 'n voertuigmassa van meer as 2 000 kg en met 'n B.V.M. van meer as 3 500 kg of met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg per onderstel toegerus met 'n kajuit (uitgesonderd storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblok-vragmotors);		

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
				(d) onderstelle toegerus met enjins van pos No. 87.06, met 'n massa van meer as 1 600 kg en met 'n B.V.M. van meer as 3 500 kg (uitgesonderd die vir storters ontwerp vir gebruik op rowwe terrein, rolbodemwaens en lae konstruksie vlamvaste voertuie vir gebruik in ondergrondse myne en veldbosblokvragmotors).		
				2. Ten einde vir enige korting ingevolge hierdie korting-item te kwalifiseer moet alle komponente wat ingevoer word vir die vervaardiging van die motorvoertuie in Opmerking 1 gespesifiseer onder Hoofstuk 98 in Bylae No. 1 geklaar word.		
	98.01	01.04	40	Kompressie-ontstekingsbinnebrandsuierenjins met 'n silinderkapasiteit van minstens 3 700 cm ³ maar hoogstens 22 000 cm ³ en silinderblokke, silinderkoppe, krukasse en nokasse daarvoor hetsy met komponente toegerus al dan nie, in die hoeveelhede, op die tye en onderhewig aan sodanige voorwaardes wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad op Tariewe en Handel by bepaalde permit mag toelaat	Volle reg min 27,5%	
		02.04	45	Ratkaste ontwerp om sonder koppelomsitters of hidrouliese koppeling te funksioneer vir voertuie met 'n B.V.M. van 7 500 kg of meer en hoof hulsels, asse en ratte daarvoor, hetsy met komponente toegerus al dan nie, in die hoeveelhede, op die tye en onderhewig aan sodanige voorwaardes wat die Direkteur-Generaal: Handel en Nywerheid op aanbeveling van die Raad op Tariewe en Handel by bepaalde permit mag toelaat	Volle reg min 27,5%	
		03.04	44	Dryfasse met ewenaars hetsy al dan nie toegerus met fondamentremme, wielnawe en remtrommels vir voertuie met 'n B.V.M. van 16 000 kg of meer (ander dan voertuie vir die vervoer van persone) en hoofasomhulsels, asse en ratte daarvoor, hetsy met enige komponente toegerus al dan nie, in die hoeveelhede, op die tye en onderhewig aan sodanige voorwaardes wat die Direkteur-Generaal: Handel en Nywerheid by bepaalde permit mag toelaat	Volle reg min 17,5%	
		04.04	44	Kajuite en bakke, hetsy al dan nie toegerus met enjinkappe, deure en agterklappe hetsy al dan nie geverf of met bekleedsel of met enige komponente toegerus, in die hoeveelhede, op tye en onderhewig aan sodanige voorwaardes wat die Direkteur-Generaal: Handel en Nywerheid op aanbeveling van die Raad op Tariewe en handel by bepaalde permit mag toelaat	Volle reg min 17,5%	
		05.04	49	Lugbande hetsy op wielvellings gemonteer al dan nie, in die hoeveelhede, op die tye en onderhewig aan sodanige voorwaardes wat die Direkteur-Generaal: Handel en Nywerheid by bepaalde permit mag toelaat	Volle reg min 27,5%	
		06.04	43	Ander oorspronklike toerusting komponente	Volle reg"	

No. R. 192

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 4 (No. 4/187)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended with retrospective effect to 1 September 1995 to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Anno- tations
	Tariff Heading	Rebate Code	C. D.	Description		
460.17				By the substitution of Note 1 to rebate item 460.17 of the following: "1. For the purposes of this rebate item the extent of rebate "not exceeding the duty as calculated in terms of the notes to this rebate item" means the customs duty payable must be calculated on a value determined as follows: (i) The value for customs duty purposes of motor vehicles imported less the value of any excess duty free allowance as calculated in the quarterly account of a manufacturer of specified motor vehicles (as defined in Note 7 to rebate item 317.04) and less the value of an import rebate credit certificate in respect of motor vehicles, provided for in this item, automotive components and automotive tooling exported. (ii) For the purposes of paragraph (i) above the value of the excess duty free allowance and the value of an import rebate credit certificate shall be reduced by 25 per cent if the rebate is used for the import of specified motor vehicles. No adjustment shall, however, be made if the import rebate credit certificate is in respect of specified motor vehicles exported."		

No. R. 192

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 4 (No. 4/187)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by genoemde Wet hiermee gewysig met terugwerkende krag tot 1 September 1995 in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
460.17				Deur Opmerking 1 by kortingitem 460.17 deur die volgende te vervang: "1. Vir die doeleindes van hierdie kortingitem beteken die mate van korting "hoogstens die reg bereken kragtens die Opmerking by dié item" dat die doeanereg betaalbaar bereken moet word op 'n waarde wat soos volg bepaal word: (i) Die waarde vir doeaneregdoeleindes van motorvoertuie ingevoer min die waarde van enige oorskot belastingvrye vergunning soos bereken in die kwartaallikse rekening van 'n vervaardiger van gespesifiseerde motorvoertuie (soos gedefinieer in Opmerking 7 by kortingitem 317.04) en min die waarde van 'n invoer korting kredietcertifikaat ten opsigte van motorvoertuie voorsien in hierdie item, motorvoertuig komponente en motorvoertuig-gereedskap uitgevoer.		

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- pos	Korting- kode	T. S.	Beskrywing		
				(ii) Vir die doeleindes van paragraaf (i) hierbo moet die waarde van die oorskot belastingvrye vergunning en die waarde van invoer korting kredietseifikate met 25 persent verminder indien die korting gebruik word vir die invoer van gespesifiseerde motorvoertuie. Geen aanpassing sal egter gedoen word indien die invoerkorting kredietseifikaat ten opsigte van gespesifiseerde motorvoertuie wat uitgevoer is nie."		

No. R. 193

9 February 1996

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 5 (No. 5/42)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 5 to the said Act is hereby amended with effect from 1 January 1996 to the extent set out in the Schedule hereto.

A. ERWIN

Deputy Minister of Finance

SCHEDULE

I Drawback Item	II				III Extent of Drawback	Anota- tions
	Tariff Heading	Drawback Code	C. D.	Description		
537.00				By the substitution for the Note to Refund item 537.00 of the following: "The value of import rebate credit certificates in respect of eligible automotive components, automotive tooling and motor vehicles manufactured under rebate item 317.07 exported shall be reduced by twenty five per cent."		

No. R. 193

9 Februarie 1996

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 5 (No. 5/42)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 5 by genoemde Wet hiermee gewysig met ingang van 1 Januarie 1996 in die mate in die Bylae hiervan aangetoon.

A. ERWIN

Adjunkminister van Finansies

BYLAE

I Teruggawe Item	II				III Mate van Teruggawe	Annota- sies
	Tarief- pos	Teruggawe Kode	T. S.	Beskrywing		
537.00				Deur die Opmerking by Terugbetalings item 537.00 deur die volgende te vervang: Die waarde van invoer korting kredietseifikate ten opsigte van geskikte motorvoertuigkomponente, motorvoertuiggereedskap en motorvoertuie onder kortingitem 317.07 vervaardig wat uitgevoer is, moet met vyf-en-twintig persent verminder word."		

**DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID**

No. R. 176

9 February 1996

REGULATIONS UNDER THE HEALTH ACT, 1977 (ACT No. 63 OF 1977)

The Minister of Health intends, in terms of section 35, read with section 40, of the Health Act, 1977 (Act No. 63 of 1977), to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments on the proposed regulations, or any representations they may wish to make in regard thereto, to the Director-General of the Department of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Environmental Health), within three months of the date of publication of this notice.

SCHEDULE

REGULATIONS RELATING TO FOOD PREMISES AND THE TRANSPORT OF FOOD

1. DEFINITIONS AND APPLICATION

(1) In these regulations, "the Act" means the Health Act, 1977 (Act No. 63 of 1977), and any word or expression to which a meaning has been assigned in the Act shall have such meaning, and unless the context otherwise indicates—

"**available**" includes available elsewhere than on the food premises in question;

"**best available method**" means a method which is practicable and necessary for the protection of food against pollution or spoilage, having consideration to local conditions and circumstances whether at or in particular food premises or elsewhere, the prevailing extent of established practice and the financial implications applicable thereto;

"**certificate of acceptability**" means a certificate of acceptability referred to in regulation 2;

"**clean**" means free of any dirt or impurity or undesirability or pollution to the extent that it is hygienic, and "**keep clean**" has a similar meaning;

"**container**" or "**food container**" includes anything in which or with which food is served, stored, displayed, packed, wrapped, kept or transported and with which food is in direct contact;

"**core temperature**" means the temperature reading taken in the estimated centre of the food;

"**facility**" means any apparatus, appliance, equipment, implement, storage space, working surface, place or object used in connection with the handling of food;

"**food**" means a foodstuff intended for human consumption as defined in section 1 of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act No. 54 of 1972), excluding vegetables, fruit, maize, wheat, rye, groundnuts in their shells, sugar cane, sunflower seed and other agricultural crops which are fresh and raw and in their natural, unchanged state without the product concerned having undergone any further process than the harvesting process and packaging for sale;

"**food premises**" includes a building, construction, stall or other similar structure, and further includes a caravan, vehicle, stand or place used in or in connection with the handling of food;

"**good manufacturing practice**" means methods of manufacture, procedures and methods of handling so applied, taking into account the principles of hygiene, that food cannot be polluted or spoilt during the manufacturing process;

"**handle**" includes manufacture, process, produce, pack, prepare, keep, offer, store or display for sale or for serving, and "**handling**" has a corresponding meaning;

"**hands**" includes the part of a person's arms extending from the wrist to the elbow;

"**health hazard**" includes any condition, act or omission that may so pollute or spoil food that consumption of the food is likely to be dangerous or detrimental to health;

"**inspector**" means a medical officer of health appointed in terms of section 22 (1) of the Act, or a environmental health officer or veterinary surgeon appointed in terms of section 24 (1) of the Act;

"**perishable food**" means any foodstuff which on the grounds of the food's composition, substances, moisture content and/or pH-value and because of lack of preservatives and packaging is susceptible to an uninhibited increase of microbes thereon or therein if the foodstuff is kept within the temperature spectrum of 4 °C to 65 °C;

"**person in charge**", with regard to any food premises, vehicle or facility, means a natural person who is responsible for the food premises, vehicle or facility, as the case may be;

"**pollute**" means that by an external agent has such effect that the food—

- (a) does not meet a standard or requirement determined by any law;
- (b) does not meet acceptable food hygiene standards or consumer norms or standards; or
- (c) is unfit for human consumption;

and "**pollution**" has a corresponding meaning;

"prepacked food", means food which, before it is presented for sale or for serving, has been packed as contemplated in regulation 6 (4);

"ready-to-use food" means any perishable food which in order to prevent spoilage, has to be kept chilled or heated and which may be consumed during the provision or sale thereof without having to undergo any process of preparation to make it edible;

"serve" includes the provision of food whether for a consideration or otherwise;

"thermometer" means an apparatus which can give the temperature readings referred to in these regulations, and of which the combined accuracy of the thermometer and its temperature-sensitive sensor is approximately plus or minus 0,5 °C, and which, except in the case of a thermometer installed on a chilling or freezer facility, has a stem at least 75 mm long;

"these regulations" includes any annexure to these regulations;

"unsound" includes unwholesome, sick, polluted, infected, contaminated or spoilt, or unfit for human consumption for any reason whatsoever;

"vehicle" includes a train, trolley, wagon, cart, bicycle, sled, truck, boat, ship or aeroplane, and further includes any other craft, vehicle or conveyance used in the handling or transport of food;

"water" means clean and clear water that does not exceed five Nephelometric turbidity units and that does not have a foreign taste, smell or appearance and that contains no pathogenic organisms and that, in terms of recognised scientific bacteriological methods of investigation, at a temperature of 37 °C contains no faecal coliform bacteria per 100 ml and not more than five coliform bacteria per 100 ml and not more than a total count of 10 000 viable bacteria per 100 ml and that is free from any matter in concentrations detrimental to human health;

"wild animal" includes any animal, bird or reptile that is intended for human consumption and that is not defined as an **"animal"** in terms of the Abattoir Hygiene Act, 1992 (Act No. 121 of 1992).

(2) Any reference in these regulations to a local authority shall also be interpreted as a reference to—

(a) the Director-General—

(i) where a local authority has failed to heed a notice in terms of section 15 (1) of the Act; or

(ii) where a local authority has been relieved of a power or duty by notice in terms of section 20 (5) (a) of the Act; or

(iii) in respect of an area where there is no local authority as contemplated in section 30 (1) of the Act;

(b) the Premier of the province concerned, where a local authority has failed to heed a notice in terms of section 18 (1) of the Act.

(3) A local authority which does not have the services of an inspector at its disposal because—

(a) the inspector of the local authority concerned is ill;

(b) the inspector of the local authority concerned is on leave; or

(c) the inspector is not available because of any other reason,

may use the services of an inspector from another health authority or an environmental health officer in private practice to exercise or execute the powers or duties of an inspector referred to in this regulations.

(4) These regulations shall not be applicable to a private household which handles food for consumption by such household or any other person attached up to such household.

(5) No provision of these regulations that is in conflict with regulations made under the Act with regard to the handling or transportation of certain foods shall be valid in so far as it so conflicts.

2. CERTIFICATE OF ACCEPTABILITY

(1) Subject to the provisions of subregulation (2) and regulation 14 (5), no person shall handle food or permit food to be handled—

(a) on a food premise in respect of which a valid certificate of acceptability has not been issued or is not in force;

(b) in contravention of any restriction or condition or particular contained in such certificate of acceptability.

(2) The provisions of subregulation (1) shall come into effect in the case of a food premise existing at the time of publication of these regulations—

(a) if the person in charge of a food premise applies for a certificate of acceptability within 18 months after the publication of these regulations, on the date on which a certificate of acceptability is issued in respect of such a food premise or on the date on which the application is denied; or

(b) if no application referred to in paragraph (a) is made, on the first day following the day on which the said period expires or on the date on which a prohibition notice referred to in regulation 3 (2) is issued.

(3) The person in charge of a food premise wishing to obtain a certificate of acceptability in respect of such a food premise shall apply therefor in writing to the local authority in whose area the food premise is situated on a form containing at least the particulars that are substantially the same as those contained in the form in Annexure A to these regulations.

(4) Upon receipt of an application referred to herein, the local authority concerned shall without delay refer the application to an inspector for consideration.

(5) An inspector may, in considering such an application, request such further information as he may deem necessary or expedient from the applicant or from any other person.

(6) If an inspector, after having carried out an inspection, is satisfied that the food premise concerned, the adjacent land and the facilities, subject to the provisions of regulations 3 (2) and 14—

- (a) do in all respects comply with the provisions of regulations 4 and 5, an inspector must issue a certificate of acceptability in the name of the person in charge on a form that is substantially the same as the form in Annexure B of these regulations; or
- (b) do not in all respects comply with the provisions of regulations 4 and 5, an inspector may, subject to the provisions of regulation 3 (2), grant an extension for a maximum of six months to enable the person in charge so to change or equip the food premise that it complies with the provisions in question: Provided that during the said period of extension the provisions of subregulation (1) of this regulation shall not apply to the person concerned.

(7) A certificate of acceptability shall be displayed in a conspicuous place on the food premises in respect of which it was issued.

(8) If the person in charge of a food premise is replaced by another person, such person shall inform the local authority of such replacement within 30 days after the date thereof and the local authority shall, subject to the provisions of regulation 3 (2), issue a new certificate of acceptability in the name of the new person in charge.

(9) A certificate of acceptability—

- (a) shall not be transferable from one person to another person and from one food premise to another food premise;
- (b) shall be valid only in respect of the category or type of food and the method of handling set out in the certificate;
- (c) may at any time be endorsed by an inspector by—
 - (i) the addition of any further restriction that may be necessary to prevent a health hazard; and
 - (ii) the removal of any restriction with regard to the category or type of food or the method of handling;
- (d) shall expire temporarily for the period during which a prohibition under regulation 3 (2) is in effect;
- (e) shall expire permanently if a prohibition referred to in regulation 3 (2) is not removed within six months from the date on which a notice was issued in terms of regulation 3 (2).

(10) No person may make any unauthorised changes or additions to or forge a certificate of acceptability.

3. PROHIBITION ON THE HANDLING AND TRANSPORTATION OF FOOD

(1) No person may handle or transport food in a manner contrary to the provisions of these regulations.

(2) If an inspector following an inspection of a food premise or a facility is of the opinion—

- (a) that such food premise or facility—
 - (i) is in such condition or used in such manner; or
 - (ii) do not comply with these regulations to the extent; or
- (b) that a particular activity with regard to the handling or transportation of food takes place in such a manner; or
- (c) that such circumstances exist with regard to the food premise or facility or any other activity,

that it constitutes a health hazard and that the continued use of the food premise or facility or the activity should be prohibited, the inspector may summarily prohibit the use of the food premise or facility for the handling or transportation of food or any of the activities concerned with regard to the handling or transportation of food, by serving a written notice in terms of section 52 of the Act on the person in charge, informing such person of the prohibition.

(3) A notice referred to subregulation (2) shall contain at least the following particulars:

- (a) The reason(s) for the prohibition;
- (b) a statement that the prohibition will in writing be removed by an inspector as soon as the reason(s) for the prohibition has (have) been removed and provided the inspector is satisfied that the reason(s) for the prohibition is (are) not likely to recur.

(4) (a) A prohibition shall come into operation from the time at and the date on which a notice is served under subregulation (2).

(b) No person shall perform any act that is contrary to such prohibition.

(5) An inspector shall, within 72 hours of receiving a request for the removal of a prohibition, carry out an investigation of the food premise, facility, activity or circumstance which gave rise to the prohibition and shall, upon completion of such investigation, in writing inform the person on whom the prohibition notice was served or, if he is not available, any other person representing such person that the prohibition has been removed or remains, as the case may be.

(6) A local authority may levy an inspection fee equivalent to the expenses incurred by the local authority for carrying out the inspection, up to a maximum amount of R100, on the person in charge for each investigation carried out by an inspector in terms of subregulation (5).

4. STANDARDS AND REQUIREMENTS TO WHICH FOOD PREMISES SHALL CONFORM

(1) Subject to the provisions of regulation 14 no person may handle food elsewhere than in or on a food premise that meet the requirements of this regulation and regulation 5.

(2) A food premise shall be of such location, design, construction and finish and shall be so equipped, in such condition and so appointed that it may be used at all times for the purpose for which it was designed, equipped and appointed—

(a) without creating a health hazard; and

(b) in such manner that food—

(i) may be handled hygienically on or in the food premise or with the equipment thereon or therein; and

(ii) may be effectively protected by means of the best available method against pollution or spoilage by poisonous or offensive gases, vapours, odours, smoke, soot deposits, dust, moisture, insects or other vectors, or by any other physical, chemical or microbiological contamination or pollution or by any other agent whatsoever.

(3) For the purposes of subregulation (2) a food premise shall, subject to the provisions of regulation 14 (6), meet the following requirements:

(a) All interior surfaces of walls, sides or ceilings, or of roofs without ceilings, as well as the surfaces of floors, or any other similar horizontal or vertical surfaces that form part of or enclose the food-handling area shall—

(i) have no open joints or open seams and shall be made of smooth, rust-free, non-toxic, cleanable and non-absorbent material that is dust-proof and water-resistant;

(ii) be of such a nature that it cannot pollute or contribute to the pollution of food.

(b) A food premise shall be—

(i) ventilated by means of—

(aa) openings or openable sections in the roof or in an outside wall, and such openings and openable sections shall have a surface area equal to at least 3% and 5%, respectively, of the floor area of the room concerned; or

(bb) artificial ventilation that complies with the requirements of the National Building Regulations and Building Standards Act, 1977 (Act No. 103 of 1977), and that facilitates the addition of fresh air to and the removal of polluted or stale air from the food-handling area to the extent that air contaminants that could pollute food, and that gas, vapours, steam and warm air that may arise during the handling of food are effectively removed, and that the emergence of any unhygienic or unhealthy condition in the food-handling area is prevented;

(ii) illuminated by means of—

(aa) unobstructed transparent surfaces which admit daylight, with an area equal to at least 10% of the floor area of the room concerned; or

(bb) artificial illumination that complies with the requirements of the National Building Regulations and Building Standards Act, 1977, and which permits an illumination strength equal to at least 200 lux to fall on all food-handling surfaces in the room concerned.

(c) A food premise—

(i) shall have a wash-basin, as well as cold or hot water for the cleaning of facilities;

(ii) shall be rodent-proof in accordance with the best available method: Provided that this requirement shall not apply in respect of a food premise on which no food is handled or kept after the trading hours of the premise;

(iii) shall have effective measures to prevent the access of flies or other insects to a room or area where the food is handled;

(iv) shall have a waste-water disposal system approved by the local authority.

(d) The following shall be available in respect of a food premise:

(i) The number of sanitary facilities specified in Annexure C to these regulations for the use of workers on the food premise and for use by persons to whom food is served for consumption on the food premise: Provided that separate sanitary facilities for workers and clients are not hereby required: Provided further that where persons of only one sex or no more than ten persons work on a food premise, separate sanitary facilities shall not be required for workers of different sexes;

(ii) a hand-washing facility as well as hot or cold water for the washing of hands by workers on the food premise and by persons to whom food is served for consumption on the food premise, together with a supply of soap (or other cleaning agents), nail cleansers and clean disposable handdrying material or other handcleaning facilities or handdrying equipment for the cleansing and drying of hands by such workers and persons;

(iii) liquid-proof, easy-to-clean refuse containers with close-fitting lids for the effective removal of refuse arising on the food premise;

(iv) a changing area with storage facilities for clothes;

(v) storage space for the hygienic storage of the food, facilities and equipment used on the food premise.

- (e) No room in which food is handled may have a direct connection with—
- (i) a room in which a latrine or a urinal is situated unless the latter room is provided with mechanical extraction ventilation to the external air and providing that the connecting aperture has a self-closing door that covers the total area of such aperture, and in this context “direct connection” means access from a food-handling room to a room in which a latrine or a urinal is situated without the two rooms being separated from one another by means of an effectively ventilated portal equipped with self-closing doors;
 - (ii) any area in which gas, fumes, dust, soot deposits, offensive odours or any other impurity is present or may arise in such a manner that food in the food-handling room could be polluted or spoilt;
 - (iii) any area in which an act is performed in any manner or where any condition exists that could pollute or spoil food in the food-handling room.

5. STANDARDS AND REQUIREMENTS TO WHICH FACILITIES IN OR ON FOOD PREMISES SHALL CONFORM

(1) The surface of any table, or counter or any working surface on which unpacked food is handled and any equipment, utensil or basin, or any other surface, which comes into direct contact with food shall be made of smooth, rust-proof, non-toxic and non-absorbent material that is free from open joints or seams: Provided that wooden chopping blocks and cutting boards are not hereby prohibited, providing that chopping blocks and boards are kept in such condition that dirt does not accumulate thereon or therein.

(2) No surfaces referred to in subregulation (1) and no crockery, cutlery, utensils, basins or any other such facilities shall be used for the handling of food if they are not clean or if they are chipped, split or cracked.

(3) Any utensil or item which is suitable for single use only—

- (a) shall be stored in a dust-free container until used; and
- (b) shall not be used more than once.

(4) A surface referred to in subregulation (1) and a facility referred to in subregulations (2) and (3) shall be—

- (a) cleaned and washed as provided for in subregulation (2) before food comes into direct contact with it for the first time during each work shift; and
- (b) washed, as and when necessary, during the handling of food,

so that cross-contamination of the food that comes into contact with the said surface and facility is prevented, and the said surface and facility may, before food comes into direct contact therewith, contain—

- (i) no more than 100 viable micro-organisms per cm^2 upon analysis, conducted in accordance with acknowledged scientific micro-biological methods of investigation, of a sample taken in accordance with the code of practice contained in Annexure D to these regulations; and
- (ii) no remains of cleaning materials or disinfectants which may pollute the food.

(5) (a) Every chilling and freezer facility used for the storage, display or transportation of perishable food shall be equipped with a thermometer which at all times reflects the degree of chilling of the refrigeration area of such facility and which is in such condition and placed in such visible position that an accurate reading may be taken unhampered.

(b) Every heating apparatus or facility used for the storage, display or transportation of heated perishable food shall be equipped with a temperature indicator which at all times reflects the degree of heating of the heating area concerned and which is in such condition and placed in such visible position that an accurate reading may be taken unhampered.

6. STANDARDS AND REQUIREMENTS TO WHICH FOOD CONTAINERS SHALL CONFORM

(1) No person shall sell canned or hermetically sealed food in a container which—

- (a) bulges at the flat or round sides or ends or of which one side bulges when the other side is pressed;
- (b) is in any way blown or from which gas escapes when it is opened or punctured, unless—
 - (i) the container contains an aerated drink; or
 - (iii) gas has been used as a preservative in such food and such use is indicated on the container;
- (c) is so rusted or damaged that it is liable to pollute or contaminate or spoil the food or that it leaks or has become unsealed;
- (d) had a leak which was resealed;
- (e) subject to the provisions of subregulation (5)—
 - (i) does not have a manufacturing or preparation date or a code according to which the manufacturing or the preparation date may be determined; or
 - (iii) has such a code the explanation of which cannot be made available to an inspector or any other person by the person in charge of the food premise.

(2) A container shall be clean and free from any toxic substance, ingredient or any other substance liable to pollute or contaminate or spoil the food in the container.

(3) Prepacked food, depending on the type of food, shall be packed in a dust-proof and liquid-proof container that protects the product therein against pollution or contamination in normal storage, handling and transport conditions and shall be so packed or sealed that the food cannot be removed from its container without the stopper or lid or similar seal being removed or without the wrapping, container or seal being damaged.

(4) Food that is not prepacked, except food served as meals on a food premise shall, when given into the possession of the consumer, be packed in a container that protects the food therein against pollution or contamination.

(5) The provisions of subregulation (1) (e) shall come into operation one year after the date of publication of these regulations.

7. STANDARDS AND REQUIREMENTS FOR THE DISPLAY, STORAGE AND TEMPERATURES OF FOOD

(1) Food that is displayed or stored—

- (a) shall not be in direct contact with a floor or any soil surface;
- (b) shall be free from dust or any other impurity.

(2) Any shelf or display case used for the displaying or storing of food shall be kept clean and free from dust or any other impurity.

(3) Food, except food served as meals in a dining area and unpacked or displayed in an open container, shall be screened from the public in such a manner that no member of the public can touch the food and shall be protected in accordance with the best available method against pollution by droplet contamination, insects or dust.

(4) (a) Subject to the provisions of subregulations (5) and (7), all food specified in Annexure E to these regulations, excluding the time taken by the food to cool down or to be heated to the required temperature in accordance with good manufacturing practice, shall during the storage, transportation or display thereof be kept at a core temperature not exceeding the core temperatures specified in column 3 of Annexure E opposite the relevant category of food, and no food may be sold if, in the case of a frozen or chilled food product, the core temperature thereof is higher than the required core temperature or the surface temperature thereof is more than 2 °C higher than the required core temperature, and if in the case of a heated food product, the core-temperature thereof is lower than the required core temperature or the surface temperature thereof is 2 °C lower than the required core temperature.

(b) The provisions of paragraph (a) shall not apply to—

- (i) any perishable food that will be sold directly to a consumer within one hour of being processed or prepared or that will be consumed on the food premise within one hour of being processed or prepared;
- (ii) venison, for a period not exceeding eight hours after the wild animal concerned has been killed: Provided that the surface temperature thereof may not exceed 25 °C;
- (iii) the transportation for the delivering of unprocessed raw fish, molluscs or crustaceans, or of raw meat, edible offal, or the carcasses of cattle, sheep, goats, pigs, horses, mules, donkeys, rabbits or ostriches that are transported for a period of not more than one hour during delivery: Provided that the surface temperature thereof may not exceed 25 °C;
- (iv) types of food such as cheese or meat, or any other type of food exposed to higher temperatures than those referred to in this regulation during a maturation period or as part of a manufacturing process: Provided that exposure to such higher temperatures shall be in accordance with good manufacturing practice.

(5) Any raw food that is marketed as a frozen product by a manufacturer or packer and that has thawed may be refrozen once for a sale as a frozen product if the surface temperature of the thawed food did not exceed 4 °C and the food in the thawed state had shown no signs of spoilage or textural change: Provided that such refrozen food shall be identified with a clearly legible notice indicating that the food concerned had thawed and was refrozen.

(6) Any cooked or partly cooked food that is marketed as a frozen product by a manufacturer or packer and, that has thawed shall not be refrozen with the intention of selling such food as a frozen product.

(7) Subregulation (4) (a) shall come into operation one year after the date of publication of these regulations: Provided that from the date of publication of these regulations to the date of such coming into operation, any frozen food, excluding ice cream and sorbet, which shall be kept at a core temperature of at least -18 °C, shall be stored, transported, displayed or sold at a core temperature of at least -10 °C, and any perishable foodstuff which has to be chilled as referred to in this regulation shall be stored, transported, displayed or sold at a core temperature not exceeding 10 °C and any heated food product shall be stored, transported, displayed or sold at a core temperature of at least 65 °C.

(8) The code of practice for the measuring of the temperatures of food set out in Annexure F to these regulations shall, in so far as it is applicable, be applied to the measuring of the temperatures of food.

8. STANDARDS AND REQUIREMENTS FOR CLOTHING AND DRESS WHEN HANDLING FOOD

The clothing of any person handling food that is not so packed that the food cannot be polluted shall—

- (a) be clean and neat when he begins to handle the food;
- (b) at all times during the handling of the food be in such clean condition and of such design and material that it cannot pollute the food;
- (c) be so designed that the food cannot come into direct contact with any part of the body, excluding the hands, of such person.

9. DUTIES OF A PERSON IN CHARGE OF A FOOD PREMISE

A person in charge of a food premise shall ensure that—

- (a) effective measures are taken to exterminate flies or other insects and rodents or other vermin on the food premise;

- (b) any person working on the food premise is subjected to education in food hygiene presented on a food premise by an inspector;
- (c) refuse is removed from the food premise or from a room or area in which food is handled as often as is necessary and whenever an inspector requires it to be done;
- (d) refuse is stored or disposed of in such manner that it does not create a nuisance;
- (e) refuse bins—
 - (i) are cleaned regularly; and
 - (ii) are disinfected whenever necessary and whenever an inspector requires it to be done;
- (f) waste water on the food premise is disposed of hygienically and effectively;
- (g) the food premise and any adjacent land used in or in connection with the handling of food and all facilities, freight compartments of vehicles and containers are kept clean and free from any unnecessary materials, goods or things that do not form an integral part of the operation and that have a negative effect on the general hygiene of the food premise;
- (h) no person handling unpacked food wears any jewellery or adornment that may come into contact with the food, unless it is clean;
- (i) no animal, whether a tame or a wild animal, subject to the provisions of any law, is kept or permitted in any room or area where food is handled, except that—
 - (i) a guide dog accompanying a blind person may be permitted in the sales or serving area of the food premise;
 - (ii) fish, molluscs or crustaceans may be kept alive until prepared for consumption;
 - (iii) a live wild animal may be killed in a separate room before the carcass is handled, subject to the provisions of regulation 11 (4);
- (j) no condition, act or omission that may pollute any food, arises or is performed or permitted in the food premise;
- (k) the provisions of these regulations are complied with;
- (l) all persons under his control who handle food at all times meet the standards and requirements, and execute the duties, prescribed by regulations 8 and 10;
- (m) a room or area in which food is handled shall not be used—
 - (i) for sleeping purposes;
 - (ii) for the washing, cleaning or ironing of clothing or other laundry, unless this is done in such a manner that no contamination, spoilage or pollution of food results and that no unhygienic conditions are caused thereby in the food premise;
 - (iii) for any other purpose or in any manner that may pollute the food therein or thereon;
- (n) no persons handling food touch ready-to-use food with their bare hands, unless it is unavoidable for preparation purposes, in which case such food shall be handled in accordance with good manufacturing practice.

10. DUTIES AND STANDARDS AND REQUIREMENTS WITH WHICH PERSONS HANDLING FOOD SHALL COMPLY

- (1) Unpacked food shall not be handled by any person—
 - (a) whose fingernails, hands or clothes are not clean;
 - (b) who has not washed his hands thoroughly with soap and water or cleaned them in another effective manner—
 - (i) immediately prior to the commencement of each work shift;
 - (ii) at the beginning of the day's work or after a rest period;
 - (iii) after every visit to a latrine or urinal;
 - (iv) every time after he has blown his nose or after his hands have been in contact with perspiration or with his hair, nose or mouth;
 - (v) after handling his handkerchief or belt or a refuse container or refuse;
 - (vi) after handling raw vegetables, fruit, eggs, meat or fish and before handling ready-to-use food; or
 - (vii) after his hands have become polluted for any other reason.
- (2) No food, facility or container shall be handled by any person—
 - (a) who has a suppurating abscess or a sore or a cut or abrasion on his body, unless such abscess, sore, cut or abrasion is so covered with a moisture-proof dressing that food cannot be polluted;
 - (b) who is or who is suspected of being a carrier of a disease in its contagious stage that can be transmitted by food, unless a certificate issued by a medical practitioner stating that such person is fit to handle food is submitted;
 - (c) whose hands or clothing are not clean.

(3) No person shall—

- (a) expectorate in an area where food is handled or on any facility;
- (b) smoke or use tobacco in any other manner while he is handling unpacked food or while he is in an area where unpacked food is handled;
- (c) handle unpacked food in a manner that brings it into contact with any exposed part of his body, excluding his hands;
- (d) lick his fingers when he is handling unpacked food or material for the wrapping of food;
- (e) cough or sneeze over unpacked food or food containers or facilities;
- (f) expectorate on whetstones or bring meat skewers, labels, equipment or any other facility into contact with his mouth, or inflate sausage casings, bags or other wrappings by mouth or in any other manner that may pollute the food;
- (g) walk, stand, sit or lie on unpacked food or on non-hermetically sealed containers with food or on containers or on food processing surfaces or other facilities;
- (h) use a wash-basin for the cleaning of his hands and simultaneously for the cleaning of facilities; or
- (i) while he is handling food, perform any act other than those referred to above which could pollute or spoil food.

11. HANDLING OF MEAT

(1) (a) Subject to the provisions of these regulations, no person shall on a food premise handle meat derived from an animal slaughtered in contravention of the provisions of section 3 of the Abattoir Hygiene Act, 1992 (Act No. 121 of 1992).

(b) No person shall on a food premise handle the meat of an animal excluded or exempted from the provisions of section 10 (1) of the Abattoir Hygiene Act, 1992, unless a notice that is clearly visible and legible and that contains the following information or information to that effect, in letters at least 18 mm high is put up on the food premise: "The meat sold on this premise has not been inspected in terms of section 10 (1) of the Abattoir Hygiene Act, 1992 (Act No. 121 of 1992)."

(2) Meat derived from a wild animal shall not be handled on a food premise, unless—

- (a) the carcass has been properly bled;
- (b) the abdominal viscera were removed within 30 minutes after the killing of the wild animal in such a manner that neither the stomach and intestinal content nor any other matter polluted or spoiled the meat; and
- (c) the thoracic viscera were removed within three hours after the killing of the wild animal.

(3) Unskinned carcasses shall not be so handled that the skin thereof comes into contact with other food on a food premise or on a vehicle, or that the meat of such carcasses is polluted or spoiled.

(4) No wild animal shall be killed, bled, eviscerated, skinned or dressed on a food premise other than in a room used specifically and exclusively for that purpose in accordance with good manufacturing practice: Provided that no further handling or processing of such carcass shall take place in that room.

12. TRANSPORTATION OF FOOD

(1) No person shall transport food on or in any part of a vehicle—

- (a) unless that part is clean and has been cleansed to such an extent that chemical or microbiological contamination of the food is prevented;
- (b) together with—
 - (i) contaminated food or waste food;
 - (ii) poison or any harmful substance;
 - (iii) a live animal; or
 - (iv) any object that may pollute or spoil the food.

(2) Subject to the provisions of subregulations (1) and (4) the freight compartment of a vehicle that is used for the transportation of food that is not packed in liquid- and dustproof sealed containers—

- (a) shall have an interior surface made of an easy-to-clean and smooth, rust-free, non-toxic and non-absorbent material without open joints or seams and, before food is loaded into such freight compartment, no square centimetre of the said surface shall upon analysis as referred to in regulation 5 (4) contain more than 100 viable micro-organisms;
- (b) shall be dust-proof;
- (c) shall not be used to transport simultaneously any person or any other food that could be polluted.

(3) Notwithstanding any provisions to the contrary contained in this regulation, no unpacked food shall be—

- (a) transported in such a manner that it comes into contact with the floor of a vehicle or the floor covering thereof or a surface thereof that can be walked on or with anything else that could pollute the food; or
- (b) transported or carried in such a manner that the food could be spoiled or polluted in any way.

(4) The provisions of subregulations (2) and (3) (a) shall not apply to the transportation of venison, fish, molluscs or crustaceans between the food premise and the place where the wild animals are hunted or the place where the fish, molluscs or crustaceans are caught or harvested: Provided that such transportation shall be by the best available method.

13. PROVISIONS CONCERNING UNPROCESSED PRODUCTS

Notwithstanding any provisions to the contrary contained in these regulations an inspector shall, if he is of the opinion that conditions prevail that constitute a health hazard with regard to the packing, storage, display, sale or transportation of fresh, raw and unprocessed fruit and vegetables and unprocessed maize, wheat, rye, unshelled peanuts, sugar cane, sunflower seed or other unprocessed agricultural crops, or with regard to the handling of food referred to in regulation 14 (5) (a) —

- (a) subject to regulations made in terms of section 35 of the Act relating to inspections and investigations in respect of the handling or transportation of food, order that any condition that led to or could lead to such or any other health hazard be corrected or that any provision of these regulations be complied with; or
- (b) prohibit the continued use of the facility, premise or vehicle for the packing, storage, display, sale or transportation of any of the said products, and the provisions of regulation 3 (2) to (5) shall *mutatis mutandis* apply to such prohibition.

14. EXEMPTIONS, ADDITIONAL REQUIREMENTS AND RESERVATIONS

(1) A person in charge of a food premise may, subject to the provisions of regulation 2 (1) (a), apply to the local authority concerned for exemption from any of the provisions of these regulations, excluding exemption from the issuing of a certificate of acceptability.

(2) Upon receipt of an application referred to in subregulation (1) a local authority shall refer the application to an inspector without delay, and exemption shall not be granted unless an inspector has submitted a report to the local authority to the effect that he is satisfied that —

- (a) the regulation from which exemption is requested imposes unreasonable requirements in the case in question; and
- (b) the granting of such exemption does not or will not result in conditions which constitute a health hazard.

(3) An exemption referred to in this regulation —

- (a) shall be subject to the conditions listed by the local authority in the certificate of acceptability or notice of exemption, as the case may be; and
- (b) shall be withdrawn by the local authority on the grounds of an inspection report and a recommendation by an inspector to the effect that he is of the opinion that such exemption will result in conditions that constitute a health hazard.

(4) Subject to the provisions of regulation 2 (6) (a) a local authority may, on the grounds of an inspection report and recommendations by an inspector, set additional requirements to be met on any food premise or vehicle where, despite compliance with any provision contained in these regulations, a health hazard exists which is not provided for in these regulations, which additional requirements shall, subject to the principle of the best available method, be limited to the minimum to remove the health hazard in question.

(5) (a) Subject to the requirements of good manufacturing practice and the principles of the best available method, the provisions of regulations 2 (1) and 4 shall not apply in respect of the killing, bleeding or evisceration of a wild animal after the hunting thereof or of fish, molluscs or crustaceans after the catching or harvesting thereof.

(b) The provisions of regulation 2 (1) shall not apply to —

- (i) a private residence where food is handled for the purpose of making it available without compensation to a church, educational or amateur sport organisation or any registered welfare or fund-raising organisation for sale: Provided that the person in charge of such organisation who receives such food shall keep a record of the type of food and the address of the private residence where the food was handled, for a period of at least 30 days after receipt of the food; and
- (ii) any vehicle used by the person in charge of a food premise, for which a certificate of acceptability exists, to display or serve prepacked food deriving from such a food premise.

(6) (a) Regulation 4 (3) (a) shall not be interpreted as requiring all food premises to have walls, ceilings, roofs, windows or artificial lighting.

(b) Regulation 4 (3) (a) (i) shall not be interpreted as prohibiting in a food serving or storage area the use of facebrick or similar walls of which the joints are formed properly or are so formed and finished that they are easy to clean, or of decorative wall or ceiling finishes which are easy to clean, in a food serving or storage area.

15. OFFENCES

Any person who contravenes a provision of these regulations shall be guilty of an offence.

16. WITHDRAWAL OF REGULATIONS

The regulations published by Government Notice No. 734 of 16 May 1933 and Government Notice No. R. 185 of 30 January 1987 are hereby withdrawn.

ANNEXURE A

[Regulation 2 (3)]

APPLICATION FORM FOR A CERTIFICATE OF ACCEPTABILITY FOR A FOOD PREMISE**A. PERSON IN CHARGE**

SURNAME AND FIRST NAMES OF THE PERSON IN WHOSE NAME THE CERTIFICATE OF ACCEPTABILITY MUST BE ISSUED	I.D. NUMBER
---	-------------

ADDRESS: Postal address.....

Residential address....

Tel. No.....

BUSINESS

RESIDENTIAL

B. PARTICULARS OF A FOOD PREMISE

Name of food premise (if any)

Erf No. (if applicable)

Type of food premise (e.g. building, vehicle, stall, etc.)

Location address or address where the food premise can be inspected

--

If the following is not situated on the food premise, note the address or describe the location thereof

	ERF No.	ADDRESS
(a) Sanitary (latrine) facilities		
(b) Cleaning facilities (wash-basins for facilities)		
(c) Hand-washing facilities		
(d) Storage facilities for food/facilities		
(e) Preparation premises		

C. FOOD CATEGORY

List and describe the food items or the nature or type of food involved

D. NATURE OF HANDLING

List and describe what your activities will entail (e.g. preparation or packing and processing, etc.)

E. STAFF

Number of persons employed or to be employed.....

Men

Women

F. PARTICULARS OF EXEMPTION FOR WHICH APPLICATION IS BEING MADE [(Regulation 14 (1))]

G. PARTICULARS OF APPLICANT

Name.....

Capacity (e.g. owner, managing director, secretary, manager, etc.)

Postal address.....

Tel. No.....

Signature

Date of application

ANNEXURE B

[Regulation 2 (6) (a)]

CERTIFICATE OF ACCEPTABILITY FOR A FOOD PREMISE

This certificate is not transferable from a specific premise to another premise

A. ISSUING LOCAL AUTHORITY

CERTIFICATE No.

NAME

Tel. No.

ADDRESS

OFFICIAL

DATE
STAMP

B. FOOD PREMISE

Name (if any)

Address: (Location or
trading area)

Address where food is processed

C. PERSON IN CHARGE

Name

Identity number

D. CERTIFICATION AND RESTRICTION

It is hereby certified that the above-mentioned food premise comply with the provisions of regulations 4 and 5 of Government Notice No. of in respect of the handling of the following categories or types of food in the manner specified opposite thereto.

Food category or type	Handling method or restriction

E. SIGNATURE OF INSPECTOR

DATE

Name of inspector

Official designation

F.

ENDORSEMENTS/EXEMPTIONS

DATE

SIGNATURE OF INSPECTOR

ANNEXURE C

[Regulation 4 (3) (d) (i)]

SANITARY CONVENIENCES

Population: The number of staff members and the maximum number of customers for which provision is made to consume food on any premises at any one time	Number of sanitary conveniences which need to be installed in relation to the population as given in the first column				
	MEN			WOMEN	
For a population up to	Latrines	Urinal stalls*	Handwashing basins	Latrines	Handwashing
10	1	1	1	1	1
20	1	2	2	2	2
40	2	3	2	3	3
60	3	3	2	4	4
80	4	4	3	6	5
100	4	4	3	8	6
120	5	5	4	9	7
140	5	5	4	10	8
180	5	6	5	11	8
			For a population of more than 180 add 1 latrine, 1 handwashing basin and 1 urinal for every 70 persons exceeding the number of 180 persons.	For a population of more than 180 add 1 latrine and 1 handwashing basin for every 35 persons above the number of 180 persons.	

* Urinal stall: A single urinal basin or a urinal trough at least 60 cm in length.

ANNEXURE D

[Regulation 5 (4) (b) (i)]

CODE OF PRACTICE FOR TAKING MICROBIOLOGICAL SAMPLES

1. Test swabs used for taking microbiological samples shall be made of absorbent cotton wool on wooden sticks and shall be sterilised and kept in a sterilised state until they are used.
2. Ringer's solution at quarter strength shall be prepared in crew-top McCartney jars in quantities of 10 ml each and shall be sterilised for use.
3. For sampling purposes two jars of solution prepared in accordance with paragraph 2 shall be used for each sample.
4. **Procedure**
 - (1) Surface from which a sample shall be taken with a test swab: Each sample shall be taken over a surface area of as near as possible to, but not larger than, a square centimetre of the surface with which the food may come into contact.
 - (2) Samples shall be taken as follows from the surface area referred to in subparagraph (1):
 - (a) First, a sample shall be taken with a test swab which has been moistened with Ringer's solution from one of the McCartney jars and from which excess moisture was squeezed out against the inside of the jar before the test swab was removed. Immediately after the sample has been taken, the test swab shall be replaced in the same jar and that part of the stick protruding above the neck of the jar shall be broken off and the screw-top lid shall be replaced.
 - (b) Second, and immediately after the above sampling, a sample shall be taken with a dry test swab from the same defined surface area, after which the test swab shall be placed in the second jar of Ringer's solution.
 - (3) The jars shall be clearly marked in each case so that the item or surface from which the sample was taken may be identified and the moist swab may be distinguished from the dry one.
 - (4) The person taking such samples shall at the time of the taking of the samples note down in duplicate the name and address of the food premise, the item or surface from which the samples were taken, the time at which each sample was taken and the identification mark on each jar, as required by subparagraph (3).

(5) As soon as possible after sampling, the jars containing the test swabs, together with the duplicate copy of the particulars noted in terms of subparagraph (4) shall be delivered to a microbiological laboratory for examination within three hours of the taking of such samples. Where this is not possible, such samples shall be sent to such a laboratory without delay and shall be kept at a temperature not exceeding 5 °C at all times.

5. Alternative sampling methods

Sampels may also be taken by means of any other scientifically approved culture medium sampler kit: Provided that the manufacturer's instructions are strictly adhered to: Provided further that the provisions of paragraphs 4 (3), (4) and (5) shall *mutatis mutandis* be applicable.

ANNEXURE E

[Regulation 7 (4)]

TEMPERATURES

Column 1	Column 2	Column 3
Category	Type of food	Required minimum core temperature of food products that are stored, transported or displayed for sale
Frozen products.....	Ice cream and sorbet, excluding sorbet which is used for soft serve purposes.....	-18 °C
	Any other food which is marketed as a frozen product.....	-12 °C
Chilled products.....	Raw unpreserved fish, molluscs, crustaceans, edible offal and poultry meat.....	+4 °C
	Any other perishable food that must be kept chilled to prevent spoilage.....	+7 °C
Heated products	Any perishable food not kept frozen or chilled.....	≥ +65 °C

ANNEXURE F

[Regulation 7 (8)]

CODE OF PRACTICE FOR MEASURING TEMPERATURES OF FOOD

1. Informing the person in charge or person responsible

The inspector shall inform the person in charge, or a person supervising such food if the person in charge is not available, that he wishes to measure the temperatures of the food concerned and shall explain to him all the procedures contained in this code.

2. Precautionary measures

(1) All procedures shall be carried out as far as is practicable in a manner that is aseptic and free from chemical pollutants.

(2) In the case of prepacked food, and if it is necessary, the inspector shall remove the wrapping in such a manner that the minimum and only the most reasonable essential damage is caused, or the person in charge or the person supervising the food shall remove the packaging at own risk.

(3) The temperature of food shall as far as is practicable be measured without removing the food from a chilling, freezing or heating facility.

3. Measurement of temperature

Prepacked food

(1) If the food is prepacked, the estimated temperature of the food, may be measured by placing for at least one minute the stem of the thermometer (hereinafter referred to as the "stem") between two or more food packages or, in the case of a single food package, on the outer-surface of the package.

(2) If the temperature reading is not in compliance with the core temperatures specified in Annexure E to these regulations, or if the inspector has any doubts regarding the food temperature inside the package, the surface or core temperature of the food may be measured to determine the actual temperature.

Core temperature

(3) If the food product is frozen a hole shall be drilled in the food up to the estimated core of the food product with a sterilised stainless steel bit with an external measurement of about 4 mm. The sterilised stem shall be inserted into the hole up to the estimated centre of the product and a reading shall be taken after two minutes. In the case of a heated, chilled or unchilled product, the sterilised stem shall be inserted up to the estimated core of the food product and a reading shall be taken after one minute.

Surface temperature

(4) The surface temperature shall be measured by placing for at least one minute the sterilised stem directly on the surface of the food or, in the case of liquid, in the liquid for at least one minute and the reading shall be taken immediately thereafter.

4. Presumption in respect of representative temperature reading

The food temperature determined in accordance with this code of practice shall be regarded as being representative of the temperature of all food in the freezing, chilling or heating facility concerned if the inspector is satisfied that such food is in the same condition or has the same characteristics as the food of which the temperature was taken.

No. R. 176**9 Februarie 1996****REGULASIES KRAGTENS DIE WET OP GESONDHEID, 1977 (WET No. 63 VAN 1977)**

Die Minister van Gesondheid is voornemens om kragtens artikel 35, gelees met artikel 40, van die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne drie maande na die datum van publikasie van hierdie kennisgewing gemotiveerde kommentaar oor of verhoë in verband met die voorgestelde regulasies in te dien by die Direkteur-generaal: Departement van Gesondheid, Privaat Sak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Omgewingsgesondheid).

BYLAE**REGULASIES MET BETREKKING TOT VOEDSELPERSELE EN DIE VERVOER VAN VOEDSEL****1. WOORDOMSKRYWING EN TOEPASSING**

(1) In hierdie regulasies beteken "die Wet" die Wet op Gesondheid, 1977 (Wet No. 63 van 1977), en het 'n woord of uitdrukking waaraan in die Wet 'n betekenis geheg is, daardie betekenis en tensy uit die samehang anders blyk, beteken—

"**bederf**" ook ongesond, siek, besoedel, geïnfecteer, gekontamineer of verrot, of om welke ander rede ook al ongeskik vir menslike verbruik;

"**bederfbare voedsel**" enige voedsel wat op grond van die samestelling, bestanddele, voggehalte en/of pH-waarde daarvan en weens gebrek aan preserveermiddels en verpakking vatbaar is vir 'n ongeinhibeerde vermeerdering van mikrobies daarop of daarin indien die voedsel binne die temperatuurspektrum 4 °C tot 65 °C gehou word;

"**bedien**" ook die verskaffing van voedsel hetsy teen 'n teenprestasie of andersins;

"**beskikbaar**" ook elders as op die betrokke voedselperseel beskikbaar;

"**besoedel**" dat 'n eksterne agens sodanige uitwerking het dat die voedsel—

- (a) nie voldoen nie aan 'n standaard of vereiste kragtens enige wet bepaal;
- (b) nie voldoen nie aan aanvaarbare voedselhigiënestandaarde of verbruikersnorme of -standaarde; of
- (c) ongeskik is vir menslike verbruik;

en het "**besoedeling**" 'n ooreenstemmende betekenis;

"**beste beskikbare metode**" 'n metode wat redelikerwys uitvoerbaar en nodig is vir die beskerming van voedsel teen besoedeling of bederf, met inagneming van plaaslike toestande en omstandighede hetsy op of in 'n bepaalde voedselperseel of elders, die heersende omvang van gevestigde praktykgebruik en die finansiële implikasies daaraan verbonde;

"**fasiliteit**" enige apparaat, toestel, toerusting, gerei, bergruimte, werkoppervlak, plek of voorwerp wat in verband met die hantering van voedsel gebruik word;

"**geskikheidsertifikaat**" 'n geskikheidsertifikaat in regulasie 2 bedoel;

"**gesondheidsgevaar**" ook enige toestand, handeling of versuim wat voedsel sodanig kan besoedel of bederf dat inname van die voedsel waarskynlik vir die gesondheid gevaarlik of nadelig sal wees;

"**goeie vervaardigingspraktyk**" vervaardigingswyses, prosedures en hanteringsmetodes wat so met behoud van higiënebeginsels toegepas word dat voedsel gedurende die vervaardigingsproses nie besoedel of bederf kan word nie;

"**hande**" ook die gedeelte van 'n persoon se arms wat strek van die polsgewrig tot by die elmboog;

“hanteer” ook vervaardig, verwerk, produseer, verpak, voorberei, berei, hou, aanbied, opberg of uitstal vir verkoop of vir bedien, en het **“hantering”** ’n ooreenstemmende betekenis;

“hierdie regulasies” ook enige aanhangsel van hierdie regulasies;

“houer” of **“voedselhouer”** ook enigiets waarin of waarmee voedsel bedien, opgeberg, uitgestal, verpak, toegedraai, gehou of vervoer word en waarmee voedsel in regstreekse aanraking kom;

“inspekteur” ’n mediese gesondheidsbeampte aangestel kragtens artikel 22 (1) van die Wet, of ’n omgewingsgesondheidsbeampte of veearts aangestel kragtens artikel 24 (1) van die Wet;

“kerntemperatuur” die temperatuurlesing in die geskatte middelpunt van die voedsel geneem;

“persoon in beheer”, met betrekking tot ’n voedselperseel, voertuig of fasiliteit, ’n natuurlike persoon wat vir die voedselperseel, voertuig of fasiliteit, na gelang van die geval, verantwoordelik is;

“skoon” sodanig vry van enige vuiligheid of onsuiverheid of ongewenstheid of besoedeling dat dit higiënies is, en het **“skoon hou”** ’n ooreenstemmende betekenis;

“termometer” ’n apparaat wat die temperature in hierdie regulasies bedoel, kan aandui en waarvan die gesamentlike akkuraatheid van die thermometer en sy temperatuursensitiwe sensor ongeveer plus of minus 0,5 °C is en wat, behalwe in die geval van ’n thermometer wat op ’n verkoelings- of bevroingsfasiliteit geïnstalleer is, ’n skag van minstens 75 mm lank het;

“verbruiksklaar voedsel” enige bederfbare voedsel wat, ten einde bederf te voorkom, onder verkoeling of verhitting gehou moet word en wat tydens die verskaffing of verkoop daarvan ingeneem kan word sonder dat dit enige voorbereidingsproses hoef te ondergaan om dit eetbaar te maak;

“voedsel” ’n vir menslike verbruik bestemde voedingsmiddel soos omskryf in artikel 1 van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet No. 54 van 1972), uitgesonderd groente, vrugte, mielies, koring, rog, grondbone in die dop, suikerriet, sonneblomsaad en ander landbougewasse wat vars en rou is en hul natuurlike, onveranderde toestand is sonder dat die betrokke produk enige verdere proses as die oesproses en verpakking vir verkoop ondergaan het;

“voedselperseel” ook ’n gebou, konstruksie, stalletjie of ander dergelike struktuur, en ook ’n karavaan, voertuig, standplaas of plek wat by of in verband met die hantering van voedsel gebruik word;

“voertuig” ook ’n trein, trollie, waentjie, kar, fiets, slee, trok, skuit, boot, skip of vliegtuig, en ook enige ander vaartuig, voertuig of vervoermiddel, wat in verband met die hantering of vervoer van voedsel gebruik word;

“voorafverpakte voedsel” voedsel wat, alvorens dit vir verkoop of vir bediening aangebied word, verpak is soos in regulasie 6 (4) bedoel;

“water” water wat skoon en helder is en wat nie vyf nefelometriese troebelheidseenhede oorskry nie en wat nie ’n onnatuurlike smaak, reuk of voorkoms het nie en wat geen patogene organismes bevat nie en wat ingevolge erkende wetenskaplike bakteriologiese ondersoekmetodes by ’n temperatuur van 37 °C geen fekale kolivormige bakterieë per 100 ml en nie meer as vyf kolivormige bakterieë per 100 ml en nie meer as ’n totale telling van 10 000 lewensvatbare bakterieë per 100 ml bevat nie en wat vry is van enige materie in konsentrasies wat nadelig is vir die menslike gesondheid;

“wilde dier” ook enige dier, voël of reptiel wat vir menslike verbruik bestem is en wat nie as ’n **“dier”** kragtens die Wet op Abattoirhigiëne, 1992 (Wet No. 121 van 1992), omskryf word nie.

(2) ’n Verwysing in hierdie regulasies na ’n plaaslike bestuur word ook uitgelê as ’n verwysing na—

(a) die Direkteur-generaal—

- (i) in die geval waar ’n plaaslike bestuur versuim het om aan ’n kennisgewing kragtens artikel 15 (1) van die Wet gehoor te gee; of
- (ii) in die geval waar ’n plaaslike bestuur by kennisgewing kragtens artikel 20 (5) (a) van Wet van ’n bevoegdheid of plig onthef is; of
- (iii) ten opsigte van ’n gebied waar daar geen plaaslike bestuur is nie, soos in artikel 30 (1) van die Wet beoog;

(b) die Premier van die betrokke provinsie in die geval waar ’n plaaslike bestuur versuim het om aan ’n kennisgewing kragtens artikel 18 (1) van die Wet gehoor te gee.

(3) ’n Plaaslike bestuur wat nie oor die dienste van ’n inspekteur beskik nie omrede—

- (a) die inspekteur van die betrokke plaaslike bestuur siek is;
- (b) die inspekteur van die betrokke plaaslike bestuur op verlof is; of
- (c) die inspekteur weens enige ander rede nie beskikbaar is nie,

kan die dienste van ’n inspekteur van ’n ander plaaslike bestuur of ’n omgewingsgesondheidsbeampte in die privaatspraktijk gebruik om die bevoegdhede of pligte in hierdie regulasies bedoel, uit te oefen of te verrig.

(4) Hierdie regulasies is nie van toepassing nie op ’n privaat huishouding wat voedsel hanteer vir verbruik deur sodanige huishouding of enige ander persoon verbonde aan sodanige huishouding.

(5) Geen bepaling van hierdie regulasies wat in stryd is met regulasies kragtens die Wet uitgevaardig met betrekking tot die hantering of vervoer van bepaalde voedsel, is van krag nie vir sover dit aldus in stryd is.

2. GESKIKTHEIDSERTIFIKAAT

(1) Behoudens die bepalings van subregulasie (2) en regulasie 14 (5) mag niemand voedsel hanteer of toelaat dat voedsel hanteer word nie—

- (a) op 'n voedselperseel ten opsigte waarvan 'n geldige geskiktheidsertifikaat nie uitgereik of van krag is nie;
- (b) in stryd met enige beperking of voorwaarde of besonderheid in sodanige geskiktheidsertifikaat vervat.

(2) Die bepalings van subregulasie (1) tree in die geval van 'n voedselperseel wat by die afkondiging van hierdie regulasies reeds bestaan, in werking—

- (a) indien die persoon in beheer van 'n voedselperseel binne 18 maande na afkondiging van hierdie regulasie om 'n geskiktheidsertifikaat aansoek doen, op die datum waarop 'n geskiktheidsertifikaat ten opsigte van daardie voedselperseel uitgereik word of op die datum waarop die aansoek van die hand gewys word; of
- (b) indien daar nie aansoek gedoen word soos bedoel in paragraaf (a) nie, op die eerste dag na die dag waarop bedoelde tydperk verstryk of op die datum waarop 'n verbodskennisgewing bedoel in regulasie 3 (2) uitgereik is.

(3) Die persoon in beheer van 'n voedselperseel wat 'n geskiktheidsertifikaat ten opsigte van sodanige voedselperseel wil bekom, moet skriftelik by die plaaslike bestuur van die gebied waarin die voedselperseel geleë is, daarom aansoek doen op 'n vorm wat minstens die besonderhede bevat wat wesenlik ooreenstem met die vervat in die vorm in Aanhangsel A van hierdie regulasies.

(4) By ontvangs van 'n aansoek bedoel in hierdie regulasie moet die betrokke plaaslike bestuur die aansoek onverwyld na 'n inspekteur vir oorweging verwys.

(5) 'n Inspekteur kan by die oorweging van so 'n aansoek die verdere inligting wat hy nodig of dienstig ag, van die aansoeker of van enige ander persoon aanvra.

(6) Indien 'n inspekteur, na uitvoering van 'n inspeksie, oortuig is dat die betrokke voedselperseel, die aanliggende grond en fasiliteite, behoudens die bepalings van regulasies 3 (2) en 14—

- (a) in alle opsigte aan die bepalings van regulasies 4 en 5 voldoen, moet 'n inspekteur op naam van die persoon in beheer 'n geskiktheidsertifikaat uitreik op 'n vorm wat wesenlik ooreenkom met die vorm in Aanhangsel B van hierdie regulasies; of
- (b) nie in alle opsigte aan die bepalings van regulasies 4 en 5 voldoen word nie, kan 'n inspekteur, behoudens die bepalings van regulasie 3 (2), 'n maksimum van 6 maande uitstel verleen ten einde die persoon in beheer in staat te stel om die voedselperseel sodanig te verander of in te rig dat dit aan die betrokke bepalings voldoen: Met dien verstande dat gedurende bedoelde tydperk van uitstel die bepalings van subregulasie (1) van hierdie regulasie nie op die betrokke persoon van toepassing is nie.

(7) 'n Geskiktheidsertifikaat moet op 'n opvallende plek in die voedselperseel ten opsigte waarvan dit uitgereik is, vertoon word.

(8) Indien iemand anders die persoon in beheer van 'n perseel word, moet sodanige persoon die plaaslike bestuur binne 30 dae na die datum van sodanige verandering daarvan in kennis stel en moet die plaaslike bestuur, behoudens die bepalings van regulasie 3 (2), 'n nuwe geskiktheidsertifikaat op naam van die nuwe persoon in beheer uitreik.

(9) 'n Geskiktheidsertifikaat—

- (a) is nie oordraagbaar van een persoon aan 'n ander persoon en van een voedselperseel aan 'n ander voedselperseel nie;
- (b) is slegs geldig ten opsigte van die kategorie of soort voedsel en die hanteringswyse wat in die sertifikaat uiteengesit is;
- (c) kan te eniger tyd deur 'n inspekteur geëndosseer word deur—
 - (i) die toevoeging van enige verdere beperking wat noodsaaklik is vir die voorkoming van 'n gesondheidsgevaar; en
 - (ii) die opheffing van enige beperking met betrekking tot die kategorie of soort voedsel of die hanteringswyse;
- (d) verval tydelik vir die tydperk waarbinne 'n in regulasie 3 (2) bedoelde verbod van krag is;
- (e) verval permanent indien 'n in regulasie 3 (2) bedoelde verbod nie binne ses maande vanaf die datum waarop 'n kennisgewing kragtens regulasie 3 (2) uitgereik is, opgehef word nie.

(10) Niemand mag enige ongemagtigde verandering of byvoeging op 'n geskiktheidsertifikaat aanbring of 'n geskiktheidsertifikaat vervals nie.

3. VERBOD OP DIE HANTERING EN VERVOER VAN VOEDSEL

(1) Niemand mag voedsel hanteer of vervoer nie op 'n wyse wat in stryd is met die bepalings van hierdie regulasies.

(2) Indien 'n inspekteur na 'n inspeksie van 'n voedselperseel, voertuig of fasiliteit van oordeel is—

(a) dat sodanige voedselperseel of fasiliteit—

(i) in so 'n toestand verkeer of op so 'n wyse gebruik word; of

(ii) dermate nie voldoen aan hierdie regulasies nie; of

(b) dat 'n bepaalde bedrywigheid met betrekking tot die hantering of vervoer van voedsel op so 'n wyse plaasvind; of

(c) dat daar ten opsigte van die voedselperseel of fasiliteit of enige ander bedrywigheid sodanige omstandighede bestaan,

dat dit 'n gesondheidsgevaar inhou en dat die voortgesette gebruik van die voedselperseel of fasiliteit of die bedrywigheid verbied behoort te word, kan die inspekteur 'n summiere verbod plaas op die gebruik van die voedselperseel of fasiliteit vir die hantering of vervoer van voedsel, of op enige van die betrokke bedrywigheide met betrekking tot die hantering of vervoer van voedsel, deur kragtens artikel 52 van die Wet aan 'n persoon in beheer 'n skriftelike kennisgewing te bestel waarin sodanige persoon van die verbod verwittig word.

(3) 'n Kennisgewing bedoel in subregulasie (2) moet minstens die volgende besonderhede bevat:

(a) Die rede(s) vir die verbod;

(b) 'n mededeling dat die verbod skriftelik deur 'n inspekteur opgehef sal word sodra die rede(s) vir die verbod uit die weg geruim is en mits die inspekteur oortuig is dat die rede(s) vir die verbod hom/hulle waarskynlik nie weer sal voordoen nie.

(4) (a) 'n Verbod tree in werking vanaf die tyd en datum waarop 'n kennisgewing kragtens subregulasie (2) bestel word.

(b) Niemand mag 'n handeling wat in stryd is met sodanige verbod, verrig nie.

(5) 'n Inspekteur moet binne 72 uur na die ontvangs van 'n versoek om die opheffing van 'n verbod, 'n ondersoek van die voedselperseel, fasiliteit, bedrywigheid of omstandigheid wat tot die verbod aanleiding gegee het, uitvoer en moet, sodra sodanige ondersoek afgehandel is, die persoon aan wie die verbodskennisgewing bestel is of, indien hy nie beskikbaar is nie, enige ander persoon wat sodanige persoon verteenwoordig, skriftelik meedeel dat die verbod opgehef of gehandhaaf word, na gelang van die geval.

(6) 'n Plaaslike bestuur kan inspeksiegeld gelykstaande met die uitgawe deur die plaaslike bestuur aangegaan vir die uitvoering van sodanige inspeksie, tot 'n maksimum bedrag van R100, van die persoon in beheer hef vir elke ondersoek wat 'n inspekteur ingevolge subregulasie (5) uitvoer.

4. STANDAARDE EN VEREISTES WAARAAN VOEDSELPERSELE MOET VOLDOEN

(1) Behoudens die bepalings van regulasie 14 mag niemand voedsel elders hanteer nie as in of op 'n voedselperseel wat voldoen aan die vereistes van hierdie regulasie en regulasie 5.

(2) 'n Voedselperseel moet van sodanige ligging, ontwerp, konstruksie en afwerking wees en moet so toegerus, in sodanige toestand en so ingerig wees dat dit te alle tye vir die doel waarvoor dit ontwerp, toegerus en ingerig is, gebruik kan word—

(a) sonder om 'n gesondheidsgevaar te skep; en

(b) op 'n wyse dat voedsel—

(i) of op in die voedselperseel daarop of daarin higiënies hanteer word; en

(ii) deur middel van die beste beskikbare metode effektief beskerm is teen besoedeling of bederf deur giftige of aanstootlike gasse, dampe, reuke, rook, roetneerslag, stof, vog, insekte of ander vektore, of deur enige ander fisiese, chemiese of mikrobiologiese besmetting of besoedeling, of deur enige ander agens hoegenaamd.

(3) Vir die toepassing van subregulasie (2) moet 'n voedselperseel, behoudens die bepalings van regulasie 14 (6), aan die volgende vereistes voldoen:

(a) Alle binneoppervlakke van mure, wande of plafonne, of van dakke waar daar nie plafonne is nie, asook die oppervlakke van vloere, of enige ander dergelike horisontale of vertikale oppervlakke wat deel van 'n voedselhanteringsarea uitmaak of dit omsluit, moet—

(i) geen oop voë of oop nate hê nie en moet van gladde, roesvry, nie-giftige, skoonmaakbare en nie-absorberende materiaal vervaardig wees wat stof- en waterdig is;

(ii) sodanig wees dat dit nie voedsel kan besoedel of tot die besoedeling van voedsel bydra nie.

(b) 'n Voedselperseel moet—

(i) geventileer wees deur middel van—

(aa) openings of oopmaakbare gedeeltes, in die dak of in 'n buitemuur, en sodanige openings en oopmaakbare gedeeltes moet 'n oppervlakte hê gelyk aan minstens 3% en 5% respektiewelik van die vloeroppervlakte van die betrokke vertrek; of

(bb) kunsmatige ventilasie wat voldoen aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977 (Wet No. 103 van 1977), en wat die toevoer van buitelug na en die verwydering van besoedelde of onvars lug uit die voedselhanteringsarea sodanig bewerkstellig dat lugkontaminante wat voedsel kan besoedel en gas, dampe, stoom en warm lug wat tydens die hantering van voedsel kan ontstaan, effektief verwyder word en die ontstaan van 'n onhigiëniese of onge-sonde toestand in die voedselhanteringsarea voorkom word;

- (ii) verlig wees deur middel van—
 - (aa) onbelemmerde deursigtige daglig-inlaatoppervlakke met 'n oppervlakte gelyk aan minstens 10% van die vloeroppervlakte van die betrokke vertrek; of
 - (bb) kunsmatige verligting wat voldoen aan die vereistes van die Wet op Nasionale Bouregulasies en Boustandaarde, 1977, en wat 'n verligtingsterkte gelyk aan minstens 200 lux op alle voedselhanteringsoppervlakke van die betrokke vertrek laat val.
- (c) 'n Voedselperseel moet—
 - (i) beskik oor 'n wasbak asook koue of warm water vir die skoonmaak van fasiliteite;
 - (ii) ooreenkomstig die beste beskikbare metode knaagdierdig wees: Met dien verstande dat hierdie vereiste nie van toepassing is nie ten opsigte van 'n voedselperseel waarop geen voedsel na afloop van die perseel se handelsure hanteer of gehou word nie;
 - (iii) beskik oor effektiewe maatreëls om die toegang van vlieë of ander insekte tot 'n vertrek of area waar die voedsel hanteer word, te voorkom;
 - (iv) beskik oor 'n afvalwaterbeskikkingstelsel wat deur die plaaslike bestuur goedgekeur is.
- (d) Die volgende moet ten opsigte van 'n voedselperseel beskikbaar wees:
 - (i) Die getal sanitêre toestelle gespesifiseer in Aanhangel C van hierdie regulasies, vir gebruik deur werkers op die voedselperseel en deur persone wat bedien word met voedsel vir verbruik op die voedselperseel: Met dien verstande dat afsonderlike sanitêre toestelle vir werkers en klante nie hierby vereis word nie: Met dien verstande voorts dat waar persone van slegs een geslag of hoogstens tien persone op 'n voedselperseel werksaam is, daar nie afsonderlike sanitêre toestelle vir elke geslag vereis word nie;
 - (ii) 'n handewasfasiliteit asook koue of warm water vir die was van die hande deur werkers op die voedselperseel en deur persone wat bedien word met voedsel vir verbruik op die voedselperseel, tesame met 'n voorraad seep (of ander skoonmaakmiddels), naelreinigers en skoon wegdoenbare handeafdroogmateriaal, of ander handereinigingsfasiliteite en handeafdroogtoerusting vir die reiniging en afdroog van die hande deur sodanige werkers en persone;
 - (iii) vloeiistofdigte, maklik skoonmaakbare vullishouers met noupassende deksels vir die effektiewe wegdoening van vullis wat op die voedselperseel ontstaan;
 - (iv) 'n verklee-area met klerebergingsgeriewe;
 - (v) bergruimte vir die higiëniese opberging van die voedsel, fasiliteite en gereedskap wat op die voedselperseel gebruik word.
- (e) Geen vertrek waarin voedsel hanteer word, mag 'n direkte verbinding hê nie met—
 - (i) 'n vertrek waarin 'n latrine of 'n urinaal geleë is tensy laagenoemde vertrek voorsien is van meganiese uitsuigventilasie na die buitelug en mits die verbindingsoening beskik oor 'n selftoetrekdeur wat die totale oppervlakte van sodanige opening toemaak, en vir die doeleindes hiervan beteken "**direkte verbinding**" toegang van 'n voedselhanteringsvertrek tot 'n vertrek waarin 'n latrine of 'n urinaal geleë is sonder dat die twee vetreke van mekaar geskei is deur middel van 'n effektief geventileerde portaal wat met selftoetrekdeure toegerus is;
 - (ii) enige area waar gas, rookdampe, stof, roetneerslag, aanstootlike reuke of enige ander onsuiverheid aanwesig is of op so 'n wyse kan ontstaan dat dit voedsel in die voedselhanteringsvertrek kan besoedel of bederf;
 - (iii) enige area waar 'n handeling op 'n wyse verrig word of waar 'n toestand bestaan wat voedsel in die voedselhanteringsvertrek kan besoedel of bederf.

5. STANDAARDE EN VEREISTES WAARAAN FASILITEITE IN OF OP 'N VOEDSELPERSEEL MOET VOLDOEN

(1) Die oppervlak van 'n tafel of toonbank of enige werkoppervlak waarop onverpakte voedsel hanteer word en enige toerusting, gereedskap of bak, of enige ander oppervlak, wat regstreeks met voedsel in aanraking kom, moet gemaak wees van gladde, roesvry, nie-giftige en nie-absorberende materiaal sonder oop voë of nate: Met dien verstande dat houtkapblokke en snyplanke nie hierby verbied word nie, mits sodanige kapblokke en planke in so 'n toestand gehou word dat vullis nie daarop of daarin akkumuleer nie.

(2) Die oppervlakke bedoel in subregulasie (1) en breekgoed, eetgerei, gereedskap, bakke of ander sodanige fasiliteite mag nie vir die hantering van voedsel gebruik word nie indien dit nie skoon is nie of inddien dit gebars of gekraak is.

(3) Enige gereedskap of artikel wat bedoel is vir slegs eenmalige gebruik —

- (a) moet in 'n stofdigte houer bewaar word totdat dit gebruik word; en
- (b) mag nie meer as een keer gebruik word nie.

(4) 'n Oppervlak bedoel in subregulasie (1) en 'n fasiliteit bedoel in subregulasies (2) en (3) moet—

- (a) alvorens voedsel vir die eerste keer tydens elke werkskof regstreeks daarmee in aanraking kom, skoon en gereinig wees soos bedoel in subregulasie (2); en
- (b) soos en wanneer nodig, tydens die hantering van voedsel gereinig word,

om kruiskontaminasie van die voedsel wat met gemelde oppervlak en fasiliteit in aanraking kom, te verhoed, en sodanige oppervlak en fasiliteit mag, alvorens voedsel regstreeks daarmee in aanraking kom—

- (i) nie meer as 100 lewensvatbare mikro-organismes per cm^2 bevat nie by analise, uitgevoer volgens erkende wetenskaplike mikrobiologiese ondersoekmetodes, van 'n monster geneem ooreenkomstig die bepalings van die gebruikskode vervat in Aanhangsel D van die regulasies; en
- (ii) geen reste van reinigings- of ontsmettingsmiddels wat die voedsel kan besoedel, bevat nie.

(5) (a) Elke verkoelings- en bevroingsfasiliteit wat gebruik word vir die opberging, uitstalling of vervoer van bederfbare voedsel moet toegerus wees met 'n termometer wat die verkoelingsgraad van die verkoelingsruimte van sodanige fasiliteit te alle tye weergee en wat in so 'n toestand is en in so 'n duidelik sigbare posisie geplaas is dat 'n akkurate lesing sonder enige belemmering geneem kan word.

(b) Elke verhitingsstoestel of -fasiliteit wat gebruik word vir die opberging, uitstalling of vervoer van verhitte bederfbare voedsel moet toegerus wees met 'n temperatuurindikator wat die verhitingsgraad van die betrokke verhitingsruimte te alle tye weergee en wat in so 'n toestand is en in so 'n duidelike sigbare posisie geplaas is dat 'n akkurate lesing sonder enige belemmering geneem kan word.

6. STANDAARDE EN VEREISTES WAARAAN VOEDSELHOERS MOET VOLDOEN

(1) Niemand mag ingemaakte of hermeties verseëelde voedsel verkoop nie in 'n houer wat—

- (a) aan die plat of ronde kante of ente uitbult of wat aan die een kant uitbult wanneer op die ander kant gedruk word;
- (b) enigsins opgeblaas is of waaruit gas ontsnap wanneer dit oopgemaak of geprik word, tensy—
 - (i) die houer 'n belugte drank bevat; of
 - (iii) gas as bederfwerende middel in sodanige voedsel gebruik is en sodanige gebruik op die houer aangedui is;
- (c) so geroes of beskadig is dat dit verantwoordelik kan wees vir die besoedeling of kontaminering of bederf van die voedsel of dat dit lek of onverseël geraak het;
- (d) 'n lek gehad het wat herseël is;
- (e) behoudens die bepalings van subregulasie (5)—
 - (i) nie 'n vervaardigings- of bereidingsdatum of 'n kode waarvolgens die vervaardigings- of bereidingsdatum vasgestel kan word, op het nie;
 - (iii) wel so 'n kode op het maar waar die persoon in beheer van die voedselperseel die verduideliking van sodanige kode nie aan 'n inspekteur of enigiemand anders beskikbaar kan stel nie.

(2) 'n Houer moet skoon wees en vry wees van enige gifstof, bestanddeel of substansie wat die voedsel in die houer kan besoedel of bederf.

(3) Voorafverpakte voedsel moet, na gelang van die tipe voedsel, verpak wees in 'n stofdigte en vloeistofdigte houer wat die produk daarin in normale bergings-, hanterings- en vervoertoestande teen besoedeling of kontaminasie beskerm en moet sodanig verpak of verseël wees dat die voedsel nie uit die houer daarvan verwyder kan word nie sonder om die prop of deksel of soortgelyke verseëling te verwyder of sonder om die omhulsel, houer of seël te beskadig.

(4) Voedsel wat nie vooraf verpak is nie, behalwe voedsel wat as maaltye op 'n voedselperseel bedien word, moet wanneer dit in die verbruiker se besit geplaas word, verpak wees in 'n houer wat die voedsel daarin teen besoedeling of kontaminasie beskerm.

(5) Die bepalings van subregulasie (1) (e) tree een jaar na die datum van afkondiging van hierdie regulasies in werking.

7. STANDAARDE EN VEREISTES VIR DIE UITSTALLING, OPBERGING EN TEMPERATURE VAN VOEDSEL

(1) Voedsel wat uitgestal of opgeberg word—

- (a) mag nie in regstreekse aanraking met 'n vloer of enige grondoppervlak wees nie;
- (b) moet vry wees van stof of enige ander onsuiverheid.

(2) 'n Rak of vertoonkas wat gebruik word vir die uitstalling of opberging van voedsel, moet skoon en vry van stof of enige ander onsuiverheid gehou word.

(3) Voedsel, behalwe voedsel wat as maaltye in 'n eetlokaal bedien word en wat onverpak of in 'n oop houer uitgestal word, moet van die publiek geskei word op so 'n wyse dat geen lid van die publiek die voedsel kan aanraak nie en moet volgens die beste beskikbare metode teen besoedeling deur druppelbesmetting, insekte of stof beskerm word;

(4) (a) Behoudens die bepalings van subregulasies (5) en (7) moet alle voedsel gespesifiseer in Aanhangel E van hierdie regulasies, met uitsondering van die tyd wat die voedsel neem om af te koel of verhit te word tot die vereiste temperatuur ooreenkomstig goeie vervaardigingspraktyk, tydens die opberging, vervoer of uitstalling daarvan gehou word by 'n kerntemperatuur wat nie die kerntemperatuur in kolom 3 van Aanhangel E gelys teenoor die betrokke kategorie voedsel, oorskry nie, en mag geen sodanige voedsel verkoop word nie indien, in die geval van 'n bevrore of verkoelde voedselprodukt, die kerntemperatuur daarvan hoër is as die vereiste kerntemperatuur of die oppervlaktemperatuur daarvan meer as 2 °C hoër is as die vereiste kerntemperatuur, en indien, in die geval van 'n verhitte voedselprodukt, die kerntemperatuur daarvan laer is as die vereiste kerntemperatuur of die oppervlaktemperatuur daarvan 2 °C laer is as die vereiste kerntemperatuur.

(b) Die bepalings van paragraaf (a) nie van toepassing nie op—

- (i) enige bederfbare voedsel wat binne een uur nadat dit verwerk of berei is, regstreeks aan 'n verbruiker verkoop word of wat binne een uur nadat dit verwerk of berei is, op die voedselperseel verbruik word;
- (ii) wildsvleis, vir 'n tydperk van hoogstens agt uur nadat die betrokke wilde dier gedood is: Met dien verstande dat die oppervlaktemperatuur daarvan nie 25 °C mag oorskry nie;
- (iii) die vervoer vir die aflewering van onverwerkte rou vis, weekdiere of skaaldiervleis of van rou vleis, eetbare afval of die karkasse van beeste, skape, bokke, varke, perde, muile, donkies, konyne of volstruise wat vir 'n tydperk van nie meer as een uur tydens aflewering vervoer word: Met dien verstande dat die oppervlaktemperatuur daarvan nie 25 °C mag oorskry nie;
- (iv) voedselsoorte, soos kaas of vleis of enige ander voedselsoort, wat tydens 'n rypwordingstydperk of as deel van 'n vervaardigingsproses blootgestel word aan hoër temperature as die in hierdie regulasie bedoel: Met dien verstande dat blootstelling aan sodanige hoër temperature ooreenkomstig goeie vervaardigingspraktyk moet geskied.

(5) Enige rou voedsel wat deur 'n vervaardiger of verpakker as 'n bevrore produk bemark is en wat ontvries het, mag eenmalig herbevrore word vir verkoop as 'n bevrore produk indien die oppervlaktemperatuur van die ontvriesde voedsel nie 4 °C oorskry nie en die voedsel in die ontvriesde staat geen teken van bederf of tekstuurverandering toon nie: Met dien verstande dat sodanige herbevrore voedsel geïdentifiseer moet word met 'n duidelik leesbare kennisgewing wat aandui dat die betrokke voedsel ontvries het en herbevrore is.

(6) Enige gaar of deels gaar voedsel wat deur 'n vervaardiger of verpakker as 'n bevrore produk bemark is en wat ontvries het, mag nie herbevrore word vir verkoop as 'n bevrore produk nie.

(7) Subregulasie (4)(a) tree een jaar na die datum van afkondiging van hierdie regulasies in werking: Met dien verstande dat vanaf die datum van afkondiging van hierdie regulasies tot die datum van sodanige inwerkingtreding, enige bevrore voedsel, uitgesonderd roomys en sorbet, wat by 'n kerntemperatuur van minstens -18 °C gehou moet word, by 'n kerntemperatuur van minstens -10 °C opgeberg, vervoer, uitgestal of verkoop moet word, en enige bederfbare voedsel wat verkoel moet word soos in hierdie regulasie bedoel, by 'n kerntemperatuur van hoogstens 10 °C opgeberg, vervoer, uitgestal of verkoop moet word, en enige verhitte voedselprodukt by 'n kerntemperatuur van minstens 65 °C opgeberg, vervoer, uitgestal of verkoop moet word.

(8) Die gebruikskode vir die meet van die temperatuur van voedsel uiteengesit in Aanhangel F van hierdie regulasies moet, vir sover toepaslik, toegepas word by die meet van die temperatuur van voedsel.

8. STANDAARDE EN VEREISTES VIR KLERE EN KLEDING TYDENS VOEDSELHANTERING

Die klere van iemand wat voedsel hanteer wat nie sodanig verpak is dat die voedsel nie besoedel kan word nie, moet—

- (a) skoon en netjies wees wanneer hy met die hantering van die voedsel begin;
- (b) te alle tye tydens die hantering van die voedsel in sodanige skoon toestand en van sodanige ontwerp en materiaal wees dat dit voedsel nie kan besoedel nie;
- (c) so ontwerp wees dat die voedsel nie in regstreekse aanraking met enige liggaamsdeel, uitgesonderd die hande, van so iemand kan kom nie.

9. PLIGTE VAN 'N PERSOON IN BEHEER VAN 'N VOEDSELPERSEEL

'n Persoon in beheer van 'n voedselperseel moet toesien dat—

- (a) effektiewe maatreëls getref word om vlieë of ander insekte en knaagdiers of ander ongediertes op die voedselperseel uit te roei;
- (b) 'n persoon wat op die voedselperseel werksaam is, voorligting betreffende voedselhygiëne ontvang wat op die voedselperseel deur 'n inspekteur aangebied word;
- (c) vullis so dikwels as wat nodig is en wanneer 'n inspekteur dit vereis, verwyder word van die voedselperseel of uit 'n vertrek of area waarin voedsel hanteer word;
- (d) vullis op so 'n wyse gehou of so gedisponeer word dat geen oorlas ontstaan nie;
- (e) vullishouers—
 - (i) gereeld skoongemaak word; en
 - (ii) ontsmet word telkens wanneer dit nodig is en wanneer 'n inspekteur dit vereis;
- (f) oor afvalwater op die voedselperseel hygiënies of doeltreffend gedisponeer word;

- (g) die voedselperseel en enige aangrensende grond wat by of in verband met die hantering van voedsel gebruik word en alle fasiliteite, vragafdelings van voertuie en houters skoon gehou word en vry gehou word van enige onnodige materiaal, goedere of ding wat nie 'n integrerende deel van die bedryf uitmaak nie en 'n nadelige uitwerking op die algemene higiëne van die voedselperseel het;
- (h) geen persoon wat onverpakte voedsel hanteer enige juwele of versierings wat in aanraking met die voedsel kan kom, dra nie tensy dit skoon is;
- (i) geen dier, hetsy 'n mak of 'n wilde dier, behoudens die bepalings van enige wet, gehou of toegelaat word nie om in enige vertrek of area waar voedsel hanteer word, behalwe dat—
 - (i) 'n gidshond wat 'n blinde persoon vergesel, in die verkoops- of bedieningsarea van die voedselperseel toegelaat kan word;
 - (ii) visse, weekdiere of skaaldierte lewendig gehou kan word totdat dit vir verbruik voorberei word;
 - (iii) 'n lewendige wilde dier behoudens die bepalings van regulasie 11 (4) in 'n afsonderlike vertrek gedood kan word alvorens die karkas hanteer word;
- (j) geen toestand, handeling of versuim wat enige voedsel kan besoedel, in die voedselperseel ontstaan of verrig of toegelaat word nie;
- (k) die bepalings van hierdie regulasies nagekom word;
- (l) alle voedselhanteerders onder sy beheer te alle tye aan die standaarde en vereistes voldoen, en die pligte nakom, wat by regulasies 8 en 10 voorgeskryf word;
- (m) 'n vertrek of area waarin voedsel hanteer word, nie gebruik word nie—
 - (i) vir slaapdoeleindes;
 - (ii) vir die was, skoonmaak of stryk van klere of ander wasgoed tensy dit op so 'n wyse uitgevoer word dat dit geen kontaminasie, bederf of besoedeling van voedsel tot gevolg het nie en dat dit geen onhigiëniese toestande in die voedselperseel veroorsaak nie;
 - (iii) vir enige ander doel of op 'n wyse wat die voedsel daarin of daarop kan besoedel;
- (n) voedselhanteerders nie verbruiksklaar voedsel met hul kaal hande aanraak nie, tensy dit vir voorbereidingsdoeleindes onvermydelik is, in welke geval sodanige voedsel ooreenkomstig goeie vervaardigingspraktyk hanteer moet word.

10. PLIGTE EN STANDAARDE EN VEREISTES WAARAAN VOEDSELHANTEERDERS MOET VOLDOEN

- (1) Onverpakte voedsel mag nie deur iemand hanteer word nie—
 - (a) wie se vingernaels, hande of klere nie skoon is nie;
 - (b) wat nie sy hande deeglik met seep en water skoongewas of op 'n ander effektiewe wyse gereinig het nie—
 - (i) onmiddellik voor die aanvang van elke werkskof;
 - (ii) aan die begin van die dagtaak of na 'n rusperiode;
 - (iii) na elke besoek aan 'n latrine of urinaal;
 - (iv) elke keer nadat hy sy neus gesnuut het of nadat sy hande met liggaamsweet of met sy hare, neus of mond in aanraking was;
 - (v) nadat hy sy sakdoek of lyfband of 'n vullishouer of vullis hanteer het;
 - (vi) nadat hy rou groente, vrugte, eiers, vleis of vis hanteer het en daarna verbruiksklaar voedsel; of
 - (vii) nadat sy hande om enige ander rede besoedel geraak het.
- (2) Geen voedsel, fasiliteit of houer mag deur iemand hanteer word nie—
 - (a) wat 'n etterende abses of 'n seer of sny- of stukkende plek aan sy liggaam het, tensy sodanige abses, seer of plek vogdig verbind is op so 'n wyse dat voedsel nie besoedel kan word nie;
 - (b) wat 'n draer is of vermoedelik 'n draer is van 'n siekte in die besmetlike stadium wat deur voedsel oorgedra kan word, tensy 'n sertifikaat wat deur 'n geneesheer uitgereik is ten effekte dat so iemand geskik is om voedsel te hanteer, voorgelê word;
 - (c) wie se hande of klere nie skoon is nie.
- (3) Niemand mag—
 - (a) binne 'n area waar voedsel hanteer word of op enige fasiliteit spuug nie;
 - (b) rook nie of tabak op enige ander wyse gebruik nie terwyl hy onverpakte voedsel hanteer of hom bevind in die nabyheid waar onverpakte voedsel hanteer word;
 - (c) onverpakte voedsel op so 'n wyse hanteer nie dat dit met enige blootgestelde deel van sy liggaam uitgesonderd sy hande, in aanraking kom;
 - (d) sy vingers lek nie wanneer hy onverpakte voedsel of materiaal vir die toedraai van voedsel hanteer;
 - (e) oor onverpakte voedsel of voedselhouters of -fasiliteite hoë of nies nie;

- (f) op slypstene spuug nie of vleispenne, etikette, gereedskap of enige ander fasiliteit in aanraking met sy mond bring nie of worsderms, sakkies of ander omhulsels met sy asem of op enige ander wyse waarop die voedsel besoedel kan word, opblaas nie;
- (g) op onverpakte voedsel of op nie-hermeties verseelde houters met voedsel of op voedselverpakkingsmateriaal of -houters of op voedselverwerkingsoppervlakke of ander fasiliteite loop, staan, sit of lê nie;
- (h) 'n wasbak gelyktydig vir die skoonmaak van sy hande en die reiniging van fasiliteite gebruik nie; of
- (i) terwyl hy voedsel hanteer enige ander behandeling as die hierbo bedoel, verrig nie wat voedsel kan besoedel of bederf.

11. HANTERING VAN VLEIS

(1) (a) Behoudens die bepalings van hierdie regulasies mag niemand vleis wat afkomstig is van 'n dier wat strydig met die bepalings van artikel 3 van die Wet op Abattoirhigiëne, 1992 (Wet No. 121 van 1992), geslag is, op 'n voedselperseel hanteer nie.

(b) Niemand mag die vleis van 'n dier wat van die bepalings van artikel 10 (1) van die Wet op Abattoirhigiëne, 1992, uitgesluit is of daarvan vrygestel is, op 'n voedselperseel hanteer nie, tensy 'n duidelik sigbare en leesbare kennisgewing in die voedselperseel aangebring is waarop die volgende mededeling, of mededeling met 'n soortgelyke strekking, in letters minstens 18 mm hoog verskyn: "Die vleis wat in hierdie perseel verkoop word, is nie ingevolge artikel 10 (1) van die Wet op Abattoirhigiëne, 1992 (Wet No. 121 van 1992), geïnspekteer nie."

(2) Vleis wat afkomstig is van 'n wilde dier mag nie in 'n voedselperseel hanteer word nie, tensy—

- (a) die karkas behoorlik uitgebloei is;
- (b) die abdominale ingewande binne 30 minute nadat die wilde dier gedood is, op so 'n wyse verwyder is dat nog die pens- en derminhoud nog enige ander stof die vleis besoedel of bederf het; en
- (c) die torakale ingewande binne drie uur nadat die wilde dier gedood is, verwyder is.

(3) Onafgeslagte karkasse mag nie so hanteer word nie dat die vel daarvan in aanraking met ander voedsel in 'n voedselperseel of op 'n voertuig kom of dat die vleis van sodanige karkasse besoedel of bederf word.

(4) Geen wilde dier mag elders in 'n voedselperseel gedood, uitgebloei, ontwei, afgeslag of gedresseer word nie as in 'n vertrek wat spesiaal en uitsluitlik vir daardie doel ooreenkomstig goeie vervaardigingspraktyk aangewend word: Met dien verstande dat geen verdere hantering of verwerking van sodanige karkas in daardie vertrek mag plaasvind nie.

12. VERVOER VAN VOEDSEL

(1) Niemand mag voedsel op of in enige deel van 'n voertuig vervoer nie—

- (a) tensy daardie deel skoon is en eers in so 'n mate gereinig is dat chemiese of mikrobiologiese besmetting van die voedsel verhoed word;
- (b) saam met—
 - (i) besmette voedsel of afvalvoedsel;
 - (ii) gif of enige nadelige stof;
 - (iii) 'n lewendige dier; of
 - (iv) enige voorwerp wat die voedsel kan besoedel of bederf.

(2) Behoudens die bepalings van subregulasies (1) en (4) moet die vragafdeling van 'n voertuig wat gebruik word vir die vervoer van voedsel wat nie in vloeistof- en stofdigte verseelde houters verpak is nie—

- (a) 'n binnevlak hê wat gemaak is van 'n maklik skoonmaakbare en gladde roesvry, nie giftige en nie-absorberende materiaal sonder oop voë of nate, en mag, alvorens voedsel in sodanige vragafdeling gelaai word, geen vierkante sentimeter van bedoelde oppervlak by analise soos bedoel in regulasie 5 (4), meer as 100 lewensvatbare mikro-organismes bevat nie;
- (b) stofdig wees;
- (c) nie geldigtydig vir die vervoer van 'n persoon of van enige ander voedsel wat besoedel kan word, gebruik word nie.

(3) Ondanks andersluidende bepalings van hierdie regulasie mag geen onverpakte voedsel—

- (a) op so 'n wyse vervoer word nie dat dit in aanraking kom met die vloer van 'n voertuig of die vloerbedekking daarvan of 'n oppervlak daarvan waarop geloop kan word of met enigiets anders wat die voedsel kan besoedel; of
- (b) so vervoer of gedra word nie dat die voedsel op enige wyse bederf of besoedel kan word.

(4) Die bepalings van subregulasies (2) en (3) (a) is nie van toepassing nie op die vervoer van wildsvleis, vis of week- of skaaldiëre tussen die voedselperseel en die plek waar die wilde dier gejaag word of die plek waar die vis of week- of skaaldiëre gevang of geoes word: Met dien verstande dat sodanige vervoer volgens die beste beskikbare metode moet plaasvind.

13. BEPALINGS BETREFFENDE ONVERWERKTE PRODUKTE

Ondanks andersluitende bepalings van hierdie regulasies moet 'n inspekteur, indien hy van oordeel is dat daar toestande aanwesig is wat 'n gesondheidsgevaar inhou met betrekking tot die verpakking, opberging, uitstalling, verkoop of vervoer van vars, rou en onverwerkte groente en vrugte en onverwerkte mielies, koring, rog, grondbone in die dop, suikerriet, sonneblomsaad of ander onverwerkte landbougewasse, of met betrekking tot die hantering van voedsel beoog in regulasie 14 (5) (a) —

- (a) behoudens regulasies kragtens artikel 35 van die Wet uitgevaardig met betrekking tot inspeksies en ondersoeke ten opsigte van die hantering of vervoer van voedsel, gelas dat enige toestand wat aanleiding gee tot sodanige of enige ander gesondheidsgevaar reggestel word of dat enige bepaling van hierdie regulasies nagekom word; of
- (b) die voortgesette gebruik van die fasiliteit, perseel of voertuig vir die verpakking, opberging, uitstalling, verkoop of vervoer van enige van genoemde produkte verbied, en is die bepalings van regulasie 3 (2) tot (5) *mutatis mutandis* op so 'n verbod van toepassing.

14. VRYSTELLINGS, ADDISIONELE VEREISTES EN VOORBEHOUDE

(1) 'n Persoon in beheer van 'n voedselperseel kan, behoudens die bepalings van regulasie 2 (1) (a), by die betrokke plaaslike bestuur aansoek doen om vrystelling van enige van die bepalings van hierdie regulasies, uitgesonderd vrystelling van die uitreiking van 'n geskikheidsertifikaat.

(2) By ontvangs van 'n aansoek bedoel in subregulasie (1) moet 'n plaaslike bestuur die aansoek onverwyld na 'n inspekteur verwys, en 'n vrystelling word nie toegestaan nie tensy 'n inspekteur 'n verslag aan die plaaslike bestuur voorlê te dien effekte dat hy oortuig is dat —

- (a) die regulasie waarvan vrystelling verlang word, onredelike vereistes in die betrokke geval stel; en
- (b) die bestaan van sodanige vrystelling nie toestande wat 'n gesondheidsgevaar inhou, tot gevolg hê of sal hê nie.

(3) 'n Vrystelling in hierdie regulasie bedoel —

- (a) is onderworpe aan die voorwaardes deur die plaaslike bestuur in die geskikheidsertifikaat of vrystellingsbrief, na gelang van die geval, vermeld; en
- (b) moet deur die plaaslike bestuur ingetrek word op grond van 'n inspeksieverslag en aanbeveling van 'n inspekteur te dien effekte dat hy van oordeel is dat die vrystelling toestande wat 'n gesondheidsgevaar inhou, tot gevolg het.

(4) Behoudens die bepalings van regulasie 2 (6) (a) kan 'n plaaslike bestuur op grond van 'n inspeksieverslag en aanbevelings van 'n inspekteur addisionele vereistes stel wat nagekom moet word op enige voedselperseel of voertuig waar, ondanks voldoening aan enige voorskrif in hierdie regulasies vervat, 'n gesondheidsgevaar bestaan wat nie deur hierdie regulasies voorsien word nie, welke addisionele vereistes, behoudens die beginsels van die beste beskikbare metode, beperk moet wees tot die minimum om die betrokke gesondheidsgevaar uit die weg te ruim.

(5) (a) Behoudens die vereistes van goeie vervaardigingspraktyk en die beginsels van die beste beskikbare metode is die bepalings van regulasies 2 (1) en 4 nie van toepassing nie ten opsigte van die dood, uitbloei of verwydering van die ingewande van 'n wilde dier na die jag daarvan of van vis of week- of skaaldiëre na die vangs of oes daarvan.

(b) Die bepalings van regulasie 2 (1) is nie van toepassing nie op —

- (i) 'n privaat woning waar voedsel hanteer word met die doel om dit sonder teenprestasie aan 'n kerklik, opvoedkundige of amateursportorganisasie of enige geregistreerde welsyns- of fondsinsamelingsorganisasie beskikbaar te stel vir verkoop: Met dien verstande dat die persoon in beheer van sodanige organisasie wat die voedsel ontvang, vir 'n tydperk van minstens 30 dae na ontvangs van die voedsel, 'n rekord moet hou van die tipe voedsel en die adres van die privaat woning waar die voedsel hanteer is; en
- (ii) enige voertuig wat deur 'n persoon in beheer van 'n voedselperseel wat oor 'n geskikheidsertifikaat beskik, gebruik word vir die uitstal of bediening van voorafverpakte voedsel wat vanaf sodanige voedselperseel afkomstig is.

(6) (a) Regulasie 4 (3) (a) moet nie so vertolk word nie as sou dit vereis dat alle voedselpersele oor mure, plafonne, dakke, vensters of kunsmatige verligting moet beskik.

(b) Regulasie 4 (3) (a) (i) moet nie so vertolk word nie as sou dit die gebruik in 'n voedselbedienings- of -bergingsarea verbied van siersteen- of dergelike mure waarvan die voëls behoorlik gevorm is of sodanig gevorm is en die finale afwerking sodanig is dat dit maklik skoongemaak kan word, of van dekoratiewe muur- of plafonafwerkings wat maklik skoongemaak kan word.

15. MISDRYWE

Iemand wat 'n bepaling van hierdie regulasies oortree is, aan 'n misdryf skuldig.

16. HERROEPING VAN REGULASIES

Die regulasies afgekondig by Goewermentskennisgewing No. 734 van 16 Mei 1933 en Goewermentskennisgewing No. R. 185 van 30 Januarie 1987 word hierby herroep.

AANHANGSEL A

[Regulasie 2 (3)]

AANSOEKVORM VIR 'N GESKIKTHEIDCERTIFIKAAT VIR 'N VOEDSELPERSEEL**A. PERSOON IN BEHEER**

VAN EN VOORNAME VAN DIE PERSOON OP WIE SE NAAM DIE GESKIKTHEIDCERTIFIKAAT UITGEREIK MOET WORD	I.D.-NOMMER
---	-------------

ADRES: Posadres

Woonadres

Tel. No.

WERK

WONING

B. VOEDSELPERSEELBESONDERHEDE

Naam van voedselperseel (indien enige)

Erf No. (indien van toepassing)

Tipe voedselperseel (bv. gebou, voertuig, stalletjie, ens.)

Liggingsadres of adres waar die voedselperseel geïnspekteer kan word

Indien die volgende nie op die voedselperseel self geleë is nie, meld die adres of beskryf die ligging daarvan

	ERF No.	ADRES
(a) Sanitêre (latrine-) fasiliteite		
(b) Reinigingsgeriewe (wasbakke vir fasiliteite)		
(c) Handewasgeriewe		
(d) Bergingsgeriewe vir voedsel/fasiliteite		
(e) Voorbereidingsperseel		

C. VOEDSELKATEGORIE

Meld en beskryf die voedselartikels of die aard van die voedsel of die soort wat betrokke is

D. AARD VAN HANTERING

Meld en beskryf wat u bedrywighde gaan behels (bv. voorbereiding of verpakking en verwerking, ens.)

E. PERSONEEL

Getal persone wat in diens is of in diens geneem gaan word.....

Mans

Vroue

F. BESONDERHEDE VAN VRYSTELLINGS WAAROM AANSOEK GEDOEN WORD [Regulasie 14 (1)]

G. BESONDERHEDE VAN AANSOEKER

Naam.....

Hoedanigheid (bv. eienaar, besturende direkteur, sekretaris, bestuurder, ens.)

Posadres

Tel. No.

Handtekening

Aansoekdatum

AANHANGSEL B

[Regulasie 2 (6) (a)]

GESKIKTHEIDSERTIFIKAAT VIR 'N VOEDSELPERSEEL

Hierdie sertifikaat is nie van een perseel aan 'n ander oordraagbaar nie

A. UITREIKENDE PLAASLIKE BESTUUR

CERTIFIKAAT No.....

NAAM

Tel. No.

ADRES

AMPTELIKE

DATUM
STEMPEL**B. VOEDSELPERSEEL**

Naam (indien enige)

Adres: (ligging of
handelsgebied)

Adres waar voedsel verwerk word

C. PERSOON IN BEHEER

Naam

Identiteitsnommer

D. SERTIFISERING EN BEPERKING

Hiermee word gesertifiseer dat bogenoemde voedselperseel voldoen aan die bepalings van regulasies 4 en 5 van Goewermmentskennisgewing No. van..... ten opsigte van die hantering van die volgende kategorieë of soorte voedsel op die wyse daarnaas gespesifiseer.

Voedselkategorie of -soort	Hanteringswyse of beperking

E. HANDTEKENING VAN INSPEKTEUR

DATUM

Naam van inspekteur

Ampsbenaaming

F.

ENDOSSEMENTE/VRSTELLINGS

DATUM

HANDTEKENING VAN INSPEKTEUR

AANHANGSEL C

[Regulasie 4 (3) (d) (i)]

SANITÊRE TOESTELLE

Populasie: Die getal personelede en die maksimum getal klante waarvoor voorsiening gemaak is om op een slag op 'n perseel voedsel te kan nuttig	Getal sanitêre toestelle wat geïnstalleer moet word in verhouding tot die populasie in die eerste kolom aangegee				
	MANS			VROUE	
Vir 'n populasie tot	Latrines	Urinaalvakke*	Handewasbakke	Latrines	Handewasbakke
10	1	1	1	1	1
20	1	2	2	2	2
40	2	3	2	3	3
60	3	3	2	4	4
80	4	4	3	6	5
100	4	4	3	8	6
120	5	5	4	9	7
140	5	5	4	10	8
180	5	6	5	11	8
			Vir 'n populasie van meer as 180 voeg by 1 latrine, 1 handewasbak en 1 urinaal vir elke 70 persone bo die getal van 180 persone.	Vir 'n populasie van meer as 180 voeg by 1 latrine en 1 handewas- bak vir elke 35 persone bo die getal van 180 persone.	

* Urinaalvak: 'n Enkele urinaalbak of 'n urinaaltrog met 'n lengte van minstens 60 cm.

AANHANGSEL D

[Regulasie 5 (4) (b) (i)]

GEBRUIKSKODE VIR DIE NEEM VAN MIKROBIOLOGIESE MONSTERS

1. Proefpluisies wat vir die neem van mikrobiologiese monsters gebruik word, moet berei wees van absorberende watte op houtstokkies en gesteriliseer wees en in 'n steriele toestand gehou word totdat hulle gebruik word.

2. Ringer-oplossing teen kwartsterkte moet in skroefprop-McCartney-bottels in hoeveelhede van 10 ml elk berei word en daarna vir gebruik gesteriliseer word.

3. Vir die doel van monsterneming moet twee bottels oplossing wat ooreenkomstig paragraaf 2 berei is, vir elke monster gebruik word.

4. Prosedure

(1) Oppervlak waarvan 'n monster met 'n proefpluisie geneem moet word: Elke monster moet geneem word oor 'n oppervlakte van so na as moontlik aan maar nie groter nie as 'n vierkante sentimeter van die oppervlak wat met voedsel in aanraking kan kom.

(2) Monsters moet soos volg van die oppervlakte bedoel in subparagraaf (1) geneem word:

(a) Eerstens moet 'n monster geneem word met 'n proefpluisie wat met Ringer-oplossing uit een van die McCartney-bottels natgemaak is en waaruit die oortollige vogtigheid teen die binnekant van die bottel gedruk is voordat die proefpluisie uitgehaal is. Onmiddellik nadat die monster geneem is, moet die proefpluisie in dieselfde bottel teruggeplaas word en moet die gedeelte van die stokkie wat bo by die nek van die bottel uitsteek, afgebreek word en die skroefdeksel teruggeplaas word.

(b) Tweedens, en onmiddellik na bovermelde monsterneming, moet 'n monster met 'n droë proefpluisie van dieselfde omskrewë oppervlakte geneem word, waarna die proefpluisie in die tweede bottel Ringer-oplossing geplaas moet word.

(3) Die bottels moet in elke geval behoorlik gemerk word sodat die artikel of oppervlak waarvan die monster geneem is, geïdentifiseer kan word en die nat pluisie van die droë onderskei kan word.

(4) Die persoon wat sodanige monsters neem, moet ten tyde van die neem van die monster die naam en adres van die voedselperseel, die artikel of oppervlak waarvan die monster geneem is, die tyd wanneer elke monster geneem is en die identifikasiemerk op elke bottel, soos vereis by subparagraaf (3), in duplo aanteken.

(5) So gou doenlik nadat die monsters geneem is, moet die bottels wat die proefpluisie bevat, tesame met die duplikaat-afskrif van die besonderhede wat ingevolge subparagraaf (4) aangeteken is, by 'n mikrobiologiese laboratorium afgelewer word vir 'n ondersoek binne drie uur nadat sodanige monsters geneem is. Waar dit nie moontlik is nie, moet sodanige monsters onverwyld na so 'n laboratorium gestuur word en te alle tye by 'n temperatuur van hoogstens 5 °C gehou word.

5. Alternatiewe monsterneemmetodes

Monsters kan ook met behulp van enige ander wetenskaplike goedgekeurde kweekmediummonsterneemtoerusting geneem word: Met dien verstande dat die vervaardiger se gebruiksvorskrifte streng gevolg word: Met dien verstande voorts dat die bepaling van paragraaf 4 (3), (4) en (5) *mutatis mutandis* van toepassing is.

AANHANGSEL E

[Regulasie 7 (4)]

TEMPERATURE

Kolom 1	Kolom 2	Kolom 3
Kategorie	Tipe voedsel	Vereiste minimum kerntemperatuur van voedselprodukte wat vir verkoop opgeberg, vervoer of uitgestal word
Bevrore produkte	Roomys en sorbet, uitgesonderd sorbet wat gebruik word as tapsorbet	-18 °C
	Enige ander voedsel wat as 'n bevrore produk bemark word	-12 °C
Verkoelde produkte	Rou nie-gepreserveerde vis, week- en skaaldierte, eetbare afval en pluimveevleis	+4 °C
	Enige ander bederfbare voedsel wat verkoel gehou moet word om bederf te voorkom	+7 °C
Verhitte produkte	Enige bederfbare voedsel wat nie bevrore of verkoel gehou word nie	≥ +65 °C

AANHANGSEL F

[Regulasie 7 (8)]

GEBUIKSKODE VIR DIE MEET VAN TEMPERATURE VAN VOEDSEL

1. Inlig van persoon in beheer of verantwoordelike persoon

Die inspekteur moet die persoon in beheer, of 'n persoon wat toesig het oor sodanige voedsel indien die persoon in beheer nie beskikbaar is nie, meedeel dat hy die temperatuur van die betrokke voedsel wil meet en moet al die prosedures in hierdie kode vervat aan hom verduidelik.

2. Voorsorgmaatreëls

- (1) Alle prosedures moet sover prakties moontlik uitgevoer word op 'n wyse wat asepties en vry van besoedelingstowwe is.
- (2) In die geval van voorafverpakte voedsel, en indien nodig, moet die inspekteur die verpakking op so 'n wyse verwyder dat die minimum en slegs die redelik noodsaaklikste skade daaraan veroorsaak word, of moet die persoon in beheer of die persoon wat oor die voedsel toesig hou die verpakking op eie risiko verwyder.
- (3) Die temperatuur van voedsel moet sover prakties moontlik gemeet word sonder om die voedsel uit 'n verkoelings-, bevroerings- of verhittingsfasiliteit te verwyder.

3. Meting van temperatuur

Voorafverpakte voedsel

- (1) Indien die voedsel vooraf verpak is, kan die geskatte temperatuur van die voedsel gemeet word deur die termometerskag (hierna "skag" genoem) vir minstens een minuut te plaas tussen twee of meer voedselverpakings of, in die geval van 'n enkele voedselverpakking, op die buitenste oppervlak van die verpakking.
- (2) Indien die temperatuurlesing nie in ooreenstemming met die kerntemperatuur gespesifiseer in Aanghangsel E van hierdie regulasies is nie, of indien die inspekteur enige bedenkinge het betreffende die voedseltemperatuur in die verpakking, kan die oppervlak- of kerntemperatuur van die voedsel gemeet word om die werklike temperatuur te bepaal.

Kerntemperatuur

(3) Indien die voedselproduk bevrore is, moet daarin 'n gat tot by die geskatte kerngedeelte van die voedselproduk geboor word met 'n gesteriliseerde vlekvrystaalboorpunt met 'n buiteafmeting van ongeveer 4 mm. Die gesteriliseerde skag word in die gat geplaas tot by die geskatte middelpunt van die produk en 'n lesing word na twee minute geneem. In die geval van 'n verhitte, verkoelde of onverkoelde produk, word die gesteriliseerde skag tot by die geskatte kern van die voedselproduk ingestee en 'n lesing na een minuut geneem.

Oppervlakttemperatuur

(4) Die oppervlakttemperatuur word gemeet deur die gesteriliseerde skag vir minstens een minuut regstreeks op die oppervlak van die voedsel te plaas of, in die geval van vloeistof, vir minstens een minuut in die vloeistof te plaas, en 'n lesing onmiddellik daarna te neem.

4. Vermoede ten opsigte van verteenwoordigende temperatuurlesing

'n Voedseltemperatuur ooreenkomstig hierdie gebruikskode bepaal, word geag verteenwoordigend te wees van die temperatuur van alle voedsel in die betrokke bevroerings-, verkoelings- of verhittingsfasiliteit, indien die inspekteur oortuig is dat sodanige voedsel in dieselfde toestand is of dieselfde eienskappe besit as die voedsel waarvan die temperatuur gemeet is.

DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 175

9 February 1996

LABOUR RELATIONS ACT, 1956

LEATHER INDUSTRY, REPUBLIC OF SOUTH AFRICA: AMENDMENT OF AGREEMENT FOR THE FOOTWEAR SECTION

I, Tito Titus Mboweni, Minister of Labour, 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 1996, 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 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 1996, 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.

T. T. MBOWENI

Minister of Labour

SCHEDULE**NATIONAL INDUSTRIAL COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA****FOOTWEAR SECTION****AGREEMENT**

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

- (a) **Footwear Manufacturers' Federation of South Africa,**
(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the
- (b) **National Union of Leather Workers,**
- (c) **Transvaal Leather and Allied Trades Industrial Union**
and
- (d) **South African Clothing and Textile Workers' Union**

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

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

to amend the Agreement of the Footwear Section published under Government Notice No. R. 1798 of 3 September 1982, as amended and renewed by Government Notices Nos. R. 2472 and R. 2473 of 11 November 1983, R. 1143 of 8 June 1984, R. 2311 and R. 2312 of 26 October 1984, R. 942 of 26 April 1985, R. 1553 of 12 July 1985, R. 2584 of 15 November 1985, R. 1224 of 26 June 1986, R. 2056 and R. 2057 of 26 September 1986, R. 1709 of 7 August 1987, R. 2611 of 20 November 1987, R. 147 and R. 148 of 3 February 1989, R. 888 and R. 889 of 27 April 1990, R. 3049 and R. 3050 of 4 January 1991, R. 3222 of 27 November 1992, R. 972 of 4 June 1993, R. 90 of 21 January 1994, R. 398 of 4 March 1994, R. 1678 of 7 October 1993, R. 1830 of 28 October 1994 and R. 1483 of 29 September 1995.

PART I**1. SCOPE OF APPLICATION OF AGREEMENT**

- (1) The terms of this Agreement shall be observed in the Footwear Section of the Leather Industry—
- (a) by all employers and employees who are members of the employers' organisation and the trade unions, respectively, and who are engaged or employed in the said Section of the Industry;
 - (b) in the Republic of South Africa, as it existed prior to the promulgation of the Constitution of the Republic of South Africa, 1994 (Act 200 of 1994).
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to all employees for whom wages are prescribed in Annexure C to Part 1 and Annexure A to Part II of the Agreement published under Government Notice No. R. 1798 of 3 September 1982.

2. CLAUSE 9: HOLIDAYS, ANNUAL AND MATERNITY LEAVE

- (1) Substitute the following for subclause (7) (a):
- “(7) (a) Public holidays shall be granted in terms of the Public Holidays Act, 1994 (Act No. 36 of 1994): Provided that, whenever an employee works on any of these days, his employer shall pay him remuneration at a rate of not less than his ordinary rate of remuneration in respect of the total period worked on such day in addition to the remuneration to which he would have been entitled had he not so worked”.
- (2) Substitute the following for subclause (7) (c):
- “(7) (c) If any of the public holidays referred to in paragraph (a) falls on a Saturday, the pay for such holiday shall be calculated at the rate of one fifth of the normal weekly wage.”.
- (3) In subclause (7) (d), substitute the expression “Day of Reconciliation” for the expression “Day of the Vow”.
- (4) In subclause (7) (e), substitute the expression “Day of Reconciliation” for the expression “Day of the Vow”.

3. CLAUSE 19: EMPLOYMENT OF MEMBERS OF TRADE UNIONS

Substitute the following for subclause (4):

- (4) In the event of a shop steward being selected by his Trade Union to attend any official union business (which includes training) such employee shall be granted four working days paid and two working days unpaid leave of absence in any calendar year:

Provided that—

- (a) The union shall give the employer not less than one week's notice regarding such proposed attendance of union business.
- (b) The union, in selecting shop stewards for attendance of official union business, shall at all times do the selection in conjunction with the employer, taking into account the workload at the time and the strategic importance of the operation being performed by the candidate concerned. Such permission shall not be unreasonably withheld.
- (c) The number of shop stewards absent at any one time shall be determined by mutual agreement between the employer and the union concerned.
- (d) In the event of any shop steward being replaced by the union as such by another employee, only the balance of leave remaining in terms of this clause shall be transferred to the new incumbent.
- (e) In the event of any shop steward losing his office by being transferred or promoted by management, a new shop steward will be entitled to the full allocation of leave in terms of this clause.

4. ANNEXURE C TO PART I: WAGES

Substitute the following for Annexure C to Part I:

“ANNEXURE C TO PART I**WAGES**

	Column A	Column B
	Per week	Per week
	R	R
A. Watchman	287,19	315,91
B. Storeman and/or warehouseman, despatch clerk	295,36	324,90
C. Boiler attendant	287,19	315,91

	Column A	Column B
	Per week	Per week
	R	R
D. Motor vehicle driver driving a vehicle authorised to carry or haul a pay-load of—		
(i) under 2 722 kg	291,29	320,42
(ii) 2 722 kg	295,36	324,90
(iii) over 2 722 kg but not exceeding 4 546 kg	314,38	345,82
(iv) over 4 546 kg but not exceeding 6 350 kg	373,32	410,65
E. Minors employed in occupations for which rates have not been prescribed in this Agreement:		
First six months	179,00	196,90
Second six months	201,68	221,85
Third six months	225,39	247,93
Thereafter	287,19	315,91
Provided that an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience.		
F. Cardboard box-making operations:		
(i) Guillotine and/or rotary cutting machine and/or scoring machine operated by—		
(a) power	426,56	469,22
(b) hand	343,87	378,26
(ii) Cardboard box-makers	287,19	315,91
(iii) Making cardboard boxes, according to experience:		
First six months	199,95	219,95
Second six months	201,68	221,85
Thereafter	287,19	315,91
Provided that an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience.		
G. Employees employed on hand typesetting and printing labels on a printing machine	386,09	424,70
H. Employees employed on welt-making:		
(i) Splitting, skiving, cutting, grooving and bevelling	287,19	315,91
(ii) All other operations	287,19	315,91
I. Packers	287,19	315,91
J. Employees employed on currying	332,77	366,05
K. Employees employed on spraying of leather	385,31	423,84
L. Employees employed on knife-making:		
(i) Welding and/or brazing and/or silver soldering	464,10	510,51
(ii) Finishing of joints after welding	301,82	332,00
(iii) Track and/or spot welding	287,19	315,91
(iv) Bending to templet and/or patterns; hand punching of size onto knife; marking and curving of bracing steel; oxidising of finished articles and grinding	287,19	315,91

Note.—For the purpose of paragraph L, 'welding' means continuous drawing of weld on seams or joints but excludes tack and/or spot welding.

PART II

5. CLAUSE 3: DIFFERENTIAL RATES

In subclauses (1) and (2), substitute the expression "R287,19" for the expression "R254,15".

6. ANNEXURE A TO PART II

Substitute the following for Annexure A to Part II of the Agreement:

"ANNEXURE A TO PART II

CLAUSE 1: FOOTWEAR NOT ELSEWHERE SPECIFIED

WAGES

	Column A	Column B
	Per week	Per week
	R	R
(A) PATTERN DEPARTMENT		
(i) Qualified employees employed as pattern cutters producing original standards and hand grading to restrictions, and/or shoe draughtsmen	483,14	531,45

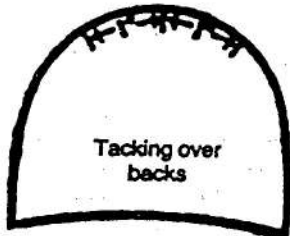
	Column A	Column B
	Per week	Per week
	R	R
(ii) Qualified employees—		
(a) employed on hand grading but not restrictions and not producing original standards		
(b) employed on grading machines.....		
(c) employed on making original lining patterns from upper patterns, where not last copies or original standards are produced	408,31	449,14
(iii) Qualified employees on any operation not specified in (i) and (ii) hereof	323,16	355,48
(B) CLICKING DEPARTMENT		
Qualified employees on:		
(i) Clicking and cutting uppers by hand or machine:		
(a) Vegetable or chrome split, vegetable or semichrome kip, suede chrome kip and vegetable tanned sheepskins and goatskins		
White full chrome kip for the production of whole-cuts, bluchers and velschoens only, but excluding miners' and miners' type footwear (all South African fannage)	478,74	526,61
Children's work, any material, all size up to and including size 1½, and all leather slippers (men's, women's and children's		
(b) Any other materials.....	478,74	526,61
<i>[Ratio. — For every four or part of four qualified clickers there may be employed not more than one learner.</i>		
<i>'Part of four' shall mean a remainder of not less than one after the total number of qualified clickers has been divided by four.]</i>		
(c) Upper leather sorter grading and/or sorting for quality for issue to clickers	483,14	531,45
(d) Examining of cut leather components for quality	483,14	531,45
(ii) Lining, sock and fitting cutting and/or small trimmings and/or cut-outs died out by clicking press, revolution press, eccentric press or mallet.....		
<i>Note. — A trimming is a decoration not being an essential part of the shoe upper. In the event of any disputes as to what comprises a 'small trimming', the Councils decision shall, after investigation, be final.</i>		
Cutting from offal of inside tongues and narrow backstraps for children's, youths' and maids' stitchdowns or Oxford and Derby patterns.....	332,77	366,05
All other tongue and backstrap cutting shall be paid for at the rate applicable to clicking of the materials in terms of paragraph (i) hereof		
Strap cutting to length from continuous rolls or hanks of pre-prepared material		
<i>[Ratio. — For every qualified employee in this section there may be employed not more than two learners at wages in accordance with the scale laid down for learners in subclause (N) (i) of this Annexure.]</i>		
(iii) Cut-outs died out by Western type cut-out machine and automatic multipunch/slashing machine/gang strap punching	295,36	324,90
(iv) Giving out patterns	323,16	355,48
Operating splitting machine.....		
(v) Size stamping and/or painting	287,19	315,91
Applying acme-backing		
(c) CLOSING DEPARTMENT		
Qualified employees on:		
(i) Puritan machining	354,12	389,53
(ii) Stitching aprons on uppers on out-sole stitching machines	334,93	368,42
(iii) Pilot machining.....		
(iv) Other machining:		
(a) All closing operations on vegetable and chrome split, vegetable and semi-chrome kip, suede and chrome kip lining machining.....	289,05	317,96
White full chrome kip for the production only of the whole-cuts, bluchers and veldschoens, but excluding miners' and miners' type footwear (all in South African tannage)		

	Column A	Column B
	Per week	Per week
	R	R
(b) Operations on leathers other than those specified in (a):		
Vamping		
Flat binding by machine		
Machining additional rows of stitching on the vamp, parallel to the vamp, stitching		
Golosh machining (whole goloshes)		
Fancy shoes on the held-together system, machines, through (all classes)		
Fancy machining on the held-together system, including collars, cutouts, overlays and fancy pattern stitching without markers	303,77	334,15
Running round or any operation on posttrimming machine, excluding Oxford and Derby pattern Derby-sides		
Vamping shoes with quarters over vamps		
Conveyor belt console operator feeding individual operators		
(c) Operations other than those specified in (a) and (b) above, including attaching binding for French binding on flat or post machine and including hand-lacing of two upper components to form a seam, and including examining for quality		
(d) All operations on children's work up to size 1½		
All leather slippers (men's, women's and children's)	289,04	317,96
All operations on box hide and willow hide (excluding goloshing, fancy work and miners' and/or miners' type)		
(v) Eyeletting, riveting, perforating, skiving, folding and burnishing by machine or hand and pleating by machine	303,77	334,15
(vi) Bagging		
Turning of binding		
Button fastening		
Buttonholding		
Lacing		
Hand punching		
Portuguese seaming		
Staying and taping	287,19	315,91
Seam rubbing		
Seam hammering		
Sewing on bows and buckles by hand or machine		
Silk screen printing		
Table-hands		
Loading other closing conveyors, but excluding a conveyor belt console operator (feeding individual operators)		
(D) ROUGH STUFF DEPARTMENT		
Class I Operations		
Qualified employees:		
(i) On cutting sole from leather		
On sorting, examining and fitting up ungraded and unstamped stock	459,85	505,84
On sorting and examining graded and stamped stock		
(ii) On cutting insoles, stiffeners, throughs, runners and puffs from leather other than splits and cutting sole from material other than leather	404,57	445,03
On reducing shaped rubber soles on the press		
[Ratio. — See subclause (P).]		
Class II Operations		
Qualified employees on:		
(i) Channelling:		
Welted insoles	332,77	366,05
Other work		

	Column A	Column B
	Per week	Per week
	R	R
(ii) Press cutting operations, other than those in Class I	342,15	376,37
(iii) Assembling from stock, whether or not sorted and/or graded		
Attaching ribs to welted insoles		
Flap splitting	323,16	355,48
Gemming and taping		
Heel breasting		
Heel building		
Heel compressing		
Slugging		
Sole and insole rounding	323,16	355,48
Sole grooving, sole roughening/and reducing on automatic machine		
Tip filling		
[Ratio. — See subclause (P).]		
Class III Operations		
Qualified employees on:		
Channel opening		
Edge covering		
Edge reducing		
Automatic edge preparation machine operating for sole to prior attachment		
Flexing		
Insole feathering		
Insole grooving		
Insole slotting		
Insole marking		
Lift and/or rand tacking		
Lip turning		
Press room scouring operations	287,19	315,91
Shank assembling		
Shank moulding		
Skiving		
Size stamping		
Sole, insole and stiffener moulding		
Sole and insole splitting		
Sole grading machine operating		
Sole roughening for stuck-on-work		
Solutioning		
Staining and/or inking of insoles		
Stiffener waxing and crimping		
Welt preparation		
[Ratio. — See subclause (P).]		
(E) MAKING DEPARTMENT		
Class I Operations		
Qualified employees on:		
(i) Pulling over, Consol lasting and/or Littleway lasting:		
(a) Welted work, other than staple welted work	459,85	505,84
(b) Riveted and/or riveted and stitched work, excluding miners' and miners' type and army boots	404,57	445,03
(c) Combined pulling over and forepart lasting	459,85	505,84
(d) All other grades		
(ii) Bed lasting (toes only):		
(a) Welted work, other than staple welted work	459,85	505,84
(b) Other work		

	Column A	Column B
	Per week	Per week
	R	R
(iii) Lasting of seats and sides by any machine:		
(a) Welted work, other than staple welted work.....	366,80	403,48
(b) Other work.....		
<i>Note.</i> —If a lasting machine operator is required to last boots or toes through (i.e. seats and/or sides and toes), he shall be paid at the highest rate and no differential rates may be applied. If a pullover and/or Consol lasting machine operator is required on any one day to work on pulling over and lasting toes, seats and/or sides, he shall be paid at the highest rate and no differential rate shall be applied.		
(iv) Complete sole attaching by staple machine	329,73	362,70
Staple welt attaching		
(v) Welt sewing.....		
(vi) Rough rounding:	459,85	505,84
(a) Welted work, other than staple welted work.....		
(b) Stitchdowns.....		
(c) Other work.....		
(vii) Sole sewing by any machine		
(viii) Sole stitching:		
(a) Welted work, other than staple welted work.....	404,57	445,03
(b) Stitching outer soles to runners on Indian sandals on a No. 6 harness stitching machine and stitching runners or throughs to uppers of the mocassin type of footwear		
(c) Other work.....	459,85	505,84
(ix) (a) Stitchdown staple lasting	329,73	362,70
(b) Stitchdown thread lasting		
(c) Stitchdown to forming		
(d) Wiping platform covers by machine		
(e) Lasting operations on a Kamborian machine.....		
(f) String-lasting by hand.....		
(x) Pounding:		
(a) Welted work, other than staple welted work.....	385,68	424,25
(b) Miners' and miners' type and army type boots.....	422,69	464,96
('Army type boots' means the heavy type of boot involving the same strenuous pounding as contract army boots.)		
(c) Other work.....	385,68	424,25
<i>Note.</i> —No employee under the age of 18 years may be employed upon pounding.		
(xi) Examining	459,85	505,84
<i>Ratios—Class I Operations: Making Department:</i>		
(a) For every three or part of three qualified employees in pulling over, machine and/or bed lasting (excluding seat and side lasting), welt and/or sole sewing, stitching and rough rounding, there may be employed not more than one learner.		
(b) For every three or part of three qualified employees on operations, other those referred to in (a), one learner may be employed.		
(c) Part of three' referred to in (a) and (b) means a remainder of not less than two after the total number of qualified employees has been divided by three.		
Class II Operations		
Qualified employees on:		
(i) Sole positioning on upper with pre-finished extended welt edge	351,85	387,04
(ii) Positioning of pre-trimmed soles prior to and/or with stuck-on press	342,15	376,37
(iii) Stuck-on process work:		
Sole positioning on upper and press, operating in one operation.....	323,16	355,48
Sole positioning on upper at forepart and seat before pressing		
Press operating with the sole previously positioned (see Class III for tacking at seat only).....		
Stitching soles together by machine, other than the rapid stitcher, prior to being attached to footwear, but excluding miner's and miners' type footwear		
Stitchdown assembling or pulling over stitchdown work		
Cutting off excess upper, in-sole and through material on stitchdown footwear prior to sole attaching and/or rough rounding		

		Column A	Column B		
		Per week	Per week		
		R	R		
Hobnailing by hand or machine		323,16	355,48		
Putting on toe plates and heel tips by hand or machine					
Heel attaching					
Football boot studding and barring					
Hand levelling, other than stitchdown					
Inseam trimming.....					
Jointing (clearing linings and tacking upper down over joints).....					
Loose nailing or pegging foreparts and waists					
Louis flap trimming by hand					
Machine levelling					
Screwing					
Sole attaching machine-sewn, riveted and/or riveted and stitched work					
Sole adhesive heat activating by machine					
Stiffener cornering and tacking					
Stitch separating.....					
String nailing.....					
Tacking forward of heel seats					
Upper roughening.....					
Waist reducing after being sewn.....					
Woodenheel fitting.....					
Welt butting and skiving		323,16	355,48		
Welt wheeling					
Rand welting by machine.....					
Slugging and gang slugging					
Attaching rand welting or foxing, whether vertical or horizontal or a combination thereof, by hand or machine					
Back part and waist pre-moulding.....					
Back part moulding.....					
(iv)	Vulcanising process:				
Vulcanising soles to lasted uppers.....					
Rand welting by machine.....					
Moulding of sole units					
Class III Operations					
Qualified employees on:					
Beating.....		287,19	315,91		
Application by machine of hardening resins to puffs.....					
Bottom filling					
Channel closing and edge raising					
Feeding nails to heeling machines					
Hand levelling of stitchdowns.....		287,19	315,91		
Heel covering					
Inserting stiffeners and puffs					
Louis heel flap clamping, Louis heel slicking					
Louis heel flap trimming by machine					
Reverse seat moulding for stitchdowns.....		287,18	315,91		
Seat nailing and/or pegging.....					
Seat rounding.....					
Shank attaching					
Sole tacking at seat for stuck-on process					
Solutioning, damping and pasting					
Sorting hobs.....					
Sole laying welted work and/or rubber soles					
Sole tacking or sole fitting throughs and runners					
Tack pulling					
Tacking bottom stock to last					

	Column A	Column B
	Per week	Per week
Tacking over backs before pulling over on closed back shoes, tacks being placed not further than 25 mm from middle of back of heel seat (see illustration).....	R	R
	287,19	315,91
Tacking over sandal backs where no stiffener is inserted.....		
Tacking top pieces on stitchdowns and sandals.....		
All other wire grip tacking.....		
Upper stapling after lasting sides.....		
Upper trimming.....		
Plastic pelletising and granulating.....		
[Ratio. — See subclause (P).]		
HAND-LASTING OPERATIONS		
Qualified employees on:		
(i) Pulling over by hand and/or hand-lasting miners' or miners' type footwear.....	408,31	449,14
Note. — There shall be no quantum or supplementary wage allowed for the hand-lasting of miners' and miners' type footwear.		
(ii) Other pulling over by hand and/or hand-lasting, including forced lasting moccasins.....		
Hand-lasting seats of stitchdowns.....	323,16	355,48
Hand-lasting in the manufacture of clogs.....		
Bench work such as riveting, putting on soles and/or heels by hand, including rubber quartertips.....	323,16	355,48
Tacking leather straps to wooden soles.....		
[Ratio. — There may be employed not more than one learner to each qualified employee on operations specified in (i) and (ii).]		
(F) FINISHING DEPARTMENT		
Class I Operations		
Qualified employees on:		
(i) Edge trimming:		
(a) Riveted and/or riveted and stitched work, but excluding miners' and miners' type and army boots.....		
Rubber and rubber composition soles.....	404,57	445,03
Children's footwear, all sizes up to and including size 1½.....		
All slippers (men's, women's and children's).....		
Stitchdown footwear produced from box hide and willow hide.....		
(b) All other work.....	459,85	505,84
(ii) Edge setting:		
(a) Riveted and/or riveted and stitched work, but excluding miners' and miners' type and army boots.....		
Through runners.....	329,73	362,70
Waist and/or top pieces.....		
Children's footwear, all sizes up to and including size 1½.....		
All slippers (men's, women's and children's).....		
Stitchdown footwear produced from box hide and willow hide.....		
(b) Automatic edge-setting machine, all grades.....	404,57	554,03
(c) All other work.....		

	Column A	Column B
	Per week	Per week
	R	R
(ii) Heel trimming.....	329,73	362,70
(iv) Examining.....	459,85	505,84
[Ratio. — See subclause (P).]		
Class II Operations		
Qualified employees on:		
Bitting by hand or machine		
Bottom scouring		
Heel scouring		
Heel spraying		
Ploughing out		
Complete finishing by hand		
Top piece trimming.....	323,16	355,48
Bunk wheeling.....		
Louis flat ironing.....		
Bubbling down of edges and bottoms and repairing of defects in edges, heels, waists, corners of bottoms and feather of edge		
Seat wheeling		
Top ironing, i.e. marking edge of forepart or waist of sole by machine or by hand tool, whether before or after bottoms are faked and polished.....		
Welt wheeling.....		
Decorative feather stitching by hand after the sole is permanently attached to the upper		
[Ratio. — See subclause (P).]		
Class III Operations		
Qualified employees on:		
Brushing, padding and/or burnishing.....		
Crow wheeling		
Finger scouring		
Heel-breast cornering		
Inking, staining, waxing and damping.....	287,19	315,91
Inserting, slipping and putting lasts		
Ploughing (removing the scarf round under edge of sole)		
Rubbing of edges and bottoms.....		
Spew and/or flash trimming.....		
Conveyor belt loading		
[Ratio. — See subclause (P).]		
(G) SHOE ROOM		
Qualified employees on:		
Faking	389,29	428,22
Examining.....		
Patent repairing.....		
Embossing and/or stamping.....		
Boxing		
Dressing and/or sizing.....		
Dressing by spray gun.....		
Hand polishing and cleaning		
Ironing.....	287,19	315,91
Labelling		
Lining trimming.....		
Size stamping on footwear		
Socking		
Stamping descriptions and sizes on labels.....		
Quarter forming by machine.....		
Smoothing insole before socking or boxing		

	Column A	Column B		
	Per week	Per week		
	R	R		
(H) MILL-ROOM OPERATIONS				
Qualified employees on:				
(i) Group 2:				
Calender operating.....	294,04	323,44		
Batch mass-measuring and assembling of chemicals				
Operating extruding machine				
Operating an open mixing mill with a width of not less than 1,52 m				
Operating internal mixer				
Slabbing sheet rubber to gauge (stretching compound)				
Operating an open mixing mill with a width of less than 1,52 m but not less than 1,01 m.....				
Warming compound on open mill				
Hydraulic press operating.....				
Operating splitting machine				
(ii) Group 1:				
Issuing soles and heels	287,19	315,91		
Press cutting blanks (clicking)				
Attending autoclave.....				
Assisting mass-measurer.....				
Mould checking				
Operating an open mixing mill with a width of less than 1,01 m.....				
Masticating, sheeting out, cracking or breaking compound				
Buffing or scouring machine operations.....				
Feeding rubber into calender (feeding stretchers)				
Grinding scrap by machine				
Mould cleaning				
Trimming				
Blank cutting and mass-measuring to fixed standards.....				
Extruding into trays.....				
Bale cutting.....				
Sieving chemicals, buffings and grindings				
Stencilling or making bales				
Applying powder.....				
Packing soles and heels				
Granulating.....				
Assisting calender operator				
Dipping machine operator				
(Ratio.—For every three qualified employees employed in this section not more than one learner may be employed.)				
(I) HIGH-FREQUENCY WELDING				
Qualified employees on:				
(i) High-frequency welding, embossing pre-cut uppers	301,82	332,00		
(ii) High-frequency welding, embossing combined with cutting of uppers (cut welding).....	478,74	526,61		
(iii) High-frequency welding, embossing of socks and other components	287,19	315,91		
(iv) High-frequency welding, combined with cutting of socks and other components	332,77	366,05		
(Ratio.—For every two qualified employees employed in this section not more than one learner may be employed.)				
(J) FLOW MOULDING				
Qualified employees on:				
(i) Flow moulding pre-cut uppers	301,82	332,00		
(ii) Flow moulding pre-cut socks.....				
(iii) Flow moulding where eventual upper is presented in liquid form.....				
(iv) Colour application to moulds prior to flow moulding.....				
(v) Mould making of moulds for flow moulding out of silicone rubber or any other suitable materials				
(Ratio.—For every two qualified employees employed in this section not more than one learner may be employed.)				

	Column A	Column B
	Per week	Per week
	R	R
(K) INJECTION MOULDING OR POURING OF ANY MATERIALS USED FOR SOLING AND UNIT CONVERTING		
Qualified employees on:		
Injection moulding of units to lasted uppers or string-lasting uppers or sole units:		
(a) Where one employee is employed on an injection moulding machine	323,16	355,48
(b) Where two employees are employed on an injection moulding machine each shall be paid		
(c) Every employee in excess of two employed on an injection moulding machine shall be paid	287,19	315,91
(Ratio.—For every two qualified employees employed in this section not more than one learner may be employed.)		
(L) STRING/LASTING OF LINED OR UNLINED FOOTWEAR BY HAND PULLING OR WITH THE ASSISTANCE OF ANY OTHER DEVICE		
Qualified employees on:		
(i) String-lasting of fabric uppers.....	323,16	355,48
(ii) String-lasting of synthetic uppers		
(Ratio.—For every two qualified employees employed in this section not more than one learner may be employed.)		
(M) WOODEN UNIT MANUFACTURING		
Operations not provided for any other section clause 1 of Annexure A of Part II:		
(a) Manufacture of covered or uncovered wooden heels (including the processing of laminated layered covers):		
Qualified employees on:		
(i) Machine setting to ensure the automatic or semi-automatic operation of any machine contained in this section	342,15	376,37
(ii) Cutting of blanks prior to laminating in the preparation of layered heel covers.....		
(iii) Scouring, cementing, positioning and pressing of blanks prior to cutting or guillotining of layered heel covers	287,19	315,91
(iv) Cutting or guillotining of laminated blanks to produce heel covering material		
(v) Cutting of heel covers to a pattern from layered heel covering material	342,15	376,37
(vi) (aa) Cross cutting of timber into lengths		
(ab) Shaping of heels and heel-breasts, using templates and/or jigs and/or guides	287,19	315,91
(ac) Cutting or scouring for pitching of heels, using templates and/or jigs and/or guides		
(ad) Cupping of heels to fit heel seats	287,19	315,91
(vii) Cementing heels and heel covers		
(viii) Spotting of heel covers to heels and pressing.....	323,16	355,48
(xi) Trimming of heel covers		
(x) Top piece attaching		
(b) Manufacture of wooden units inclusive and/or exclusive of heels:		
Qualified employees on:		
(i) Selecting and/or planning of raw timber.....	287,19	315,91
(ii) Measuring, marking and cutting timber into required lengths.....		
(iii) Marking top and side elevation for profile cutting of unit.....	323,16	355,48
(iv) Cutting and shaping from wood of a combined unit forming a footshaped base and cutting of fancy cut-outs on the base		
(v) Cutting or routing of a margin partly or right round a wooden unit to countersink lasting margin	323,16	355,48
(vi) Cementing or solutioning and laminating of two or more pieces of wood to increase final substance.....		
(vii) Positioning and pressing of pre-trimmed or untrimmed soles to wooden units.....	287,19	315,91
(viii) Solutioning or cementing and attaching heel pieces to soles prior to attaching to wooden units, provided such pieces do not exceed the substance of the soles.....	323,16	355,48
(ix) Attaching top pieces to heels	287,19	315,91
(x) (aa) Scouring units by automatic machines prior to or after sole attaching	287,19	315,91
(ab) Scouring units by hand prior to or after sole attaching	323,16	355,48

	Column A	Column B
	Per week	Per week
	R	R
(xi) Polishing of units using sandpaper and/or wax after varnishing, painting or spraying or between applications of these operations.....	287,19	315,91
(xii) Examining for quality	389,29	428,22
(xiii) Repairing of units		
(xiv) Size stamping.....		
(xv) Varnishing, painting, spraying or dipping units.....	287,19	315,91
(xvi) Attaching of decorative studs and/or nails and/or rivets and/or tacks to units after lasting }		
(N) LEARNERS		
(i) Learners employed on the operations referred to in clause 4 of Part II, according to experience:		
First six months	238,69	262,56
Second six months	265,21	291,73
Third six months	293,09	322,40
Fourth six months	315,19	346,71
Fifth six months	353,68	389,05
Thereafter, the prescribed rate.		
(ii) Learners in Class III in the Rough Stuff, Making and Finishing Departments, according to experience:		
First six months	179,06	196,97
Second six months	201,71	221,88
Third six months	225,39	247,93
Thereafter, the prescribed rate.		
(iii) Learners employed on the operations referred to in subclause H, according to experience:		
First six months	179,06	196,97
Second six months	201,71	221,88
Thereafter, the prescribed rate.		
(iv) Other learners, according to experience:		
First six months	179,06	196,97
Second six months	201,71	221,88
Third six months	225,39	247,93
Fourth six months	251,83	277,01
Fifth six months	285,09	313,60
Thereafter, the prescribed rate.		
Provided that—		
(i) an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience;		
(ii) a learner who, during the currency of this Agreement, is engaged at a higher rate than that prescribed for one of his experience, shall be paid increments as though he has been, by experience, entitled to be paid at the rate of which he is engaged;		
(iii) learners in the Closing Department of Shoe Room shall—		
(aa) after the third six months of experience become entitled to a wage of R287,19 per week if employed on operations for which this rate is prescribed;		
(ab) after the fourth six months of experience become entitled to a wage of R303,77 per week or R334,93 per week or R354,12 per week if employed on operations for which these rates are prescribed;		
(iv) learners in the Clicking Department shall, on size stamping and/or planing and/or applying acme backing, after the third six months of experience, become entitled to a wage of R287,19.		
Recruitment of any learner for an operation in Class I or Class II shall be by promotion from the class next below at a wage of not less than that which the employee was receiving on the date of promotion: Provided that if no employee is available or if an available employee is unfit for promotion, an employee may be introduced from another class of operations or a new learner may be engaged for the operation concerned.		

	Column A	Column B
	Per week	Per week
(O) GENERAL WORKERS	R	R
General workers	287,19	315,91
(P) RATIO'S		
(i) Class I operations in the Rough Stuff and Finishing Departments		
For every three or part of three qualified employees on Class I operations collectively in the Rough Stuff and Finishing Departments, there may be employed not more than one learner.		
'Part of three' means a remainder of not less than two after the number of qualified employees has been divided by three.		
(ii) Class II operations in the Rough Stuff, Making and Finishing Departments		
On these operations all taken collectively there may be employed not more than one learner to three or part of three qualified employees.		
'Part of three' for this purpose means a remainder of not less than two after the number of qualified employees has been divided by three.		
(iii) Class III operations in the Rough Stuff, Making and Finishing Departments		
On these operations all taken collectively there may be employed not more than two learners to each qualified employee.		
(Q) MILK		
All employees in the mill room and on press cutting operations shall be supplied with half a litre of milk per day.		

CLAUSE 2: FOOTWEAR AS SPECIFIED BELOW

[For applicable definitions, see subclause (5) hereunder.]

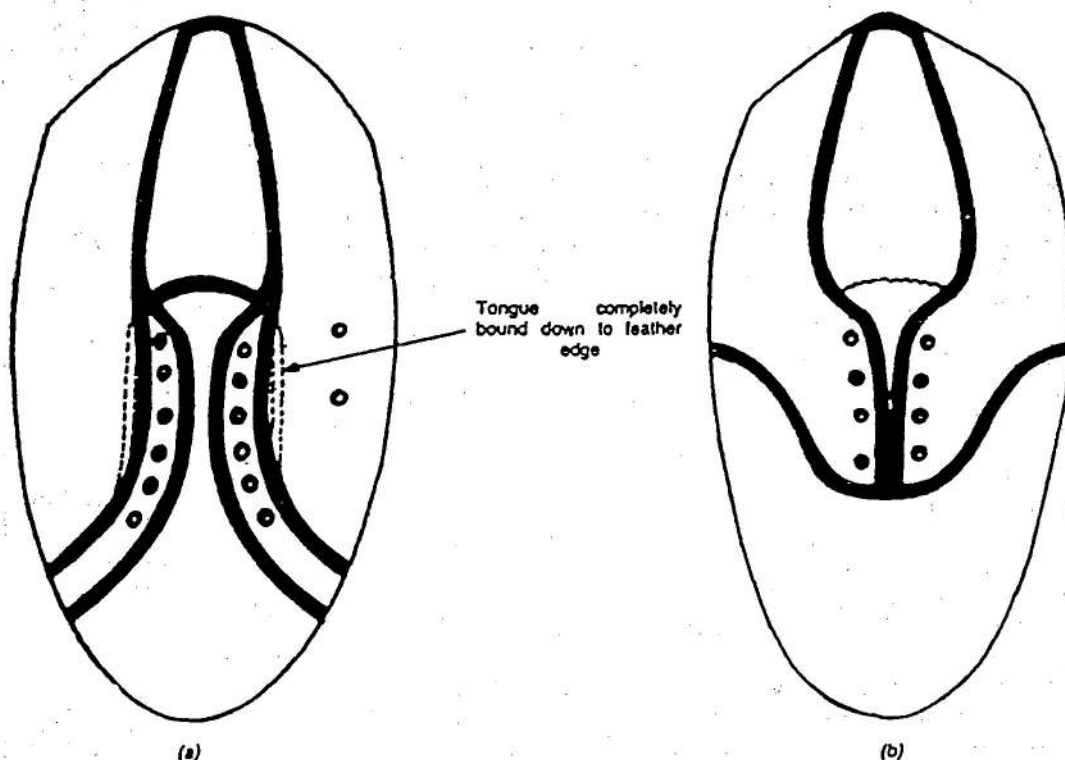
Group 1.—Footwear designed for active participation in sport made with an upper of canvas fabric in conjunction if necessary with edging, moulding, guards or toecaps manufactured only from rubber, all of one colour, the bindings of which shall be no greater than the binding depicted in the line drawings in Illustration 1 (a) and (b) and substantially similar in colour to the canvas uppers: Provided that where there is a difference in depth between the shade of the uppers and that of a binding it shall not exceed the difference represented by Grade 3 of the Grey Scale for assessing Change in Colour (Society of Dyers and Colourists Standard Methods, Third Edition, page 10, British Standard BS 2662: 1961 International Standards Organisation R105/I/Part 2): Provided further that—

- (i) the sole shall be of rubber which is either vulcanised in an autoclave or is directly moulded;
- (ii) the footwear as defined may be retained on the foot by means of lacing up through metal or non-metal eyelets located on the top of the upper generally as depicted in Illustration 1 (a) and (b);
- (iii) where studs and/or bars are provided, these shall not protrude more than six millimetres from the soles;
- (iv) where a heel is provided, it shall not protrude more than six millimetres, measured from the surface of the sole at the waist;
- (v) the said bindings shall be made of canvas fabric but that its mass may be less than 400 grammes per square metre.

Group 2.—Rubber footwear, either unlined or lined with fabrics.

Group 3.—Wholly moulded footwear.

Group 4. — Canvas fabric sandals.



	Column A	Column B
	Per week	Per week
(1) WAGES	R	R
A. LACE-UP RUBBER BOOTS		
Qualified employees on:		
(i) Marking and/or cutting of textile fabrics.....	426,71	469,38
(ii) Cutting of rubber uppers	332,77	366,05
(iii) Cutting of fabric impregnated with rubber		
(iv) Closing Departments:		
(a) Upper closing	303,77	334,15
(b) Lining closing		
(c) Eyeletting		
(d) Buffing tongues	287,19	315,91
(e) Inserting tongues		
(f) Securing tongues		
(g) Table-hands		
(v) All sole cutting operations, whether by band or press	408,31	449,14
(vi) All other press cutting operations (bottom stock only)	287,19	315,91
(vii) Hand-lasting (means the pulling over of the prepared upper over the last and securing it to the insole)	323,16	355,48
(viii) Insole attaching	287,19	315,91
(ix) Placing material around the last		
(x) Sole attaching		
(xi) Attending an autoclave		

	Column A	Column B
	Per week	Per week
	R	R
(xii) Solutioning by hand		
(xiii) Solutioning by machine		
(xiv) (a) Moulding of soles, heels and/or sole and heel units	287,19	315,91
(b) Moulding of boots other than in an autoclave		
(xv) Hobnailing	323,16	355,48
(xvi) Sole roughing		
(xvii) Upper roughing		
(xviii) Edge trimming		
(xix) Spew and/or flash trimming on moulded boots		
(xx) Inserting laces		
(xxi) Slipping and sorting lasts		
(xxii) Trimming linings		
(xxiii) Rolling uppers		
(xxiv) Cutting and/or inserting stays	287,19	315,91
(xxv) Dressing		
(xxvi) Cleaning		
(xxvii) Stamping sizes on linings		
(xxviii) Loading trolley for autoclave		
(xxix) Pairing		
(xxx) Attaching thoughts or insole covers		
(xxxi) Operations not specified in (i) to (xxx) above		
(xxxii) General workers	287,19	315,91
B. OTHER FOOTWEAR WITHIN THIS SECTION		
Qualified employees on:		
(i) Upper Cutting Department:		
Group 1:		
Marking and/or cutting (from canvas or fabric)	426,70	469,37
Group 2:		
Assisting clicker		
Marking and/or cutting (from rubber and/or canvas impregnated with rubber) gum boots	287,19	315,91
Size marking		
(ii) Closing Department:		
Group 3:		
Attaching stays		
Size stamping on linings	287,19	315,91
Tread trimming		
All other Closing Room operations, including eyeletting, perforating and skiving	303,77	334,15
(iii) Bottom Stock Department:		
Group 4:		
Sole cutting from rubber by press or by hand	408,31	449,14
Group 5:		
Cutting or extruding blanks for the moulding of soles and/or heels	287,19	315,91
Group 6:		
All other press cutting operations	287,19	315,91
(iv) Making Department:		
Group 7:		
Applying insole filler		
Size stamping insole	287,19	315,91
Hand-lasting, rubbersole attaching by hand		

	Column A	Column B
	Per week	Per week
	R	R
Vulcanising soles to uppers.....		
Solutioning by hand or machine	287,19	319,91
Assembling		
Direct moulding of soles to canvas uppers	301,82	332,00
Injection moulding of units to lasted uppers or string-lasting uppers or of sole units:		
(a) Where one employee is employed on an injection moulding machine		
(b) Where two employees are employed on an injection moulding machine, each shall be paid	323,16	355,48
(c) Where more than two employees are employed on an injection moulding machine, each shall be paid		
String-lasting.....	301,82	332,00
Lasting operations on a Kamborian machine	332,77	366,05
Lasting seats and sides by any machine	370,20	407,22
Combined pulling over and forepart lasting	464,10	510,51
(v) Group 8:		
Hobnailing by hand or machine	323,16	355,48
(vi) Group 9:		
Attaching back strip		
Attaching foxing		
Attaching insole.....		
Attaching lining to upper		
Cementing		
Cleaning soles		
Cutting foxing		
Feeding conveyer		
Granulating		
Inserting the puffs.....	287,19	315,91
Rolling uppers.....		
Slipping lasts.....		
Sole rolling		
Supplying lasts.....		
Trimming uppers.....		
Mass-measuring pellets for direct moulding		
Wheeling.....		
Checking and repairing		
Edge schouring		
Silk screen printing.....		
(vii) Any operations not specified in (i) to (vi) above	287,19	315,91
(viii) General workers	287,19	315,91
(2) LEARNERS EMPLOYED ON OPERATIONS REFERRED TO IN SUBCLAUSE (1) A AND B (EXCLUDING GENERAL WORKERS)		
According to experience:		
First six months	179,00	196,90
Second six months	201,71	221,88
Thereafter, the prescribed rate.		
Provided that an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience.		
(3) RATIOS		
(a) Before a learner may be employed on any of the operations referred to in subclause (1) A, one qualified employee shall be employed and for every one qualified employee so employed, not more than two learners may be employed.		
(b) Before a learner may be employed in any of the nine groups of operations referred to in subclause (1) B, one qualified employee shall be employed in that group, and for every one qualified employee so employed, not more than two learners may be employed.		

	Column A	Column B
	Per week	Per week
	R	R
(4) DIFFERENTIAL WORKING		
A qualified employee who is employed in any one week on two or more operations specified in this section of this Annexure shall be paid the wages which he would earn if employed for the whole time worked during that week solely on the higher or highest rated of those operations.		
(5) DEFINITIONS		
For the purposes of this clause—		
“rubber” includes natural and synthetic rubber and any thermoplastic organic substance or compound thereof;		
“canvas fabric” means a fabric woven from yarns made from cotton and/or man-made fibres which in appearance is similar to cotton fabric and which fabric, whether bonded or not, is not more than 1,36 millimetres at 1 kilopascal or 1,32 millimetres at 5 kilopascal and its mass shall be not less than 400 grammes per square metre, the characteristics of which are strength and firmness;		
“one colour” is an entirely natural or bleached colour or of one solid shade or tone.		
CLAUSE 3: SLIPPERS, THE UPPERS OF WHICH ARE MADE OF MATERIALS OTHER THAN LEATHER		
(1) WAGES		
Qualified employees on:		
A. Upper Cutting Department:		
(i) Upper cutting	426,56	469,22
(ii) Stock cutting and/or lining cutting	332,77	366,05
(iii) Upper assembling	332,77	366,05
(iv) marking and/or stamping	287,19	315,91
B. Machining Department:		
(i) Machining toe caps, collars, seams, binding, tongues, socks and pads, buttonholding, buttoning	289,05	317,96
(ii) Machining of uppers, socks, pads and soft soles together	303,77	334,15
(iii) Machining elastic bound edges of uppers to soft soles	303,77	334,15
C. Rough Stuff Department:		
(i) Sole cutting from leather	464,10	510,51
(ii) Sole cutting from other than leather	408,31	449,14
(iii) Insole cutting and lift and top-piece cutting	408,31	449,14
(iv) Stamping	287,19	315,91
(v) Heel covering		
D. Making Department:		
(i) Slipper turn sewing	352,57	387,83
(ii) Steaming and blocking into shape:	323,16	355,48
(a) Felt work		
(b) Leather work, fabric Cubans		
(iii) Stuck-on process:	323,16	355,48
(a) Hand-lasting		
Sole roughening		
Sole positioning on upper and pressoperating in one operating		
Sole positioning on upper at forepart seat before pressing		
Press operating with sole previously positioned		
(b) Solutioning operation	287,19	315,91
(c) Sole and insole tacking		
(iv) Vulcanising soles to lasted uppers	323,16	355,48

	Column A	Column B
	Per week	Per week
	R	R
(v) Slugging		
(vi) Channelling		
Hand-levelling		
Heel attaching		
Tacking backs	287,19	315,91
(vii) Slipper turning		
(viii) Fetching and putting away lasts		
(ix) Inserting heel pads		
(x) Conveyor operating		
(xi) Direct injection moulding or pouring of any materials used for soling and unit converting:		
Direct injection moulding of units to lasted uppers or string-lasting uppers or uppers with stitched-in socks:		
(a) Where one employee is employed on an injection moulding machine		
(b) Where two employees are employed on an injection moulding machine each shall be paid	323,16	355,48
(c) Where more than two employees are employed on an injection moulding machine, each shall be paid		
E. Finishing Department:		
Edge trimming	408,31	449,14
Edge setting	332,77	366,05
Heel trimming		
Scouring operations		
Inking, staining and brushing		
Slipping uppers	287,19	315,91
F. Shoe Room Department:		
Examining		
All other Shoe Room operations		
(2) LEARNERS		
According to experience:		
First six months	179,00	196,90
Second six months	201,68	221,85
Third six months	225,39	247,93
Fourth six months	251,84	277,02
Fifth six months	285,09	313,60
Provided that a learner shall not be entitled to a wage higher than that prescribed for a qualified employee on the operation on which such learner is engaged:		
Provided further that learners on operations for which a wage rate of R287,19 is prescribed shall, after the third six months of experience, become entitled to this wage rate:		
Provided further that an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience.		
(3) GENERAL WORKERS		
General workers	287,19	315,91
(4) RATIO		
For every one qualified employee engaged on the operations specified in subclause (1) hereof there may be employed not more than two learners at the wages in accordance with the scale laid down for learners under subclause (2) hereof: Provided that one employee in receipt of the wage prescribed for a qualified employee shall be employed in each department before a learner may be employed.		
(5) DIFFERENTIAL WORKING		
A qualified employee who is employed in any one week on two or more operations specified in this section of this Annexure shall be paid the wage which he would earn if employed for the whole time worked during that week solely on the higher or highest rated of those operations.		

	Column A	Column B
	Per week	Per week
	R	R
CLAUSE 4: 'PLATNATE' AND 'DOPPERS'		
<i>Note.</i> — 'Platnate' and 'doppers' mean footwear wholly or mainly stitched by hand with riempies or pitch thread.		
Qualified employee on:		
(i) Clicking	322,65	354,92
(ii) Machining by power	289,05	317,96
Machining other than by power		
Other Closing department operations		
(iii) Sole cutting by power	381,78	419,96
Sole cutting other than by power	287,19	315,91
(iv) Pulling over by hand and/or hand-lasting		
Stitching by hand	325,64	358,20
(v) Edge trimming by power		
Edge trimming other than by power	287,19	315,91
(vi) Pairing and/or size marking		
(vii) Any operation other than those specified in (i) to (vi) hereof		
(2) LEARNERS		
<i>According to experience:</i>		
First six months	179,00	196,90
Second six months	201,68	221,85
Provided that a learner shall not be entitled to a wage higher than that prescribed for a qualified employee on the operation on which such learner is engaged:		
Provided further that an adult employee who has had less than 12 months' experience shall nevertheless be deemed to have had 12 months' experience.		
(3) GENERAL WORKERS		
General workers	287,19	315,91
(4) RATIO		
For every three employees receiving not less than R287,19 per week there may be employed not more than one employee at a wage of less than R287,19 per week.		
(5) DIFFERENTIAL WORKING		
A qualified employee who is employed in any one week on two or more operations specified in this section of this Annexure shall be paid the wage which he would earn if employed for the whole time during that week solely on the higher or highest rated of those operations."		

Signed at Port Elizabeth, on behalf of the parties, this 7th day of July 1995.

D. J. F. LINDE

Member of the Council

T. DAVAN

Member of the Council

M. BENNETT

Member of the Council

L. M. VAN LOGGERENBERG

General Secretary of the Council

WET OP ARBEIDSVERHOUDINGE, 1956

LEERNYWERHEID, REPUBLIEK VAN SUID-AFRIKA: WYSIGING VAN OOREENKOMS VIR DIE SKOEISELSEKSIE

Ek, Tito Titus Mboweni, Minister van Arbeid, 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 1996 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in 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 1996 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.

T. T. MBOWENI

Minister van Arbeid

BYLAE**NASIONALE NYWERHEIDSRAAD VIR DIE LEERNYWERHEID VAN SUID-AFRIKA****SKOEISELSEKSIE****OOREENKOMS**

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

(a) **Footwear Manufacturers' Federation of South Africa,**

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

(b) **National Union of Leather Workers,**

(c) **Transvaal Leather and Allied Trades Industrial Union**

en

(d) **South African Clothing and Textile Workers' Union**

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

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

tot wysiging van die Ooreenkoms vir die Skoeiselseksie gepubliseer by Gowermentskennisgewing No. R. 1798 van 3 September 1982, soos gewysig en hernieu by Goewermentskennisgewings Nos. R. 2472 en R. 2473 van 11 November 1983, R. 1143 van 8 Junie 1984, R. 2311 en R. 2312 van 26 Oktober 1984, R. 942 van 26 April 1985, R. 1553 van 12 Julie 1985, R. 2584 van 15 November 1985, R. 1224 van 26 Junie 1986, R. 2056 en R. 2057 van 26 September 1986, R. 1709 van 7 Augustus 1987, R. 2611 van 20 November 1987, R. 147 en R. 148 van 3 Februarie 1989, R. 888 en R. 889 van 27 April 1990, R. 3049 en R. 3050 van 4 Januarie 1991, R. 3222 van 27 November 1992, R. 972 van 4 Junie 1993, R. 90 van 21 Januarie 1994, R. 398 van 4 Maart 1994, R. 1678 van 7 Oktober 1994, R. 1830 van 28 Oktober 1994 en R. 1483 van 29 September 1995.

DEEL I**1. TOEPASSINGSBESTEK VAN OOREENKOMS**

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

(a) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakverenigings, en wat onderskeidelik by bogenoemde Seksie van die Leernywerheid betrokke en daarin werksaam is;

(b) in die Republiek van Suid-Afrika, soos dit bestaan het voor die datum van inwerkingtreding van die Grondwet van die Republiek, 1994 (Wet No. 200 van 1994).

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing op alle werknemers vir wie lone voorgeskryf word in Aanhangsel C van Deel I en Aanhangsel A van Deel II van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1798 van 3 September 1982.

2. KLOUSULE 9: VAKANSIEDAE, JAARLIKSE VERLOF EN KRAAMVERLOF

(1) Vervang subklousule (7) (a) deur die volgende:

"(7) (a) Openbare vakansiedae word toegestaan kragtens die Wet op Openbare Vakansiedae, 1994 (Wet No. 36 van 1994): Met dien verstande dat, waar 'n werknemer op enigeen van hierdie dae werk, sy werkgewer hom minstens sy gewone besoldiging moet betaal vir die totale tydperk op sodanige dag gewerk, benewens die besoldiging waarop hy geregtig sou gewees het as hy nie aldus gewerk het nie.

(2) Vervang subklousule (7) (c) deur die volgende:

"(7) (c) As enigeen van die openbare vakansiedae in paragraaf (1) bedoel op 'n Saterdag val, moet die besoldiging vir sodanige vakansiedag bereken word teen een vyfde van die gewone weekloon.

(3) In subklousule (7) (d) vervang die uitdrukking "Geloftedag" deur die uitdrukking "Versoeningsdag".

(4) In subklousule (7) (e), vervang die uitdrukking "Geloftedag" deur die uitdrukking "Versoeningsdag".

3. KLOUSULE 19: INDIENSNEMING VAN LEDE VAN VAKBONDE

Vervang subklousule (4) deur die volgende:

(4) Indien 'n vakbondverteenvoerder deur sy vakbond aangewys word om enige amptelike besigheid van die vakbond by te woon (wat opleiding insluit), moet betaalde verlof van vier werkdade en onbetaalde verlof van twee werkdade in enige kalenderjaar aan sodanige werknemer toegestaan word:

Met dien verstande dat—

(a) Die vakbond moet die werkgever kennis van nie minder as een week gee met betrekking tot sodanige bywoning nie.

(b) Die vakbond moet te alle tye die vakbondverteenvoerders in samewerking met die werkgever kies vir sodanige bywoning, met inagneming van die hoeveelheid werk op daardie tydstip en die strategiese belang van die werk wat die betrokke kandidaat verrig. Sodanige toestemming mag nie onredelik weerhou word nie.

(c) Die getal vakbondverteenvoerders wat op enige tydstip afwesig is, moet deur ooreenkoms tussen die werkgever en die betrokke vakbond bepaal word.

(d) Indien enige vakbondverteenvoerder deur die vakbond vervang word deur 'n ander werknemer, sal slegs die balans van verlof in terme van hierdie klousule oorgedra word na die nuwe vakbondverteenvoerder.

(e) Indien enige vakbondverteenvoerder sy amp verloor deur verplasing of bevordering deur die bestuur, is die nuwe vakbondverteenvoerder geregtig op die volle toewysing van verlof in terme van hierdie klousule.

4. AANHANGSEL C VAN DEEL I: LONE

Vervang Aangangsel C van Deel I deur die volgende:

"AANHANGSEL C VAN DEEL I

LONE

	Kolom A	Kolom B
	Per week	Per week
	R	R
A. Wag	287,19	315,91
B. Magasynmeester en/of pakhuisman, versendingsklerk	295,36	324,90
C. Ketelbediener	287,19	315,91
D. Motorvoertuigdrywer wat 'n voertuig dryf wat gelisensieer is om 'n loonvrag te dra of te trek van—		
(i) minder as 2 722 kg	291,29	320,42
(ii) 2 722 kg	295,36	324,90
(iii) meer as 2 722 kg maar hoogstens 4 546 kg	314,38	345,82
(iv) meer as 4 546 kg maar hoogstens 6 350 kg	373,32	410,65
E. Minderjariges in diens in beroepe waarvoor daar nie in hierdie Ooreenkoms lone voorgeskryf word nie:		
Eerste ses maande	179,00	196,90
Tweede ses maande	201,68	221,85
Derde ses maande	225,39	247,93
Daarna	287,19	315,91
Met dien verstande dat 'n volwasse werknemer wat minder as 12 maande ondervinding het, nietemin geag moet word 12 maande ondervinding te gehad het.		
F. Werksaamhede in verband met die maak van kartondose:		
(i) Guillotine en/of draaisnymes en/of kerfmasjiens met—		
(a) kragaandrywing	426,56	469,22
(b) handaandrywing	343,87	378,26

	Kolom A	Kolom B
	Per week	Per week
	R	R
(ii) Kartondoosmakers.....	287,19	315,91
(iii) Die maak van kartondose, volgens ondervinding:		
Eerste ses maande.....	199,95	219,95
Tweede ses maande	201,68	221,85
Daarna.....	287,19	315,91
Met dien verstande dat 'n volwasse werknemer wat minder as 12 maande ondervinding het, nietemin geag moet word 12 maande ondervinding te gehad het.		
G. Werknemers wat letters met die hand set en etikette met 'n drukmasjien druk.....	386,09	424,70
H. Werknemers wat kantstrookies maak:		
(i) Splits, skaaf, sny, groewe maak en afskuins	287,19	315,91
(ii) Alle ander werksaamhede.....	287,19	315,91
I. Verpakkers	287,19	315,91
J. Werknemers wat leer brei	332,77	366,05
K. Werknemers wat sproeiverf aan leer aanbring.....	385,31	423,84
L. Werknemers wat messe maak:		
(i) Sweis- en/of sweissoldeer- en/of silwersoldeerwerk	464,10	510,51
(ii) Lasse afwerk ná sweising.....	301,82	332,00
(iii) Heg- en/of puntsweiswerk.....	287,19	315,91
(iv) Buigwerk volgens patroonplaat en/of modelle; grootte met die hand op messe pons; verspanstaal merk en sny; oksidering van afgewerkte artikels en slypwerk.....	287,19	315,91

Opmerking.—Vir die toepassing van paragraaf L beteken 'sweiswerk' die deurlopende trek van 'n sweislas op nate en/of lasse maar nie heg- en puntsweiswerk nie."

DEEL II

5. KLOUSULE 3: DIFFERENSIËLE LONE

In subklousules (1) en (2), vervang die uitdrukking "R254,19" deur die uitdrukking "R287,19".

6. AANHANGSEL A VAN DEEL II

Vervang Aangangsel A van Deel II van die Ooreenkoms deur die volgende:

AANHANGSEL A VAN DEEL II

KLOUSULE 1: SKOEISEL, NIE ELDERS GESPEFIFIEER NIE

LONE

	Kolom A	Kolom B
	Per week	Per week
	R	R
(A) PATROONAFDELING		
(i) Gekwalifiseerde werknemers in diens as patroonsnyers wat oorspronklike ontwerpe produseer en volgens beperkings met die hand gradeer, en/of skoentekenaars.....	483,14	531,45
(ii) Gekwalifiseerde werknemers wat—		
(a) met die hand, maar nie volgens beperkings nie, gradeer en wat nie oorspronklike ontwerpe produseer nie.....	408,31	449,14
(b) met gradeermasjiene werk		
(c) oorspronklike voeringspatrone volgens boleerpatrone maak in gevalle waar daar geen leeskopieë of oorspronklike ontwerpe geproduseer word nie		
(iii) Gekwalifiseerde werknemers wat werksaamhede verrig wat nie in (i) en (ii) hiervan gespesifiseer word nie.....	323,16	355,48

	Kolom A	Kolom B
	Per week	Per week
	R	R
(B) UITSNYDINGSADFDELING		
(i) Die uitsny en sny van boleer met die hand of 'n masjien:		
(a) Basgelooid of chroomgelooid splitleer, basgelooid of halfchroomgelooid kalfsleer, chroomgelooid suedekalfsvel en basgelooid skaap- en bokvelle Wit kalfsvel wat ten volle chroomgelooid is vir die vervaardiging van skoene uit een stuk gesny, slegs bluchers en velskoene, maar uitgesonderd skoeisel vir mynwerkers en skoeisel van mynwerkstipe (almal in Suid-Afrika gelooi) Kinderskoeisel, alle soorte materiaal, alle nommers tot en met No. 1½ en alle leerpantoffels (vir mans vroue en kinders)	478,74	526,61
(b) Alle ander materiale..... (Getaalverhouding. —Hoogstens een leerling mag in diens geneem word vir elke vier of gedeelte van vier gekwalifiseerde uitsnyers. Gedeelte van vier beteken 'n res van minstens een nadat die totale getal gekwalifiseerde uitsnyers deur vier gedeel is.)	478,74	526,61
(c) Boleersorteerder wat gradeer en/of sorteer volgens gehalte vir uitreiking aan uitsnyders ..	483,14	531,45
(d) Keuring van gesnyde leerkomponente vir gehalte	483,14	531,45
(ii) Voering-, binnesool- en passnywerk en/of kleintoosels aangebring en/of uitsnydings met 'n uitsnyers revolusiepers, eksentriekpers of houhamer uitgepons..... <i>Opmerking.</i> —'n Tooisel is 'n versiering wat nie 'n noodsaaklike deel van die skoen se boleer uitmaak nie. As daar 'n geskil ontstaan oor wat 'n "klein tooisel" uitmaak, is die Raad se beslissing, na ondersoek, finaal. Binnetonge en smal agterlissies uit afvalstukke sny vir buitenaatskoene van die Oxford- en Derbypatroon vir kinders, seuns en meisies Vir alle ander snywerk van tonge en agterlissies moet daar betaal word teen die skaal van toepassing op die uitsny van materiaal ooreenkomstig paragraaf (i) hiervan..... Bandjies volgens lengte uit deurlopende rolle of stringe vooraf vervaardigde materiaal sny [Getaalverhouding. —Daar mag hoogstens twee leerlinge teen lene ooreenkomstig die skaal voorgeskryf vir leerlinge in subklousule (N) (i) van hierdie Aanhangsel in diens geneem word vir elke gekwalifiseerde werknemer in hierdie seksie.]	332,77	366,05
(iii) Uitsnydings met 'n uitsnymasjien van die Westerntipe en outomatiese multipons-/uittandmasjien/gangbanduitponsing	295,36	324,90
(iv) Patrone uitreik..... Splitsmasjien bedien	323,16	355,48
(v) Nommers stempel en/of verf	287,19	315,91
Acme-agterstukke aanbring		
(c) STIKADFDELING		
Gekwalifiseerde werknemers in diens vir:		
(i) Puritan-masjienwerk	354,12	389,53
(ii) Leerstroke op boleer met buitensoolstikmasjiene stik	334,93	368,42
(iii) Proefnaaimasjien		
(iv) Ander masjienwerk:		
(a) Alle stikwerk, aan bas- en chroomgelooid splitleer, bas- en half-chroomgelooid kalfsvel-, suède-en chroomgelooid kalfsvelvoeringmasjien..... Wit kalfsvel wat ten volle chroomgelooid is vir die vervaardiging van slegs eenstukleerskoene, bluchers en velskoene, maar uitgesonderd skoeisel vir mynwerkers en skoeisel van die mynwerkerstipe (almal in Suid-Afrika gelooi)	289,05	317,96
(b) Werksaamhede in verband met ander soorte leer as dié in (a) gespesifiseer:		
Voorstukke vasstik..... Plat bindwerk met 'n masjien		
Bykomende rye op die voorstuk, parallel met die voorstukstikwerk, met 'n masjien stik.. Oorskoene masjineer (hele oorskoene)	303,77	334,15
Fantasieskoene volgens die saamhoustelsel heeltemal met masjien gestik (alle soorte).....		

	Kolom A	Kolom B
	Per week	Per week
	R	R
Fantasiemasjienwerk volgens die saamhoustelsel, met inbegrip van krae, uitsnydings, belegsels en sierpatroonstikwerk sonder merkers		
Rantwerk of enige werksaamheid met natoomasjien uitgesonderd Derby-sykante van die Oxford en Derbypatroon		
Voorstukke van skoene vasstik met hielstukke oor die voorstukke		
Bediener van 'n vervoerbandkonsole wat individuele bedieners voer	303,77	334,15
(c) Werksaamhede, uitgesonderd dié in (a) en (b) hierbo gespesifiseer, met inbegrip van die aanbring van bindstukke vir Franse bindwerk op plat- of afwerkmasjiene en die vasryg van twee boonste komponente met die hand om 'n naat te vorm, insluitende om 'n naat te vorm, insluitende keuring vir gehalte		
(d) Alle werksaamhede in verband met kinderskoeisel tot No. 1½		
Alle leerpantoffels (vir mans, vroue en kinders)		
Alle werksaamhede in verband met swart of bruik kalfsleer (uitgesonderd stikwerk aan oorskoene, fantasiewerk en werk aan skoeisel vir mynwerkers en/of wskoeisel van die mynwerkerstipe)	289,05	317,96
(v) Vetergate maak, klinkwerk doen, perforeerwerk doen, skaaf, vou en bruineer met die hand of 'n masjien en plooiwerk met 'n masjien doen	303,77	334,15
(vi) Omdopping		
Bindwerk omdraai		
Knope aanwerk		
Knoopsgate maak		
Vasrygwerk		
Handponswerk		
Portugese naatmaak		
Stutte en bande aanwerk	287,19	315,91
Naatvryfwerk		
Naatplatslaanwerk		
Strikke en gespes met die hand of 'n masjien vaswerk		
Syskermdrukwerk		
Tafelwerkers		
Die laai van ander stikvoerdere, maar uitgesonderd 'n bediener van 'n vervoerbandkonsole (wat individuele bedieners voer)		
(D) SOOL-EN-HAKAFDELING		
Klas I-werksaamhede		
Gekwalifiseerde werknemers in diens:		
(i) Om sole uit leer te sny		
Om ongegradeerde en ongestempelde voorrade te sorteer, te ondersoek en te pas	459,85	505,84
Om gegradeerde en gestempelde voorrade te sorteer en ondersoek		
(ii) Om binnesole, verstywers, deurlopers, middelsole en neusverstyings uit ander leer as splitleer te sny, en om sole uit ander materiaal as leer te sny	404,57	445,03
Om gefatsoeneerde rubbersole op 'n pers dunner te maak		
[Getalsverhouding. — Kyk subklousule (P).]		
Klas II-werksaamhede		
Gekwalifiseerde werknemers in diens vir:		
(i) Groefsnywerk:		
Kantstrookies aan binnesole vasnaai	332,77	366,05
Ander werk		
(iii) Perssnywerk uitgesonderd dié in Klas I	42,15	376,37
(iii) Monteerwerk uit voorrade, afgesien daarvan of dit gesorteer en/of gegradeer is of nie		
Ribbes aanbring aan binnesole waarvan kantstrookies genaai is		
Klapsplitwerk		
Versterkings en bande aanbring	323,16	355,48
Hakvormwerk		
Hakke maak		
Hakke pers		

	Kolom A	Kolom B
	Per week	Per week
	R	R
Polvydraad in slaan.....	323,16	355,48
Sole en binnesole afrond.....		
Met 'n outomatiese masjien groewe in sole maak, en sole grof en dunner maak.....		
Punte vul.....		
[Getalsverhouding. — Kyk subklousule (P).]		
Klas III-werksaamhede		
Gekwalifiseerde werknemers in diens vir:		
Groewe oopsny	287,19	315,91
Rande bedek.....		
Rande afwerk.....		
Die bediening van 'n masjien wat die rande van sole outomaties voorberei voordat dit vasgesit word.....		
Buigwerk.....		
Binnesole afwerk.....		
Groewe in binnesole maak.....		
Gleuwe in binnesole maak.....		
Binnesole merk.....		
Haklagies en/of hakstrokies vasspyker.....		
Rande omkeer.....		
Skuurwerk in perskamer.....		
Brugstukke aanmeekaarsit.....		
Brugstukke giet.....		
Skaafwerk.....		
Nommers stempel.....		
Sole, binnesole en verstywers giet.....		
Sole en binnesole splits.....		
Soolgradeermasjien bedien.....		
Sole vir aanplakwerk rofmaak.....		
Rubberlym aansmeer.....		
Beitswerk en/of inktwerk aan binnesole.....		
Was aan hakkappe smeer en dit krimp.....		
Kantstrokies berei.....		
[Getalsverhouding. — Kyk subklousule (P).]		
(E) MAAKAFDELING		
Klas I-werksaamhede		
Gekwalifiseerde werknemers in diens vir:		
(i) Oortrekwerk, Consol-leeswerk en/of Littleway-leeswerk:		
(a) Werk in verband met kantstrokies, uitgesonderd kantstrokies met krammetjies vasgeheg.....	459,85	505,84
(b) Klinkwerk en/of klink- en stikwerk, uitgesonderd in verband met skoeisel vir mynwerkers of skoeisel van die mynwerkerstipe en militêre stewels.....	404,57	445,03
(c) Gekombineerde oortrekwerk en leeswerk aan voorkante.....	459,85	505,84
(d) Alle ander grade.....		
(ii) Leeswerk aan beddings (slegs neuse):		
(a) Werk in verband met kantstrokies, uitgesonderd kantstrokies met krammetjies vasgesit...	459,85	505,84
(b) Ander werk.....		
(iii) Leeswerk aan hakbeddings en kante met enige masjien:		
(a) Werk in verband met kantstrokies, uitgesonderd kantstrokies met krammetjies vasgesit...	366,80	403,48
(b) Ander werk.....		
Opmerking. — As daar van 'n leesmasjienbediener vereis word om die hakbeddings en/of kante en neuse van stewels of skoene te lees, met die hoogste loon aan hom betaal word en mag geen differensiële lone toegepas word nie. As daar van 'n oortrek- en/of Consol-leesmasjienbediener vereis word om op 'n bepaalde dag oortrek- en leeswerk aan neuse, hakbeddings en/of kante te doen, moet die hoogste loon aan hom betaal word en mag geen differensiële lone toegepas word nie.		

	Kolom A	Kolom B		
	Per week	Per week		
	R	R		
(iv) Hele sole met 'n krammasjien vassit Randsole vaskram	329,73	362,70		
(v) Kantstrookies vasnaai.....				
(vi) Ruwe afronding: (a) Werk in verband met kantstrookies, uitgesonderd kantstrookies met krammetjies vasgesit ... (b) Buitenaatskoene (c) Ander werk	459,85	505,84		
(vii) Sole vasnaai met enige masjien.....				
(viii) Sole vasstik: (a) Werk in verband met kantstrookies, uitgesonderd kantstrookies met krammetjies vasgesit ... (b) Buitesole aan middelsole van Indiërsandale op 'n No. 6-tuigstikmasjien stik en middelsole of deurlopers aan die boleer van die mokassintipe skoeisel stik..... (c) Ander werk			404,57 459,85	445,03 505,84
(ix) (a) Boleer aansole op 'n lees vaskram (b) Boleer aan sole op 'n lees met gare vaswerk..... (c) Neuse van buitenaatskoene vorm (d) Buitesoolbedekkings met 'n masjien aanvee..... (e) Leeswerk op 'n Kamborian-masjien (f) Touleeswerk met die hand.....	329,73	362,70		
(x) Klopwerk: (a) Werk in verband met kantstrookies, uitgesonderd kantstrookies met krammetjies vasgesit ... (b) Skoeisel vir mynwerkers en skoeisel vir mynwerktipe en stewels van die militêre tipe..... (('Stewels van die militêre tipe' beteken die swaar tipe stiel wat klopwerk vereis wat net so veeleisend is as klopwerk in verband met militêre stewels wat op kontrak gemaak word.) (c) Ander werk			385,68 422,69 385,68	424,25 464,96 424,25
Opmerking. — Geen werknemer onder die ouderdom van 18 jaar mag klopwerk verrig nie.				
(xi) Keuring			459,85	505,84
Getalsverhouding. — Klas I-werksaamhede: Maakafdeling:				
(a) Vir elke drie of gedeelte van drie gekwalifiseerde werknemers wat oortrekwerk, masjienleeswerk en/of leeswerk aan beddings (uitgesonderd leeswerk aan hakbeddings en kantstukke), naaiwerk aan kantstrookies en/of sole, stikwerk en ruwe afrondingswerk verrig, mag daar hoogstens een leerling in diens geneem word.				
(b) Vir elke drie of gedeelte van drie gekwalifiseerde werknemers wat ander werksaamhede verrig as dié in (a) vermeld, mag daar een leerling in diens geneem word.				
(c) Gedeelte van drie in (a) en (b) bedoel, beteken 'n res van minstens twee nadat die totale getal gekwalifiseerde werknemers deur drie gedeeltes is.				
Klas II-werksaamhede				
Gekwalifiseerde werknemers wat—				
(i) sole op boleer in posisie plaas met vooraf afgewerkte kantstrokie met 'n verlengde rand	351,85	387,04		
(ii) vooraf afgewerkte sole in posisie plaas voordat en/of wanneer dit met 'n pers vasgelym word	342,15	376,37		
(iii) vaslymwerk verrig: Sole tegelykertyd op boleer en pers in posisie plaas..... Sole op voorkant en hakbedding van boleer in posisie plaas voordat dit gepers word 'n Pers bedien, waar sole vooraf in posisie geplaas is (kyk Klas III vir vasspyker van slegs hakbedding)..... Sole met 'n ander masjien as 'n snelstikmasjien aanmeekaarsit voordat dit aan die skoen vasgeheg word, maar uitgesonderd skoeisel vir mynwerkers en skoeisel van die mynwerkerstipe	323,16	355,48		
Buitenaatskoene aanmeekaarsit of oortrek				
Oortollige boleer-, binnesool- en deurlopermateriaal op buitenaatskoene afsky voordat sole vasgeheg en/of ru afgerond word.....				
Dikkopspekers met die hand of 'n masjien inslaan.....				
Neusplate en hakskermes met die hand of 'n masjien aanbring	323,16	355,48		
Hakke aansit.....				

	Kolom A	Kolom B
	Per week	Per week
	R	R
Soolknoppies en dwarsstrokies aan voetbalstewels sit		
Gelykmaking met die hand, uitgesonderd buitenaatskoene		
Binnenate afwerk		
Voegwerk (voering skoonmaak en boleer oor voë vasspyker)		
Voorkante van middelstukke los vasspyker of vaspen		
Louis-klappe met die hand afwerk		
Gelykmaking met 'n masjien		
Vasskroefwerk		
Masjiengenaai, geklinkte en gestikte sole vassit	323,16	355,48
Sole aanplak met kleefmiddels deur 'n masjien verhit		
Hoeke van verstywers maak en verstywers vasspyker		
Steke skei		
Draadspykerwerk		
Hakbeddings vorentoe vasspyker		
Rofmaak van boleer		
Middelstukke kleiner maak nadat dit genaai is		
Houthakke pas		
Kantstrokies uitklop en skaaf		
Kantstrokies met 'n aftrekwieletjie versier		
Kantstrokies met 'n masjien aan hakstrokies heg		
Polvydraad inslaan en polvydraad bondelsgewys inslaan		
Kantstrokies of sierstrokies, hetsy vertikaal of horisontaal of 'n kombinasie daarvan, met die hand of 'n masjien vasheg	323,16	355,48
Voorgietwerk aan agterkant en middelstuk		
Agterkante fatsoeneer		
(iv) Vulkaniseerproses:		
Sole aan geleeste boleer vulkaniseer		
Kantstrokies met 'n masjien aan hakke heg		
Sooleenhede giet		
Klas III-werksaamhede		
Gekwalifiseerde werknemers in diens vir:		
Klopwerk		
Verhardingsharse aan neusverstywing met 'n masjien aanbring	287,19	315,91
Ondersole vul		
Groewe toemaak en rande oplig		
Spykers voer aan 'n masjien wat hakke vassit		
Buitenate met die hand gelykmaak		
Hakke oortrek		
Verstywers en neusverstywings insit		
Louis-hakklappe kalmp en Louis-hakke gladmaak		
Louis-hakklappe met die masjien afwerk		
Aweregse bevestiging van boleer op hakbedding		
Hakbeddings vasspyker en/of vaspen	287,19	315,91
Hakbeddings afrond		
Brugstukke aansit		
Sool aan hakbedding spyker vir vaslymproses		
Aansmeer vir rubberlym, bevogting en vasplak		
Dikkopspyker sorteer		
Soollewerk in verband met kantstrokies en/of rubbersole		
Deurlopers en middelsole aan sole vasspyker of vassit		
Spykers uittrek		
Onderwerk van lees vasspyker		

	Kolom A	Kolom B
	Per week	Per week
Spykers inslaan in agterstukke voordat dit oorgetrek word op skoene met toe agterstukke, waar spykers hoogstens 25 mm van die middel van die agterkant van die hakbedding geplaas word (kyk tekening)	R	R
 Spykers in agterstukke inslaan	287,19	315,91
Spyker inslaan in sandaal-agterstukke, waar geen verstewers ingesit word nie Bostukke aan buitenaatskoene en sandale vasspyker Alle ander draadkramwerk Boleer vaskram nadat kantstukke geëls is Boleer afwerk Pastilleer en granuleer van plastiek [Getalsverhouding. — Kyk subklousule (P).]		
HANDLEESWERKSAAMHEDE		
Gekwalifiseerde werknemers in diens vir:		
(i) Oortrekwerk met die hand en/of handleeswerk aan skoeisel vir mynwerkers of skoeisel van die mynwerkerstipe <i>Opmerking.</i>—Daar is geen kwantum of aanvullende loon vir handleeswerk aan skoeisel vir mynwerkers of skoeisel van die mynwerkerstipe nie.	408,31	449,14
(ii) Ander oortrekwerk met die hand en/of handleeswerk, met inbegrip van geforseerde leeswerk aan mokasin tipe skoene Handleeswerk aan hadbeddings van buitenaatskoene Handleeswerk by die vervaardiging van houtsoolskoene Bankwerk soos klinkwerk, die aansit van sole en/of hakke met die hand, met inbegrip van rubberhielstuk punte Leerbandjies aan houtsole vasspyker [Getalsverhoudinge. — Hoogstens een leerling mag in diens geneem word vir elke gekwalifiseerde werknemer wat werksaamhede gespesifiseer in (i) en (ii) verrig.]	323,16	355,48
(F) AFWERKAFDELING		
Klas I-werksaamhede		
Gekwalifiseerde werknemers in diens vir:		
(i) Gladsny van rande: (a) Klinkwerk en/of klink- en stikwerk, maar uitgesonderd aan skoeisel vir mynwerkers en skoeisel van die mynwerkerstipe en militêre stewels Rubbersole en rubberkomposisiesole Kinderskoeisel, alle nommers tot en met No. 1½ Alle pantoffels (vir mans, vroue en kinders) Buitenaatskoeisel uit swart of bruin kalfsleer vervaardig	405,57	445,03
(b) Alle ander	459,85	505,84
(ii) Afwerk van rande: (a) Klinkwerk en/of klink- en stikwerk, maar uitgesonderd aan skoeisel vir mynwerkers en skoeisel van die mynwerkerstipe en militêre stewels Deurloop-middelsole Middelstukke en/of bostukke Kinderskoeisel, alle nommers tot en met No. 1½ Alle pantoffels (vir mans, vroue en kinders) Buitenaatskoeisel uit swart- en bruin kalfsleer vervaardig	329,73	362,70

	Kolom A	Kolom B		
	Per week	Per week		
	R	R		
(b) Outomatiese randafwerkmasjiene, alle grade	404,57	554,03		
(c) Alle ander werk.....				
(ii) Afwerk van hakke.....	329,73	362,70		
(v) Keuring	459,85	505,84		
[Getaalverhouding. — Kyk subklousule (P).]				
Klas II-werksaamhede				
Gekwalifiseerde werknemers in diens vir:				
Betingslagwerk met die hand of 'n masjien	323,16	355,48		
Skuur van ondersole				
Skuur van hakke				
Spuutwerk aan hakke.....				
Uitholwerk.....				
Volledige afwerking met die hand.....				
Gladsny van bostukke.....				
Loopvlak van skoene met 'n aftrekwieltjie versier.....				
Stryk van Louis-klappe.....				
Platvryf van rande en ondersole, herstel van gebreke aan rande, hakke, middelstukke en hoeke van ondersole en afwerk van rande				
Hakbedding met aftrekwieltjie versier.....				
Merk van rand van voorkant of middelstuk van sool met 'n masjien of handgereedskap, hetsy voor of nadat ondersole met was gesmeer of gepoleer is (E. 'Top ironing')				
Kantstrook met aftrekwieltjie versier.....	287,19	315,91		
Versierende veerstikwerk met die hand nadat die sool permanent aan die boeler geheg is				
[Getaalverhouding — Kyk subklousule (P).]				
Klas III-werksaamhede				
Gekwalifiseerde werknemers in diens vir:				
Borsel, opstop en/of bruining	287,19	315,91		
Gedrewe werk op sole doen.....				
Skuurwerk met die vingers				
Afronding van hakvoorlyn.....				
Inwerk, beitswerk, waswerk en bevogting				
Die insit, uittrek en wegbêre van leeste				
Uitholwerk (verwydering van lip rondom onder kant van sool).....				
Die afvryf van rande en ondersole.....				
Eksudaatverwydering en/of naatpoetsing				
Vervoerbande laai.....				
[Getaalverhouding. — Kyk subklousule (P).]				
(G) SKOENMAKER				
Gekwalifiseerde werknemers in diens vir:				
Wassering.....	389,29	428,22		
Keuring				
Herstelwerk en lakleerskoeisel.....	287,19	315,91		
Bosseleer- en/of stempelwerk.....				
Verpakking in dose.....				
Afwerking en/of sortering volgens nommers				
Afwerking met sproeispuut.....				
Poleerwerk en skoonmaak met die hand.....				
Strykwerk.....				
Etiketterming.....				
Voeringafwerking.....				
Stempel van nommers op skoeisel.....				
Inset van binnesole				
Beskrywing en nommers op etikette stempel				
Hielstukvorming met 'n masjien				
Gladmaak van binnesole voordat dit ingesit of in dose verpak word.....				

	Kolom A	Kolom B
	Per week	Per week
	R	R
(H) MEULKAMERWERKSAAMHEDE		
Gekwalifiseerde werknemers in diens vir:		
(i) Groep 2:		
'n Kalandermasjien bedien	294,04	323,44
Lotte massameet en chemikalieë bymekaarmaak		
Uitpersmasjien bedien		
'n Oop mengmeul met 'n wydte van minstens 1,52 m bedien		
'n Binnemenger bedien		
Bladrubber volgens maat in platblokke vorm (rekmengsel)		
'n Oop mengmeul met 'n wydte van minder as 1,52 m maar minstens 1,01 m bedien		
Mengsel warmmaak op oop meul		
'n Hidrouliese pers bedien		
Splitmasjien bedien		
(ii) Groep 1:		
Sole en hakke uitreik	287,19	315,91
Ru-stukke met 'n pers uitsny (uitsnywerk)		
'n Outoklaaf bedien		
Massameter bystaan		
Gietforms nagaan		
'n Oop mengmeul met 'n wydte van minder as 1,01 m bedien		
Mengsel fynmaak, in plate vorm, kraak of breek		
Fynskuur- of afskuurmasjienwerksaamhede		
Rubber in 'n kalender voer (rekmengsel voer)		
Afvalmateriaal met 'n masjien maal		
Gietvorms skoonmaak		
Afwerking		
Ru-stukke volgens vasgestelde standarde sny en massameet		
Uitpers in bakke		
Bale sny		
Chemikalieë, fyngeskuurde en gemaalde stukke sif		
Bale sjabloneer of merk		
Poeier aanwend		
Sole en hakke verpak		
Granulering		
'n Kalanderbediener bystaan		
'n Indoopmasjien bedien		
(Getalsverhouding. — Vir elke drie gekwalifiseerde werknemers in diens in hierdie seksie mag daar hoogstens een leerling in diens geneem word.)		
(I) HOËFREKWENSIESMEEWERK		
Gekwalifiseerde werknemers in diens vir:		
(i) Hoëfrekwensiesmeewerk, vooraf gesnyde boleer bosseleer	301,82	332,00
(ii) Hoëfrekwensiesmeewerk, bosselering saam met die sny van boleer (snysmeewerk)	478,74	526,61
(iii) Hoëfrekwensiesmeewerk, die bosseleer van binnesole en ander komponente	287,19	315,91
(iv) Hoëfrekwensiesmeewerk, saam met die sny van binnesole en ander komponente	332,77	366,05
(Getalsverhouding. — Vir elke twee gekwalifiseerde werknemers in diens in hierdie seksie mag daar hoogstens een leerling in diens geneem word.)		
(J) VLOEIVORMINGSWERK		
Gekwalifiseerde werknemers in diens vir:		
(i) Die vloei vorming van vooraf gesnyde boleer	301,82	332,00
(ii) Die vloei vorming van vooraf gesnyde binnesole		
(iii) Vloei vormingswerk waar die boleer in vloei bare vorm voorkom		

	Kolom A	Kolom B
	Per week	Per week
(iv) Kleuraanwending aan vorms voor die vloei vormingswerk.....	R	R
(v) Vormvervaardiging van vorms vir vloei vormingswerk uit silikoonrubber of 'n ander geskikte materiaal.....	301,82	332,00
(Getalsverhouding. — Vir elke twee gekwalifiseerde werknemers in diens in hierdie seksie mag daar hoogstens een leerling in diens geneem word.)		
(K) INSPUITVORMING OF GIET VAN STOWWE WAT VIR VERSOOLWERK EN VIR DIE OMBOU VAN EENHEDE GEBRUIK WORD		
Gekwalifiseerde werknemers in diens vir:		
Inspuitvorming van eenhede aan boleer wat op 'n lees vasgewerk is of wat met tou aan 'n lees vasgewerk is of van sooleenhede:		
(a) Waar een werknemer met 'n inspuitsvormmasjien werksaam is	323,16	355,48
(b) Waar meer as twee werknemers met 'n inspuitsvormmasjien werksaam is, moet elkeen soos volg betaal word		
(c) Waar meer as twee werknemers met 'n inspuitsvormmasjien werksaam is, moet elkeen soos volg betaal word	287,19	315,91
(Getalsverhouding. — Vir elke twee gekwalifiseerde werknemers in diens in hierdie seksie mag daar hoogstens een leerling in diens geneem word.)		
(L) TOULEESWERK AAN SKOEISEL MET OF SONDER VOERING DEUR MET DIE HAND TE TREK OF MET BEHULP VAN 'N ANDER TOESTEL		
Gekwalifiseerde werknemers in diens vir:		
(i) Touleeswerk aan boleer van doekmateriaal	323,16	355,48
(ii) Touleeswerk aan sintetiese boleer		
(Getalsverhouding. — Vir elke twee gekwalifiseerde werknemers in diens in hierdie seksie mag daar hoogstens een leerling in diens geneem word.)		
(M) HOUTEENHEIDVERVAARDIGING		
Werksaamhede waarvoor daar in geen ander seksie van klousule 1 van Aanhangsel A van Deel II voorsiening gemaak word nie:		
(a) Die vervaardiging van oorgetrekte of onoorgetrekte hout hakke (insluitende die prosessering van gelamelleerde gelaagde oortreksels:		
Gekwalifiseerde werknemers in diens vir:		
(i) Masjienopstelwerk om die outomatiese of half-outomatiese werking van alle masjiene in hierdie seksie te verseker	342,15	376,37
(ii) Ru-stukke sny voor lamellering by die voorbereiding van gelaagde hakoortreksels		
(iii) Die skuur-, sementering, in posisie plaas en pers van ru-stukke voor die sny of sny met 'n guillotine van gelaagde hakoortreksels	287,19	315,91
(iv) Gelamelleerde ru-stukke sny of met 'n guillotine sny om hakoortrek materiaal te produseer	342,15	376,37
(v) Hakoortreksels volgens 'n patroon sny uit gelaagde hakoortrek materiaal		
(vi) (aa) Hout in lengtes dwarssaag	287,19	315,91
(ab) Hakke en hakvoorlyne vorm met gebruikmaking van patroonplate en/of setmate en/of leirame		
(ac) Sny of skuur om die helling van hakke reg te kry, met gebruikmaking van patroonplate en/of setmate en/of leirame		
(ad) Hakke uithol om hakbeddings aan te sit		
(vii) Hakke en hakoortreksels sementeer	323,16	355,48
(viii) Hakoortreksels aan hakke puntsweis en vaspers		
(ix) Hakoortreksels afwerk		
(x) Bostukke vassit		
(b) Die vervaardiging van hout eenhede met of sonder hakke:		
Gekwalifiseerde werknemers in diens vir:		
(i) Die selekteer en/of skaaf van rouhout	287,19	315,91
(ii) Die meet, merk en saag van hout in vereiste lengtes		
(iii) Die merk van boonste en kantaansig vir profielsny van eenheid		

	Kolom A	Kolom B
	Per week	Per week
	R	R
(iv) Die sny en fatsoeneer uit hout van 'n gekombineerde eenheid wat 'n voetvormige basis vorm en die sny van sieruitsnydings op die basis.....	323,16	355,48
(v) Die sny of uitskaaf van 'n rand gedeeltelik of heeltemal rondom 'n houtteenheid om leeswerkrand te versink.....		
(vi) Die sementeer of rubberlyn en lamineer van twee of meer stukke hout om finale substansie te vermeerder.....	287,19	315,91
(vii) Die posisie plaas en pers van vooraf afgewerkte of onafgewerkte sole aan houteenhede..	323,16	355,48
(viii) Die rubberlym om sementeer en vassit van hakstukke aan sole voor vassit aan houteenhede, mits sodanige stukke nie groter is as die substansie van die sole nie.....	287,19	315,91
(ix) Die vassit van bostukke aan hakke.....	323,16	355,48
(x) (aa) Die skuur van eenhede met 'n outomatiese masjien voor of na die vassit van die sole.....	287,19	315,91
(ab) Die skuur van eenhede met die hand voor of na die vassit van die sole.....	323,16	355,48
(xi) Die poleer van eenhede met skuurpapier en/of was na die aanwending van vernis, verf of spuitverf of tussen die aanwending daarvan.....	287,19	315,91
(xii) Keuring vir gehalte.....	389,29	428,22
(xiii) Die herstel van eenhede.....		
(xiv) Die stempel van nommers.....		
(xv) Die vernis, verf, spuitverf of indoop van eenhede.....	287,19	315,91
(xvi) Die vassit van dekoratiewe soolknoppies en/of spykers en/of klinknaels en/of hegspykers aan eenhede na leeswerk.....		
(N) LEERLINGE		
(i) Leerlinge wat die werksaamhede verrig wat in klousule 4 van Deel II, bedoel word—volgens ondervinding:		
Eerste ses maande.....	238,69	262,56
Tweede ses maande.....	265,21	291,73
Derde ses maande.....	293,09	322,40
Vierde ses maande.....	315,19	346,71
Vyfde ses maande.....	353,68	389,05
Daarna, die voorgeskrewe loon.		
(ii) Leerlinge in Klas III in die Sool-en-hakafdeling en die Maak- en Afwerk-afdelings, volgens ondervinding:		
Eerste ses maande.....	179,06	196,97
Tweede ses maande.....	201,71	221,88
Derde ses maande.....	225,39	247,93
Daarna, die voorgeskrewe loon.		
(iii) Leerlinge wat die werksaamhede verrig wat in subklousule H bedoel word, volgens ondervinding:		
Eerste ses maande.....	179,06	196,97
Tweede ses maande.....	201,71	221,88
Daarna, die voorgeskrewe loon.		
(iv) Ander leerlinge, volgens ondervinding:		
Eerste ses maande.....	179,06	196,97
Tweede ses maande.....	201,71	221,88
Derde ses maande.....	225,39	247,93
Vierde ses maande.....	251,83	277,01
Vyfde ses maande.....	285,09	313,60
Daarna, die voorgeskrewe loon.		
Met dien verstande dat—		
(i) 'n volwasse werknemer met minder as 12 maande ondervinding nietemin geag moet word 12 maande ondervinding te gehad het;		

	Kolom A	Kolom B
	Per week	Per week
(ii) 'n leerling wat gedurende die geldigheidsduur van hierdie Ooreenkoms teen 'n hoër loon in diens geneem word as dié wat vir iemand met sy ondervinding voorgeskryf is; inkremente betaal moet word asof hy volgens ondervinding geregtig is om die loon te betaal te word waarteen hy in diens geneem is; (iii) leerlinge in die Stikafdeling en die Skoenkamer— (aa) na die derde ses maande ondervinding geregtig is op 'n loon van R287,19 per week indien hulle in diens is vir werksaamhede waarvoor hierdie loon voorgeskryf word; (ab) na die vierde ses maande ondervinding geregtig is op 'n loon van R303,77 per week of R334,93 per week of R354,12 per week indien hulle in diens is vir werksaamhede waarvoor hierdie loon voorgeskryf word; (iv) leerlinge in die Uitsnyafdeling wat nommers stempel en/of verwerk doen en/of acme-agterstukke aanbring, na die derde ses maande ondervinding geregtig is op 'n loon van R287,19 per week. Werwing van 'n leerling vir 'n Klas I- of Klas II-werksaamheid moet deur middel van bevordering uit die voorgaande laer klas geskied en die werknemer moet minstens die loon ontvang wat hy op die bevorderingsdatum ontvang het: Met dien verstande dat as daar geen werknemer beskikbaar is nie, of as 'n beskikbare werknemer nie vir bevordering geskik is nie, 'n werknemer uit 'n ander klas werksaamhede aangestel kan word of 'n nuwe leerling vir die betrokke werksaamheid in diens geneem kan word. (O) ALGEMENE WERKERS Algemene werkers..... (P) GETALSVERHOUDING (i) Klas I-werksaamhede in die Sool-en-hakafdeling en die Afwerkafdeling Vir elke drie of gedeelte van drie gekwalifiseerde werknemers vir Klas I-werksaamhede in sowel die Sool-en-hakafdeling as in die Afwerkafdeling verrig, kan daar hoogstens een leerling in diens wees. 'Gedeelte van drie' beteken 'n res van minstens twee nadat die getal gekwalifiseerde werknemers deur drie gedeel is. (ii) Klas II-werksaamhede in die Sool-en-hakafdeling van die Maak- en die Afwerkafdelings Vir al hierdie werksaamhede gesamentlik mag daar hoogstens een leerling vir elke drie of gedeelte van drie gekwalifiseerde werknemers in diens wees. 'Gedeelte van drie' beteken vir hierdie doel 'n res van minstens twee nadat die getal gekwalifiseerde werknemers deur drie gedeel is. (iii) Klas III-werksaamhede in die Sool-en-hakafdeling en die Maak- en die Afwerkafdelings Vir al hierdie werksaamhede gesamentlik mag daar hoogstens twee leerlinge vir elke gekwalifiseerde werknemer in diens wees. (Q) MELK Daar moet 'n halwe liter melk per dag verskaf word aan alle werknemers in die meulkamer en alle werknemers wat perssnywerksaamhede verrig.	R 287,19	R 315,91

KLOUSULE 2: SKOEISEL SOOS HIERONDER GESPEFISEER

[Vir toepaslike omskrywings, sien subklousule (5) hieronder.]

Groep 1.— Skoeisel ontwerp vir aktiewe deelname aan sport en wat gemaak is met boeler van seildoek en waar nodig saam met randing, gieting, skutte en neus uitsluitlik van rubber gemaak, alles in een kleur, waarvan die bindwerk nie meer beslaan nie as die bindwerk soos afgebeeld in die lyntekeninge van Afbeelding 1 (a) en (b) en wat hoofsaaklik van dieselfde kleur is as die seildoekboeler: Met dien verstande dat waar daar 'n verskil in diepte bestaan tussen die kleurskakering van die boeler en die bindwerk, sodanige verskil nie groter moet wees nie as die verskil soos weergegee deur Graad 3 van die "Grey Scale for assessing Change in Colour (Society of Dyers and Colourists Standard Methods, Third edition, page, 10, British Standard BS 2662: 1961 International Standards Organisation R105/I/Part 2)": Voorts met dien verstande dat—

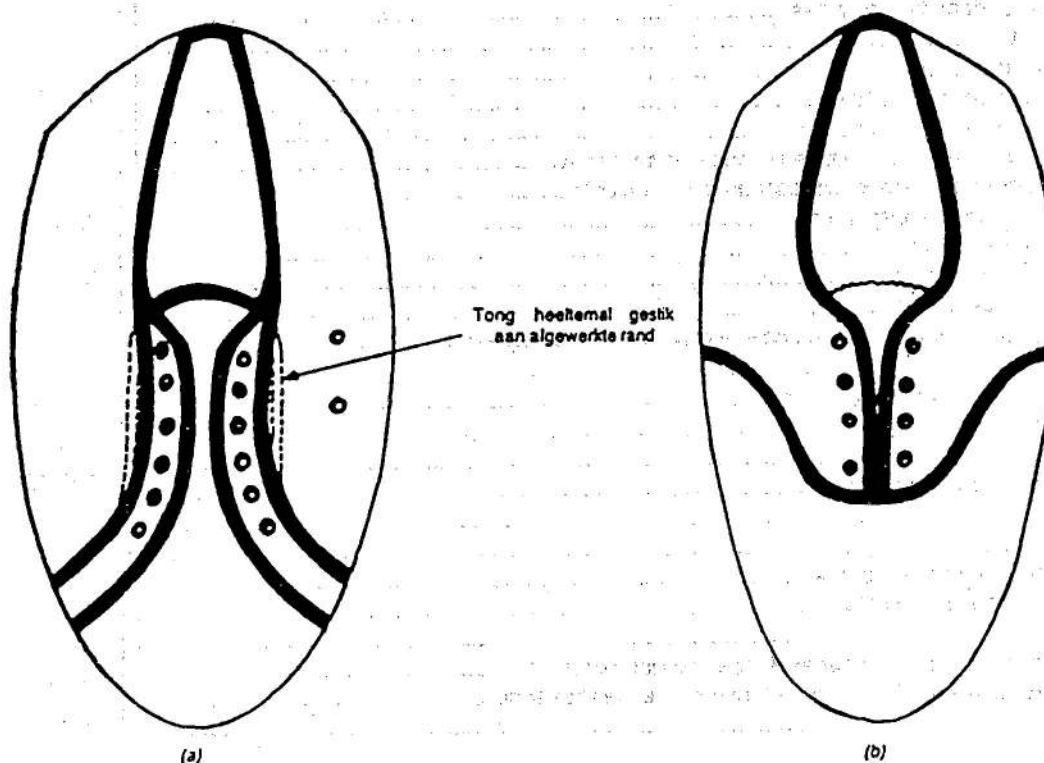
- (i) die sool moet bestaan uit rubber wat óf in 'n outoklaaf ge vulkaniseer óf regstreeks gegiet is;

- (ii) die skoeisel soos omskryf aan die voet gehou kan word deur dit vas te ryg deur metaal-/of nie-metaalologies wat gewoonlik bo-op die boleer sit soos weergegee in Afbeelding 1 (a) en (b);
- (iii) waar skoolknope of balkies verskaf word, hulle hoogstens ses millimeter onder die sool moet uitsteek;
- (iv) waar daar 'n hak is, dit hoogstens ses millimeter, gemeet vanaf die oppervlakte van die sool by die middelstuk, moet uitsteek;
- (v) gemelde bindwerk uit seildoek vervaardig moet wees maar dat die massa daarvan minder as 400 gram per vierkante meter mag wees.

Groep 2. — Rubberskoeisel, nie uitgevoer nie of met seildoek uitgevoer.

Groep 3. — Skoeisel wat ten volle gegiet is.

Groep 4. — Seildoeksandale:



	Kolom A	Kolom B
	Per week	Per week
(1) LONE	R	R
A. TOERYGSTEWELS VAN RUBBER		
Gekwalifiseerde werknemers in diens vir:		
(i) Die merk en/of sny van tekstielstowwe	426,71	469,38
(ii) Die sny van rubberboleer	332,77	366,05
(iii) Die sny van kledstof met rubber geïmpregneer		
(iv) In die Stikafdeling:		
(a) Stik van boleer	303,77	334,15
(b) Stik van voering		
(c) Die maak van vetergate		

	Kolom A	Kolom B
	Per week	Per week
	R	R
(d) Tonge poleer.....	287,19	315,91
(e) Tonge insit.....		
(f) Tonge vassit.....		
(g) Tafelwerkers.....		
(v) Alle soolsnywerkzaamhede, hetsy met die hand of 'n pers.....	408,31	449,14
(vi) Alle ander perssnywerkzaamhede (slegs onderwerk).....	287,19	315,91
(vii) Handleeswerk (d.w.s. die oortrek van die bereide boleer oor die lees en die vassit daarvan aan die binnesool.....	323,16	355,48
(viii) Binnesole vassit.....	287,19	315,91
(ix) Materiaal rondom die lees plaas.....		
(x) Sole vassit.....		
(xi) 'n Outoklaaf bedien.....		
(xii) Rubberlymwerk met die hand.....	323,16	355,48
(xiii) Rubberlymwerk met 'n masjien.....		
(xiv) (a) Die giet van sole, hakke en/of sool- en hakeenhede.....		
(b) Die giet van stewels, uitgesonderd in 'n outoklaaf.....		
(xv) Die inslaan van dikkopspykers.....	323,16	355,48
(xvi) Die rofmaak van sole.....	287,19	315,91
(xvii) Die rofmaak van boleer.....		
(xviii) Die gladsny van rande.....		
(xix) Eksudaatverwydering en/of naatpoetsing van stewels wat gegiet is.....		
(xx) Die insit van vetes.....	287,19	315,91
(xxi) Die uittrek en sortering van leeste.....		
(xxii) Die regsny van voerings.....		
(xxiii) Boleer rol.....		
(xxiv) Steunstukke sny en/of insit.....	287,19	315,91
(xxv) Poets.....	287,19	315,91
(xxvi) Skoonmaak.....		
(xxvii) Nommers op voerings stempel.....		
(xxviii) 'n Trollie vir die outoklaaf laai.....		
(xxix) Pare uitsoek.....	287,19	315,91
(xxx) Deurlopende binnesole of bedekkings vir binnesole vassit.....		
(xxxi) Alle werkzaamhede nie hierbo in (i) tot (xxx) gespesifiseer nie.....		
(xxxii) Algemene werkers.....		
	287,19	315,91
B. ANDER SKOEISEL IN HIERDIE SEKSIE		
Gekwalifiseerde werknemers in diens:		
(i) In die Boleersnyafdeling:		
Groep 1:		
Merk en/of sny (uit seildoek of kleedstof).....	426,70	469,37
Groep 2:		
Die snyer bystaan.....	287,19	315,91
Rubberstewels merk en/of sny (uit rubber en/of seildoek met rubber geïmpregneer).....		
Nommers merk.....		
(ii) In die Stikafdeling:		
Groep 3:		
Steunstukke vassit.....	287,19	315,91
Nommers op voerings stempel.....		
Drade afknip.....		
Alle ander Stikkamerwerkzaamhede, met inbegrip van die maak van vetergate, perforeer- en skaafwerk.....		
	303,77	334,15

	Kolom A	Kolom B
	Per week	Per week
	R	R
(iii) In die Onderwerkafdeling:		
<i>Groep 4:</i>		
Die sny van sole uit rubber met 'n pers of met die hand	408,31	449,41
<i>Groep 5:</i>		
Die sny of uitpers van ru-stukke vir die giet van sole en/of hakke	287,19	315,91
<i>Groep 6:</i>		
Alle ander perssnywerkzaamhede	287,19	315,91
(iv) In die Maakafdeling:		
<i>Groep 7:</i>		
Vulmateriaal vir binnesole aanbring	287,19	315,91
Nommers op binnesole stempel		
Handleeswerk, die vassit van rubbersole met die hand		
Sole aan boleer vulkaniseer		
Rubberlym met die hand of 'n masjien aanbring	301,82	332,00
Montering		
Regstreekse giet van sole aan seilboleer		
Inspuitgiet van eenhede aan boleer wat op 'n lees vasgewerk is of wat met 'n tou aan 'n lees vasgewerk is of van sooleenhede:		
(a) Waar een werknemer met 'n inspuitgietmasjien werksaam is	323,16	355,48
(b) Waar twee werknemers met 'n inspuitgietmasjien werksaam is moet elkeen soos volg betaal word		
(c) Waar meer as twee werknemers met 'n inspuitgietmasjien werksaam is, moet elkeen soos volg betaal word		
Op lees met tou vaswerk	301,82	332,00
Leeswerk op 'n Kamborian-masjien	332,77	366,05
Leeswerk van hakbeddings en kante met enige soort masjien	370,20	407,22
Gekombineerde oortrek- en puntleeswerk	464,10	510,51
(v) <i>Groep 8:</i>		
Dikkopspsykers met die hand of 'n masjien inslaan	323,16	355,48
(vi) <i>Groep 9:</i>		
Agterstroke vassit	287,19	315,91
Sierstrokies vassit		
Binnesole vassit		
Voering aan boleer vassit		
Sementering		
Sole skoonmaak		
Sierstrokies sny		
'n Vervoerband voer		
Granulering		
Neusverstywers insit		
Beheer rol		
Leeste uittrek		
Sole rol		
Leeste verskaf		
Boleer regsny		
Pastelle massameet om regstreeks te word		
Werk met aftrekwieltjie		
Nagaan- en herstelwerk		
Rande skuur		
Syskermdrukwerk		
(vii) Werkzaamhede nie in (i) tot (vi) hierbo gespesifiseer nie	287,19	315,91
(viii) Algemene werkers	287,19	315,91

	Kolom A	Kolom B
	Per week	Per week
(2) LEERLINGE IN DIENS IN VERBAND MET WERKSAAMHEDE IN SUBKLOUSULE (1) A EN B BEDOEL (UITGESONDERD ALGEMENE WERKNEMERS)	R	R
Volgens ondervinding:		
Eerste ses maande	179,00	196,90
Tweede ses maande	201,71	221,88
Daarna, die voorgeskrewe loon.		
Met dien verstande dat 'n volwasse werknemer met minder as 12 maande ondervinding nietemin geag moet word 12 maande ondervinding te gehad het.		
(3) GETALVERHOUDINGS		
(a) Voordat 'n leerling in diens geneem mag word vir enigeen van die werksaamhede in subklo- sule (1) A bedoel, moet daar een gekwalifiseerde werknemer in diens wees, en vir elke een gekwalfiseerde werknemer wat aldus in diens is, mag daar hoogstens twee leerlinge in diens geneem word.		
(b) Voordat 'n leerling in diens geneem mag word in enigeen van die nege groepe werksaamhede in subkloosule (1) B bedoel, moet daar een gekwalifiseerde werknemer in daardie groep in diens wees, en vir elke een gekwalifiseerde werknemer wat aldus in diens is, mag daar hoogstens twee leerlinge in diens geneem word.		
(4) DIFFERENSIËLE WERK		
'n Gekwalifiseerde werknemer wat in 'n bepaalde week twee of meer werksaamhede verrig wat in hierdie seksie van hierdie Aanhangsel gespesifiseer word, moet die loon betaal word wat hy sou verdien het as hy die hele tyd wat hy gedurende daardie week gewerk het, uitsluitlik die werksaam- heid verrig het waarvoor die hoër of hoogste loon betaal word.		
(5) WOORDOMSKRYWING		
Vir die toepassing van hierdie klousule—		
omvat "rubber" 'n natuurlike en sintetiese rubber asook alle termoplastiese organiese stowwe of verbindings daarvan;		
beteken "seildoek" 'n kledstof gewef van garingdraad wat vervaardig is van katoen en/of kunsvesel wat dieselfde voorkoms het as katoenstof, welke stof, versterk of onversterk, hoogstens 1,36 millimeter per 1 kilopascal of 1,32 millimeter per 5 kilopascal is, en sy massa minstens 400 gram per vierkante meter en sy eienskappe sterkte en stewig is;		
is "een kleur" 'n algeheel natuurlike of gebleikte kleur of 'n soliede kleurskakering of kleurtoon.		
KLOUSULE 3: PANTOFFELS, WAARVAN DIE BOLEER VAN ANDER STOWWE AS LEER GEMAAK IS		
(1) LONE		
Gekwalifiseerde werknemers in diens vir:		
A. Boleer snyafdeling:		
(i) Sny van boleer	426,56	469,22
(ii) Sny van binnesole en/of sny van voerings	332,77	366,05
(iii) Inmekaarsit van boleer	332,77	366,05
(iv) Merk en/of stempel	287,19	315,91
B. Masjienstikafdeling:		
(i) Neuse, krae, nate, omboorsel, tonge, binnesole en stopsels vasstik, knoopsgate maak en knope aanwerk	289,05	317,96
(ii) Boleer, binnesole, stopsels en sagte sole met 'n masjien aanmekaarsit	303,77	334,15
(iii) Gomlastiekgebonde rande van boleer aan sagte sole met 'n masjien vasstik	303,77	334,15
C. Sool-en-hakafdeling:		
(i) Sole uit leer sny	464,10	510,51
(ii) Sole uit ander materiaal as leer sny	408,31	449,14
(iii) Binnesole, haklagies en bostukke sny	408,31	449,14
(iv) Stempelwerk	287,19	315,91
(v) Hakke oortrek		

	Kolom A	Kolom B
	Per week	Per week
	R	R
D. Maakafdeling:		
(i) Omkeernaaiwerk aan pantoffels.....	352,57	387,83
(ii) Fatsoenering met stoom en uitklophamer:		
(a) Viltwerk.....	323,16	355,48
(b) Keerwerk, Kubaanse hakke van kleedstof.....		
(iii) Vaslymwerk:		
(a) Handleeswerk.....	323,16	355,48
Die rofmaak van sole		
Sool in posisie plaas op boleer en tergelykertyd 'n pers bedien		
Sool in posisie plaas op boleer by voorkanthakbedding voordat perswerk verrig word.....		
'n Pers bedien waar die sole vooraf in posisie geplaas is.....	287,19	315,91
(b) Rubberlymwerk		
(c) Vasspyker van sole en binnesole.....		
(iv) Vulkanisering van sole op geleeste boleer.....	323,16	355,48
(v) Polydraad inslaan.....	287,19	315,91
(vi) Groefsnywerk.....		
Gelykmaak met die hand		
Vassit van hakke		
Vasspyker van agterstukke	323,16	355,48
(vii) Omkeer van pantoffels		
(viii) Leeste gaan haal en bêre		
(ix) Hakkussinkies insit.....		
(x) Vervoerbande bedien.....	323,16	355,48
(xi) Regstreekse inspuitvorm of giet van stowwe wat vir versoolwerk en vir die ombou van eenhede gebruik word:		
Regstreekse inspuitvorm van eenhede aan boleer wat op 'n lees vasgewerk is of wat met 'n tou aan 'n lees vasgewerk is of boleer met vasgestikte binnesool:		
(a) Waar een werknemer met 'n inspuitvormmasjien werksaam is.....	323,16	355,48
(b) Waar twee werknemers met 'n inspuitvormmasjien werksaam is, moet elkeen soos volg betaal word		
(c) Waar meer as twee werknemers met 'n inspuitvormmasjien werksaam is, moet elkeen soos volg betaal word.....		
E. Afwerkafdeling:		
Rande gladsny	408,31	449,14
Rande afwerk	332,77	366,05
Hakke afwerk.....	287,19	315,91
Skuurwerksaamhede		
Inkwerk, beitswerk en borselwerk.....		
Boleer van lees afhaal		
F. Skoenkamerafdeling:		
Keuring.....	285,09	313,60
Alle ander Skoenkamerwerksaamhede.....		
(2) LEERLINGE		
Volgens ondervinding:		
Eerste ses maande	179,00	196,90
Tweede ses maande.....	201,68	221,85
Derde ses maande.....	225,39	247,93
Vierde ses maande	251,84	277,02
Vyfde ses maande	285,09	313,60

	Kolom A	Kolom B
	Per week	Per week
Met dien verstande dat 'n leerling nie geregtig is op 'n hoër loon as dié wat voorgeskryf is vir 'n gekwalifiseerde werknemer wat die werksaamheid verrig waarvoor sodanige leerling in diens is nie: Voorts met dien verstande dat leerlinge wat werksaamhede verrig waarvoor 'n loonskaal van R287,19 voorgeskryf word, na afloop van hul derde ses maande ondervinding vir genoemde loonskaal kwalifiseer: Voorts met dien verstande dat 'n volwasse werknemer met minder as 12 maande ondervinding nietermin geag moet word 12 maande ondervinding te gehad het.	R	R
(3) ALGEMENE WERKERS		
Algemene werkers.....	287,19	315,91
(4) GETALSVIRHOUDING		
Vir elke een gekwalifiseerde werknemer wat die werksaamhede verrig wat in subklousule (1) hiervan gespesifiseer word, mag daar hoogstens twee leerlinge in diens geneem word teen die loonskaal vir leerlinge ingevolge subklousule (2) hiervan voorgeskryf: Met dien verstande dat daar een werknemer wat die loon ontvang wat vir 'n gekwalifiseerde werknemer voorgeskryf word in elke afdeling in diens moet wees voordat 'n leerling in diens geneem kan word.		
(5) DIFFERENSIËLE WERK		
'n Gekwalifiseerde werknemer wat in 'n bepaalde week twee of meer werksaamhede verrig wat in hierdie seksie van hierdie Aanhangsel gespesifiseer word, moet die loon betaal word wat hy sou verdien het as hy die hele tyd wat hy gedurende daardie week gewerk het uitsluitlik die werksaamhede verrig het waarvoor die hoër of hoogste loon betaal word.		
KLOUSULE 4: 'PLATNATE' EN 'DOPPERS'		
<i>Opmerking.</i> — 'Platnate' en 'doppers' beteken skoeisel wat uitsluitlik of hoofsaaklik met die hand gestik is en wel met riempies of pikdraad.		
Gekwalifiseerde werknemers in diens vir:		
(i) Uitsnywerk.....	322,65	354,92
(ii) Kragmasjienwerk.....		
Masjienwerk, uitgesonderd kragmasjienwerk.....	289,05	317,96
Ander werksaamhede in die stikafdeling.....		
(iii) Soolsnywerk met 'n kragmasjien.....	381,78	419,96
Soolsnywerk, uitgesonderd met 'n kragmasjien.....		
(iv) Oortrek met die hand en/of handleeswerk.....	287,19	315,91
Stikwerk met die hand.....		
(v) Randafwerking met 'n kragmasjien.....	325,64	358,20
Randafwerking, uitgesonderd met 'n kragmasjien.....		
(vi) Pare uitsoek en/of nommers merk.....	287,19	315,91
(vii) Alle werksaamhede, uitgesonderd dié in (i) tot (vi) hiervan gespesifiseer.....		
(2) LEERLINGE		
Volgens ondervinding:		
Eerste ses maande.....	179,00	196,90
Tweede ses maande.....	201,68	221,85
Met dien verstande dat 'n leerling nie geregtig is op 'n hoër loon as dié wat voorgeskryf is vir 'n gekwalifiseerde werknemer wat dieselfde werksaamheid verrig waarvoor sodanige leerling in diens is nie: Voorts met dien verstande dat 'n volwasse werknemer met minder as 12 maande ondervinding nietermin geag moet word 12 maande ondervinding te gehad het.		
(3) ALGEMENE WERKERS		
Algemene werkers.....	287,19	315,91
(4) GETALSVIRHOUDING		
Vir elke drie werknemers wat minstens R287,19 per week verdien, mag daar hoogstens een werknemer teen 'n loon van minder as R287,19 per week in diens geneem word.		

	Kolom A	Kolom B
	Per week	Per week
(5) DIFFERENSIËLE WERK	R	R
'n Gekwalifiseerde werknemer wat in 'n bepaalde week twee of meer werksaamhede verrig wat in hierdie seksie van hierdie Aanhangsel gespesifiseer word, moet die loon betaal word wat hy sou ontvang het as hy die hele tyd wat hy gedurende daardie week gewerk het, uitsluitlik die werksaamheid verrig het waarvoor die hoër of hoogste loon betaal word.'		

Namens die partye op hede die 7de dag van Julie 1995 te Port Elizabeth onderteken.

D. J. F. LINDE

Lid van die Raad

T. DAVAN

Lid van die Raad

M. BENNETT

Lid van die Raad

L. M. VAN LOGGERENBERG

Hoofsekretaris van die Raad

No. R. 153

9 February 1996

LABOUR RELATIONS ACT, 1956

FURNITURE MANUFACTURING INDUSTRY, WESTERN CAPE: RENEWAL OF MAIN AGREEMENT

I, Dennis van der Walt, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices Nos. R. 19 of 7 January 1994 and R. 2041 of 25 November 1994, to be effective from the date of publication of this notice and for the period ending 30 June 1996.

S. VAN DER WALT

Director: Collective Bargaining

No. R. 153

9 Februarie 1996

WET OP ARBEIDSVERHOUDINGE, 1956

MEUBELNYWERHEID, WES-KAAP: HERNUWING VAN HOOFOOREENKOMS

Ek, Dennis van der Walt, Direkteur: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermmentskennisgewings Nos. R. 19 van 7 Januarie 1994 en R. 2041 van 25 November 1994, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1996 eindig.

S. VAN DER WALT

Direkteur: Kollektiewe Bedinging

No. R. 174

9 February 1996

LABOUR RELATIONS ACT, 1956

MOTOR INDUSTRY: AMENDMENT OF MICWU MEDICAL FUND AGREEMENT

I, Tito Titus Mboweni, Minister of Labour, hereby, in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding; with effect from the second Monday after the date of publication of this notice and for the period ending 31 July 1997 upon the employers' organisations and the trade union which entered into the Amending Agreement and upon the employers' and employees who are members of the said organisations or union.

T. T. MBOWENI

Minister of Labour

SCHEDULE
THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY
MICWU MEDICAL 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

(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 MICWU Medical Fund Agreement published under Government Notice No. R. 1599 of 30 July 1982, as amended and extended by Government Notices Nos. R. 2796 of 31 December 1982, R. 1451 of 1 July 1983, R. 974 of 30 April 1987, R. 1802 of 21 August 1987, R. 750 of 22 April 1988, R. 252 of 17 February 1989, R. 1755 of 27 July 1990, R. 2567 of 25 October 1991, R. 1170 of 1 July 1994 and R. 833 of 23 June 1995.

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the regions defined in the Agreement published under Government Notice No. R. 1599 of 30 July 1982, by all employers in the Motor Industry who are members of the employers' organisations, and by all employees in the said Industry who are members of the trade union.

2. CLAUSE 5: MEMBERSHIP

Substitute the following for subclause (2):

"(2) *Voluntary membership*: Employees of the South African Motor Industry Employers' Association, the National Union of Metalworkers of South Africa, the Council, the Motor Industry Pension Fund Administrators (Pty) Ltd, the Motor Industry Training Board, or any persons for whom membership is not compulsory in terms of subclause (1) of this clause and who are directly engaged or employed in or in connection with the Motor Industry, may be admitted to voluntary membership of the Fund at the discretion of the Regional Council concerned. The provisions of this Agreement shall *mutatis mutandis* apply to persons admitted to voluntary membership and to their employers."

Signed at Randburg, on behalf of the parties, this 6th day of October 1995.

T. NIEUWOUDT
President of the Council

L. A. COETZER
Vice-President of the Council

B. G. DU PREEZ
General Secretary of the Council

No. R. 174

9 Februarie 1996

WET OP ARBEIDSVERHOUDINGE, 1956

MOTORNYWERHEID: WYSIGING VAN MICWU-MEDIESEFONDSOOREENKOMS

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby, kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Julie 1997 eindig, bindend is vir die werkgewersorganisasies en die vakvereniging wat genoemde Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of vereniging is.

T. T. MBOWENI
Minister van Arbeid

BYLAE

DIE NASIONALE NYWERHEIDSRaad VIR DIE MOTORNYWERHEID

MICWU-MEDIESE FONDS

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

National Union of Metalworkers of South Africa

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

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid,

om die Ooreenkoms vir die MICWU-Mediese Fonds, gepubliseer by Goewermenskennisgewing No. R. 1599 van 30 Julie 1982, soos gewysig en verleng deur Goewermenskennisgewings Nos. R. 2796 van 31 Desember 1982, R. 1451 van 1 Julie 1983, R. 974 van 30 April 1987, R. 1802 van 21 Augustus 1987, R. 750 van 22 April 1988, R. 252 van 17 Februarie 1989, R. 1755 van 27 Julie 1990, R. 2567 van 25 Oktober 1991, R. 1170 van 1 Julie 1994 en R. 833 van 23 Junie 1995.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet in die streke omskryf in die Ooreenkoms gepubliseer by Goewermenskennisgewing No. R. 1599 van 30 Julie 1982 nagekom word deur alle werkgewers in die Motornywerheid wat lede is van die werkgewersorganisasie, en deur alle werknemers in genoemde Nywerheid wat lede is van die vakvereniging.

2. KLOUSULE 5: LIDMAATSKAP

Vervang subklousule (2) deur die volgende:

"(2) *Vrywillige lidmaatskap*: Werknemers van die South African Motor Industry Employers' Association, die National Union of Metalworkers of South Africa, die Raad, die Motornywerheidspensioenfondsadmiistrateurs (Edms.) Beperk, die Opleidingsraad vir die Motornywerheid, of enige persoon vir wie lidmaatskap nie verpligtend is kragtens subklousule (1) van hierdie klousule nie en wat direk betrokke is by of in diens is in of in verband met die Motornywerheid, mag volgens die goeiddunke van die betrokke Streekraad tot vrywillige lidmaatskap van die Fonds toegelaat word. Die bepalings van hierdie Ooreenkoms is *mutatis mutandis* ook van toepassing op enige persoon aldus toegelaat tot vrywillige lidmaatskap en op hulle werkgewers."

Namens die partye op hede die 6de dag van Oktober 1995 te Randburg onderteken.

T. NIEUWOUDT

President van die Raad

L. A. COETZER

Vise-President van die Raad

B. G. DU PREEZ

Hoofsekretaris van die Raad

DEPARTMENT OF PUBLIC WORKS
DEPARTEMENT VAN OPENBARE WERKE

No. R. 177

9 February 1996

ARCHITECTS' ACT, 1970 (ACT No. 35 OF 1970)

NOTICE UNDER SECTION 7 (3) (b): AMENDMENT OF TARIFF OF PROFESSIONAL FEES

I, Jeffrey Thamsanqa Radebe, Minister of Public Works, hereby make known that after consideration of relevant recommendations made by the South African Council for Architects, I have under section 7 (3) (b) of the Architects' Act, 1970 (Act No. 35 of 1970), amended Government Notice No. R. 227 of 19 February 1993, as amended by Government Notice No. 1064 of 25 June 1993, Government Notice No. 278 of 18 February 1994 and Government Notice No. R. 716 of 19 May 1995 by the substitution for Appendix 1 of the following Appendix:

No. R. 177

9 Februarie 1996

WET OP ARGITEKTE, 1970 (WET No. 35 VAN 1970)

KENNISGEWING KRAGTENS ARTIKEL 7 (3) (b): WYSIGING VAN PROFESSIONELE GELDETARIEF

Ek, Jeffrey Thamsanqa Radebe, Minister van Openbare Werke, maak hierby bekend dat ek na oorweging van ter sake dienende aanbevelings deur die Suid-Afrikaanse Raad vir Argitekte gedoen, Goewermmentskennisgewing No. R. 227 van 19 Februarie 1993, soos gewysig deur Goewermmentskennisgewing No. 1064 van 25 Junie 1993, Goewermmentskennisgewing No. 278 van 18 Februarie 1994 en Goewermmentskennisgewing No. R. 716 van 19 Mei 1995, gewysig het deur Aanhangsel 1 met die volgende Aanhangsel te vervang:

APPENDIX 1

FEE FOR PROFESSIONAL SERVICES

Cost of works (In Rands Excluding VAT)	Column A Fee for buildings other than simple or complex	Column B Fee for simple buildings	Column C Fee for complex buildings
0 to 372 275	R 0,00 + 7,5% of cost...	R 0,00 + 6,5% of cost ...	R 0,00 + 8,5% of cost ...
372 276 to 744 550	R 1 861,00 + 7,0% of cost...	R 1 861,00 + 6,0% of cost...	R 1 861,00 + 8,0% of cost...
744 551 to 1 489 100	R 3 723,00 + 6,75% of cost ...	R 3 723,00 + 5,75% of cost ...	R 3 723,00 + 7,75% of cost ...
1 489 101 to 2 978 200	R 7 446,00 + 6,5% of cost ...	R 7 446,00 + 5,5% of cost ...	R 7 446,00 + 7,5% of cost ...
2 978 201 to 5 956 400	R 14 891,00 + 6,25% of cost ...	R 14 891,00 + 5,25% of cost ...	R 14 891,00 + 7,25% of cost ...
5 956 401 to 11 912 800	R 29 782,00 + 6,0% of cost ...	R 29 782,00 + 5,0% of cost ...	R 29 782,00 + 7,0% of cost ...
11 912 801 to 23 825 600	R 59 564,00 + 5,75% of cost ...	R 59 564,00 + 4,75% of cost ...	R 59 564,00 + 6,75% of cost ...
23 825 601 to 47 651 200	R119 128,00 + 5,5% of cost ...	R119 128,00 + 4,5% of cost ...	R119 128,00 + 6,5% of cost ...
47 651 201 to 95 302 400	R238 256,00 + 5,25% of cost ...	R238 256,00 + 4,25% of cost ...	R238 256,00 + 6,25% of cost ...
95 302 401 to 190 604 800	R476 512,00 + 5,0% of cost ...	R476 512,00 + 4,0% of cost ...	R476 512,00 + 6,0% of cost ...
over 190 604 800	R0,00 + 5,25% of cost ...	R0,00 + 4,25% of cost ...	R0,00 + 6,25% of cost ...

This tariff of fees shall apply to all new projects and to those stages of a project not yet commenced at the date of publication hereof.

AANHANGSEL 1

GELDE VIR PROFESSIONELE DIENSTE

Koste van werke (In Rand BTW Uitgesluit)	Kolom A Gelde vir ander as eenvoudige of komplekse geboue	Kolom B Gelde vir eenvoudige geboue	Kolom C Gelde vir komplekse geboue
0 tot 372 275	R 0,00 + 7,5% van koste	R 0,00 + 6,5% van koste	R 0,00 + 8,5% van koste
372 276 tot 744 550	R 1 861,00 + 7,0% van koste	R 1 861,00 + 6,0% van koste	R 1 861,00 + 8,0% van koste
744 551 tot 1 489 100	R 3 723,00 + 6,75% van koste	R 3 723,00 + 5,75% van koste	R 3 723,00 + 7,75% van koste
1 489 101 tot 2 978 200	R 7 446,00 + 6,5% van koste	R 7 446,00 + 5,5% van koste	R 7 446,00 + 7,5% van koste
2 978 201 tot 5 956 400	R 14 891,00 + 6,25% van koste	R 14 891,00 + 5,25% van koste	R 14 891,00 + 7,25% van koste
5 956 401 tot 11 912 800	R 29 782,00 + 6,0% van koste	R 29 782,00 + 5,0% van koste	R 29 782,00 + 7,0% van koste
11 912 801 tot 23 825 600	R59 564,00 + 5,75% van koste	R 59 564,00 + 4,75% van koste	R 59 564,00 + 6,75% van koste
23 825 601 tot 47 651 200	R119 128,00 + 5,5% van koste	R119 128,00 + 4,5% van koste	R119 128,00 + 6,5% van koste
47 651 201 tot 95 302 400	R238 256,00 + 5,25% van koste	R238 256,00 + 4,25% van koste	R238 256,00 + 6,25% van koste
95 302 401 tot 190 604 800	R476 512,00 + 5,0% van koste	R476 512,00 + 4,0% van koste	R476 512,00 + 6,0% van koste
Bo 190 604 800	R0,00 + 5,25% van koste	R0,00 + 4,25% van koste	R0,00 + 6,25% van koste

Hierdie geldetarief is van toepassing op alle nuwe projekte en op daardie stadiums van 'n projek wat nog nie op die datum van publikasie hiervan 'n aanvang geneem het nie.

IMPORTANT ANNOUNCEMENT

Closing times **PRIOR TO PUBLIC HOLIDAYS** for LEGAL NOTICES 1996 GOVERNMENT NOTICES 1996

The closing time is 15:00 sharp on the following days:

- ▶ **14 March**, Thursday, for the issue of Friday **22 March**
- ▶ **28 March**, Thursday, for the issue of Thursday **4 April**
- ▶ **3 April**, Wednesday, for the issue of Friday **12 April**
- ▶ **25 April**, Thursday, for the issue of Friday **3 May**
- ▶ **13 June**, Thursday, for the issue of Friday **21 June**
- ▶ **1 August**, Thursday, for the issue of Thursday **8 August**
- ▶ **19 September**, Thursday, for the issue of Friday **27 September**
- ▶ **12 December**, Thursday, for the issue of Friday **20 December**
- ▶ **17 December**, Wednesday, for the issue of Friday **27 December**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is being accepted, a double tariff will be charged

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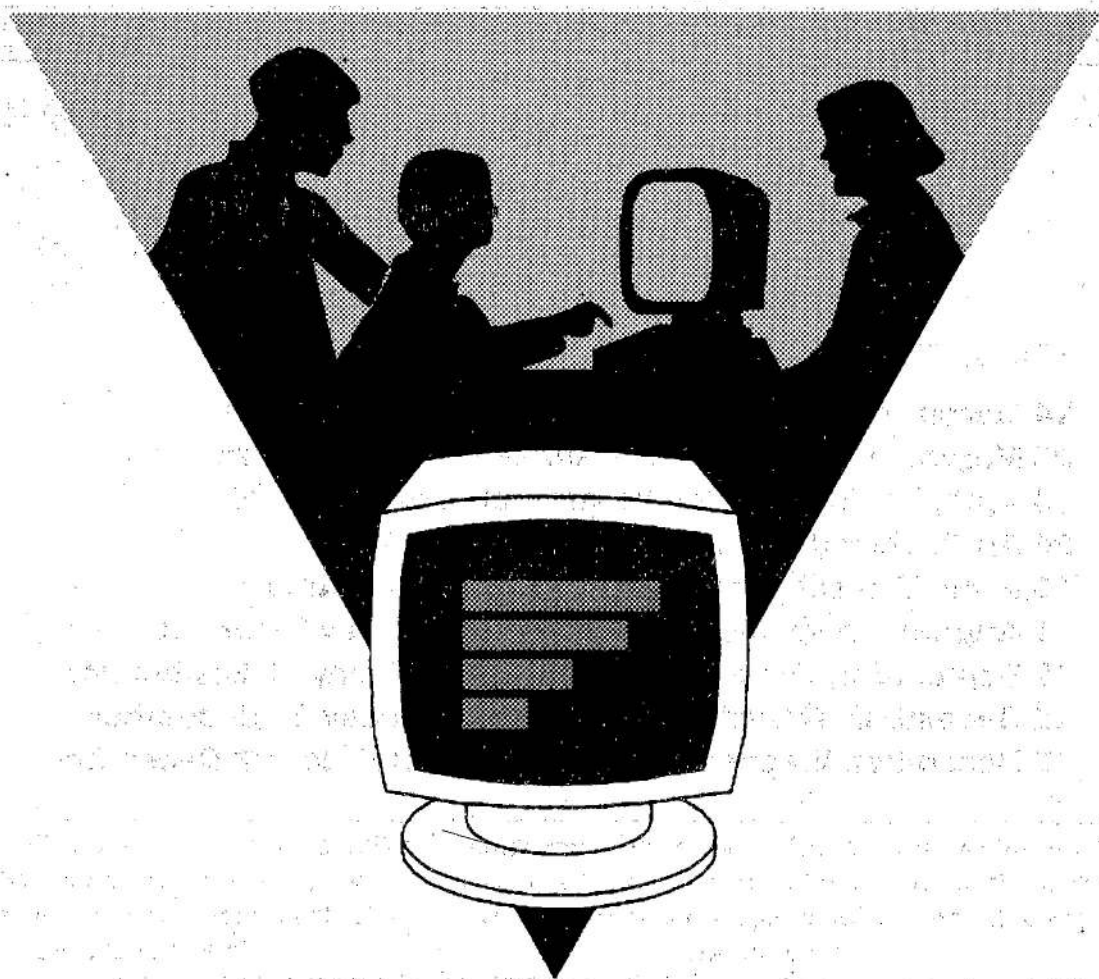
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Die sluitingstyd is stiptelik 15:00 op die volgende dae:

- ▶ **14 Maart**, Donderdag, vir die uitgawe van Vrydag **22 Maart**
- ▶ **28 Maart**, Donderdag, vir die uitgawe van Donderdag **4 April**
- ▶ **3 April**, Woensdag, vir die uitgawe van Vrydag **12 April**
- ▶ **25 April**, Donderdag, vir die uitgawe van Vrydag **3 Mei**
- ▶ **13 Junie**, Donderdag, vir die uitgawe van Vrydag **21 Junie**
- ▶ **1 Augustus**, Donderdag, vir die uitgawe van Donderdag **8 Augustus**
- ▶ **19 September**, Donderdag, vir die uitgawe van Vrydag **27 September**
- ▶ **12 Desember**, Donderdag, vir die uitgawe van Vrydag **20 Desember**
- ▶ **17 Desember**, Woensdag, vir die uitgawe van Vrydag **27 Desember**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word.

Wanneer 'n **APARTE Staatskoerant** verlang word moet die kopie drie kalenderweke voor publikasie ingedien word



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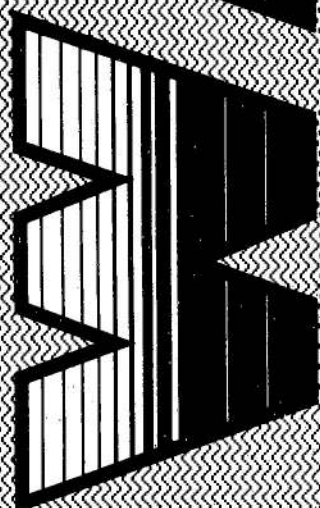
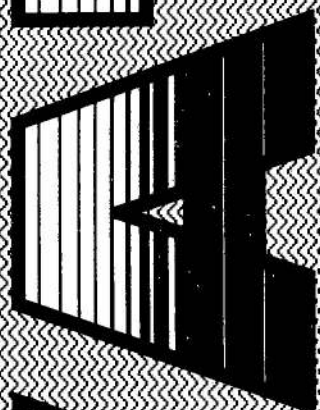
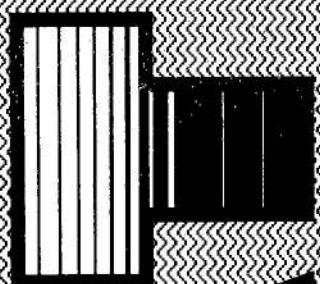
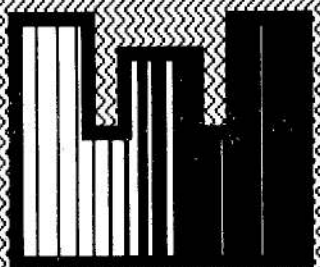
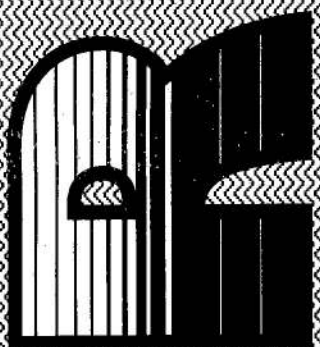
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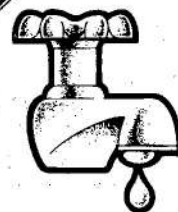
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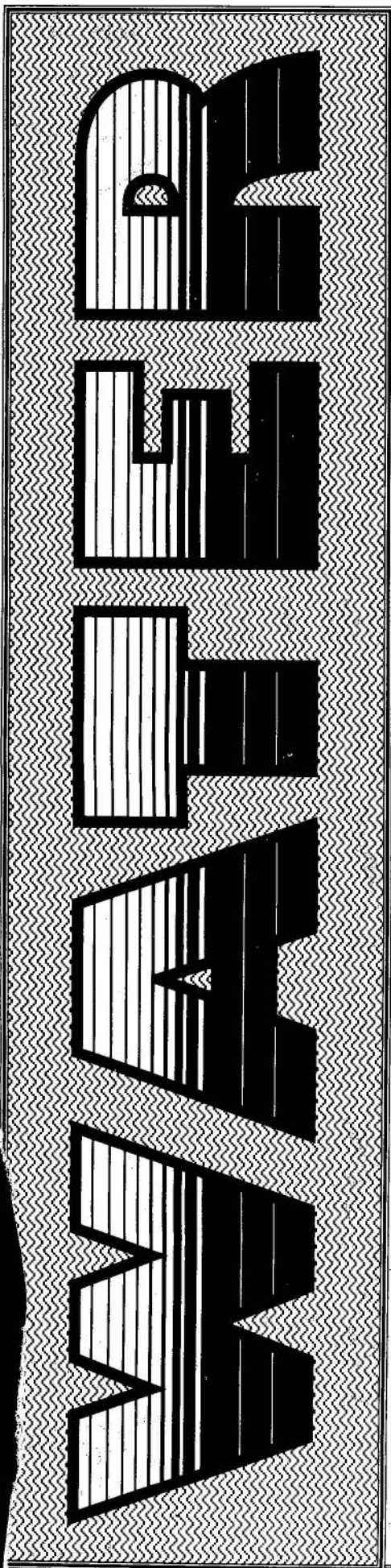
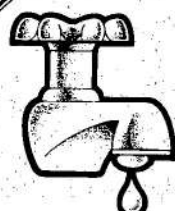




WERK

SPAARSAAM

DAARMEE !

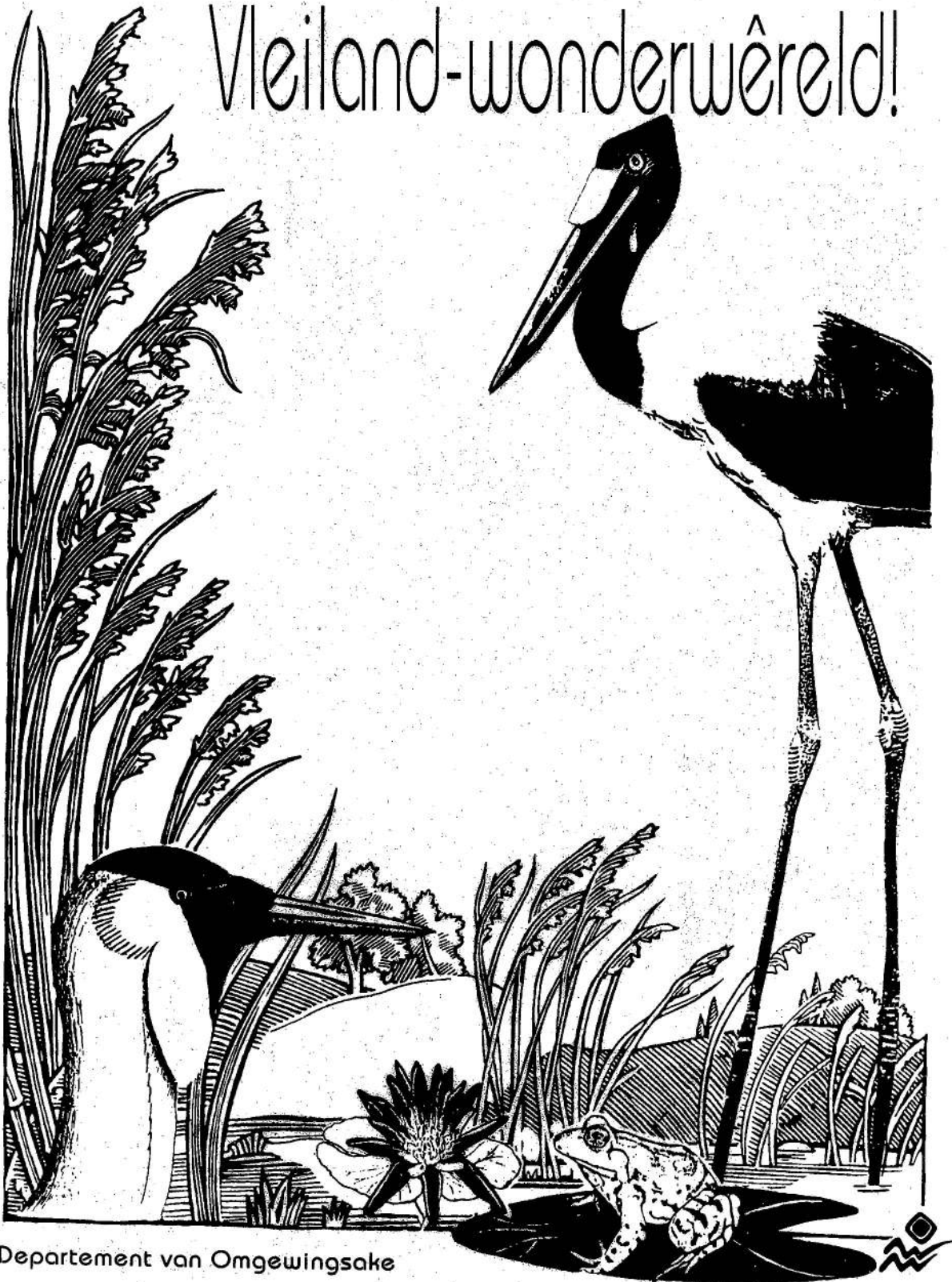


Wetlands are wonderlands!



Department of Environment Affairs

Vleiland-wonderwêreld!



Departement van Omgewingsake

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