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DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. R. 603

24 April 1998

NATIONAL PARKS ACT, 1976
(ACT No. 57 OF 1976)

PROPOSED AMENDMENT OF REGULATIONS REGARDING THE WILDERNESS NATIONAL PARK

South African National Parks intends amending the regulations regarding the Wilderness National Park as set out in the Schedule.

Interested persons are requested to submit any comments or representations in connection with the proposed amendment within two month from the date of publication of this notice to the Chief Executive, South African National Parks, P.O. Box 787, Pretoria, 0001.

SCHEDULE

1. Definition

In these regulations, unless the context indicates otherwise, "the regulations" means the regulations promulgated under Government Notice No. R. 28 of 16 February 1990.

2. Addition of Regulations 28A and 28B

The regulations are hereby amended by the addition of the following regulations after regulation 28:

"Zoning of areas:

28A The national park is zoned in the following areas:

(1) **Area 1**

That part of the Touw River, situated in the Administrative District of George, to the west of an imaginary straight line drawn to link the beacons marked SANP 1 (on the left bank) and SANP 2 (on the right bank).

(2) **Area 2**

That part of the Touw River, situated in the Administrative District of George, between an imaginary straight line drawn to link the beacons marked SANP 1 (on the left bank) and SANP 2 (on the right bank) and an imaginary straight line drawn to link the beacons marked SANP 3 (on the left bank) and SANP 4 (on the right bank).

(3) **Area 3**

That part of the Touw River, situated in the Administrative District of George, between an imaginary straight line drawn to link the beacons marked SANP 3 (on the left bank) and SANP 4 (on the right bank), and an imaginary straight line drawn to link the beacons marked SANP 5 (on the left bank) and SANP 6 (on the right bank).

(4) **Area 4**

That part of the Touw River, situated in the Administrative District of George, between an imaginary straight line drawn to link the beacons marked SANP 5 (on the left bank) and SANP 6 (on the right bank), and an imaginary straight line drawn to link the beacons marked SANP 7 (on the left bank) and SANP 8 (on the right bank).

(5) **Area 5**

The water area known as Serpentine, in the Administrative District of George, consisting of the whole of the main watercourse, its branches and the flooded area, situated between an imaginary straight line drawn to link the beacons marked SANP 9 (on the left bank) and SANP 10 (on the right bank), and an imaginary straight line drawn to link the beacons marked SANP 11 (on the left bank) and SANP 12 (on the right bank).

(6) **Area 6**

That part of Onder-Langvlei (Island Lake), situated in the Administrative District of George, between an imaginary straight line drawn to link the beacons marked SANP 11 and SANP 12 (on the western bank), and an imaginary straight line drawn to link the beacons marked SANP 13 (on the eastern bank) and SANP 14 (on the northern bank).

(7) **Area 7**

That part of the Duiwe River and that part of Onder-Langvlei (Island Lake), as well as the connecting water courses between Onder-Langvlei, Bo-Langvlei and Rondevlei, consisting of the main water course, all branches and flooded area, including the said Bo-Langvlei and Rondevlei, situated in the Administrative District of George, from an imaginary straight line drawn to link the beacons marked SANP 13 (on the eastern bank of Onder-Langvlei) and SANP 14 (on the northern bank), eastwards up to the eastern bank of Rondevlei so that Rondevlei is included in this area.

(8) **Area 8**

That part of Swartvlei, situated in the Administrative District of George, south of an imaginary straight line drawn to link the beacons marked SANP 15 (on the left bank) and SANP 16 (on the right bank).

(9) **Area 9**

That part of Swartvlei, situated in the Administrative District of George, between an imaginary straight line drawn to link the beacons marked SANP 15 (on the left bank) and SANP 16 (on the right bank), and an imaginary straight line drawn to link the beacons marked SANP 17 (on the left bank) and SANP 18 (on the right bank).

(10) **Area 10**

That part of Swartvlei, situated in the Administrative District of George, between an imaginary straight line drawn to link the beacons marked SANP 17 (on the left bank) and SANP 18 (on the right bank), and an imaginary straight line drawn to link the beacons marked SANP 19 (on the left bank) and SANP 20 (on the right bank).

(11) **Area 11**

That part of Swartvlei, situated in the Administrative District of George, between an imaginary straight line drawn to link the beacons marked SANP 19 (on the left bank) and SANP 20 (on the right bank), and an imaginary straight line drawn to link the beacons marked SANP 21 (on the left bank) and SANP 22 (on the right bank).

(12) **Area 12**

That part of Swartvlei, situated in the Administrative District of George, between an imaginary straight line drawn to link the beacons marked SANP 21 (on the left bank) and SANP 22 (on the right bank), and an imaginary straight line drawn to link the beacons marked SANP 23 (on the northern bank) and SANP 24 (on the western bank) in the north-western part of Swartvlei and an imaginary straight line drawn to link the beacons marked SANP 25 (on the northern bank) and SANP 26 (on the eastern bank) in the north-eastern part of Swartvlei.

(13) Area 13

That part of Swartvlei, situated in the Administrative District of George, north-west of an imaginary straight line drawn to link the beacons marked SANP 24 (on the northern bank) and SANP 23 (on the western bank).

(14) Area 14

That part of Swartvlei, situated in the Administrative District of George, to the east of an imaginary straight line drawn to link the beacons marked SANP 26 (on the northern bank) and SANP 25 (on the eastern bank). This area also includes the waters known as Ruigtevlei to the extent that it is included in the Wilderness National Park.

Control of areas:

- 28B. (1) Subject to the provisions of subregulation (2), no person other than an employee acting under the authority of the board, shall—
- (a) in respect of the water area described as areas 1, 5 and 8—
 - (i) convey into such water area or use any power boat;
 - (ii) practise water skiing;
 - (b) in respect of the water area described as areas 2, 3, 4, 12, 13 and 14—
 - (i) convey into such water area or use any power boat unless he/she is in possession of a permit issued by the board authorising him/her to do so;
 - (ii) practise water skiing;
 - (c) in respect of the water area described as area 6—
 - (i) convey into such water area or use any power boat or sailing boat, unless he/she is in possession of a permit issued by the board authorising him/her to do so;
 - (ii) practise water skiing except in such area designated by the board;
 - (d) in respect of the water area described as area 7—
 - (i) convey into such area or use any motor boat;
 - (ii) convey into such area or use any other water craft unless he/she is in possession of a permit issued by the board authorising him/her to do so;
 - (iii) practise water skiing;
 - (e) in respect of the water area described as areas 9 and 11—
 - (i) convey into such water area or use any power boat or sailing boat unless he/she is in possession of a permit issued by the board authorising him/her to do so;
 - (ii) practise water skiing;
 - (f) in respect of the water area described as areas 10 and 12—
 - (i) convey into such water area or use any power boat or sailing boat unless he/she is in possession of a permit issued by the board authorising him/her to do so;
 - (ii) practise water skiing except in such part of area 10 as indicated by the board in a permit;
 - (iii) swim.
- (2) Notwithstanding the provisions of sub-regulation (1) the board may issue a special permit on the conditions the board determines to exempt a person from any provision of sub-regulation (1)."

No. R. 603**24 April 1998**

WET OP NASIONALE PARKE, 1976
(WET No. 57 VAN 1976)

VOORGESTELDE WYSIGING VAN REGULASIES BETREFFENDE DIE WILDERNIS NASIONALE PARK

Suid-Afrikaanse Nasionale Parke beoog om kragtens artikel 29 van die Wet op Nasionale Parke 57 van 1976 die regulasies betreffende die Wildernis Nasionale Park te wysig soos in die Bylae aangedui.

Belanghebbende persone word versoek om enige kommentaar of vertoë in verband met die voorgestelde wysiging binne 2 maande vanaf die datum van publikasie van hierdie kennisgewing aan die Uitvoerende Hoof, SA Nasionale Parke, Posbus 787, Pretoria, 0001, voor te lê.

BYLAE**1. Woordomskrywing**

In hierdie regulasies, tensy uit die samehang anders blyk, beteken "die regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 28 van 16 Februarie 1990.

2. Invoeging van regulasies 28A en 28B

Die regulasies word hierby gewysig deur die volgende regulasies na regulasie 28 in te voeg:

"Afbakening van gebiede:

28A Die nasionale park word in die volgende gebiede afgebaken:

(1) **Gebied 1**

Daardie gedeelte van die Touwrvier, geleë in die administratiewe distrik George, ten weste van 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP 1 (aan die linkeroewer) en SANP 2 (aan die regteroewer) met mekaar te verbind.

(2) **Gebied 2**

Daardie gedeelte van die Touwrvier, geleë in die administratiewe distrik George, tussen 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP 1 (aan die linkeroewer) en SANP 2 (aan die regteroewer) met mekaar te verbind, en 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP 3 (aan die linkeroewer) en SANP 4 (aan die regteroewer) met mekaar te verbind.

(3) **Gebied 3**

Daardie gedeelte van die Touwrvier, geleë in die administratiewe distrik George, tussen 'n denkbeeldige lyn wat getrek word om die bakens gemerk SANP 3 (aan die linkeroewer) en SANP 4 (aan die regteroewer) met mekaar te verbind, en 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP 5 (aan die linkeroewer) en SANP 6 (aan die regteroewer) met mekaar te verbind.

(4) **Gebied 4**

Daardie gedeelte van die Touwrvier, geleë in die administratiewe distrik George, tussen 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP 5 (aan die linkeroewer) en SANP 6 (aan die regteroewer) met mekaar te verbind, en 'n denkbeeldige reguit lyn om die bakens gemerk SANP 7 (aan die linkeroewer) en SANP 8 (aan die regteroewer) met mekaar te verbind.

(5) **Gebied 5**

Die watergebied bekend as Serpentine, in die administratiewe distrik George, bestaande uit die hele hoofkanaal, takkanale en oorstroomde gebied, geleë tussen 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP 9 (aan die linkeroewer) en SANP 10 (aan die regteroewer) met mekaar te verbind en 'n denkbeeldige reguit lyn wat getrek word om bakens SANP 11 (aan die linkeroewer) en SANP 12 (aan die regteroewer) met mekaar te verbind.

(6) **Gebied 6**

Daardie gedeelte van Onder-Langvlei (Eilandvlei), geleë in die administratiewe distrik George, tussen 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP 11 en SANP 12 (aan die westelike oewer) met mekaar te verbind, en 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP 13 (aan die oostelike oewer) en SANP 14 (aan die noordelike oewer) met mekaar te verbind.

(7) **Gebied 7**

Daardie gedeelte van die Duiwerivier en daardie gedeelte van Onder-Langvlei (Eilandvlei), asook die verbindingskanale tussen Onder-Langvlei, Bo-Langvlei en Rondevlei, wat bestaan uit die hoofkanaal, alle takkanale en oorstroomde gebied, met die insluiting van gemelde Bo-Langvlei en Rondevlei, geleë in die administratiewe distrik George, vanaf 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP13 (aan die oostelike oewer van Onder-Langvlei) en SANP14 (aan die noordelike oewer) met mekaar te verbind, ooswaarts tot aan die oostelike oewer van Rondevlei sodat Rondevlei by hierdie gebied ingesluit is.

(8) **Gebied 8**

Daardie gedeelte van Swartvlei, geleë in die administratiewe distrik George, suid van 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP15 (aan die linkeroewer) en SANP16 (aan die regteroewer) met mekaar te verbind.

(9) **Gebied 9**

Daardie gedeelte van Swartvlei, geleë in die administratiewe distrik George, tussen 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP15 (aan die linkeroewer) en SANP16 (aan die regteroewer) met mekaar te verbind en 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP17 (aan die linkeroewer) en SANP18 (aan die regteroewer) met mekaar te verbind.

(10) **Gebied 10**

Daardie gedeelte van Swartvlei, geleë in die administratiewe distrik George, tussen 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP17 (aan die linkeroewer) en SANP18 (aan die regteroewer) met mekaar te verbind en 'n denkbeeldige reguit lyn wat bakens NPR19 (aan die linkeroewer) en SANP20 (aan die regteroewer) met mekaar te verbind.

(11) Gebied 11

Daardie gedeelte van Swartvlei, geleë in die administratiewe distrik George, tussen 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP19 (aan die linkeroewer) en SANP20 (aan die regteroewer) met mekaar te verbind en 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP21 (aan die linkeroewer) en SANP22 (aan die regteroewer) met mekaar te verbind.

(12) Gebied 12

Daardie gedeelte van Swartvlei, geleë in die administratiewe distrik George, tussen 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP21 (aan die linkeroewer) en SANP22 (aan die regteroewer) met mekaar te verbind en 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP23 (aan die noordelike oewer) en SANP24 (aan die westelike oewer) in die noordwestelike deel van Swartvlei met mekaar te verbind en 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP25 (aan die noordelike oewer) en SANP26 (aan die oostelike oewer) in die noordoostelike deel van Swartvlei met mekaar te verbind.

(13) Gebied 13

Daardie gedeelte van Swartvlei, geleë in die administratiewe distrik George, noord-wes van 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP24 (aan die noordelike oewer) en SANP23 (aan die westelike oewer) met mekaar te verbind.

(14) Gebied 14

Daardie gedeelte van Swartvlei, geleë in die administratiewe distrik George, ten ooste van 'n denkbeeldige reguit lyn wat getrek word om die bakens gemerk SANP26 (aan die noordelike oewer) en SANP25 (aan die oostelike oewer) met mekaar te verbind. Hierdie gebied sluit ook die waters bekend as Ruigtevlei in vir soverre dit deel van die Wildernis Nasionale Park uitmaak.

Beheer oor gebiede:

- 28B. (1) Behoudens die bepalings van subregulasie (2) en behalwe 'n werknemer wat op gesag van die raad handel—
- (a) mag niemand ten opsigte van die watergebied omskryf as gebiede 1, 5 en 8—
 - (i) enige motorboot inbring of gebruik nie;
 - (ii) waterski beoefen nie;
 - (b) mag niemand ten opsigte van die watergebied omskryf as gebiede 2, 3, 4, 12, 13 en 14—
 - (i) enige motorboot inbring of gebruik nie, tensy hy/sy in besit is van 'n permit deur die raad uitgereik wat hom daartoe magtig;
 - (ii) waterski nie;
 - (c) mag niemand ten opsigte van die watergebied omskryf as gebied 6—
 - (i) enige motorboot of seilboot inbring of gebruik nie, tensy hy/sy in besit is van 'n permit deur die raad uitgereik wat hom/haar daartoe magtig;
 - (ii) waterski beoefen nie behalwe in dié deel wat die raad daarvoor aanwys;
 - (d) mag niemand ten opsigte van die watergebied omskryf as gebied 7—
 - (i) enige motorboot inbring of gebruik nie;
 - (ii) enige ander vaartuig inbring of gebruik nie tensy hy/sy in besit is van 'n permit deur die raad uitgereik wat hom/haar daartoe magtig;
 - (iii) waterski beoefen nie;
 - (e) mag niemand ten opsigte van die watergebied omskryf as gebiede 9 en 11—
 - (i) enige motorboot of seilboot inbring of gebruik tensy hy/sy in besit is van 'n permit deur die raad uitgereik wat hom/haar daartoe magtig;
 - (ii) waterski beoefen nie;
 - (f) mag niemand ten opsigte van die watergebied omskryf as gebiede 10 en 12—
 - (i) enige motorboot of seilboot inbring of gebruik nie tensy hy/sy in besit is van 'n permit deur die raad uitgereik wat hom/haar daartoe magtig;
 - (ii) waterski beoefen nie behalwe in sodanige deel van gebied 10 soos per permit deur die raad aangedui;
 - (iii) swem nie.
- (2) Ondanks die bepalings van subregulasie (1) kan die raad, op die voorwaardes wat hy bepaal, 'n spesiale permit uitreik wat 'n persoon vrystel van enige bepaling van subregulasie (1)."

No. R. 604

24 April 1998

NATIONAL PARKS ACT, 1976 (ACT No. 57 OF 1976)

PROPOSED REGULATIONS REGARDING A PERMIT FOR A VESSEL WITHIN THE WATER AREA OF A NATIONAL PARK

South African National Parks intends making the regulations in terms of section 29 of the National Parks Act, 1976 (Act No. 57 of 1976), as set out in Schedule.

Interested persons are requested to submit any comments or representations in connection with the proposed regulations within two months from the date of publication of this notice to the Chief Executive, South African National Parks, P.O. Box 787, Pretoria, 0001.

SCHEDULE**1. Definitions**

In these regulations, any word or expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the context otherwise indicates, "water area" shall mean the water and the bed of any tidal lagoon, natural lake, impoundment, dam, tidal river or river or any part thereof, situated within a park, and includes the water and the land between the lowest line and the highest line to which the water of such lagoon, natural lake, impoundment, dam, tidal river or river or any part thereof may recede or rise at any time.

2. Permit

- 2.1 Any person intending to handle a vessel in the water area must apply in writing to the prescribed form to the board for a permit for such a vessel.
- 2.2 The monies as determined from time to time by the board is payable when the application is approved.
- 2.3 A vessel in respect of which application for a permit has been made, shall be made available for inspection by an authorised official of the board at a date, time and place appointed by the authorised official, unless such applicant is informed by the authorised official that such an inspection is not required.
- 2.4 When applications for permits are considered, the board may make a distinction between different categories of vessels and different uses of vessels, in order to limit the number of vessels that can obtain a permit.
- 2.5 The board may approve such application or refuse to approve it and may, if it approves such application, lay down the conditions regarding the handling of the vessel, the area where the vessel may be used and repairs or alterations to it that the board considers to be necessary in the interests of the safety or in compliance with these regulations.
- 2.6 The board may refuse to approve an application or may limit the use of a specific type of vessel or activity if it is convinced that the handling of such vessel—
 - (a) is likely to be a source of pollution in the water area;
 - (b) be a nuisance;
 - (c) will pose a danger to persons using it or to the public or any section of the public;
 - (d) will exceed the number of vessels permissible in any water area for safety reasons in the discretion of the board; or
 - (e) may cause a substantial detrimental ecological or environmental impact on the water area.
- 2.7 The permit shall specify the name of the person to whom it has been issued, as well as the maximum number of persons that may be carried by the vessel, the type and overall length of the vessel, the maximum power of the engine and the identification number allotted to the vessel as well as the area where the vessel may be used and the conditions for the handling of the vessel.
- 2.8 The board reserves the right to limit the number of permits issued to each person.

3. Validity of permits and display of signs

- 3.1 The permit of a vessel expires on 31 March every year and remains valid for a period of 12 (twelve) months at most or for a shorter period as determined by the board.
- 3.2 A temporary permit remains valid for the period indicated on it.
- 3.3 The permit holder of a vessel shall affix or cause to be affixed, the permit number without delay on such a place and in a manner acceptable to the board.

4. Withdrawal of permits

- 4.1 The board may withdraw any permit if—
 - (a) it is convinced that the vessel in respect of which the permit was issued is no longer safe or seaworthy, or is a source of pollution in the vicinity of the water area or is handled in such a way as to be a nuisance or danger to the vessels or the public or any section of the public, or has changed from category;
 - (b) the vessel is transferred, sold or disposed of or if the board is convinced that the permit holder has ceased to exercise control over or care of the said vessel;

- (c) the permit holder is found guilty of an offence in regard to the handling or control of a vessel in terms of these regulations; or
- (d) the board is of the opinion that a vessel no longer qualifies for a permit in terms of these regulations, or in terms of any condition on which the permit was issued: Provided that notice to this effect of 30 (thirty) days has to be given to the owner at the address appearing on the permit.

4.2 If the board withdraws any permit in terms of these regulations, the authorized official shall without delay notify the permit holder of such withdrawal at the address on the permit.

5. Removal of vessels

- 5.1 In the event of the board withdrawing a permit or if any permit expires, the owner of the vessel of which the permit has expired or been withdrawn shall remove the vessel from the water area without delay.
- 5.2 If the owner of a vessel of which the permit has expired or been withdrawn fails to remove such vessel from the water area within 30 (thirty) days after the expiry of the permit or after having been given due notice of the said withdrawal, he shall be guilty of an offence, and the board may remove the vessel forthwith at the cost of the owner.

6. Power of authorised official

- 6.1 Any person who handles a vessel without a permit in the water area may be ordered by an authorised official to remove such vessel from the water area without delay and failure to comply with such order shall constitute an offence.

No. R. 604

24 April 1998

WET OP NASIONALE PARKE, 1976 (WET No. 57 VAN 1976)

VOORGESTELDE REGULASIES INSAKE 'N PERMIT VIR 'N VAARTUIG IN DIE WATERGEBIED VAN 'N NASIONALE PARK

Suid-Afrikaanse Nasionale Parke beoog om kragtens artikel 29 van die Wet op Nasionale Parke, 1976 (Wet No. 57 van 1976), die regulasies soos in die Bylae uiteengesit, uit te vaardig.

Belanghebbende persone word versoek om enige kommentaar en verhoë ten opsigte van die voorgestelde regulasies binne 2 (twee) maande vanaf die datum van publikasie van hierdie kennisgewing aan die Uitvoerende Hoof, Suid-Afrikaanse Nasionale Parke, Posbus 787, Pretoria, 0001, voor te lê.

BYLAE

1. Definisies

Enige woord of uitdrukking in hierdie regulasies het dieselfde betekenis as deur die Wet daaraan toegeken, en tensy uit die samehang anders blyk, beteken "watergebied" die water en die bedding van enige getystrandmeer, natuurlike meer, opdamming, dam, getyrvier of rivier of enige gedeelte daarvan, geleë binne 'n park met inbegrip van die water en die land tussen die laagste lyn en die hoogste lyn waartoe die water in sodanige getystrandmeer, natuurlike meer, opdamming, dam, getyrvier of rivier of gedeelte daarvan te enige tyd kan daal of styg.

2. Permit

- 2.1 Enige persoon wat van voorneme is om 'n vaartuig in die watergebied te hanteer, moet skriftelik op die voorgeskrewe vorm by die raad om 'n permit vir so 'n vaartuig aansoek doen.
- 2.2 Die gelde soos van tyd tot tyd deur die raad bepaal, is betaalbaar by goedkeuring van die aansoek.
- 2.3 'n Vaartuig ten opsigte waarvan aansoek om 'n permit gedoen is, moet beskikbaar gestel word vir 'n ondersoek deur 'n gemagtigde beampte van die raad op 'n datum, plek en tyd wat die gemagtigde beampte vasstel, tensy sodanige aansoeker deur die gemagtigde beampte meegedeel word dat sodanige ondersoek nie vereis word nie.
- 2.4 Wanneer 'n aansoek om 'n permit oorweeg word, kan die raad 'n onderskeid tref tussen verskillende klasse vaartuie en verskillende gebruike van 'n vaartuig ten einde die getal vaartuie wat 'n permit kan kry, te beperk.
- 2.5 Die raad kan sodanige aansoek goedkeur of weier om dit goed te keur en kan, wanneer hy dit goedkeur, die voorwaardes opleë met betrekking tot die wyse van hantering van die vaartuig, die gebied waar die vaartuig gebruik kan word of herstelwerk of veranderings daaraan, wat die raad in die belang van veiligheid of ter nakoming van hierdie regulasies nodig ag.
- 2.6 Die raad kan weier om 'n aansoek goed te keur of kan die gebruik van 'n sekere tipe vaartuig of 'n handeling beperk indien hy daarvan oortuig is dat die hantering van sodanige vaartuig—
 - (a) waarskynlik 'n bron van besoedeling in die watergebied sal wees;
 - (b) 'n oorlas sal veroorsaak;
 - (c) gevaar sal inhou vir persone wat dit gebruik of vir die publiek of vir enige deel van die publiek;
 - (d) die getal vaartuie wat volgens die diskresie van die raad vir veiligheidsdoeleindes in die watergebied toegelaat kan word; of
 - (e) wat 'n wesentlike nadelike ekologiese of omgewingsinvloed op die watergebied kan hê.

2.7 Die permit spesifiseer die naam van die persoon aan wie dit uitgereik is, asook die maksimum aantal persone wat in die vaartuig vervoer mag word, die tipe, algehele lengte van die vaartuig, die maksimum krag van die enjin, die identifikasienommer aan die vaartuig toegewys, asook die gebied waar die vaartuig gebruik mag word en die voorwaardes vir die hantering van die vaartuig.

2.8 Die raad behou die reg voor om die aantal lisensies per persoon te beperk.

3. **Geldigheid van permitte en vertoning van tekens**

3.1 Die permit van 'n vaartuig verval op 31 Maart elke jaar en bly vir 'n tydperk van hoogstens 12 (twaalf) maande of korter tydperk wat die raad bepaal, geldig.

3.2 'n Tydelike permit bly geldig vir die tydperk daarop aangetoon.

3.3 Die permithouer van 'n vaartuig moet die registrasienommer onverwyld op sodanige vaartuig aanbring of laat aanbring op 'n wyse wat vir die raad aanvaarbaar is.

4. **Intrek van permitte**

4.1 Die raad kan enige permit intrek indien—

- (a) hy daarvan oortuig is dat die vaartuig ten opsigte waarvan die permit uitgereik is, nie meer veilig of seewaardig is nie, of 'n bron van besoedeling in die omgewing van die watergebied is, of op 'n wyse hanteer word dat dit 'n oorlas of gevaar vir ander vaartuie of die publiek of enige deel van die publiek uitmaak, of van klas verander het;
- (b) die vaartuig oorgedra, verkoop of weggedoen word of indien die raad daarvan oortuig is dat die permithouer opgehou het om beheer oor genoemde vaartuig uit te oefen of toesig daarvoor te hou;
- (c) die permithouer skuldig bevind word aan 'n misdryf met betrekking tot die hantering of beheer van 'n vaartuig ingevolge hierdie regulasies; of
- (d) die raad van mening is dat 'n vaartuig nie meer vir 'n permit ingevolge hierdie regulasies of ingevolge enige voorwaardes waarop die permit uitgereik is, kwalifiseer nie.

4.2 Indien die raad enige permit ingevolge hierdie regulasies intrek, moet die gemagtigde beampte onverwyld die permithouer van sodanige intrekking verwittig by die adres aangetoon op die permit.

5. **Verwydering van vaartuie**

5.1 Ingeval die raad enige permit intrek of indien enige permit ingevolge hierdie regulasie verval, moet die eienaar van die vaartuig waarvan die permit verval het of ingetrek is, sodanige vaartuig onmiddellik van die watergebied verwyder.

5.2 Indien die eienaar van 'n vaartuig waarvan die permit verval het of ingetrek is, in gebreke bly om sodanige vaartuig van die watergebied te verwyder binne 30 (dertig) dae na die verval van die permit of nadat kennis van gemelde intrekking aan hom gegee is, is hy skuldig aan 'n misdryf en kan die raad sodanige vaartuig onverwyld verwyder.

6. **Bevoegdheid van gemagtigde beampte**

6.1 Enige persoon wat 'n vaartuig sonder 'n permit in die watergebied hanteer, kan deur 'n gemagtigde beampte aangesê word om sodanige vaartuig onverwyld uit die watergebied te verwyder en die nie-nakoming van so 'n opdrag is 'n misdryf.

DEPARTMENT OF FINANCE DEPARTEMENT VAN FINANSIES

No. R. 598**24 April 1998**

EXCHANGE CONTROL REGULATIONS

CHANGE OF NAME OF AN AUTHORISED DEALER IN FOREIGN EXCHANGE

Paragraph 3 (a) of Government Notice No. R. 1112 of 1 December 1961, as amended, is hereby further amended by the deletion with immediate effect of BOE NatWest Limited from the list of authorised dealers for the purpose of Exchange Control Regulations published under Government Notice No. R. 1111 of 1 December 1961 and by the addition of BOE Investment Bank Limited with effect from the same date.

No. R. 598**24 April 1998**

DEVIESEBEHEERREGULASIES

VERANDERING VAN NAAM VAN GEMAGTIGDE HANDELAAR IN BUITELANDSE VALUTA

Paragraaf 3 (a) van Goewermentskennisgewing No. R. 1112 van 1 Desember 1961, soos gewysig, word verder gewysig deur die skraping met onmiddellike effek van BOE NatWest Limited van die lys van gemagtigde handelaars vir die doeleindes van die Deviesebeheerregulasies gepubliseer in Goewermentskennisgewing No. R. 1111 van 1 Desember 1961 en deur die toevoeging van BOE Investment Bank Limited met ingang van dieselfde datum.

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 584**24 April 1998**

LABOUR RELATIONS ACT, 1956

CORRECTION NOTICE**MOTOR INDUSTRY; AMENDMENT OF MAIN AGREEMENT**

The following correction to Government Notice No. R. 465 appearing in *Government Gazette* No. 18779 of 3 April 1998, is hereby published for general information:

1. In the English text to the Schedule:**DIVISION C: CHAPTER I****4. CLAUSE 3: WAGES**

Substitute the following for the published wages in respect of "Grade I: Forecourt attendant":

A Areas		Other Areas	
Per week	Per hour	Per week	Per hour
R172,35	R3,83	R129,15	R2,87

2. In the Afrikaans text to the Schedule:**AFDELING C: HOOFSTUK I****4. KLOUSULE 3: LONE**

Substitute the following for the published wages in respect of "Graad 1: Voorbaanassistent":

A-gebiede		Ander gebiede	
Per week	Per uur	Per week	Per uur
R172,35	R3,83	R129,15	R2,87

No. R. 584

24 April 1998

WET OP ARBEIDSVIRHOUDINGE, 1956

VERBETERINGSKENNISGEWING

MOTORNWERHEID: WYSIGING VAN HOOFDOORENKOMS

Onderstaande verbeterings aan Goewermentskennisgewing No. R. 465 wat in *Staatskoerant* No. 18779 van 3 April 1998 verskyn, word hierby vir algemene inligting gepubliseer:

1. In die Engelse teks van die Bylae**DIVISION C: CHAPTER 1****4. CLAUSE 3: WAGES**

Vervang die gepubliseerde lone ten opsigte van "Grade 1: Forecourt attendant" met die volgende:

A Areas		Other Areas	
Per week	Per hour	Per week	Per hour
R172,35	R3,83	R129,15	R2,87

2. In die Afrikaanse teks van die Bylae:**AFDELING C: HOOFSTUK 1****3. KLOUSULE 3: LONE**

Vervang die gepubliseerde lone ten opsigte van "Graad 1: Voorbaanassistent" met die volgende:

A-gebiede		Ander gebiede	
Per week	Per uur	Per week	Per uur
R172,35	R3,83	R129,15	R2,87

No. R. 585

24 April 1998

LABOUR RELATIONS ACT, 1956

CORRECTION NOTICE

**CLOTHING INDUSTRY, CAPE: RE-ENACTMENT AND AMENDMENT OF AGREEMENT
FOR THE KNITTING DIVISION**

The following corrections to Government Notice No. R. 401 appearing in *Government Gazette* No. 18746 of 20 March 1998, is hereby published for general information:

1. In the English text of the Schedule:

- (a) Substitute the expression "Cape Clothing Association" for the expression "Cape Clothing Manufacturers' Association" where it appears in the beginning of the Schedule.

(b) **CLAUSE 4: WAGES**

Part C: Clerical employees

- (b) Learner: Forth year. Substitute R447,00 for R447,50 where it appears in the wage column.

(c) **CLAUSE 34: RETRENCHMENT BENEFIT**

Substitute the expression "34. RETRENCHMENT BENEFITS" for the expression "34. LAYING DOWN BENEFITS" in the heading of the clause.

2. In the Afrikaans text of the Schedule:

- (a) Substitute the expression "Cape Clothing Association" for the expression "Cape Clothing Manufacturers' Association" where it appears in the beginning of the Schedule.

(b) **KLOUSULE 4: LONE**

Deel C: Klerke

- (b) Leerling: Vierde Jaar. Substitute R447,00 for R447,50 where it appears in the wage column.

(c) **KLOUSULE 34. BESNOEIINGSVOORDEEL**

Substitute the expression "34. BESNOEIINGSVOORDEEL" for the expression "34. AFLEGGINGSVOORDEEL" where it appears in the heading.

No. R. 585

24 April 1998

WET OP ARBEIDSVARHOUDINGE, 1956

VERBETERINGSKENNISGEWING

**KLERASIENYWERHEID, KAAP: HERBEKRAFTIGING EN WYSIGING VAN OOREENKOMS
VIR DIE BREI-AFDELING**

Onderstaande verbeterings aan Goewermmentskennisgewing No. R. 401 wat in *Staatskoerant* No. 18746 van 20 Maart 1998 verskyn, word hierby vir algemene inligting gepubliseer:

1. In die Engelse teks van die Bylae:

- (a) Vervang die uitdrukking "Cape Clothing Manufacturers' Association" met die uitdrukking "Cape Clothing Association" waar dit aan die begin van die Bylae voorkom.

(b) **CLAUSE 4: WAGES**

Part C: Clerical employees

- (b) Learner: Forth year. Vervang R447,50 met R447,00 waar dit in die loonkolom voorkom.

(c) **CLAUSE 34: RETRENCHMENT BENEFIT**

Vervang die uitdrukking "34. LAYING DOWN BEBEBITS" in die opskrif met die uitdrukking "34. RETRENCHMENT BENEFITS".

2. In die Afrikaanse teks van die Bylae:

- (a) Vervang die uitdrukking "Cape Clothing Manufacturers' Association" met die uitdrukking "Cape Clothing Association" waar dit aan die begin van die Bylae voorkom.

(b) **KLOUSULE 4: LONE**

Deel C: Klerke

- (b) Leerling: Vierde jaar: Vervang R447,50 met R447,00 waar dit in die loonkolom voorkom.

(c) **KLOUSULE 34: BESNOEIINGSVOORDEEL**

Vervang die uitdrukking "34. AFLEGGINGSVOORDEEL" in die opskrif met die uitdrukking "34. BESNOEIINGSVOORDEEL".

No. R. 586

24 April 1998

LABOUR RELATIONS ACT, 1956

CORRECTION NOTICE

CLOTHING INDUSTRY, CAPE: RE-ENACTMENT OF MAIN AGREEMENT

The following corrections to Government Notice No. R. 386 appearing in *Government Gazette* No. 18746 of 20 March 1998, is hereby published for general information:

1. In the English text of the Schedule:**(a) CLAUSE 3: SPECIAL PROVISIONS**

Substitute the expression "R.287 of 14 February 1997" for the expression "R.287 of 14 December 1997" where it appears in the penultimate line of the paragraph.

(b) CLAUSE 4: WAGES

Clicker:

(b) Learner: First year of experience. Insert a further asterisk after the words "Next wage".

(c) CLAUSE 26: CLOTHING INDUSTRY HEALTH CARE FUND

Substitute the words "exempted from contributing" in subclause (4)(g)(vi)(bb) for the words "exempted for contributing" where it appears in the last paragraph.

(d) CLAUSE 34: RETRENCHMENT BENEFIT

Substitute the expression "34. RETRENCHMENT BENEFITS" for the expression "34. LAYING DOWN BENEFITS" in the heading to the clause.

2. In the Afrikaans text of the Schedule:**(a) KLOUSULE 3: SPESIALE BEPALINGS**

Substitute the expression "R.287 van 14 Februarie 1997" for the expression "R.287 van 14 Desember 1997" where it appears in the third last line of the paragraph.

(b) KLOUSULE 4: LONE

Perssnyer

(b) Leerling: Eerste jaar ondervinding. Insert a further asterisk after the words "volgende loon".

(c) KLOUSULE 34: BESNOEIINGSVOORDEEL

Substitute the expression "34. BESNOEIINGSVOORDEEL" for the expression "34. AFLEGGINGSVOORDEEL" where it appears in the heading.

No. R. 586

24 April 1998

WET OP ARBEIDSVERHOUDINGE, 1956

VERBETERINGSKENNISGEWING

KLERASIENYWERHEID, KAAP: HERBEKRAGTIGING VAN HOOFOOREENKOMS

Onderstaande verbeterings aan Goewermementskennisgewing No. R. 386 wat in *Staatskoerant* No. 18746 van 20 Maart 1998 verskyn, word hierby vir algemene inligting gepubliseer:

1. In die Engelse teks van die Bylae:**(a) CLAUSE 3: SPECIAL PROVISIONS**

Vervang die uitdrukking "R.287 of 14 December 1997" met die uitdrukking "R.287 of 14 February 1997" waar dit in die voorlaaste reël van die paragraaf voorkom.

(b) CLAUSE 4: WAGES

Clicker:

(b) Learner: First year of experience. Voeg 'n verdere asterik in na die woorde "Next wage"

(c) CLAUSE 26: CLOTHING INDUSTRY HEALTH CARE FUND

Vervang die woorde "exempted for contributing" in subklousule (4)(g)(vi)(bb) met die woorde "exempted from contributing" waar dit in die laaste paragraaf voorkom.

(d) CLAUSE 34: RETRENCHMENT BENEFIT

Vervang die uitdrukking "34. LAYING DOWN BENEFITS" in die opskrif met die uitdrukking "34. RETRENCHMENTS BENEFITS".

2. In die Afrikaanse teks van die Bylae:**(a) KLOUSULE 3: SPESIALE BEPALINGS**

Vervang die uitdrukking "R.287 van 14 Desember 1997" met die uitdrukking "R.287 van 14 Februarie 1997" waar dit in die derde laaste reël van die paragraaf voorkom.

(b) KLOUSULE 4: LONE

Perssnyer:

(b) Leerling: Eerste jaar ondervinding. Voeg 'n verdere asterisk in na die woorde "Volgende loon".

(c) KLOUSULE 34: BESNOEIINGSVOORDEEL

Vervang die uitdrukking "34. AFLEGGINGSVOORDEEL" in die opskrif met die uitdrukking "34. BESNOEIINGSVOORDEEL".

No. R. 599**24 April 1998****LABOUR RELATIONS ACT, 1956****CANCELLATION OF GOVERNMENT NOTICE: MOTOR TRANSPORT UNDERTAKING (GOODS): A-AGREEMENT**

I, Tito Titus Mboweni, Minister of Labour, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notice No. R. 2129 of 27 December 1996, with effect from the first Monday after the date of publication of this notice.

T. T. MBOWENI**Minister of Labour****No. R. 599****24 April 1998****WET OP ARBEIDSVERHOUDINGE, 1956****INTREKKING VAN GOEWERMENSKENNISGEWING: MOTORVERVOERONDERNEMING (GOEDERE): A-OOREENKOMS**

Ek, Tito Titus Mboweni, Minister van Arbeid, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermenskennisgewing No. R. 2129 van 27 Desember 1996 in, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing.

T. T. MBOWENI**Minister van Arbeid****No. R. 600****24 April 1998****LABOUR RELATIONS ACT, 1956****MOTOR TRANSPORT UNDERTAKING (GOODS): RE-ENACTMENT AND AMENDMENT OF A-AGREEMENT**

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 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 first Monday after the date of publication of this notice and for the period ending 10 May 1998, upon the employers' organisation and the trade unions which entered into the said 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 said Agreement, excluding those contained in clauses 1 (1) (a), 2 and 3 shall be binding, with effect from the first Monday after the date of publication of this notice and for the period ending 10 May 1998, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the said Agreement.

T. T. MBOWENI**Minister of Labour****SCHEDULE****INDUSTRIAL COUNCIL FOR THE MOTOR TRANSPORT UNDERTAKING (GOODS)****A-AGREEMENT**

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

Road Freight Employers' Association

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

Motor Transport Workers' Union (South Africa)**South African Transport Workers' Union****Professional Transport Workers' Union of South Africa****Transport and General Workers' Union****African Miners and Allied Workers' Union****Turning Wheel Workers' Union**

and

Transport and Allied Workers' Union of South Africa

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

being the parties to the Industrial Council for the Motor Transport Undertaking (Goods)

1. SCOPE OF APPLICATION

- (1) The terms of this Agreement shall be observed in the Motor Transport Undertaking (Goods)—
- by all employers who are members of the employers' organisation and by all employees who are members of the trade unions, and who are engaged and employed therein, respectively;
 - in the Magisterial District of Alberton, Benoni, Boksburg, Brakpan [excluding those portions of the Magisterial Districts of Boksburg and Brakpan which prior to the publication of Government Notice No. 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg, and excluding those portions of the Magisterial District of Brakpan which, prior to 1 April 1966 and 1 July 1972 (Government Notices Nos. 498 and 871 of 1 April 1966 and 26 May 1972, respectively), fell within the Magisterial District of Nigel], Delmas, Germiston, Johannesburg, Kempton Park [excluding those portions which, prior to 29 March 1956 and 1 November 1970 (Government Notices Nos. 556 and 1618 of 29 March 1956 and 2 October 1970, respectively), fell within the Magisterial District of Pretoria], Krugersdorp (including those portions of the Magisterial Districts of Koster and Brits which, prior to 26 July 1963 and 1 June 1972, respectively (Government Notices Nos. 1105 of 26 July 1963 and 872 of 26 May 1972), fell within the Magisterial District of Krugersdorp], Oberholzer (excluding that portion of the Magisterial District of Oberholzer which prior to the publication of Government Notice No. 1745 of 1 September 1978, fell within the Magisterial District of Potchefstroom), Randburg (excluding that portion which, prior to the duplication of Government Notice No. 2152 of 22 November 1974, fell within the Magisterial District of Pretoria), Randfontein (including that portion of the Magisterial District of Koster which, prior to the publication of Government Notice No. 1105 of 26 July 1963, fell within the Magisterial District of Randfontein, but excluding the farms Moadowns 1, Holfontein 17, Leeuwpark 18, Ireton 19, Pahtiki 20, Bospan 21 and Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging and Westonaria.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only to employees for whom minimum wages are prescribed in the Agreement published under Government Notice No. R. 2253 of 14 October 1983, as renewed from time to time, and to the employers of such employees.
- (3) Notwithstanding the provisions of subclause (1), the provisions of this Agreement shall not apply to—
- an owner who drives his own vehicle and the employees employed in connection with such a vehicle; and
 - an employer who operates one truck with one driver, and the employees employed by such employer.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 48 (1) of the Act, and shall remain in force for the period ending 10 May 1998 or for such period as the Minister may determine.

3. SPECIAL PROVISIONS

The provisions contained in clauses 8 (6) (b), 16, 18, 20 and 25 of the Agreement published under Government Notice No. R 2253 of 14 October 1983, as amended, extended, renewed or re-enacted by Government Notices Nos. R. 1131 of 8 June 1984, R. 2788 and R. 2789 of 20 December 1985, R. 578 of 27 March 1986, R. 2266 of 31 October 1986, R. 2638 of 12 December 1986, R. 66 of 9 January 1987, R. 1138 of 29 May 1987, R. 318 of 26 February 1988, R. 1814 of 9 September 1988, R. 254 of 17 February 1989, R. 1240 of 16 June 1989, R. 2880 of 29 December 1989, R. 1037 and R. 1038 of 11 May 1990, R. 1871 of 10 August 1990, R. 404 of 1 March 1991, R. 2283 of 20 September 1991, R. 3134 and R. 3135 of 20 December 1991, R. 3276 and R. 3277 of 4 December 1992, R. 422 of 19 March 1993, R. 2417 of 17 December 1993, R. 199 of 4 February 1994, R. 780 of 22 April 1994, R. 936 of 7 May 1994, R. 2247 of 23 December 1994, R. 389 of 10 March 1995, R. 1991 of 22 December 1995, R. 566 and R. 567 of 6 April 1996, R. 1022 of 21 June 1996, R. 1834 of 8 November 1996, R. 1944 of 29 November 1996, R. 2129 of 27 December 1996 and R. 600 of 17 April 1998 (hereinafter referred to as the "Former Agreement") as further amended, extended, renewed or re-enacted from time to time, shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions contained in clauses 2 to 8 (6) (a), 8 (6) (c) to 15, 17, 19, 21 to 24, 26 to 30 inclusive, of the Former Agreement (as further amended, extended, renewed or re-enacted from time to time), shall apply to employers and employees.

5. CLAUSE 2 OF THE FORMER AGREEMENT: DEFINITIONS

- (1) Insert the following definitions, in alphabetical order:

" 'controller' means an employee predominantly engaged in the control of vehicles and in decision-making regarding the route scheduling and despatching of vehicles, and supervising the activities of drivers;"

" 'computer clerk/data capture clerk' means an employee predominantly engaged in the processing and/or capturing of trip information on computer;"

" 'receptionist' means an employee predominantly engaged in operating a switchboard and receiving visitors to the company, and who in addition may have other general administrative and typing duties;"

6. CLAUSE 4 OF THE FORMER AGREEMENT: WAGES

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

"(1) For the period at least until 28 February 1999, the minimum rate at which wages in respect of ordinary working hours shall be paid by an employer to each member of the undermentioned classes of his employees shall be as follows:

(a) *Weekly wages*

Grade	Class	Wage
1	General worker, packer/loader	R305,00
2	Security guard (60 hours), motor cycle/motor tricycle driver, light motor vehicle driver, repair shop assistant, checker, gantry crane operator, Grade II, mobile hoist operator or fork-lift truck operator, Grade II, team leader	R315,00
3	Medium motor vehicle driver, gantry crane operator, Grade I, loader operator, Grade II, mobile hoist operator, fork-lift truck operator, Grade I, storeman (workshop)	R380,00
4	Heavy motor vehicle driver, extra-heavy motor vehicle driver, despatch clerk, storeman (warehouse), loader operator, Grade I	R450,00
5	Ultra-heavy motor vehicle driver.....	R500,00
6	Security officer, Grade C	R660,00
	Security officer, Grade B	R730,00
	Security officer, Grade A.....	R740,00

(b) *Across-the-board increase:* Employees who, prior to the date of coming into operation of the agreement were in receipt of a wage higher than that prescribed for their class in Government Notice No. R. 2129 of 27 December 1996, shall be awarded wage increases as specified as follows:

Grade	Class	Across-the board increase
1	General worker, packer/loader	R36,00
2	Security guard (60 hours), motor cycle/motor tricycle driver, light motor vehicle driver, repair shop assistant, checker, gantry crane operator, Grade II, mobile hoist operator, Grade II, team leader	R42,00
3	Medium motor vehicle driver, gantry crane operator, Grade I, loader operator, Grade II, mobile hoist operator, fork-lift truck operator, Grade I, storeman (workshop)	R46,00
4	Heavy motor vehicle driver, extra-heavy motor vehicle driver, despatch clerk, storeman (warehouse), loader operator, Grade I	R54,00
5	Ultra-heavy motor vehicle driver.....	R54,00
6	Security officer, Grade C	R50,00
	Security officer, Grade B	R56,00
	Security officer, Grade A.....	R56,00

If an employee, after being awarded the across-the-board increase, receives a wage less than the minimum prescribed for his grade, his wage shall be adjusted to the grade minimum."

(2) Delete subclause (4) (a) and (b).

(3) Delete subclause (5).

7. CLAUSE 6 OF THE FORMER AGREEMENT: SUBSISTENCE ALLOWANCE

- (1) In subclause (1), substitute the following for paragraphs (a) and (b):

“(a) for each such period of absence, R11,00;

(b) for each of the three daily meals required to be obtained during such absence, R9,00.”.

8. CLAUSE 13 OF THE FORMER AGREEMENT: LEAVE PAY FUND

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

“(1) (a) (i) Every labour broker may, in lieu of the payment due in terms of subclause (1) (a) above, pay to each of his employees an amount based on the following formula for every ordinary hour worked in each job category:

$$\frac{25 \times \text{normal weekly wage}}{199,2}.$$

- (2) Substitute the following for subclause (5) (c):

“(c) absent on family responsibility leave;”.

9. CLAUSE 14: HOLIDAY PAY BONUS FUND

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

“(1) (a) The Holiday Pay Bonus Fund, established by the Council under the provisions of the Agreement published under Government Notice No. R. 41 of 15 January 1971, is hereby continued, and for the purposes of this clause “employee” means an employee categorised in clause 4 (1) (a). Every employer shall pay into the Holiday Pay Bonus Fund, by not later than the 20th of each and every month, in respect of each employee employed by him during the preceding month, who has completed 21 shifts, an amount equal to $\frac{1}{12}$ of 4 $\frac{1}{2}$ % of the annual equivalent of the minimum wages prescribed for each class of employee in clause 4, as detaild in the following contribution table:

TABLE

Grade	Class	Contribution
1	General worker, packer/loader	R59,50
2	Security guard (60 hours), motor cycle/motor tricycle driver, light motor vehicle driver, repair shop assisant, checker, gantry crane operator, Grade II, mobile hoist operator, Grade II, team leader	R61,40
3	Medium motor vehicle driver, gantry crane operator, Grade I, loader operator, Grade II, mobile hoist operator, Grade I, storeman (workshop)	R74,10
4	Heavy motor vehicle driver, extra-heavy motor vehicle driver, despatch clerk, storeman (warehouse), loader operator, Grade I	R87,80
5	Ultra-heavy motor vehicle driver.....	R97,50
6	Security officer, Grade C	R128,70
	Security officer, Grade B	R142,40
	Security officer, Grade A.....	R144,20”.

- (2) Substitute the following for subclause (1) (aA):

“(1) (aA) Every labour broker may, in lieu of the payment due in terms of subclause (1) (a) above, pay to each of his employees an amount based on the following formula for every ordinary hour worked in each job category:

$$\frac{4,5 \text{ annual wage}}{12 \times 199,2}.$$

10. CLAUSE 15 OF THE FORMER AGREEMENT: SICK FUND

- (1) Substitute the following for subclause 15 (1) (a):

"(1) (a) The Sick Fund established by the Council under the provisions of the Agreement published under Government Notice No. R. 1238 of 12 June 1953 is hereby continued, and for the purposes of this clause "employee" means an employee categorised in clause 4 (1) (a). Every employer shall pay into the Sick Fund, by not later than the 20th day of each and every month, in respect of each employee employed by him who has completed 21 shifts during the preceding month, an amount calculated as follows:

$$\frac{\text{number of completed shift cycles in month}}{46} \times \frac{\text{normal basic wage}}{46} \times \frac{9,2}{1}.$$

- (2) Substitute the following for subclause (1) (aA):

- (1) (aA) Every labour broker may, in lieu of the payment due in terms of subclause (1) (a) above, pay to each of his employees an amount based on the following formula for every ordinary hour worked in each job category:

$$\frac{\text{normal weekly basic wage} \times 9,2}{46 \times 199,2}.$$

- (3) Substitute the following for the introductory paragraph of subclause 1 (13):

"(13) In addition, the Council shall in circumstances of pregnancies, authorise immediate payment of the equivalent of 55% of the pregnant female employee's actual basic wage for an 84-shift cycle period by way of a maternity leave grant: Provided that—"

- (4) Substitute the following for subclause (13) (iii):

"(iii) medical proof of pregnancy dated not sooner than eight weeks before the expected date of birth is produced: Provided further that an industry employer shall grant the pregnant employee at least an 84-shift cycle maternity leave period not sooner than eight weeks before the expected date of birth, if so requested, and be obliged to reemploy her upon return not later than the first working day following expiry of the 84-shift cycle maternity leave referred to."

11. NEW CLAUSE 35

Substitute the following for the existing clause 35:

"35. OTHER CATEGORIES OF EMPLOYEES"

- (1) For the purposes of this clause, the "additional categories of employees" consist of computer clerks, data capture clerks, receptionists and controllers, which are defined in clause 2.
- (2) *Across-the-board increase*: Subject to the provisions of subclause (3), an employee shall be awarded a wage increase of eight per cent by his employer immediately this Agreement becomes binding.
- (3) *Wage off-set*: Employers who have awarded increases to their employees shall be required to implement the increase prescribed in subclause (2) above only once the period for which increases were previously awarded expires. The across-the-board increase shall then be implemented in accordance with the following formula:

$$\frac{A}{12} \times \frac{8}{1}$$

where—

A is the number of months between the end of the period for which 1997/8 increases were valid and 28 February 1999."

12. CLAUSE 36 OF THE FORMER AGREEMENT: STUDY LEAVE

Substitute the following for subclause (1):

- "(1) Employers shall grant their employees paid study leave of two days per subject, up to a maximum of four subjects per annum, subject to the following conditions:
 - (a) The course is approved by the employer;
 - (b) the course is accredited by the Road Transport Industry Education and Training Board;
 - (c) the allowance of two days per subject shall include the day the examination is written;
 - (d) the employee shall achieve a pass in the examination.
- (2) The employer shall provisionally grant the leave, credit one shift for each day and pay the employee on the next pay day following the examination."

13. CLAUSE 37 OF THE FORMER AGREEMENT: COMPASSIONATE LEAVE

- (1) Substitute the following for the heading of this clause:

"37. FAMILY RESPONSIBILITY LEAVE".

- (2) Substitute the following for subclause (1):

"(1) Employers shall grant their employees up to a maximum of five working days' leave per annum on full pay for the following occurrences:

- (a) Death of an immediate family member;
- (b) serious illness of an immediate family member; and
- (c) the birth of a child, where the employee is the biological father."

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

"(2) Satisfactory proof of each occurrence in the form of a death, medical or birth certificate shall be provided to the employer."

Signed at Johannesburg, for and on behalf of the parties to the Council, this 31st day of March 1998.

J. J. DUBE

Chairman of the Council

G. F. VAN NIEKERK

Vice-Chairman of the Council

B. S. E. GRATZ

Secretary of the Council

No. R. 600

24 April 1998

WET OP ARBEIDSVERHOUDINGE, 1956

MOTORVERVOERONDERNEMING (GOEDERE): HERBEKRAGTIGING EN WYSIGING VAN A-OOREENKOMS

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 wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die genoemde ooreenkoms 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 genoemde ooreenkoms, uitgesonderd die vervat in klousules 1 (1) (a), 2 en 3 met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die genoemde ooreenkoms gespesifiseer.

T. T. MBOWENI

Minister van Arbeid

BYLAE

NYWERHEIDSRAAD VIR DIE MOTORVERVOERONDERNEMING (GOEDERE)

A-OOREENKOMS

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

Road Freight Employers' Association

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

Motor Transport Workers' Union (South Africa)

South African Transport Workers' Union

Professional Transport Workers' Union of South Africa

Transport and General Workers' Union

African Miners and Allied Workers' Union

Turning Wheel Workers' Union

en

Transport and Allied Workers' Union of South Africa

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant, wat die partye is by die Nywerheidsraad vir die Motorvervoeronderneming (Goedere).

1. TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet in die Motorvervoeronderneming (Goedere) nagekom word—

- (a) deur alle werkgewers wat alle lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakverenigings is, en wat onderskeidelik by genoemde Onderneming betrokke en daarin werksaam is;
- (b) in die landdrostdistrikte Alberton, Benoni, Boksburg, Brakpan [uitgesonderd die gedeeltes van die landdrostdistrikte Boksburg en Brakpan wat voor die publikasie van Goewermentskennisgewing No. 1779 van 6 November 1964, binne die landdrostdistrik Heidelberg, geval het, en uitgesonderd die gedeeltes van die landdrostdistrik Brakpan wat voor 1 April 1966 en 1 Julie 1972 (Goewermentskennisgewings Nos. 498 en 871 van onderskeidelik 1 April 1966 en 26 Mei 1972), binne die landdrostdistrik Nigel geval het], Delmas, Germiston, Johannesburg, Kempton Park [uitgesonderd die gedeeltes wat voor 29 Maart 1956 en 1 November 1970 (Goewermentskennisgewings Nos. 556 en 1618 van onderskeidelik 29 Maart 1956 en 2 Oktober 1970), binne die landdrostdistrik Pretoria geval het], Krugersdorp [met inbegrip van die gedeeltes van die landdrostdistrikte Koster en Brits wat voor onderskeidelik 26 Julie 1963 en 1 Junie 1972, (Goewermentskennisgewings Nos. 1105 en 872 van onderskeidelik 26 Julie 1963 en van 26 Mei 1972), binne die landdrostdistrik Krugersdorp geval het], Oberholzer (uitgesonderd die gedeelte van die landdrostdistrik Oberholzer wat voor die publikasie van Goewermentskennisgewing No. 1745 van 1 September 1978, binne die landdrostdistrik Potchefstroom geval het), Randburg (uitgesonderd die gedeelte wat voor die publikasie van Goewermentskennisgewing No. 2152 van 22 November 1974, binne die landdrostdistrik Pretoria geval het), Randfontein (met inbegrip van die gedeelte van die landdrostdistrik Koster wat voor die publikasie van Goewermentskennisgewing No. 1105 van 26 Julie 1963, binne die landdrostdistrik Randfontein geval het, maar uitgesonderd die plase Moadowns 1, Holfontein 17, Leeuwpans 18, Ireton 19, Pahtiki 20, Bospan 21 en Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging en Westonaria.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms slegs van toepassing op werknemers vir wie minimum lone voorgeskryf word by die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 2253 van 14 Oktober 1983, soos van tyd tot tyd hernieu, en op die werkgewers van sodanige werknemers.

(3) Ondanks subklousule (1) is hierdie Ooreenkoms nie van toepassing nie op—

- (a) 'n eienaar wat sy eie voertuig dryf en die werknemers wat in verband met 'n voertuig in diens is; en
- (b) 'n werkgewer wat een vragmotor met een drywer bedryf, en die werknemers in diens van sodanige werkgewer.

2. GELDIGHEDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Arbeid kragtens artikel 48 (1) van die Wet vasstel, en bly van krag vir die tydperk eindigende 30 April 1998 of vir sodanige tydperk wat hy bepaal.

3. SPESIALE BEPALINGS

Die bepalings soos vervat in klousules 8 (b), 16, 18, 20 en 25 van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R2 253 van 14 Oktober 1983, soos gewysig, herbekragtig, verleng of hernieu deur Goewermentskennisgewing Nos. R. 1131 van 8 Junie 1984, R. 2788 en R. 2789 van 20 Desember 1985, R. 578 van 27 Maart 1986, R. 2266 van 31 Oktober 1986, R. 2638 van 12 Desember 1986, R. 66 van 9 Januarie 1987, R. 1138 van 29 Mei 1987, R. 318 van 26 Februarie 1988, R. 1814 van 9 September 1988, R. 254 van 17 Februarie 1989, R. 1240 van 16 Junie 1989, R. 2880 van 29 Desember 1989, R. 1037 en R. 1038 van 11 Mei 1990, R. 1871 van 10 Augustus 1990, R. 404 van 1 Maart 1991, R. 2283 van 20 September 1991, R. 3134 en R. 3135 van 20 Desember 1991, R. 3276 en R. 3277 van 4 Desember 1992, R. 422 van 19 Maart 1993, R. 2417 van 17 Desember 1993, R. 199 van 4 Februarie 1994, R. 780 van 22 April 1994, R. 936 van 7 Mei 1994, R. 2247 van 23 Desember 1994, R. 389 van 10 Maart 1995, R. 1991 van 22 Desember 1995, R. 566 en R. 567 van 6 April 1996, R. 1022 van 21 Junie 1996, R. 1834 van 8 November 1996, R. 1944 van 29 November 1996, R. 2129 van 27 Desember 1996 en R. 600 van 17 April 1998 (hierna die "Vorige Ooreenkoms" genoem) soos verder gewysig, verleng, hernieu of herbekragtig van tyd tot tyd, is van toepassing op sowel werkgewers as werknemers.

4. ALGEMENE BEPALINGS

Die bepalings soos vervat in klousules 2 tot 8 (a), 8 (c) tot 15, 17, 19, 21 tot 24, 26 tot 30 insluitend, van die Vorige Ooreenkoms (soos verder gewysig, verleng, hernieu of herbekragtig van tyd tot tyd), is van toepassing op sowel werkgewers as werknemers.

5. KLOUSULE 2 VAN DIE VORIGE OOREENKOMS: WOORDOMSKRYWING

(1) Voeg die volgende woordomskrywings in alfabetiese volgorde in.

"'kontroleur' 'n werknemer hoofsaaklik betrokke by die beheer van voertuie en by besluitneming aangaande skedulering van roetes en afsending van voertuie, en die toesighouding oor die aktiwiteite van drywers;"

"'rekenaarklerk/data-invoer-klerk' 'n werknemer hoofsaaklik gemoeid met die verwerking en/of invoer van inligting op 'n rekenaar met betrekking tot ritte onderneem;"

"'ontvangsklerk' 'n werknemer hoofsaaklik betrokke by die bediening van 'n skakelbord en die ontvangs van besoekers aan die firma, en wat bykomend ander algemene tik- en administratiewe take uitvoer;"

6. KLOUSULE 4 VAN DIE VORIGE OOREENKOMS: LONE

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

"(1) Vir die tydperk tot minstens 28 Februarie 1999, moet 'n werkgewer ten opsigte van gewone werkure die volgende minimum lone aan elke lid van ondergenoemde klasse van sy werknemers betaal:

(a) *Weekloon*

Graad	Klas	Loon
1	Algemene werker, verpakker/laaier	R305,00
2	Sekuriteitswag (60 uur), motorfiets-/motordriewieldrywer, drywer van 'n ligte motorvoertuig, herstelwinkelassistent, nasiener, bediener van 'n bokkraan Graad II, bediener van 'n mobiele hystoestel of 'n vorkhefswa Graad II, spanleier	R315,00
3	Drywer van 'n medium motorvoertuig, bediener van 'n bokkraan Graad I, bediener van 'n laaigraaf Graad II, bediener van 'n mobiele hystoestel of 'n vorkhefswa Graad I, magasynman (werkwinkel)	R380,00
4	Drywer van 'n swaar motorvoertuig, drywer van 'n ekstra swaar motorvoertuig, versendingsklerk, magasynman (pakhuis), bediener van 'n laaigraaf Graad I	R450,00
5	Drywer van 'n ultraswaar motorvoertuig	R500,00
6	Veiligheidsbeampte graad C	R660,00
	Veiligheidsbeampte graad B	R730,00
	Veiligheidsbeampte graad A	R740,00

(b) *Algemene verhoging:* Aan werknemers wat voor die datum van inwerkingtreding van hierdie Ooreenkoms 'n hoër loon ontvang het as die loon in Goewermentskennisgewing No. R2129 van 27 Desember 1996 vir hulle klas voorgeskryf, word loonverhogings soos volg toegeken:

Graad	Klas	Algemene verhoging per week
1	Algemene werker, verpakker/laaier	R36,00
2	Sekuriteitswag (60 uur), motorfiets-/motordriewieldrywer, drywer van 'n ligte motorvoertuig, herstelwinkelassistent, nasiener, bediener van 'n bokkraan graad II, bediener van 'n mobiele hystoestel graad II, spanleier	R42,00
3	Drywer van 'n medium motorvoertuig, bediener van 'n bokkraan graad I, bediener van 'n laaigraaf graad II, bediener van 'n mobiele hystoestel graad I, magasynman (werkwinkel)	R46,00
4	Drywer van 'n swaar motorvoertuig, drywer van 'n ekstra swaar motorvoertuig, versendingsklerk, magasynman (pakhuis), bediener van 'n laaigraaf graad I	R54,00
5	Drywer van 'n ultra swaarmotorvoertuig	R54,00
6	Veiligheidsbeampte graad C	R50,00
	Veiligheidsbeampte graad B	R56,00
	Veiligheidsbeampte graad A	R56,00

Indien 'n werknemer, nadat die algemene verhoging toegeken is, 'n loon ontvang wat minder is as die minimum vir sy graad voorgeskryf is, moet sy loon by die graadminimum aangepas word."

- (2) Skrap subklousule (4) (a) en (b).
 (3) Skrap subklousule (5).

7. KLOUSULE 6 VAN DIE VORIGE OOREENKOMS: VERBLYFTOELAE

- (1) In subklousule (1) vervang paragrawe (a) en (b) deur die volgende:
 "(a) vir elke sodanige tydperk van afwesigheid, R11,00;
 (b) vir elk van drie daaglikse maaltye wat verkry moet word tydens sodanige afwesigheid, R9,00."

8. KLOUSULE 13 VAN DIE VORIGE OOREENKOMS: VERLOFSOLDYFONDS

- (1) Vervang subklousule (1) (a) (i) met die volgende:
 "(1) (a) (i) Elke arbeidsmakelaar kan, in die plek van die betaling verskuldig kragtens subklousule (1) (a) hierbo, aan elk van sy werknemers 'n bedrag betaal gebaseer op die volgende formule vir elke gewone uur gewerk in iedere werkskatgorie:

$$\frac{25 \times \text{normale weekloon}}{199,2}.$$

- (2) Vervang subklousule (5) (c) deur die volgende:
 "(c) afwesig met gesinsverantwoordelikeverlof."

9. KLOUSULE 14 VAN DIE VORIGE OOREENKOMS: VAKANSIESOLDYBONUSFONDS

- (1) Vervang subklousule (1) (a) deur die volgende:
 "(1) (a) Die Vakansiesoldybonusfonds deur die Raad ingestel kragtens die Ooreenkoms gepubliseer by Goewermmentskennisgewing No. R. 41 van 15 Januarie 1971, word hierby voortgesit, en vir die toepassing van hierdie klousule beteken "werknemer" 'n werknemer soos gekategoriseer in klousule 4 (1) (a). Elke werkgewer moet voor of op die 20ste dag van elke maand ten opsigte van elk van die klasse werknemers wat gedurende die voorafgaande maand by hom in diens was en 21 skofte voltooi het, 'n bedrag in die Vakansiesoldybonusfonds inbetaal wat gelykstaande is met $\frac{1}{12}$ van $4\frac{1}{2}\%$ van die jaarlikse ekwivalent van die minimum loon in klousule 4 ten opsigte van elke klas werknemer voorgeskryf, soos uiteengesit in die onderstaande bydraetabel:

TABEL

Graad	Klas	Bydrae
1	Algemene werker, verpakker/laaier	R59,50
2	Sekuriteitswag (60 uur), motorfiets-, motordriewieldrywer, drywer van 'n ligte motorvoertuig, herstelwinkelassistent, nasiener, bediener van 'n bokkraan graad II, bediener van 'n mobiele hystoestel graad I, spanleier	R61,40
3	Drywer van 'n medium motorvoertuig, bediener van 'n bokkraan graad I, bediener van 'n laaigraaf graad II, bediener van 'n mobiele hystoestel graad I, magasynman (werkwinkel)	R74,10
4	Drywer van 'n swaar motorvoertuig, drywer van 'n ekstra swaar motorvoertuig, versendingsklerk, magasynman (pakhuis), bediener van 'n laaigraaf graad I	R87,80
5	Drywer van 'n ultraswaar motorvoertuig	R97,50
6	Veiligheidsbeampte graad C	R128,70
	Veiligheidsbeampte graad B	R142,40
	Veiligheidsbeampte graad A	R144,20".

- (2) Vervang subklousule (1) (aA) deur die volgende:
 "(1) (aA) Elke arbeidsmakelaar kan, in die plek van die betaling verskuldig kragtens subklousule 1 (a) hierbo, aan elk van sy werknemers 'n bedrag gebaseer op die volgende formule betaal vir elke gewone uur gewerk in iedere werkskatgorie:

$$\frac{4,5 \times \text{jaarlikse loon}}{12 \times 199,2}.$$

10. KLOUSULE 15: VAN DIE VORIGE OOREENKOMS: SIEKTEFONDS

- (1) Vervang subklousule 15 (1) (a) deur die volgende:

"(1) (a) Die Siektefonds wat deur die Raad ingestel is kragtens die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1238 van 12 Junie 1953 word hierby voortgesit, en vir die toepassing van hierdie klousule beteken "werknemer" 'n werknemer soos geklassifiseer in subklousule 4 (1) (a). Elke werkgewer moet voor of op die 20ste dag van elke maand ten opsigte van elke werknemer wat in sy diens was en wat 21 skofte voltooi het gedurende die voorafgaande maand, 'n bedrag in die Siektefonds inbetaal wat soos volg uitgewerk moet word:

$$\frac{\text{getal voltooide skofsiklusse}}{\text{in maand}} \times \frac{\text{normale basiese loon}}{46} \times \frac{9,2}{1}.$$

- (2) Vervang subklousule (1) (aA) deur die volgende:

"(1) (aA) Elke arbeidsmakelaar kan in die plek van die betaling verskuldig kragtens subklousule (1) (a) hierbo aan elk van sy werknemers 'n bedrag betaal gebaseer op die volgende formule vir elke gewone uur gewerk in iedere werkskategorie:

$$\frac{\text{normale weeklikse basiese loon} \times 9,2}{46 \times 19,2}.$$

- (3) Vervang die inleidende paragraaf van subklousule (13) deur die volgende:

"(13) Die Raad moet daarbenewens in gevalle van swangerskap magtiging verleen vir die onmiddellike uitbetaling van die ekwivalent van 55% van die swanger vroulike werknemers se werklike basiese loon vir 'n siklustydperk van 84 skofte as 'n kraamverloftoelae: Met dien verstande dat—".

- (4) Vervang subklousule (13) (iii) deur die volgende:

"(iii) mediese bewys van swangerskap, gedateer hoogstens agt weke voor die verwagte datum van geboorte, ingedien word: Voorts met dien verstande dat 'n nywerheidswerkgewer die swanger werknemer 'n siklustydperk van minstens 84 skofte ten opsigte van kraamverlof toestaan hoogstens agt weke voor die verwagte datum van geboorte, indien aldus versoek, en dat die werkgewer verplig is om haar weer in diens te neem voor of op die eerste werkdag wat volg na verstryking van die kraamverlofsiklustydperk van 84 skofte hierbo bedoel."

11. NUWE KLOUSULE 35

Vervang klousule 35 deur die volgende:

"35. ANDER KLASSE WERKNEMERS"

- (1) Vir die toepassing van hierdie klousule bestaan "bykomende klasse van werknemers" uit rekenaarklerke, data-invoer-klerke, ontvangsklerke en kontroleurs, soos omskryf in klousule 2.
- (2) *Algemene verhoging*: Behoudens die bepalinge van subklousule (3) moet 'n werkgewer aan sy werknemer 'n loonverhoging van 8 persent toeken sodra hierdie Ooreenkoms bindend word.
- (3) *Loonverrekening*: Werkgewers wat verhogings aan hulle werknemers toegeken het, is verplig wees om die verhogings voorgeskryf in subklousule (2) hierbo te implementeer slegs sodra die tydperk waarvoor verhogings voorheen toegeken was, verstryk, het. Die algemene verhoging moet dan toegestaan word in ooreenstemming met die volgende formule:

$$\frac{A}{12} \times \frac{8}{1}$$

waar—

A die getal maande verteenwoordig tussen die einde van die periode waarvoor die 1997/78 loonsverhogings geldig was en 28 Februarie 1999."

12. KLOUSULE 36 VAN DIE VORIGE OOREENKOMS: STUDIEVERLOF

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

- "(1) Werkgewers moet aan hulle werknemers betaalde studieverlof van twee dae per vak toestaan met 'n maksimum van 4 vakke per jaar, onderhewig aan die volgende voorwaardes:
 - (a) Dat die kursus deur die werkgewer goedgekeur is;
 - (b) dat die kursus deur die Opleidingsraad vir die Padvervoerbedryf geakkrediteer is;
 - (c) dat verlof van twee dae per vraestel ook die dag insluit waarop die vraestel geskryf word;
 - (d) dat die werknemer die eksamen slaag.
- (2) Die werkgewer moet verlof voorlopig goedkeur, een skof vir elke dag krediteer en die werknemer betaal op die volgende betaaldag wat volg na die skryf van die eksamen."

13. KLOUSULE 37 VAN DIE VORIGE OOREENKOMS: GESINSVERANTWOORDELIKHEIDSVARLOF

- (1) Vervang die bestaande opskrif van hierdie klousule deur die volgende:

"37. GESINSVERANTWOORDELIKHEIDSVARLOF".

- (2) Vervang subklousule (1) deur die volgende:

"(1) Werkgewers moet aan hulle werknemers tot 'n maksimum van vyf werkdag verlof per jaar met volle betaling toestaan in die volgende gevalle:

- (a) Dood van 'n naaste familielid;
- (b) ernstige siekte van 'n naaste familielid; en
- (c) die geboorte van 'n kind, waar die werknemer die biologiese vader is."

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

"(2) Bewys van elke geval in die vorm van 'n doods-, mediese, of geboortesertifikaat tot tevredenheid van die werkgever moet aan die werkgever voorgelê word."

Namens die partye by die Raad, op hede die 31ste dag van Maart 1998 te Johannesburg onderteken.

J. J. DUBE

Voorsitter van die Raad

G. F. VAN NIEKERK

Ondervoorsitter van die Raad

B. S. E. GRATZ

Sekretaris van die Raad

No. R. 601

24 April 1998

LABOUR RELATIONS ACT, 1956

CANCELLATION OF GOVERNMENT NOTICE: MOTOR TRANSPORT UNDERTAKING (GOODS): B-AGREEMENT

I, Tito Titus Mboweni, Minister of Labour, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notice No. R. 2130 of 27 December 1996, with effect from the first Monday after the date of publication of this notice.

T. T. MBOWENI,

Minister of Labour

No. R. 601

24 April 1998

WET OP ARBEIDSVERHOUDINGE, 1956

INTREKKING VAN GOEWERMENTSKENNISGEWING: MOTORVERVOERONDERNEMING (GOEDERE): B-OOREENKOMS

Ek, Tito Titus Mboweni, Minister van Arbeid, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermentskennisgewing No. R. 2130 van 27 Desember 1996 in, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing.

T. T. MBOWENI,

Minister van Arbeid

No. R. 602

24 April 1998

LABOUR RELATIONS ACT, 1956

MOTOR TRANSPORT UNDERTAKING (GOODS): RE-ENACTMENT AND AMENDMENT OF B-AGREEMENT

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 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 first Monday after the date of publication of this notice and for the period ending 10 May 1998, upon the employers' organisation and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisation or union; and

- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clauses 2 and 3, shall be binding, with effect from the first Monday after the date of publication of this notice and for the period ending 10 May 1998, 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 (1) of the said Agreement.

T. T. MBOWENI

Minister of Labour

SCHEDULE

INDUSTRIAL COUNCIL FOR THE MOTOR TRANSPORT UNDERTAKING (GOODS)

B-AGREEMENT

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

Road Freight Employers' Association

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

Motor Transport Workers' Union (South Africa)

South African Transport Workers' Union

Professional Transport Workers' Union of South Africa

Transport and General Workers' Union

African Miners and Allied Workers' Union

Turning Wheel Workers' Union

and

Transport and Allied Workers' Union of South Africa

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

being the parties to the Industrial Council for the Motor Transport Undertaking (Goods).

1. SCOPE OF APPLICATION

(1) **Area:** The Republic of South Africa, as it existed immediately prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), and excluding the following Magisterial Districts: Alberton, Benoni, Boksburg, Brakpan [excluding those portions of the Magisterial Districts of Boksburg and Brakpan which prior to the publication of Government Notice No. 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg, and excluding those portions of the Magisterial District of Brakpan which, prior to 1 April 1966 and 1 July 1972 (Government Notices Nos. 498 and 871 of 1 April 1966 and 26 May 1972, respectively), fell within the Magisterial District of Nigel], Delmas, Germiston, Johannesburg, Kempton Park [excluding those portions which, prior to 29 March 1956 and 1 November 1970 (Government Notices Nos. 556 and 1618 of 29 March 1956 and 2 October 1970, respectively), fell within the Magisterial District of Pretoria], Krugersdorp [including those portions of the Magisterial Districts of Koster and Brits which, prior to 26 July 1963 and 1 June 1972, respectively (Government Notices Nos. 1105 of 26 July 1963 and 872 of 26 May 1972), fell within the Magisterial District of Krugersdorp], Oberholzer (excluding that portion of the Magisterial District of Oberholzer which, prior to the publication of Government Notice No. 1745 of 1 September 1978, fell within the Magisterial District of Potchefstroom), Randburg (excluding that portion which, prior to the publication of Government Notice No. 2152 of 22 November 1974, fell within the Magisterial District of Pretoria), Randfontein (including that portion of the Magisterial District of Koster which, prior to the publication of Government Notice No. 1105 of 26 July 1963, fell within the Magisterial District of Randfontein, but excluding the farms Moadowns 1, Holfontein 17, Leeuwpark 18, Ireton 19, Pahtiki 20, Bospan 21 and Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging and Westonaria, including those areas which formed part of the former Republic of Bophuthatswana, Republic of Venda, Republic of Transkei, Republic of Ciskei and the former self-governing territories of KwaZulu, Qwaqwa, Lebowa, Gazankulu, KaNgwane and KwaNdebele.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only to employees for whom minimum wages are prescribed in the Agreement published under Government Notice No. R. 1832 of 8 November 1996, as renewed from time to time, and to the employers of such employees.

(3) Notwithstanding the provisions of subclause (1), the provisions of this Agreement shall not apply to—

- (a) an employer while he is a new employer as defined in clause 2;
- (b) an owner who drives his own vehicle and the employees employed in connection with such a vehicle; and
- (c) an employer who operates one truck with one driver, and the employees employed by such employer.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 48 (1) of the Act, and shall remain in force for the period ending 10 May 1998 or for such period as the Minister may determine.

3. SPECIAL PROVISIONS

The provisions contained in clauses 1A, 24, 29 and 30 (4) of the Agreement published under Government Notice No. 1832 of 8 November 1996, as extended, amended and re-enacted by Government Notices Nos. R. 2130 of 27 December 1996 and R. 601 of 17 April 1998 (hereinafter referred to as the "Former Agreement"), as further extended, amended or re-enacted from time to time, shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions contained in clauses 2 to 23, 25 to 28 and 30 (1) to 30 (3), of the Former Agreement (as further extended, amended or re-enacted from time to time), shall apply to employers and employees.

5. CLAUSE 2 OF THE FORMER AGREEMENT: DEFINITIONS

(1) Insert the following definitions in alphabetical order: " 'Controller' means an employee predominantly engaged in the control of vehicles and in decision-making regarding the route scheduling and despatching of vehicles, and supervising the activities of drivers;".

" 'computer clerk/data capture clerk' means an employee predominantly engaged in the processing and/or capturing of trip information on computer;".

" 'receptionist' means an employee predominantly engaged in operating a switchboard and receiving visitors to the company, and who in addition may have other general administrative and typing duties;".

6. CLAUSE 4 OF THE FORMER AGREEMENT: WAGES

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

"(1) *Minimum wages:* (a) For the period at least until 28 February 1999, the minimum wages that an employer shall pay to his employees shall be as specified in paragraphs (b), (c) and (d) hereunder: Provided that if an employer, as defined in clause 2, has been engaged in the Undertaking for more than 12 months but not more than 24 months in the aggregate, such wages may be reduced by not more than 10 per cent during such period, whereafter the minimum wages specified in paragraphs (b), (c) and (d) shall become payable and be paid.

		AREA A	AREA B	GOLDFIELDS
Grade	Class	In the Magisterial Districts of Bellville, Boksburg, Brakpan, Chatsworth, Durban, Goodwood, Inanda, Kempton Park, Kuils River, Nigel, Oberholzer, Paarl, Pinetown, Pretoria, Randburg, Sasolburg, Simonstown, Somerset West, Stellenbosch, Strand, The Cape, Wellington, Wonderboom and Wynberg	In the Magisterial Districts of Bloemfontein, Brits, Bronkhorstspuit, Camperdown, Cullinan, East London, Heidelberg (Tvl.), Hennenman, Kimberley, Klerksdorp, Middelburg (Tvl.), Pietermaritzburg, Potchefstroom, Wesselsbron, Witbank, Albany, Balfour, Bethal, Bethlehem, Ermelo, George, Gordonia, Harrismith, Highveld Ridge, Port Elizabeth, Klip River, Knysna, Kroonstad, Lichtenburg, Lower Umfolozi, Malmesbury, Moorreesburg, Mossel Bay, Nelspruit, Newcastle, Oudtshoorn, Parys, Pietersburg, Port Shepstone, Potgietersrus, Rustenburg, Uitenhage, Umzinto, Vryburg, White River, Worcester and all other Magisterial Districts not specified in Area A, and Goldfields, including those areas which formed part of the former Republic of Bophuthatswana, Republic of Venda, Republic of Transkei, Republic of Ciskei and the former self-governing territories of KwaZulu-Natal, Quaqwa, Lebowa, Gazankulu, KaNgwane and KwaNdebele	In the Magisterial Districts of Hennenman, Odendaalsrus, Virginia and Welkom
		Weekly wage	Weekly wage	Weekly wage
1	General worker, packer/loader.....	R252,00	R224,00	R216,00
2	Security guard (60 hours) motor cycle/motor tricycle, driver, light motor vehicle driver, repair shop assistant, checker, gantry crane operator, Grade II, mobile hoist operator, Grade II, team leader	R310,00	R280,00	R280,00
3	Medium motor vehicle driver, gantry crane operator, Grade I, loader operator, Grade II, mobile hoist operator, Grade I, storeman (workshop)	R380,00	R350,00	R350,00

		AREA A	AREA B	GOLDFIELDS
Grade	Class	In the Magisterial Districts of Bellville, Boksburg, Brakpan, Chatsworth, Durban, Goodwood, Inanda, Kempton Park, Kuils River, Nigel, Oberholzer, Paarl, Pinetown, Pretoria, Randburg, Sasolburg, Simonstown, Somerset West, Stellenbosch, Strand, The Cape, Wellington, Wonderboom and Wynberg	In the Magisterial Districts of Bloemfontein, Brits, Bronkhorstspuit, Camperdown, Cullinan, East London, Heidelberg (Tvl.), Hennenman, Kimberley, Klerksdorp, Middelburg (Tvl.), Pietermaritzburg, Potchefstroom, Wesselsbron, Witbank, Albany, Balfour, Bethal, Bethlehem, Ermelo, George, Gordonia, Harrismith, Highveld Ridge, Port Elizabeth, Klip River, Knysna, Kroonstad, Lichtenburg, Lower Umfolozi, Malmesbury, Moorreesburg, Mossel Bay, Nelspruit, Newcastle, Oudtshoorn, Parys, Pietersburg, Port Shepstone, Potgietersrus, Rustenburg, Uitenhage, Umzinto, Vryburg, White River, Worcester and all other Magisterial Districts not specified in Area A, and Goldfields, including those areas which formed part of the former Republic of Bophuthatswana, Republic of Venda, Republic of Transkei, Republic of Ciskei and the former self-governing territories of KwaZulu-Natal, Quaqua, Lebowa, Gazankulu, KaNgwane and KwaNdebele	In the Magisterial Districts of Hennenman, Odendaalsrus, Virginia and Welkom
		Weekly wage	Weekly wage	Weekly wage
4	Heavy motor vehicle driver, extra-heavy motor vehicle driver, despatch clerk, storeman (warehouse), loader operator, Grade I.....	R445,00	R380,00	R380,00
5	Ultra-heavy motor vehicle driver.....	R498,00	R444,00	R444,00
6	Security officer, Grade C.....	R660,00	R660,00	R660,00
	Security officer, Grade B.....	R730,00	R730,00	R730,00
	Security officer, Grade A.....	R740,00	R740,00	R740,00

- (2) In subclause (5) substitute the following for paragraph (a) (i) and (ii):
- “(i) for each such period of absence, R11,00;
- (ii) for each of the three daily meals required to be obtained during such absence, R9,00.”
- (3) Substitute the following for subclause (6) (a):

HOURLY ALLOWANCE—TALBE A

Grade	Areas as specified in clause 4 (1) (b)		Gold-fields
	A	B	
1	21c	19c	18c
2	26c	23c	23c
3	32c	29c	29c
4	37c	32c	32c
5	42c	37c	37c
6 – A	62c	62c	62c
– B	61c	61c	61c
– C	55c	55c	55c ”.

- (4) Delete subclause (6).
- (5) Substitute the following for subclause (7):
- “(7) *Across-the-board increase:* Employees who prior to 1 March 1998 were in receipt of a wage higher than that prescribed for their class in Government Notice No. R. 2130 of 27 December 1996 shall be awarded wage increases as specified in Table B:

ACROSS-THE-BOARD INCREASES (PER WEEK)—TALBE B

Grade	Areas as specified in clause 4 (1) (b)		Gold-fields
	A	B	
1	R36,00	R36,00	R28,00
2	R42,00	R42,00	R42,00
3	R46,00	R46,00	R46,00
4	R54,00	R54,00	R54,00
5	R54,00	R54,00	R54,00
6 – A	R56,00	R56,00	R56,00
– B	R56,00	R56,00	R56,00
– C	R50,00	R50,00	R50,00

If an employee, after being awarded the across-the-board increase, receives a wage less than the minimum prescribed for his grade, his wage shall be adjusted to the grade minimum.”.

7. CLAUSE 6: ORDINARY HOURS OF WORK, OVERTIME AND PAYMENT FOR OVERTIME

- (1) Substitute the following for subclause (6):
- “(6) *Payment for overtime:* (a) An employer shall pay an employee who works overtime at a rate of not less than one and one third times his hourly wage in respect of the total period so worked by such employee—
- (i) on any day in the case of a casual employee;
- (ii) in any week, fortnight or month, in the case of any other employee, depending on whether his wage is paid weekly, fortnightly or monthly, respectively.
- (b) An employee of a labour broker who works overtime whilst employed in two or more job categories during a pay week, shall be paid not less than one and one third times his hourly wage in respect of the total hours so worked in each category.

- (c) Notwithstanding the provisions of paragraph (a), where in any one week an employee absents himself from work, without the consent of his employer, during any or all of the ordinary hours of a normal working day or days, such ordinary hours not worked by the employee may be deducted from the hours of overtime worked during that week and the hours so deducted shall be paid for at the employee's normal hourly rate of pay:

Provided that—

- (i) if the number of ordinary hours of work on which the employee is absent in any one week is in excess of the number of overtime hours worked, all such overtime hours shall be paid for at the employee's normal hourly rate; and
 - (ii) where an employee is absent from work with the permission of his employer or absent on account of sickness or circumstances beyond his control, the provisions of this subclause shall not apply and the overtime hours worked in such case shall be paid for at the prescribed overtime rate for his class: Provided further that an employer may call on an employee to produce a medical certificate in proof of cause of absence.
- (d) Any employee penalised in terms of paragraph (c) may, on good cause shown, appeal to the Council which shall, after due consideration of all facts relating to such appeal, either uphold or reverse the employer's decision to penalise."

8. CLAUSE 7 OF THE FORMER AGREEMENT: ANNUAL LEAVE

Substitute the following for subclause (8) (b) (ii) (ag):

"(ag) on family responsibility leave in terms of clause 34;"

9. CLAUSE 8 OF THE FORMER AGREEMENT: SICK LEAVE

Substitute the following for subclause (8) (3) (a) (ag):

"(ag) on family responsibility leave in terms of clause 34;"

10. CLAUSE 31 OF THE FORMER AGREEMENT: HOLIDAY PAY BONUS FUND

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

- "(1) (a) The Holiday Pay Bonus Fund, established by the Council under the provisions of the Agreement published under Government Notice No. R. 41 of 15 January 1971, is hereby continued. Every employer shall pay into the Holiday Pay Bonus Fund, by not later than the 20th day of each and every month, in respect of each of the grades of employees employed by him during the preceding month who have completed 21 shifts, an amount equal to 1/6th of the minimum wages prescribed for each grade of employee in clause 4, as detailed in the following table of contributions:

Grade	Areas as specified in clause 4 (1) (b)		
	A	B	Goldfields
1.....	R42,00	R37,20	R36,00
2.....	R51,70	R46,70	R46,70
3.....	R63,30	R58,30	R58,30
4.....	R74,10	R63,30	R63,30
5.....	R83,00	R74,00	R74,00
6-A	R123,40	R123,40	R123,40
-B	R121,70	R121,70	R121,70
-C	R110,00	R110,00	R110,00".

11. CLAUSE 32 OF THE FORMER AGREEMENT: MATERNITY LEAVE

- (1) Substitute the following for the introductory paragraph to subclause (1):

"(1) An employer shall grant a pregnant employee four months maternity leave, subject to the following conditions:"

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

"The employer shall re-employ the employee in the same capacity and on the same terms and conditions: Provided that she reports for duty within four months of the commencement of the maternity leave."

12. CLAUSE 33 OF THE FORMER AGREEMENT: STUDY LEAVE

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

- "(1) Employers shall grant their employees paid study leave of two days per subject, up to a maximum of four subjects per annum, subject to the following conditions:

- (a) The course is approved by the employer;
- (b) the course is accredited by the Road Transport Industry Education and Training Board;

- (c) the allowance of two days per subject shall include the day the examination is written;
- (d) the employee shall achieve a pass in the examination.
- (2) The employer shall provisionally grant the leave, credit one shift for each day and pay the employee on the next pay day following the examination."

13. CLAUSE 34: COMPASSIONATE LEAVE

- (1) Substitute the following for the heading of this clause:

"34. FAMILY RESPONSIBILITY LEAVE".

- (2) Substitute the following for subclause (1):

"(1) Employers shall grant their employees up to a maximum of five working days, leave per annum on full pay for the following occurrences:

- (a) Death of an immediate family member;
- (b) serious illness of an immediate family member; and
- (c) the birth of a child, where the employee is the biological father."

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

"(2) Satisfactory proof of each occurrence in the form of a death, medical or birth certificate shall be provided to the employer."

14. NEW CLAUSE 37

Substitute the following for the existing clause 37 of the former agreement:

"37. OTHER CATEGORIES OF EMPLOYEES

- (1) For the purposes of this clause, the "additional categories of employees" consist of computer clerks, data capture clerks, receptionists and controllers, which are defined in clause 2.
- (2) *Across-the-board increase:* Subject to the provisions of subclause (3), an employee shall be awarded a wage increase of eight per cent by his employer immediately this Agreement becomes binding.
- (3) *Wage off-set:* Employers who have awarded increases to their employees shall be required to implement the increase prescribed in subclause (2) above only once the period for which increase were previously awarded expires. The across-the-board increase shall then be implemented in accordance with the following formula:

$$\frac{A}{12} \times \frac{8}{1}$$

where—

A is the number of months between the end of the period for which 1997/8 increases were valid and 28 February 1999."

Signed at Johannesburg, for and on behalf of the parties to the Council, this 31st day of March 1998.

J. J. DUBE

Chairman of the Council

G. F. VAN NIEKERK

Vice-Chairman of the Council

B. S. E. GRATZ

Secretary of the Council

No. R. 602

24 April 1998

WET OP ARBEIDSVERHOUDINGE, 1956

MOTORVERVOERONDERNEMING (GOEDERE) HERBEKRAKTIGING EN WYSIGING VAN B-OOREENKOMS

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 wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die genoemde ooreenkoms 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, die bepalings van die genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 2 en 3, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 10 Mei 1998 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 (1) van die genoemde Ooreenkoms, gespesifiseer.

T. T. MBOWENI

Minister van Arbeid

BYLAE

NYWERHEIDSRAAD VIR DIE MOTORVERVOERONDERNEMING (GOEDERE)

B-OOREENKOMS

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

Road Freight Employers' Association

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

Motor Transport Workers' Union (South Africa)

South African Transport Workers' Union

Professional Transport Workers' Union of South Africa

Transport and General Workers' Union

African Miners and Allied Workers' Union

Turning Wheel Workers' Union

en

Transport and Allied Workers' Union of South Africa

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

wat die partye is by die Nywerheidsraad vir die Motorvervoeronderneming (Goedere).

1. TOEPASSINGSBESTEK

(1) **Gebied:** Die Republiek van Suid-Afrika soos dit bestaan het voor die datum van inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), en uitgesonderd die volgende landdrosdistrikte: Alberton, Benoni, Boksburg, Brakpan [uitgesonderd die gedeeltes van die landdrosdistrikte Boksburg en Brakpan wat voor die publikasie van Goewermenskennisgewing No. 1779 van 6 November 1964 binne die landdrosdistrikt Heidelberg geval het, en uitgesonderd die gedeeltes van die landdrosdistrikt Brakpan wat voor 1 April 1966 en 1 Julie 1972 (Goewermenskennisgewings Nos. 498 en 871 van onderskeidelik 1 April 1966 en 26 Mei 1972) binne die landdrosdistrikt Nigel geval het], Delmas, Germiston, Johannesburg, Kempton Park [uitgesonderd die gedeelte wat voor 29 Maart 1956 en 1 November 1970 (Goewermenskennisgewings Nos. 556 en 1618 van onderskeidelik 29 Maart 1956 en 2 Oktober 1970) binne die landdrosdistrikt Pretoria geval het], Krugersdorp [met inbegrip van die gedeeltes wat die landdrosdistrikte Koster en Brits wat voor onderskeidelik 26 Julie 1963 en 1 Junie 1972 (Goewermenskennisgewings Nos. 1105 en 872 van onderskeidelik 26 Julie 1963 en 26 Mei 1972) binne die landdrosdistrikt Krugersdorp geval het], Oberholzer (uitgesonderd die gedeelte van die landdrosdistrikt Oberholzer wat, voor die publikasie van Goewermenskennisgewing No. R 1745 van 1 September 1978, binne die landdrosdistrikt Potchefstroom geval het), Randburg (uitgesonderd die gedeelte wat voor die publikasie van Goewermenskennisgewing No. 2152 van 22 November 1974 binne die landdrosdistrikt Pretoria geval het), Randfontein (met inbegrip van die gedeelte van die landdrosdistrikt Koster wat voor die publikasie van Goewermenskennisgewing No. 1105 van 26 Julie 1963 binne die landdrosdistrikt Randfontein geval het, maar uitgesonderd die plase Moadowns 1, Holfontein 17, Leeuwpan 18, Ireton 19, Pahtiki 20, Bospan 21 en Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging en Westonaria, insluitende die gebiede wat deel gevorm het van die voormalige Republiek van Bophuthatswana, Republiek van Venda, Republiek Transkei, Republiek Ciskei en die voormalige selfregerende state KwaZulu, Qwaqwa, Lebowa, Gazankulu, KaNgwane en KwaNdebele.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms slegs van toepassing op werknemers vir wie minimum lone voorgeskryf word by die Ooreenkoms gepubliseer by Goewermenskennisgewing No. R. 1832 van 8 November 1996, soos van tyd tot tyd hernieu, en op die werkgewers van sodanige werknemers.

(3) Ondanks 'n subklousule (1) is hierdie Ooreenkoms nie van toepassing nie op—

- (a) 'n werkgewer so lank as wat hy 'n nuwe werkgewer is soos in klousule 2 omskryf;
- (b) 'n eienaar wat sy eie voertuig dryf en die werknemers wat in verband met sodanige voertuig in diens is; en
- (c) 'n werkgewer wat een vragmotor met een drywer bedryf, en die werknemers in diens van sodanige werkgewer.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Arbeid kragtens artikel 48 (1) van die Wet vasstel, en bly van krag vir die tydperk eindigende 10 Mei 1998 of vir sodanige tydperk wat hy bepaal.

3. SPESIALE BEPALINGS

Die Bepalings soos vervat in klousule 1A, 24, 29 en 30 (4) van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. 1832 van 8 November 1996, soos verleng, gewysig en herbekragtig deur Goewermentskennisgewings Nos. R. 2130 van 27 Desember 1996 en R. 602 van 17 April 1998 (hierna die "Vorige Ooreenkoms" genoem) soos verder gewysig, verleng of herbekragtig van tyd tot tyd, is van toepassing op sowel werkgewers as werknemers.

4. ALGEMENE BEPALINGS

Die bepalinge soos vervat in klousules 2 tot 23, 25 tot 28 en 30 (1) tot 30 (3), van die Vorige Ooreenkoms (soos verder verleng, gewysig of herbekragtig van tyd tot tyd), is van toepassing op sowel werkgewers as werknemers.

5. KLOUSULE 2 VAN DIE VORIGE OOREENKOMS: WOORDOMSKRYWINGS

(1) Voeg die volgende woordomskrywings in alfabetiese volgorde in: "kontroleur" 'n werknemer hoofsaaklik betrokke by die beheer van voertuie en by besluitneming aangaande skedulering van roetes en afsending van voertuie, en die toesig-houding oor die aktiwiteite van drywers;"

"rekenaarklerk/data-invoer-klerk" weknemers hoofsaaklik gemoeid met die verwerking en/of invoer van inligting op 'n rekenaar met betrekking tot ritte onderneem;"

"ontvangsklerk" 'n werknemer hoofsaaklik betrokke met die bediening van 'n skakelbord en die ontvangs van besoekers aan die firma, en wat bykomend ander algemene tik- en administratiewe take uitvoer;"

6. KLOUSULE 4 VAN DIE VORIGE OOREENKOMS: LONE

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

"(1) *Minimum lone:* (a) Vir die tydperk tot minstens 28 Februarie 1999, moet die minimum lone soos uiteengesit in paragrawe (b), (c) en (d) hieronder deur 'n werkgewer aan sy werknemers betaal word: Met dien verstande dat indien 'n werkgewer soos in klousule 2 omskryf, langer as 12 maande, maar nie langer nie as altesaam 24 maande by die Onderneming betrokke is, sodanige lone met hoogstens 10 persent gedurende sodanige tydperk verminder mag word, waarna die minimum lone soos bepaal in paragrawe (b), (c) en (d) betaalbaar word en betaal moet word.

		AREA A	AREA B	GOUDVELDE
Graad	Klas	In die landdrosdistrikte Bellville, Boksburg, Brakpan, Chatsworth, Die Kaap, Durban, Goodwood, Inanda, Kempton Park, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Pretoria, Randburg, Sasolburg, Simonstad, Somerset-Wes, Stellenbosch, Strand, Wellington, Wonderboom en Wynberg	In die landdrosdistrikte Bloemfontein, Brits, Bronkhorstspuit, Camperdown, Cullinan, Oos-Londen, Heidelberg (Tvl.), Hennenman, Kimberley, Klerksdorp, Middelburg (Tvl.), Pietermaritzburg, Potchefstroom, Wesselsbron, Witbank, Albany, Balfour, Bethal, Bethlehem, Ermelo, George, Gordonia, Harrismith, Hoëveldrif, Port Elizabeth, Kliprivier, Knysna, Kroonstad, Lichtenburg, Laer Umfolozi, Malmesbury, Moorreesburg, Mosselbaai, Nelspruit, Newcastle, Oudtshoorn, Parys, Pietersburg, Port Shepstone, Potgietersrus, Rustenburg, Uitenhage, Umzinto, Vryburg, Witrivier, Worcester en alle ander landdrosdistrikte nie gespesifiseer in Area A, en die Goudvelde insluitende daardie gebiede wat deel gevorm het van die voormalige Republiek van Bophuthatswana, Republiek van Venda, Republiek Transkei, Republiek Ciskei en die voormalige selfregerende state van KwaZulu-Natal, Quaqwa, Lebowa, Gazankulu, KaNgwane en KwaNdebele	In die landdrosdistrikte Hennenman, Odendaalsrus, Virginia en Welkom
		Weekloon	Weekloon	Weekloon
1	Algemene werker, verpakker/laaier	R252,00	R224,00	R216,00
2	Sekuriteitswag (60 ure) motorfiets/motordriewiel-drywer, drywer van 'n ligte motorvoertuig, herstel/winkelassistent, nasiener, bediener van 'n bokkraan, graad II, bediener van 'n mobiele hystoestel, graad II, spanleier	R310,00	R280,00	R280,00
3	Drywer van 'n medium motorvoertuig, bediener van 'n bokkraan graad I, bediener van 'n laaigraaf Graad II, bediener van 'n mobiele hystoestel graad I, magasynman (werkswinkel).....	R380,00	R350,00	R350,00

		AREA A	AREA B	GOUDVELDE
Graad	Klas	In die landdrosdistrikte Bellville, Boksburg, Brakpan, Chatsworth, Die Kaap, Durban, Goodwood, Inanda, Kempton Park, Kuilsrivier, Nigel, Oberholzer, Paarl, Pinetown, Pretoria, Randburg, Sasolburg, Simonstad, Somerset-Wes, Stellenbosch, Strand, Wellington, Wonderboom en Wynberg	In die landdrosdistrikte Bloemfontein, Brits, Bronkhorstspuit, Camperdown, Cullinan, Oos-Londen, Heidelberg (Tvl.), Hennenman, Kimberley, Klerksdorp, Middelburg (Tvl.), Pietermaritzburg, Potchefstroom, Wesselsbron, Witbank, Albany, Balfour, Bethal, Bethlehem, Ermelo, George, Gordonia, Harrismith, Hoëveldrif, Port Elizabeth, Kliprivier, Knysna, Kroonstad, Lichtenburg, Laer Umfolozi, Malmesbury, Moorreesburg, Mosselbaai, Nelspruit, Newcastle, Oudtshoorn, Parys, Pietersburg, Port Shepstone, Potgietersrus, Rustenburg, Uitenhage, Umzinto, Vryburg, Witrivier, Worcester en alle ander landdrosdistrikte nie gespesifiseer in Area A, en die Goudvelde insluitende daardie gebiede wat deel gevorm het van die voormalige Republiek van Bophuthatswana, Republiek van Venda, Republiek Transkei, Republiek Ciskei en die voormalige selfregerende state van KwaZulu-Natal, Quaqua, Lebowa, Gazankulu, KaNgwane en KwaNdebele	In die landdrosdistrikte Hennenman, Odendaalsrus, Virginia en Welkom
		Weekloon	Weekloon	Weekloon
4	Drywer van 'n swaar motorvoertuig, drywer van 'n ekstra swaar motorvoertuig, versendingsklerk, magasynman (pakhuis), bediener van 'n laai-graaf, graad I	R445,00	R380,00	R380,00
5	Drywer van 'n ultraswaar motorvoertuig	R498,00	R444,00	R444,00
6	Veiligheidsbeampte, Graad C	R660,00	R660,00	R660,00
	Veiligheidsbeampte, Graad B	R730,00	R730,00	R730,00
	Veiligheidsbeampte, Graad A	R740,00	R740,00	R740,00

- (2) In subklousule (5), vervang paragraaf (a) (i) en (ii) deur die volgende:

- "(i) vir elke sodanige tydperk van afwesigheid, R11,00;
(ii) vir elk van die daaglikse maaltye wat bekom moet word tydens sodanige afwesigheid, R9,00."

- (3) Vervang subklousule (6) (a) deur die volgende:

TOELAE PER UUR — TABEL A

Graad	Areas soos gespesifiseer in klousule 4 (1) (b)		Goud-velde
	A	B	
1	21c	19c	18c
2	26c	23c	23c
3	32c	29c	29c
4	37c	32c	32c
5	42c	37c	37c
6 – A	62c	62c	62c
– B	61c	61c	61c
– C	55c	55c	55c "

- (4) Skrap subklousule (6).

- (5) Vervang klousule (7) deur die volgende:

- "(7) *Algemene Verhoging*: Aan werknemers wat voor 1 Maart 1998 'n hoër loon ontvang het as die loon in Goewermentskennisgewing No. R. 2130 van 27 Desember 1996 vir hulle klas voorgeskryf, moet verhogings soos gespesifiseer in Tabel B toegeken word:

ALGEMENE VERHOOGING (PER WEEK) — TABEL B

Graad	Areas soos gespesifiseer in klousule 4 (1) (b)		Goud-velde
	A	B	
1	R36,00	R36,00	R28,00
2	R42,00	R42,00	R42,00
3	R46,00	R46,00	R46,00
4	R54,00	R54,00	R54,00
5	R54,00	R54,00	R54,00
6 – A	R56,00	R56,00	R56,00
– B	R56,00	R56,00	R56,00
– C	R50,00	R50,00	R50,00

Indien 'n werknemer, nadat die algemene verhoging toegeken is, 'n loon ontvang wat minder is as die minimum loon wat vir sy graad voorgeskryf is, moet sy loon by die graadminimum aangepas word."

7. KLOUSULE 6: GEWONE WERKURE, OORTYD EN BETALING VIR OORTYD

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

- "(6) *Betaling vir oortyd*: (a) 'n Werkgewer moet 'n werknemer wat oortyd werk minstens een en 'n derde maal sy uurloon betaal ten opsigte van die totale periode deur sodanige werknemer aldus gewerk—
- (i) op enige dag, in die geval van 'n los werknemer;
 - (ii) in enige week, twee weke of maand, in die geval van enige ander werknemer, afhangende daarvan of sy loon onderskeidelik weekliks, tweeweekliks of maandeliks betaal word.
- (b) 'n Werknemer van 'n arbeidsmakelaar wat oortyd werk terwyl werk verrig word in twee of meer werkskategorieë gedurende 'n betaalweek, moet nie minder betaal word nie as een en 'n derde maal ten opsigte van die totale ure gewerk in elke kategorie.

- (c) Ondanks die bepalings van paragraaf (a), waar 'n werknemer gedurende 'n werksweek gedurende enige van of al die gewone ure van 'n normale werksdag of dae van die werk afwesig is, sonder die toestemming van sy werkgever, kan sodanige gewone ure wat nie deur die werknemer gewerk is nie, afgetrek word van sy oortydure wat hy gedurende daardie week gewerk het nie, en vir die ure wat aldus afgetrek word, moet teen die werknemer se gewone uurloon betaal word:

Met dien verstande dat—

- (i) indien die getal gewone werksure wat die werknemer in 'n bepaalde week afwesig was, meer is as die getal oortydure wat gewerk is, vir al sodanige oortydure teen die werknemer se gewone uurloon betaal moet word; en
 - (ii) waar 'n werknemer met die toestemming van sy werkgever of weens siekte of omstandighede buite sy beheer van die werk afwesig is, hierdie subklousule nie van toepassing is nie en hy besoldig moet word teen die voorgeskrewe oortydtarief vir sy klas vir die oortydure wat in so 'n geval gewerk is: Met dien verstande voorts dat 'n werkgever die werknemer kan versoek om 'n mediese sertifikaat te verskaf om die rede vir sy afwesigheid te staaf.
- (d) 'n Werknemer wat ingevolge subklousule (6) (c) geenaliseer is, kan, indien hy 'n goeie saak het, appelleer na die Raad wat, na behoorlike oorweging van al die feite in verband met so 'n appél, die besluit van die werkgever om te penaliseer kan handhaaf of herroep.

8. KLOUSULE 7 VAN DIE VORIGE OOREENKOMS: JAARLIKSE VERLOF

Vervang subklousule (8) (b) (ii) (ag) deur die volgende:

"(ag) met Gesinsverantwoordelikeverlof ingevolge klousule 34;".

9. KLOUSULE 8 VAN DIE VORIGE OOREENKOMS: SIEKTEVERLOF

Vervang subklousule (8) (3) (a) (ag) deur die volgende:

"(ag) met Gesins aanspreeklikeverlof ingevolge klousule 34;".

10. KLOUSULE 31 VAN DIE VORIGE OOREENKOMS: VAKANSIESOLDYBONUSFONDS

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

- "(1) (a) Die Vakansiesoldybonusfonds deur die Raad ingestel kragtens die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 41 van 15 Januarie 1971, word hierby voortgesit. Elke werkgever moet voor of op die 20ste dag van elke maand ten opsigte van elk van die grade werknemers wat gedurende die voorafgaande maand by hom in diens was en 21 skofte voltooi het, 'n bedrag in die Vakansiesoldybonusfonds inbetaal wat gelykstaande is met 1/6 van die minimum loon in klousule 4 vir elke graad werknemer voorgeskryf, soos uiteengesit in die onderstaande bydraetabel:

Graad	Areas soos in klousule 4 (1) (b)		
	A	B	Goudvelde
1.....	R42,00	R37,20	R36,00
2.....	R51,70	R46,70	R46,70
3.....	R63,30	R58,30	R58,30
4.....	R74,10	R63,30	R63,30
5.....	R83,00	R74,00	R74,00
6-A.....	R123,40	R123,40	R123,40
-B.....	R121,70	R121,70	R121,70
-C.....	R110,00	R110,00	R110,00".

11. KLOUSULE 32 VAN DIE VORIGE OOREENKOMS: KRAAMVERLOF

- (1) Vervang subklousule 32 (1) met die vorige:

"(1) 'n Werkgever moet aan 'n werknemer wat verwag, vier maande kraamverlof toestaan, onderhewig aan die volgende voorwaardes:".

- (2) Vervang subklousule 32 (2) met die volgende:

"Die werkgever moet die werknemer in dieselfde hoedanigheid en op dieselfde diensvoorwaardes herindiensneem: Met dien verstande dat sy binne vier maande na die aanvang van die kraamverlof vir diens aanmeld:".

12. KLOUSULE 33 VAN DIE VORIGE OOREENKOMS 33: STUDIEVERLOF

Vervang subklousule (1) en (2) deur die volgende:

- "(1) Werkgewers moet aan hulle werknemers betaalde studieverlof van twee dae per vak toestaan met 'n maksimum van vier vakke per jaar onderhewig aan die volgende voorwaardes:
- (a) Dat die kursus deur die werkgever goedgekeur is;
 - (b) dat die kursus deur die Opleidingsraad vir die Padvervoerbedryf geakkrediteer is;
 - (c) dat verlof van twee dae per vraestel ook die dag insluit waarop die vraestel geskryf word;
 - (d) dat die werknemer die eksamen slaag.
- (2) Die werkgever moet die verlof voorlopig goedkeur, een skof vir elke dag krediteer en die werknemer betaal op die volgende betaaldag wat volg na die skryf van die eksamen."

13. KLOUSULE 34 VAN DIE VORIGE OOREENKOMS: GESINSVERANTWOORDELIKHEIDSVLOF

- (1) Vervang die opskrif van "Deernisverlof" deur die volgende:

"34. GESINSVERANTWOORDELIKHEIDSVLOF"

- (2) Vervang subklousule (1) deur die volgende:

- "(1) Werkgewers moet aan hulle werknemers tot 'n maksimum van vyf werksdae verlof per jaar met volle betaling toestaan in die volgende gevalle:
- (a) Dood van 'n naaste familielid;
 - (b) ernstige siekte van 'n naaste familielid; en
 - (c) die geboorte van 'n kind waar die werknemer die biologiese vader is."

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

- "(2) Bewys van elke geval in die vorm van 'n doods- of mediese of geboortesertifikaat tot tevredenheid van die werkgever moet aan die werkgever voorgelê word."

14. NUWE KLOUSULE 37

Vervang die bestaande klousule 37, deur die volgende:

"37. ANDER KLASSE WERKNEMERS

- (1) Vir die doeleindes van hierdie klousule bestaan "bykomende klasse van werknemers uit rekenaarklerke, data invoer-klerke, ontvangsklerke en kontroleurs, soos omskryf in klousule 2.
- (2) *Algemene verhoging*: Behoudens die bepalinge van subklousule (3) moet 'n werkgever aan sy werknemer 'n loonverhoging van 8 persent toeken sodra hierdie Ooreenkoms bindend word.
- (3) *Loonverrekening*: Werkgewers wat verhogings aan hulle werknemers toegeken het, sal verplig wees om die verhogings voorgeskryf in subklousule 2 hierbo te implementeer sodra die periode waarvoor verhogings voorheen toegeken was, verstryk het. Die algemene verhoging moet dan in werking gestel word ooreenkomstig die volgende formule:

$$\frac{A}{12} \times \frac{8}{1}$$

waar—

A die aantal maande verteenwoordig tussen die einde van die periode waarvoor die 1997/8 loonverhogings geldig was en 28 Februarie 1999."

Namens die partye by die Raad, op hede die 31ste dag van Maart 1998 Johannesburg onderteken.

J. J. DUBE

Voorsitter van die Raad

G. F. VAN NIEKERK

Ondervoorsitter van die Raad

B. S. E. GRATZ

Sekretaris van die Raad.

**MINISTRY FOR SAFETY AND SECURITY
MINISTERIE VIR VEILIGHEID EN SEKURITEIT**

No. R. 605

24 April 1998

REGULATIONS MADE UNDER THE SECURITY OFFICERS ACT, 1987 (ACT No. 92 OF 1987)

The Security Officers' Board has, with the concurrence of the Deputy Minister for Safety and Security, acting on behalf of and on assignment by the Minister for Safety and Security, under section 32 of the Security Officers Act, 1987 (Act No. 92 of 1987), made the regulations set out in the Schedule hereto.

SCHEDULE

**AMENDMENT OF REGULATIONS MADE UNDER SECURITY OFFICERS ACT, 1987
(ACT No. 92 OF 1987)**

Definition

1. In this Schedule "the Regulations" means the Improper Conduct Enquiries Regulations, 1992 promulgated under Government Notice No. R. 576 in Government Gazette No. 13777 dated 21 February 1992, and amended by Government Notice No. R. 1241 in *Government Gazette* No. 18298 dated 26 September 1997.

Amendment of regulation 1 of Regulations

2. Regulation 1 of the Regulations is hereby amended by the substitution for the definition of "respondent" of the following definition:

"respondent" means a security officer in connection with whom an enquiry is held, including a security officer who is a director or member of a company or close corporation, as the case may be, in regard to which an enquiry is held and who has been cited in terms of regulation 2 as representative of such company or close corporation, and any other security officer who has in terms of regulation 2A been substituted for any such representative".

Amendment of regulation 2 of Regulations

3. Regulation 2 of the Regulations is hereby amended -

- (a) by the substitution for paragraph (a) of subregulation (3) of the said Regulation of the following paragraph:

"(a) The full name, employment and residential address of the complainant and of the respondent and, where the complaint is directed against a company or close corporation, the name, employment and residential address of the director or member of the relevant company or close corporation who must be cited as representative of the relevant company or close corporation within the meaning of the definition of 'respondent' in regulation 1; and;" and

- (b) by the substitution for paragraph (d) of subregulation (4) of the following paragraph:

"(d) notify the respondent in writing that if he intends to plead guilty to the charge, he is required to submit an affidavit to that effect, and, in the case where the respondent is a company or a close corporation, also a certified resolution by the company or close corporation to plead guilty, within the said period to the Registrar of the Board and may so submit full representations in connection with the penalty which may be imposed on him;".

Insertion of regulation 2A in Regulations

4. The Regulations are hereby amended by the insertion after regulation 2 of the following regulation:

"Substitution of respondent and continuing liability"

2A. (1) If a representative of a company or close corporation referred to in regulation 2(3)(a) at any time ceases to be a director or member of the company or close corporation or is allegedly not able, due to circumstances beyond his or her control, to further represent the company or close corporation, the Board or someone acting on its authority may on application by the representative substitute any other director or member of the relevant company or close corporation, as the case may be, as such representative, whereupon the proceedings shall continue as if no substitution has taken place: Provided that if no other director or member is available, the Board or someone acting on its authority shall refuse such application whereupon such applicant shall continue to act as such representative.

(2) The citing of a director or member to represent the company or close corporation in terms of regulation 2(3)(a), or the substitution of any such person in terms of subregulation (1) of this regulation shall not relieve any such person from personal liability as a security officer in respect of improper conduct contemplated in section 20(1) of the Act".

Amendment of regulation 6 of Regulations

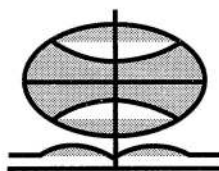
5. Regulation 6 of the Regulations is hereby amended by the addition of the following Subregulation:

"(3) No plea of guilty referred to in subregulation (2) shall be accepted by the presiding officer from a representative in the case of an inquiry against a company or close corporation which is registered as a security officer, unless the representative submits to the presiding officer a certified resolution of the company or close corporation to so plead guilty".

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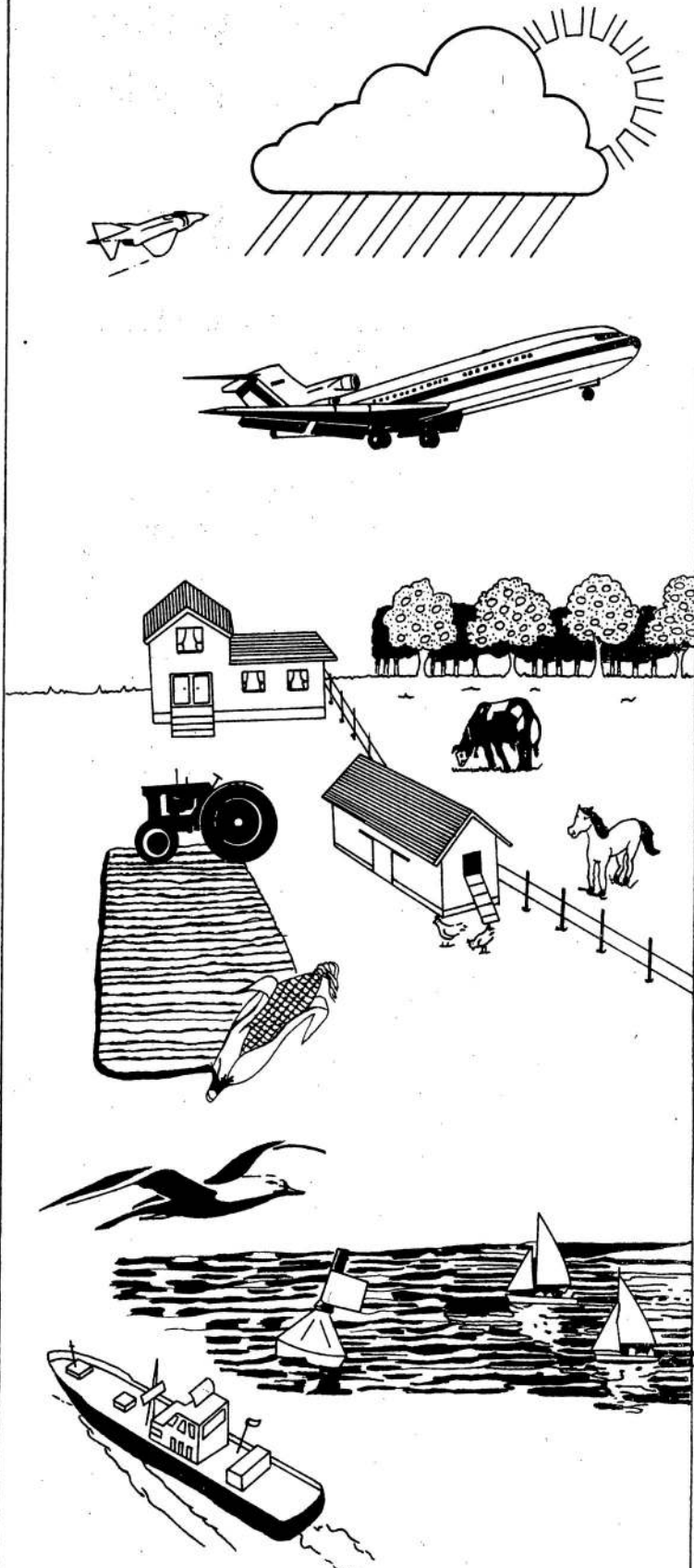
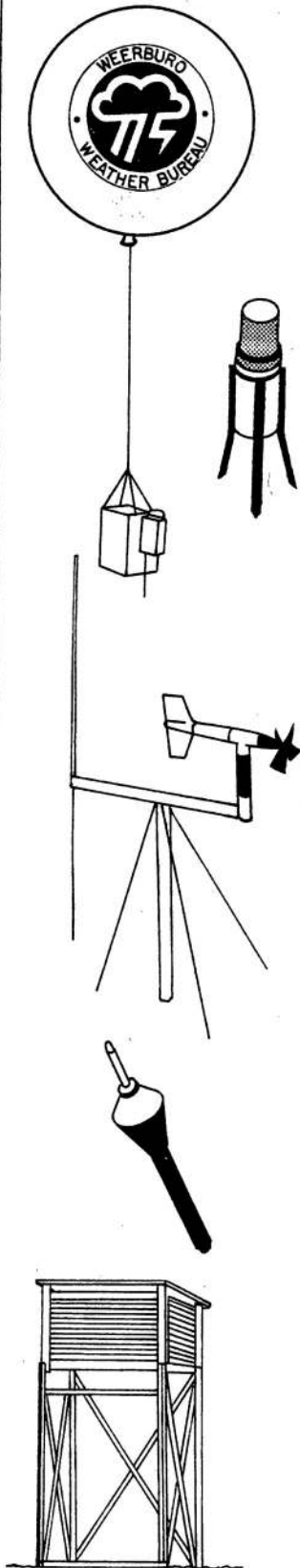
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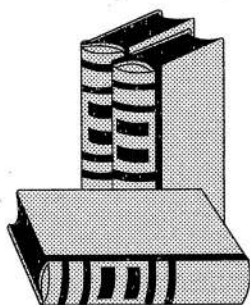
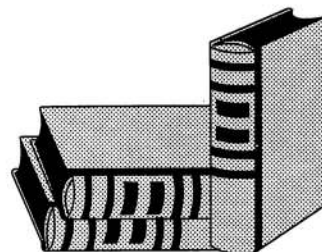
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Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?

Wetlands are wonderlands!



Department of Environmental Affairs and Tourism

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