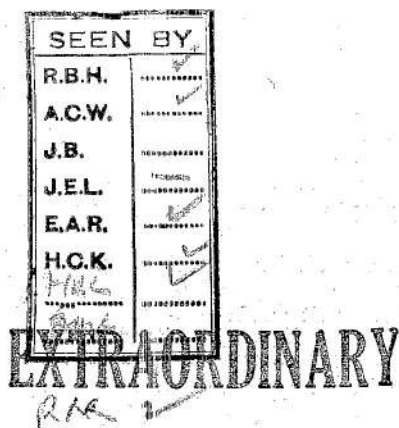




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BUITENGEWONE

THE UNION OF SOUTH AFRICA Government Gazette

Staatskoerant VAN DIE UNIE VAN SUID-AFRIKA

[Registered at the General Post Office as a Newspaper.]

[Geregistreer by die Hoofposkantoor as 'n Nuusblad.]

VOL. CXVIII.] PRICE 6d.

PRETORIA, 22 DECEMBER 1939
22 DESEMBER

PRYS 6d.

[No. 2715.]

All Proclamations, Government and General Notices, published for the first time, are indicated by a * in the left-hand upper corner.

Alle Proklamasies, Goewerments- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.

GOVERNMENT NOTICES

DEPARTMENT OF LABOUR.

The following Government Notices are published for general information:—

* No. 2079.]

[22 December 1939.]

WAGE ACT, 1937.

DETERMINATION No. 70.—COMMERCIAL DISTRIBUTIVE TRADE—PRINCIPAL TOWNS.

By direction of the Minister of Labour it is hereby notified in terms of sub-section (2) of section sixteen of the Wage Act, 1937, that the Minister, under the powers vested in him by sub-section (1) of that section has made the determination appearing in the Schedule hereto in respect of the Commercial Distributive Trade as defined in clause two of the said Schedule, in the following areas, namely—

Transvaal.—The municipal areas of Krugersdorp, Randfontein, Roodepoort-Maraiburg, Johannesburg, Germiston, Boksburg, Benoni, Brakpan, Springs, Nigel, Pretoria and Hercules, and the areas falling under the jurisdiction of the Alberton and Elsburg Health Committees;

Cape Province.—The municipal areas of Cape Town, Simonstown, Port Elizabeth, Walmer, Uitenhage, East London, Cambridge, Goodwood and Parow (excluding that portion of the present municipal area of Parow not previously within the Village Management Board areas of Glenlily, Fairfield and Parow), the Village Management Board areas of Fish Hoek and Bellville;

Natal.—The municipal areas of Durban and Pietermaritzburg and the Local Administration and Health Board areas of Westville, Malvern and Pinetown;

Orange Free State.—The municipal area of Bloemfontein; and has fixed the 1st day of January, 1940, as the date from which the provisions of the said determination shall be binding.

It is further notified that in terms of paragraph (b) of the proviso to sub-section (1) of section sixteen of the said Act the Minister has, after consultation with the Wage Board,

GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN ARBEID.

Onderstaande Goewermentskennisgewings word vir algemene informasie gepubliseer:—

* No. 2079.]

[22 Desember 1939.]

LOONWET, 1937.

VASSTELLING No. 70.—KOMMERSIELE DISTRIBUSIEBEDRYF.—HOOFDORPE.

In opdrag van die Minister van Arbeid word hierby ingevolge subartikel (2) van artikel sestig van die Loonwet, 1937, kennis gegee dat die Minister ingevolge die bevoegdheid hom verleen by subartikel (1) van daardie artikel die vasstelling in verband met die kommersiële distribusiebedryf soos bepaal in klousule twee van genoemde bylae gemaak het wat in die Bylae hiervan verskyn, in ondervermelde gebiede—

Transvaal: Die munisipale gebiede Krugersdorp, Randfontein, Roodepoort-Maraiburg, Johannesburg, Germiston, Boksburg, Benoni, Brakpan, Springs, Nigel, Pretoria en Hercules, en die gebiede wat binne die regsgebied van die Gesondheidskomitees van Alberton en Elsburg val;

Kaapprovinsie: Die munisipale gebiede Kaapstad, Simonstad, Port Elizabeth, Walmer, Uitenhage, Oos-Londen, Cambridge, Goodwood en Parow (uitsluitende daardie gedeelte van die teenswoordige munisipale gebied Parow wat nie voorheen binne die dorpsbestuur-raadsgebied Glenlily, Fairfield en Parow geval het nie), die dorpsbestuur-raadsgebiede Vishoek en Bellville;

Natal: Die munisipale gebiede Durban en Pietermaritzburg en die plaaslike administrasie- en gesondheidsraadgebiede Westville, Malvern en Pinetown;

Oranje-Vrystaat: Die munisipale gebied Bloemfontein; en het die 1ste dag van Januarie 1940, vasgestel as die datum waarop die bepalings van genoemde vasstelling bindend sal wees.

Verder word kennis gegee dat ingevolge paragraaf (b) van die voorbehoudsbepaling by subartikel (1) van artikel sestig van genoemde Wet, die Minister in oorleg met die Loonraad, van die vasstelling uitgesluit het vir die tydperk vanaf

excluded from the determination for the period from the 1st day of January, 1940, to the 30th day of June, 1940:—

(1) the following sections of the Commercial Distributive Trade—

(a) the section in which is carried on—

- (i) the sale by wholesale by manufacturers (including cereal millers) of the goods manufactured by them;
- (ii) the sale and distribution of the products of a bakehouse from the premises thereof;
- (iii) the sale and distribution of fresh milk;
- (iv) the sale and supply of stone, gravel, sand, road material, or other similar products;

(b) the business of a quarry master; and

(2) the following classes of employees—

- (a) commissionaires;
- (b) employees, the major portion of whose time is spent in the manual operations comprised in hairdressing, shaving and the rendering of other toilet services;
- (c) employees of employers engaged in the Commercial Distributive Trade who are also engaged in a business in respect of which a licence, other than one of the licences referred to in the definition of commercial distributive trade contained in Clause 2 of the Schedule hereto, is required, if the major portion of such employees' time is spent in connection with such business;
- (d) employees, the major portion of whose time is spent in the erection and/or maintenance of machinery, plant or similar equipment elsewhere than on the premises of their employers;
- (e) labourers as defined in clause 2 of the said schedule in the employ of employers—
 - (i) who sell timber and wood, including the waste products from the processing thereof;
 - (ii) who sell and distribute coal.

(3) native areas as defined in sub-section (2) of section fifty-one of the Industrial Conciliation Act, 1937.

(C. 1069/130.)

SCHEDULE.

COMMERCIAL DISTRIBUTIVE TRADE.

1. AREA AND SCOPE OF DETERMINATION.

This determination shall apply to all employees employed in the commercial distributive trade and to the employers of such employees in the following areas:—

Transvaal: The municipal areas of Krugersdorp, Randfontein, Rodepoort-Maraiburg, Johannesburg (including the areas formerly falling under the jurisdiction of the Craighall Health Committee and the Grey-mont Village Council respectively), Germiston, Boksburg, Benoni, Brakpan, Springs, Nigel, Pretoria and Hercules, and the areas falling under the jurisdiction of the Alberton and Elsburg Health Committees.

Cape Province: The municipal areas of Capetown, Simons-town, Port Elizabeth, Walmer, Uitenhage, East London, Cambridge, Goodwood (formerly known as the Village Management Board area of Goodwood), and Parow (formerly known as the Village Management Board areas of Glenlily, Fairfield and Parow, but excluding that portion of the present municipal area of Parow not previously within the Village Management Board areas of Glenlily, Fairfield and Parow), and the Village Management Board areas of Fish Hoek and Bellville.

Natal: The municipal areas of Durban and Pietermaritzburg and the Local Administration and Health Board areas of Westville, Malvern and Pinetown.

Orange Free State: The municipal area of Bloemfontein.

2. DEFINITIONS.

Unless the contrary intention appears, any expression used in this determination which is defined in the Wage Act, 1937, shall have the same meaning as in that Act and any reference to an Act includes any amendment thereof; words importing the masculine gender include females; further, unless inconsistent with the context:—

“assistant despatch clerk” means an employee who, under the supervision of a despatch clerk, is wholly or mainly engaged in performing one or more of the operations referred to in the definition of “despatch clerk”.

“bicycle wheel truer and/or assembler” means an employee who is engaged in truing up bicycle wheels by making the necessary adjustments so that the wheel is true, and/or fitting the component parts of a bicycle or tricycle, i.e., the wheels (including the building up), fork, chain, chain wheels, handlebar, pedals and seat pillar into the frame in order to completely assemble such bicycle or tricycle.

“bicycle wheel truer's and/or assembler's assistant” means an employee who, under the supervision of a bicycle wheel truer and/or assembler, assists in the assembling of bicycles and/or tricycles, and/or in the truing up of wheels.

die 1ste dag van Januarie 1940, tot die 30ste dag van Junie 1940:—

(1) onderstaande afdelings van die kommersiële distribusiebedryf:—

(a) die afdeling waarin voortgesit word:—

- (i) die verkoop deur vervaardigers (insluitende graanmeulenaars) by die grootmaat van goedere deur hulle vervaardig;
- (ii) die verkoop en distribusie van die produkte van 'n bakhuis vanuit die persele daarvan;
- (iii) die verkoop en distribusie van vars melk;
- (iv) die verkoop en verskaffing van klip, gruis, sand, padmateriaal, of ander soortgelyke produkte;

(b) die besigheid van 'n klipgroefmeester; en

(2) onderstaande groepe werknemers:—

- (a) opsigters;
- (b) werknemers, wat die meeste van hulle tyd deurbring met handwerkzaamhede wat bestaan uit haresny, skeer en die verrigting van ander toiledienste;
- (c) werknemers van werkgewers werksaam in die kommersiële distribusiebedryf wat ook besigheid voortsit ten opsigte waarvan 'n lisensie, behalwe een van die lisensies waarna verwys is in die bepaling van kommersiële distribusiebedryf bevat in klousule 2 van die bylae hiervan, vereis word, as die grootste gedeelte van sodanige werknemer se tyd in verband met sodanige besigheid deurgebring word.
- (d) werknemers van wie die grootste gedeelte van hui tyd deurgebring word in die oprig en/of instandhou van masjinerie, installasie of soortgelyke toerusting op 'n ander plek as op die perseel van hul werkgewers;
- (e) arbeiders soos bepaal in klousule 2 van genoemde bylae in diens van werkgewers wat—
 - (i) timmerhout en hout verkoop, met inbegrip van die afvalprodukte by die behandeling daarvan,
 - (ii) steenkool verkoop en distribueer.

(3) naturellegebiede soos bepaal in subartikel (2) van artikel een-en-vyftig van die Nywerheid-versoeningswet, 1937.

(C. 1069/130.)

BYLAE.

KOMMERSIËLE DISTRIBUSIEBEDRYF.

1. GEBIED EN BESTEK VAN VASSTELLING.

Hierdie vasstelling is van toepassing op alle werknemers in diens in die kommersiële distribusiebedryf en op die werkgewers van sodanige werknemers in onderstaande gebiede:

Transvaal.—Die munisipale gebiede Krugersdorp, Randfontein, Rodepoort-Maraiburg, Johannesburg (met inbegrip van die gebiede wat voorheen in die regsg gebied van die Craighall-gesondheidskomitee en die Grey-montdorpsraad onderskeidelik geval het), Germiston, Boksburg, Benoni, Brakpan, Springs, Nigel, Pretoria en Hercules; en die gebiede wat binne die regsg gebied van die Gesondheidskomitees van Alberton en Elsburg val.

Kaapprovinsie.—Die munisipale gebiede Kaapstad, Simonstad, Port Elizabeth, Walmer, Uitenhage, Oos-Londen, Cambridge, Goodwood (voorheen bekend as die dorpsbestuur-raadsgebied Goodwood), en Parow (voorheen bekend as die dorpsbestuur-raadsgebiede Glenlily, Fairfield en Parow, maar waarby die gedeelte van die teenswoordige munisipale gebied Parow wat nie voorheen binne die dorpsbestuur-raadsgebiede Glenlily, Fairfield en Parow geval het nie, uitgesluit is), en die dorpsbestuur-raadsgebiede Vishoek en Bellville.

Natal.—Die munisipale gebiede Durban en Pietermaritzburg en die Plaaslike administrasie- en gesondheidsraadsgebiede Westville, Malvern en Pinetown.

Oranje-Vrystaat.—Die munisipale gebied Bloemfontein.

2. WOORDBEPALINGS.

Tensy die teenoorgestelde blykbaar bedoel word, het enige uitdrukking in hierdie vasstelling wat in die Loonwet, 1937, bepaal is, dieselfde betekenis as in daardie Wet en sluit enige verwysing na 'n Wet enige wysiging daarvan in; woorde wat die manlike geslag aandui, sluit vrouens in; verder, tensy teenstrydig met die samehang, beteken—

„assistent-versendingsklerk”, 'n werknemer wat onder toesig van 'n versendingsklerk, uitsluitlik of hoofsaaklik een of meer van die werksaamhede waarna in die woordbepaling „versendingsklerk” verwys word, verrig;

„fietswielsteller en/of inmeekaarsitter”, 'n werknemer werksaam by die regstel van fietswiele deur die nodige verstellings te doen sodat die wiel reg loop tussen die vurke; en/of wat die onderdele van 'n fiets of driewiel aan die raamwerk vassit, om sodoende die hele fiets of driewiel inmeekaar te sit, d.w.s. die wiele (met inbegrip van die opbou), vurk, ketting, kettinggratte, stuur, trappe en saalstander;

„fietswielstellers- en/of inmeekaarsittersassistent”, 'n werknemer wat onder toesig van 'n fietswielsteller en/of inmeekaarsitter help by die inmeekaarsit van fietse of driewiele, en/of by die regstel van wiele;

"Casual employee" means an employee who is employed by the same employer on not more than—

- (a) in the case of a labourer, four days in any week;
- (b) in the case of an employee other than a labourer, two days in any week.

"chemist" means an employee in a chemist's establishment who is registered as a chemist and druggist under the Medical, Dental and Pharmacy Act, 1928;

"Chemist-apprentice" means an employee in a chemist's establishment who is bound by a contract of apprenticeship in accordance with the rules framed under section ninety-four (2) (i) of the Medical, Dental and Pharmacy Act, 1928;

"clerical employee" means an employee who is wholly or mainly engaged in writing and/or typing and/or any other form of clerical work, and includes a despatch clerk and a cashier.

"commercial distributive trade" means the trade carried on—

- (a) by holders of bottle liquor licences issued under the Liquor Act, 1928, or any amendment thereof;
- (b) by persons required to take out one or more of the licences specified in the undernoted items of Part I of the Second Schedule to the Licences Consolidation Act, 1925—

Item 3—Apothecary;
Item 10—Fresh Produce Dealer;
Item 11—General Dealer;

- (c) in any shop or premises in respect of which a licence is required in terms of paragraph (2), Item 4 (Baker) of Part I of the Second Schedule to the Licences Consolidation Act, 1925;

"despatch clerk" means an employee who is wholly or mainly engaged in clerical duties and who is responsible for receiving goods into or from a store or warehouse, or from departments, for despatch or delivery and who may supervise the packing and/or assembling of such goods, the checking of packages and the weighing, marking or addressing thereof;

"district 'A'" means the municipal areas of Krugersdorp, Randfontein, Roodepoort-Maraiburg, Johannesburg (including the areas formerly falling under the jurisdiction of the Craighall Health Committee and the Greyhound Village Council respectively), Germiston, Boksburg, Benoni, Brakpan, Springs, Nigel, Pretoria, Capetown, Port Elizabeth, Walmer, East London, Cambridge, Durban, Pietermaritzburg and Bloemfontein, the Village Management Board area of Fish Hoek and the local Administration and Health Board areas of Westville and Malvern;

"district 'B'" means the municipal areas of Hercules, Simonstown and Goodwood (formerly known as the Village Management Board area of Goodwood), and Parow (formerly known as the Village Management Board areas of Glenlily, Fairfield and Parow, but excluding that portion of the present municipal area of Parow not previously within the Village Management Board areas of Glenlily, Fairfield and Parow), the areas falling under the jurisdiction of the Alberton and Elsburg Health Committees, the Village Management Board area of Bellville and the Local Administration and Health Board areas of Pinetown;

"district 'C'" means the municipal area of Uitenhage;

"dressmaker" means an employee, other than an invisible mender or milliner, who is wholly or mainly engaged in making, altering or repairing any article of women's or children's wearing apparel;

"dressmaker, qualified" means a dressmaker who has had not less than three years' experience;

"dressmaker, unqualified" means a dressmaker who has had less than three years' experience;

"driver of motor vehicle" means an employee wholly or mainly engaged in driving a motor vehicle or steam wagon used for the conveyance of goods, other than a traveller's samples;

"emergency work" means any work which, owing to causes such as fire, storm, accident, act of violence or theft, must be done without delay;

"establishment" means any premises in or in connection with which one or more employees are employed in the commercial distributive trade;

"experience" means—

- (a) in relation to a chemist-apprentice and an unregistered chemist-assistant, the total period or periods of employment which an employee has had in a chemist's establishment, in either or both capacities, and as a shop assistant in such establishment, including any period spent at an institution recognised by the South African Pharmacy Board in terms of the provisions of section twenty-seven of the Medical, Dental and Pharmacy Act, 1928;
- (b) in relation to a traveller, shop assistant, clerical employee, dressmaker, milliner or invisible mender, the total period or periods of employment which an employee has had as a traveller, shop

"los werker", 'n werknemer wat by dieselfde werkgewer werksaam is vir nie meer as—

- (a) in geval van 'n arbeider, vier dae in enige week nie;
- (b) in geval van 'n werknemer behalwe 'n arbeider, twee dae in enige week nie;

"apteker", 'n werknemer in 'n aptekersinrigting wat as 'n apteker en drogis ingevolge die Wet op Geneeshere, Tandartse en Aptekers, 1928, geregistreer is;

"aptekersvakleerling", 'n werknemer in 'n aptekersinrigting in diens onder 'n vakleerlingskapkontrak in ooreenstemming met die reëls opgestel ingevolge artikel vier-en-negentig (2) (i) van die Wet op Geneeshere, Tandartse en Aptekers, 1928;

"klerklike werknemer", 'n werknemer wat uitsluitlik of hoofsaaklik skryfwerk en/of tikwerk en/of enige ander soort klerklike werk verrig en sluit 'n versendingsklerk, en 'n kassier in;

"kommersiële distribusiebedryf", die bedryf voortgesit deur—

- (a) houers van bottel-dranklisensies uitgereik ingevolge die Drankwet, 1928, of enige wysiging daarvan;
- (b) persone wat vereis word om een of meer van die lisensies omskryf in onderstaande items van Deel I van die Tweede Bylae tot die Licenties Konsolidatie Wet, 1925, uit te neem—

Item 3.—Apteker;
Item 10.—Handelaar in vars produkte;
Item 11.—Algemene handelaar;

- (c) enige winkel of perseel ten opsigte waarvan 'n lisensie ingevolge paragraaf (2) Item 4 (Bakker) van Deel I van die Tweede Bylae tot die Licenties Konsolidatie Wet, 1925, vereis word;

"versendingsklerk", 'n werknemer wat uitsluitlik of hoofsaaklik klerklike werk verrig en wat verantwoordelik is om goedere in of van 'n magazyn of pakhuis te ontvang, of van afdelings, vir versending of aflewering en wat toesig kan hou oor die verpakking en/of inmeekaarsit van sodanige goedere, die nagaan van pakkies en weeg, merk of adresseer daarvan;

"distrik A", die munisipale gebiede Krugersdorp, Randfontein, Roodepoort-Maraiburg, Johannesburg (met inbegrip van die gebiede wat voorheen in die regsgesied van die Craighall-gesondheidskomitee en die Greyhound-dorpsraad onderskeidelik geval het), Germiston, Boksburg, Benoni, Brakpan, Springs, Nigel, Pretoria, Kaapstad, Port Elizabeth, Walmer, Oos-Londen, Cambridge, Durban, Pietermaritzburg en Bloemfontein, die dorpsbestuur-raadsgebied Vishoek en die plaaslike administrasie- en gesondheidsraadsgebiede Westville en Malvern;

"distrik B", die munisipale gebiede Hercules, Simonstad en Goodwood (voorheen bekend as die dorpsbestuur-raadsgebied Goodwood), en Parow (voorheen bekend as die dorpsbestuur-raadsgebiede Glenlily, Fairfield en Parow, maar waarby die gedeelte van die teenswoordige munisipale gebied Parow wat nie voorheen binne die dorpsbestuur-raadsgebiede Glenlily, Fairfield en Parow, geval het nie uitgesluit is), die gebiede wat binne die regsgesied van die Alberton- en Elsburg-gesondheidskomitees val, die dorpsbestuur-raadsgebied Bellville, en die plaaslike administrasie- en gesondheidsraadsgebied Pinetown;

"distrik C", die munisipale gebied Uitenhage;

"modemaakster", 'n werknemer behalwe 'n onsigbare herstelwerker en 'n hoedemaakster, wat uitsluitlik of hoofsaaklik werksaam is by die maak, verander of verstel van enige dames- of kinderkledingstuk;

"modemaakster, gekwalifiseerd", 'n modemaakster met minstens drie jaar ervaring;

"modemaakster, ongekwalifiseerd", 'n modemaakster met minder as drie jaar ervaring;

"bestuurder van motorvoertuig", 'n werknemer wat uitsluitlik of hoofsaaklik werksaam is in die bestuur van 'n motorvoertuig of stoomwa gebruik vir die vervoer van goedere behalwe 'n handelsreisiger se monsters;

"noodwerk", enige werk wat weens oorsake soos vuur, storm, ongeluk, geweld daad of diefstal sonder uitstel gedoen moet word;

"inrigting", enige perseel waarin of in verband waarmee een of meer werknemers in die kommersiële distribusiebedryf in diens geneem is;

"ervaring"—

- (a) ten opsigte van 'n aptekersvakleerling en 'n ongeregisteerde aptekershulp, die volle diens-tydperk of -tydperke wat 'n werknemer in 'n aptekersinrigting in een of albei hoedanighede en as 'n winkelbediende in sodanige inrigting gehad het, waarby enige tydperk deurgebring in enige inrigting erken deur die Suid-Afrikaanse Aptekersraad ingevolge die bepalings van artikel seve-en-twintig van die Wet op Geneeshere, Tandartse en Aptekers, 1928, inbegrepe is;
- (b) betreffende 'n handelsreisiger, winkelbediende, klerklike werknemer, modemaakster, hoedemaakster of onsigbare herstelwerker, die totale diens-tydperk of -tydperke wat 'n werknemer onderskeidelik as handelsreisiger, winkelbediende,

assistant, clerical employee, dressmaker, milliner, or invisible mender respectively;

"female shop-assistant or clerical employee, qualified" means a female shop assistant or clerical employee who has had not less than five years' experience as a shop assistant or clerical employee respectively;

"female shop-assistant or clerical employee, unqualified" means a female shop assistant or clerical employee who has had less than five years' experience as a shop assistant or clerical employee respectively;

"invisible mender" means an employee engaged in repairing any article of clothing by hand, using the stoating, fine-drawing or rentering process according to the kind of tear or damage and material;

"invisible mender, qualified" means an invisible mender who has had not less than three years' experience;

"invisible mender, unqualified" means an invisible mender who has had less than three years' experience;

"labourer" means an employee engaged exclusively in one or more of the following operations:—

- (a) cleaning premises, vehicles, animals, utensils, machinery, implements, tools or other articles;
- (b) loading or unloading vehicles;
- (c) carrying, moving, stacking or unpacking goods and who may in connection therewith occasionally operate a goods lift;
- (d) sorting packages or parcels; wrapping up parcels;
- (e) filling bottles or other containers for stock;
- (f) affixing printed or ready addressed labels on to bottles, boxes, bales or other packages; stenciling and/or marking boxes, bales or other packages;
- (g) opening or closing doors, boxes, bales or other packages;
- (h) making or maintaining fires or removing refuse or ashes;
- (i) delivering or conveying letters, messages or goods on foot or by means of a bicycle, tricycle or hand-propelled vehicle;
- (j) collecting cash in the case of "C.O.D." sales or accepting written orders;
- (k) assisting on delivery vans or vehicles;
- (l) tending, harnessing or unharnessing animals;
- (m) oiling or greasing vehicles, other than motor vehicles;
- (n) making tea or similar beverages;

and includes a night watchman, a bicycle wheel truer's and/or assembler's assistant and an employee performing any work similar to the operations specified in paragraphs (a) to (n) inclusive, but does not include an employee who is engaged exclusively in operating a goods lift;

"local authority" includes any municipal council, borough council, town council, village council, town board, village management board, local board, health board, divisional council or any like institution;

"male shop assistant or clerical employee, qualified" means a male shop assistant or clerical employee who has had not less than six years' experience as a shop assistant or clerical employee respectively;

"male shop assistant or clerical employee, unqualified" means a male shop assistant or clerical employee who has had less than six years' experience as a shop assistant or clerical employee respectively;

"milliner" means an employee who is engaged in making, trimming, altering or renovating women's or children's hats;

"milliner, qualified" means a milliner who has had not less than three years' experience;

"milliner, unqualified" means a milliner who has had less than three years' experience;

"monthly employee" means an employee who is paid by the month;

"orderman" means an employee who, on a private household, is wholly or mainly engaged in inviting, soliciting or canvassing orders from persons for the sale and supply to them of goods for their use or consumption and not for resale, and who may, in addition, perform the duties of a shop assistant as herein defined;

"packer" means an employee who is wholly or mainly engaged in packing goods for transport or delivery;

"passenger lift attendant" means an employee who is wholly or mainly engaged in operating a passenger lift;

"pay load" means the net carrying capacity or the net load which a motor vehicle may carry or haul in terms of any motor carrier certificate or certificate of exemption issued in respect of such vehicle by the Central Road Transportation Board, or any Local Road Transportation Board, under the provisions of the Motor Carrier Transportation Act, 1930, or in terms of a certificate of fitness issued in respect of such vehicle by any local authority, whichever net carrying capacity or net load may be the greater;

"piece-work" or "task-work" means any system under which an employee's remuneration is based on the quantity or output of work done; but does not include the payment of commission on sales;

klerklike werknemer, modemaakster, hoedemaakster of onsigbare herstelwerker, gehad het;

„vroulike winkelbediende of klerklike werknemer, gekwalifiseerd”, ’n vroulike winkelbediende of klerklike werknemer met minstens vyf jaar ervaring as winkelbediende of klerklike werknemer onderskeidelik;

„vroulike winkelbediende of klerklike werknemer, ongekwalifiseerd”, ’n vroulike winkelbediende of klerklike werknemer met minder as vyf jaar ervaring as winkelbediende of klerklike werknemer onderskeidelik;

„onsigbare herstelwerker”, ’n werknemer werksaam in die herstel van enige kledingstuk met die hand, wat die onsigbare, fyndraadse of oorstop-metode gebruik na gelang van die soort skeur of skade en stof;

„onsigbare herstelwerker, gekwalifiseerd”, ’n onsigbare herstelwerker met minstens drie jaar ervaring;

„onsigbare herstelwerker, ongekwalifiseerd”, ’n onsigbare herstelwerker met minder as drie jaar ervaring;

„arbeider”, ’n werknemer wat uitsluitlik een of meer van onderstaande werksaamhede verrig—

- (a) persele, voertuie, diere, werktuie, masjinerie, uitrusting, gereedskap of ander artikels skoonmaak;
- (b) voertuie laai of aflaai;
- (c) goedere dra, karwei, opstapel of uitpak, wat ook by geleentheid in verband daarmee ’n goedere-hystoestel bedien;
- (d) pakke of pakkette sorteer; pakkies toedraai;
- (e) bottels of ander houers vir voorraad volmaak;
- (f) gedrukte of geadresseerde etikette op bottels, kiste, bale of ander pakke plak; kiste, bale of ander pakke sjabloneer en/of merk;
- (g) deure, kiste, bale of ander pakke oop- of toemaak;
- (h) vure maak of aan die gang hou of vuilgoed of as verwyder;
- (i) briewe, boodskappe of goedere te voet of deur middel van ’n fiets of ’n handkar aflewer;
- (j) in die geval van k.b.a.—verkopings kontant invorder of skriftelike bestellings ontvang;
- (k) op aflewering-vragwaens of -voertuie behulpsaam wees;
- (l) diere versorg, inspan of uitspan;
- (m) voertuie, behalwe motorvoertuie met ghries of olie smeer;
- (n) tee of soortgelyke drank maak;

en sluit ’n nagwag, ’n fietswielstellers- en/of inmeakers-assistent en ’n werknemer wat enige werk soortgelyk aan die werksaamhede bepaal in paragrawe (a) tot en met (n) in, maar sluit nie ’n werknemer wat uitsluitlik ’n goedere-hystoestel bedien in nie;

„plaaslike bestuur”, dat enige munisipale raad, stadsraad, dorpsraad, dorpsbestuurraad, plaaslike raad, gesondheidsraad, afdelingsraad of enige dergelike instelling ingesluit is;

„manlike winkelbediende of klerklike werknemer, gekwalifiseerd”, ’n manlike winkelbediende of klerklike werknemer met minstens ses jaar ervaring onderskeidelik as winkelbediende of klerklike werknemer;

„manlike winkelbediende of klerklike werknemer, ongekwalifiseerd”, ’n manlike winkelbediende of klerklike werknemer met minder as ses jaar ervaring onderskeidelik as winkelbediende of klerklike werknemer;

„hoedemaakster”, ’n werknemer wat werksaam is in die maak, tooi, verander of vernuwe van dames- of kinderhoede;

„hoedemaakster, gekwalifiseerd”, ’n hoedemaakster met minstens drie jaar ervaring;

„hoedemaakster, ongekwalifiseerd”, ’n hoedemaakster met minder as drie jaar ervaring;

„maandelikse werknemer”, ’n werknemer wat per maand betaal word;

„bestellingsklerk”, ’n werknemer wat behalwe die pligte van ’n winkelbediende soos hierin bepaal, naderom op ’n private van huis-tot-huis-rondte, uitsluitlik of hoofsaaklik in diens is om bestellings van persone te vra, te versoek, te werf of aan te neem vir die verkoop of verskaf van goedere aan hulle vir hul gebruik of verbruik en nie vir herverkoop nie, en wat bowendien die pligte van ’n winkelbediende soos hierin bepaal, kan verrig;

„verpakker”, ’n werknemer uitsluitlik of hoofsaaklik werksaam in die verpak van goedere vir vervoer of aflewering;

„passasiers-hysbediende”, ’n werknemer wat uitsluitlik of hoofsaaklik in diens is om ’n passasiers-hystoestel te bedien;

„betalende vrag”, die netto draagvrag of die netto vrag wat ’n motorvoertuig kan dra of sleep ingevolge enige motorvervoersertifikaat of vrystellingsertifikaat uitgereik betreffende sodanige voertuig deur die Sentrale Padvervoerraad of enige plaaslike padvervoerraad ingevolge die bepalings van die Motortransportwet, 1930, of ingevolge ’n sertifikaat van geskiktheid uitgereik betreffende sodanige voertuig deur enige plaaslike owerheid, na gelang watter van die netto draagvrag of netto vrag die grootste is;

„stukwerk” of „taakwerk”, enige stelsel waarvolgens ’n werknemer se besoldiging baseer word op die hoeveelheid of opbrings van die werk verrig; maar sluit nie die betaling van kommissie op verkope in nie;

"remuneration" means any payment in money or in kind or both in money and in kind, made or owing to any person, which arises in any manner whatsoever out of employment;

"shop assistant" means an employee who is wholly or mainly engaged in one or more of the following duties—

- (a) attending to customers in an establishment;
- (b) displaying goods;
- (c) keeping and controlling stock; and
- (d) assembling orders;

and includes a shop-walker, orderman, storeman and/or warehouseman, assistant storeman, ticket-writer and a motor car salesman;

For the purposes of this definition the expression "assembling orders" means the getting out from stock and putting together of goods required to fulfil orders using an order form or invoice;

"storeman and/or warehouseman" means an employee who is in general charge of stores and who is responsible for receiving goods into store and the storing and handling of same, the delivery of same out of store to departments or for transit and/or for packing within the store or warehouse and the unpacking thereof;

"sample-boy" means an employee who accompanies a traveller on his journey and assists the traveller in driving and in the packing, unpacking and displaying of samples;

"telephone operator" means an employee who is wholly or mainly engaged in receiving and relaying telephone calls or operating a switchboard;

"trailer" means any conveyance which is attached to and drawn by a motor vehicle or a steam wagon, but does not include the first conveyance attached to and drawn by a tractor or the vehicle known as a "mechanical horse";

"traveller" means an employee, other than an orderman, who, as the travelling representative of a trading establishment, on behalf of such establishment invites, canvasses or solicits orders from duly licensed traders and/or other persons for the sale and/or supply to them of goods for re-sale and/or for use or consumption by such traders or other persons;

"uniform" means an article or articles of wearing apparel, distinctive in design and colour;

"unregistered chemist-assistant" means an employee in a chemist's establishment, other than a chemist, who has completed any one of the periods of apprenticeship as prescribed in section twenty-seven of the Medical, Dental and Pharmacy Act, 1928;

"unregistered chemist-assistant, qualified" means an unregistered chemist-assistant who has had not less than six years' experience;

"unregistered chemist-assistant, unqualified" means an unregistered chemist-assistant who has had less than six years' experience;

"weekly employee" means an employee who is paid by the week.

3. REMUNERATION.

(1) The minimum rates at which remuneration shall be paid by an employer to each member of the undermentioned classes of employees shall be as follows:—

	In Districts A, B and C.	
	Per Week.	Per Month.
	£ s. d.	£ s. d.
Chemist.....	6 18 6	30 0 0
Unregistered Chemist-assistant, qualified....	4 16 11	21 0 0
Chemist-apprentice and Unregistered Chemist-assistant, unqualified—		
During the first year of experience....	1 7 8	6 0 0
During the second year of experience....	1 16 11	8 0 0
During the third year of experience....	2 6 2	10 0 0
During the fourth year of experience....	2 17 8	12 10 0
During the fifth year of experience....	3 9 3	15 0 0
During the sixth year of experience....	4 3 1	18 0 0
Thereafter.....	4 16 11	21 0 0
Traveller—Male—		
During the first six months of experience	5 3 10	22 10 0
During the second six months of experience	5 15 5	25 0 0
Thereafter.....	6 18 6	30 0 0
Traveller—Female—		
During the first six months of experience	4 0 9	17 10 0
During the second six months of experience	4 12 4	20 0 0
Thereafter.....	5 3 10	22 10 0
Driver of Motor Vehicle—		

In the municipal areas of Capetown, Simonstown, Goodwood (formerly known as the Village Management Board area of Goodwood) and Parow (formerly known as the Village Management Board areas of Glenlily, Fairfield and Parow, but excluding that portion of the present municipal area of Parow not previously within the Village Management Board areas of Glenlily, Fairfield and Parow), and the Village Management Board areas of Fish Hoek and Bellville, of a pay-load of—

„besoldiging", enige betaling in geld of in natura of beide in geld en in natura, gemaak of verskuldig aan enige persoon, wat op enige wyse van watter aard ook al uit die diens voortspruit;

„winkelbediende", 'n werknemer wat uitsluitlik of hoofsaaklik in diens is om een of meer van onderstaande pligte uit te voer:—

- (a) klante in 'n inrigting te bedien;
- (b) goedere uit te stal;
- (c) voorraadsverslag te hou en voorraad te beheer; en
- (d) bestellings in te samel; en

sluit 'n klerkopsigter, bestellingsklerk, magasynmeester en/of pakhuisbediende, assistent-magasynmeester, kaartjieskrywer, en 'n motorverkoper in.

Vir die toepassing van hierdie woordbepaling beteken die uitdrukking „bestellings insamel" goedere wat bestel word vir bestelling uit voorraad kry en bymekaar sit en waarby 'n bestellingsvorm of faktuur gebruik word;

„magasynmeester en/of pakhuisbediende", 'n werknemer wat algemene toegang tot magasyn en wat verantwoordelik is vir die ontvangs van goedere in die magasyn asook die bewaring en hantering daarvan, aflewering daarvan uit die magasyn aan afdelings of vir vervoer en/of verpak binne die magasyn of pakhuis en die uitpak daarvan;

„monsterbediende", 'n werknemer wat in handelsreisiger op sy reis vergesel en wat die handelsreisiger behulpzaam is by die bestuur en by die verpak, uitpak en uitstalling van monsters;

„telefonis", 'n werknemer wat uitsluitlik of hoofsaaklik werksaam is by die ontvangs en herinskakeling van telefoonoprope of 'n skakelbord bedien.

„sleepwa", enige vervoermiddel wat geheg is aan en getrek word deur 'n motorvoertuig of 'n stoomwa, maar sluit nie die eerste vervoermiddel geheg aan en getrek deur 'n trekker of die voertuig bekend as 'n „meganiese perd" in nie;

„handelsreisiger", 'n werknemer behalwe 'n bestellingsklerk wat as die reisende verteenwoordiger van 'n handelsinrigting namens sodanige inrigting bestellings vra, werf of versoek van behoorlik gelisensieerde handelaars en/of ander persone vir die verkoop en/of verskaf van goedere aan hulle vir herverkoop en/of vir gebruik of verbruik deur sodanige handelaars of ander persone;

„uniform", 'n artikel of artikels wat gedra word, onderskeidend in ontwerp en kleur;

„ongeregistreerde aptekershulp", 'n werknemer behalwe 'n apteker, in 'n aptekersinrigting, wat enigeen van die tydperke van vakleerlingskap voltooi het soos voorgeskryf in artikel sewe-en-twintig van die Wet op Geneeshere, Tandartse en Aptekers 1928;

„ongeregistreerde aptekershulp, gekwalifiseerd", 'n ongeregistreerde aptekershulp met minstens ses jaar ervaring;

„ongeregistreerde aptekershulp, ongekwalifiseerd", 'n ongeregistreerde aptekershulp met minder as ses jaar ervaring;

„weeklikse werknemer", 'n werknemer wat per week betaal word.

3. BESOLDIGING.

(1) Die minimum lone waarteen elke lid van onderstaande soorte werknemers deur 'n werkgever betaal moet word, is as volg:—

	In distrikte A, B en C.	
	Per Week.	Per Maand.
	£ s. d.	£ s. d.
Apteker.....	6 18 6	30 0 0
Ongeregistreerde aptekers-hulp, gekwalifiseerd	4 16 11	21 0 0
Aptekersvakleerling en ongeregistreerde aptekers-hulp, ongekwalifiseerd—		
Die eerste jaar.....	1 7 8	6 0 0
Die tweede jaar.....	1 16 11	8 0 0
Die derde jaar.....	2 6 2	10 0 0
Die vierde jaar.....	2 17 8	12 10 0
Die vyfde jaar.....	3 9 3	15 0 0
Die sesde jaar.....	4 3 1	18 0 0
Daarna.....	4 16 11	21 0 0
Handelsreisiger—Man—		
Die eerste ses maande.....	5 3 10	22 10 0
Die tweede ses maande.....	5 15 5	25 0 0
Daarna.....	6 18 6	30 0 0
Handelsreisiger—Vrou—		
Die eerste ses maande.....	4 0 9	17 10 0
Die tweede ses maande.....	4 12 4	20 0 0
Daarna.....	5 3 10	22 10 0
Bestuurder van motorvoertuig—		

In die munisipale gebiede Kaapstad, Simonstad, Goodwood (voorheen bekend as die dorpsbestuur-raadsgebied Goodwood) en Parow (voorheen bekend as die dorpsbestuur-raadsgebiede Glenlily, Fairfield en Parow, maar waarby die gedeelte van die teenswoordige munisipale gebied Parow, wat nie voorheen binne die dorpsbestuur-raadsgebiede Glenlily, Fairfield en Parow geval het nie, uitgesluit is), en die dorpsbestuur-raadsgebiede Vishoek en Bellville, van 'n betalende vraag van—

	Per Week.	Per Month.
	£ s. d.	£ s. d.
(i) Up to and including 6,000 lb.....	3 0 0	13 0 0
(ii) Over 6,000 lb. and up to 8,000 lb....	3 10 0	15 3 4
(iii) Over 8,000 lb. and up to 10,000 lb....	4 0 0	17 6 8
(iv) Over 10,000 lb. and up to 12,000 lb....	4 10 0	19 10 0
(v) Over 12,000 lb. and up to 14,000 lb....	5 0 0	21 13 4
(vi) Over 14,000 lb. and up to 16,000 lb....	5 10 0	23 16 8
(vii) Over 16,000 lb.....	6 0 0	26 0 0
(viii) Driving a steam wagon.....	6 0 0	26 0 0

In all areas within the Province of the Transvaal as specified in Clause 1 of this Determination, of a pay-load of—

(i) Under 2,000 lb.....	3 0 0	13 0 0
(ii) 2,000 lb. and over, but not including 6,000 lb.....	3 10 0	15 3 4
(iii) 6,000 lb.....	3 17 6	16 15 10
(iv) Over 6,000 lb. and up to 10,000 lb....	4 5 0	18 8 4
(v) Over 10,000 lb. and up to 14,000 lb....	5 0 0	21 13 4
(vi) Over 14,000 lb.....	6 0 0	26 0 0
(vii) Driving a steam wagon.....	6 0 0	26 0 0
In district "C".....	2 10 0	10 16 8

In all other areas not hereinbefore specified, of a pay-load of—

(i) Up to and including 2,000 lb.....	3 0 0	13 0 0
(ii) Over 2,000 lb. and up to 6,000 lb....	3 10 0	15 3 4
(iii) Over 6,000 lb. and up to 10,000 lb....	4 10 0	19 10 0
(iv) Over 10,000 lb.....	5 10 0	23 16 8
(v) Driving a steam wagon.....	5 10 0	23 16 8

Trailers.—An employee who during any day drives a motor vehicle or a steam wagon to which there is attached one or more trailers, shall, in addition to the above remuneration be paid not less than 2s. 6d. per day, with a maximum of 10s. in any week, in respect of each such trailer; provided that this sub-clause shall not operate so as to increase the minimum remuneration payable to a driver of a motor vehicle beyond £6. 10s. per week.

	Per week.	Per maand.
	£ s. d.	£ s. d.
(i) tot en met 6,000 lb.....	3 0 0	13 0 0
(ii) oor 6,000 lb. en tot 8,000 lb.....	3 10 0	15 3 4
(iii) oor 8,000 lb. en tot 10,000 lb.....	4 0 0	17 6 8
(iv) oor 10,000 lb. en tot 12,000 lb.....	4 10 0	19 10 0
(v) oor 12,000 lb. en tot 14,000 lb.....	5 0 0	21 13 4
(vi) oor 14,000 lb. en tot 16,000 lb.....	5 10 0	23 16 8
(vii) oor 16,000 lb.....	6 0 0	26 0 0
(viii) bestuur van 'n stoomwa.....	6 0 0	26 0 0

In alle gebiede binne die Provinsie Transvaal soos bepaal in klousule 1 van hierdie Vasstelling van 'n betalende vrag van—

(i) onder 2,000 lb.....	3 0 0	13 0 0
(ii) 2,000 lb. en oor maar nie insluitende 6,000 lb. nie.....	3 10 0	15 3 4
(iii) 6,000 lb.....	3 17 6	16 15 10
(iv) oor 6,000 lb. en tot 10,000 lb.....	4 5 0	18 8 4
(v) oor 10,000 lb. en tot 14,000 lb.....	5 0 0	21 13 4
(vi) oor 14,000 lb.....	6 0 0	26 0 0
(vii) bestuur van 'n stoomwa.....	6 0 0	26 0 0
In distrik C.....	2 10 0	10 16 8

In alle ander gebiede wat nie voorheen hierin bepaal is nie van 'n betalende vrag van—

(i) to en insluitende 2,000 lb.....	3 0 0	13 0 0
(ii) oor 2,000 lb. en tot 6,000 lb.....	3 10 0	15 3 4
(iii) oor 6,000 lb. en tot 10,000 lb.....	4 10 0	19 10 0
(iv) oor 10,000 lb.....	5 10 0	23 16 8
(v) bestuur van 'n stoomwa.....	5 10 0	23 16 8

Sleepwaens.—'n Werknemer wat gedurende enige dag 'n motorvoertuig of 'n stoomwa bestuur waaraan daar een of meer sleepwaens vas is, moet, benewens bogenoemde loon minstens 2s. 6d. per dag betaal word, met 'n maksimum van 10s. in enige week betreffende elke sodanige sleepwa, met dien verstande dat hierdie subklousule nie so toegepas word om die minimum loon betaalbaar aan 'n bestuurder van 'n motorvoertuig bo £6. 10s. per week te verhoog nie.

	In District A. X		In District B.		In District C.	
	Per Week.	Per Month.	Per Week.	Per Month.	Per Week.	Per Month.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Male shop-assistant, qualified.....	4 16 11	21 0 0	3 9 3	15 0 0	3 2 4	13 10 0
Male clerical employee, qualified.....						
Male shop-assistant, unqualified—						
Male clerical employee, unqualified—						
During the first year of experience.....	1 7 8	6 0 0	0 18 6	4 0 0	0 18 6	4 0 0
During the second year of experience.....	1 16 11	8 0 0	1 6 11	5 16 8	1 5 9	5 11 8
During the third year of experience.....	2 6 2	10 0 0	1 15 5	7 13 4	1 13 1	7 3 4
During the fourth year of experience.....	2 17 8	12 10 0	2 3 10	9 10 0	2 0 5	8 15 0
During the fifth year of experience.....	3 9 3	15 0 0	2 12 4	11 6 8	2 7 8	10 6 8
During the sixth year of experience.....	4 3 1	18 0 0	3 0 9	13 3 4	2 15 0	11 18 4
Thereafter.....	4 16 11	21 0 0	3 9 3	15 0 0	3 2 4	13 10 0
Female shop-assistant, qualified.....	2 10 9	11 0 0	1 16 11	8 0 0	1 12 4	7 0 0
Female clerical employee, qualified.....						
Female shop-assistant, unqualified—						
Female clerical employee, unqualified—						
During the first year of experience.....	1 7 8	6 0 0	0 18 6	4 0 0	0 18 6	4 0 0
During the second year of experience.....	1 12 4	7 0 0	1 1 11	4 15 0	1 1 11	4 15 0
During the third year of experience.....	1 16 11	8 0 0	1 5 5	5 10 0	1 4 3	5 5 0
During the fourth year of experience.....	2 1 6	9 0 0	1 8 10	6 5 0	1 6 7	5 15 0
During the fifth year of experience.....	2 6 2	10 0 0	1 12 4	7 0 0	1 8 10	6 5 0
Thereafter.....	2 10 9	11 0 0	1 16 11	8 0 0	1 12 4	7 0 0

	In distrik A.		In distrik B.		In distrik C.	
	Per week.	Per maand.	Per week.	Per maand.	Per week.	Per maand.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Manlike winkelbediende, gekwalifiseerd.....	4 16 11	21 0 0	3 9 3	15 0 0	3 2 4	13 10 0
Manlike klerklike werknemer, gekwalifiseerd.....						
Manlike winkelbediende, ongekwalifiseerd—						
Manlike klerklike werknemer, ongekwalifiseerd—						
Die eerste jaar.....	1 7 8	6 0 0	0 18 6	4 0 0	0 18 6	4 0 0
Die tweede jaar.....	1 16 11	8 0 0	1 6 11	5 16 8	1 5 9	5 11 8
Die derde jaar.....	2 6 2	10 0 0	1 15 5	7 13 4	1 13 1	7 3 4
Die vierde jaar.....	2 17 8	12 10 0	2 3 10	9 10 0	2 0 5	8 15 0
Die vyfde jaar.....	3 9 3	15 0 0	2 12 4	11 6 8	2 7 8	10 6 8
Die sesde jaar.....	4 3 1	18 0 0	3 0 9	13 3 4	2 15 0	11 18 4
Daarna.....	4 16 11	21 0 0	3 9 3	15 0 0	3 2 4	13 10 0
Vroulike winkelbediende, gekwalifiseerd.....	2 10 9	11 0 0	1 16 11	8 0 0	1 12 4	7 0 0
Vroulike klerklike werknemer, gekwalifiseerd.....						
Vroulike winkelbediende, ongekwalifiseerd—						
Vroulike klerklike werknemer, ongekwalifiseerd—						
Die eerste jaar.....	1 7 8	6 0 0	0 18 6	4 0 0	0 18 6	4 0 0
Die tweede jaar.....	1 12 4	7 0 0	1 1 11	4 15 0	1 1 11	4 15 0
Die derde jaar.....	1 16 11	8 0 0	1 5 5	5 10 0	1 4 3	5 5 0
Die vierde jaar.....	2 1 6	9 0 0	1 8 10	6 5 0	1 6 7	5 15 0
Die vyfde jaar.....	2 6 2	10 0 0	1 12 4	7 0 0	1 8 10	6 5 0
Daarna.....	2 10 9	11 0 0	1 16 11	8 0 0	1 12 4	7 0 0

	In Districts A, B and C.	
	Per Week.	Per Month.
	£ s. d.	£ s. d.
Dressmaker, qualified.....	2 5 0	9 15 0
Milliner, qualified.....		
Invisible mender, qualified.....		
Dressmaker, unqualified—		
Milliner, unqualified—		
Invisible mender, unqualified—		
During the first six months of experience.....	0 19 0	4 2 4
During the second six months of experience.....	1 2 0	4 15 4
During the third six months of experience.....	1 5 0	5 8 4
During the fourth six months of experience.....	1 10 0	6 10 0
During the fifth six months of experience.....	1 15 0	7 11 8
During the sixth six months of experience.....	2 0 0	8 13 4
Thereafter.....	2 5 0	9 15 0

	In distrikte A, B, en C.	
	Per week.	Per maand.
	£ s. d.	£ s. d.
Modemaakster- gekwalifiseerd.....	2 5 0	9 15 0
Hoedemaakster, gekwalifiseerd.....		
Onsigbare herstelwerker, gekwalifiseerd.....		
Modemaakster, ongekwalifiseerd—		
Hoedemaakster, ongekwalifiseerd—		
Onsigbare herstelwerker, ongekwalifiseerd—		
Die eerste ses maande.....	0 19 0	4 2 4
Die tweede ses maande.....	1 2 0	4 15 4
Die derde ses maande.....	1 5 0	5 8 4
Die vierde ses maande.....	1 10 0	6 10 0
Die vyfde ses maande.....	1 15 0	7 11 8
Die sesde ses maande.....	2 0 0	8 13 4
Daarna.....	2 5 0	9 15 0

	In District A.		In District B.		In District C.	
	Per Week.	Per Month.	Per Week.	Per Month.	Per Week.	Per Month.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Bicycle wheel truer and/or assembler.....	1 16 11	8 0 0	1 10 0	6 10 0	1 5 5	5 10 0
Passenger lift attendant.....						
Telephone operator; assistant despatch clerk.....						
Caretaker (other than a night-watchman).....						
Sample boy.....						
Employees not elsewhere specified.....						

Packer and employee weighing-up goods for stock—

The minimum weekly rate of remuneration which shall be paid by an employer to a packer and an employee engaged in weighing-up goods for stock shall be not less than the weekly remuneration prescribed for a labourer in the area in which such packer and/or employee engaged in weighing-up goods for stock is employed, plus 15 per cent.

	In distrik A.		In distrik B.		In distrik C.	
	Per week.	Per maand.	Per week.	Per maand.	Per week.	Per maand.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Fietswielsteller en/of -inmeekaarsitter.....	1 16 11	8 0 0	1 10 0	6 10 0	1 5 5	5 10 0
Passasiers-hysbediende.....						
Telefonis.....						
Assistent-versendingsklerk.....						
Opsigter (behalwe 'n nagwag).....						
Monsterbediende.....						
Werknemers nie elders bepaal nie.....						

Verpakker en werknemer wat goedere vir voorraad weeg—

Die minimum weeklikse loon wat deur 'n werkgewer aan 'n verpakker en 'n werknemer wat goedere vir voorraad weeg, betaal moet word, mag nie minder wees nie as die weeklikse loon voorgeskryf vir 'n arbeider in die gebied waarin sodanige verpakker en/of werknemer wat goedere vir voorraad weeg in diens is plus 15 persent.

	Of the age of 18 years and over.		Under the age of 18 years.	
	Per Week.	Per Month.	Per Week.	Per Month.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Labourer and night-watchman—				
In the municipal areas of Capetown and Port Elizabeth.....	—	—	1 2 6	4 17 6
For a period of one year from the date of coming into operation of this determination	1 7 8	6 0 0	—	—
Thereafter.....	1 10 0	6 10 0	—	—
In the municipal area of Johannesburg (including the areas formerly under the jurisdiction of the Craighall Health Committee and the Greymont Village Council respectively).....	1 7 8	6 0 0	1 1 0	4 11 0
In the municipal areas of East London, Krugersdorp, Randfontein, Germiston, Roodepoort-Maraisburg, Boksburg, Benoni, Brakpan, Springs, Nigel and Pretoria.....	—	—	0 18 6	4 0 2
For the period of one year from the date of coming into operation of this determination.....	1 2 0	4 15 4	—	—
Thereafter.....	1 5 0	5 8 4	—	—
In the municipal areas of Hercules, Walmer, Cambridge, Goodwood (formerly known as the Village Management Board area of Goodwood), Simonstown and Parow (formerly known as the Village Management Board area of Glenlily, Fairfield and Parow, but excluding that portion of the present municipal area of Parow not previously within the Village Management Board areas of Glenlily, Fairfield and Parow), and the areas falling under the jurisdiction of the Alberton and Elsburg Health Committees, and the Village Management Board areas of Fish Hoek and Bellville.....	—	—	0 18 0	3 18 0
For the period of one year from the date of coming into operation of this determination.....	1 1 0	4 11 0	—	—
Thereafter.....	1 4 0	5 4 0	—	—
In the municipal areas of Bloemfontein and Durban.....	—	—	0 15 0	3 5 0
For a period of one year from the date of coming into operation of this determination	1 0 0	4 6 8	—	—
Thereafter.....	1 2 0	4 15 4	—	—
In the municipal areas of Pietermaritzburg, Uitenhage and the local administration and Health Board areas of Westville, Malvern and Pinetown.....	—	—	0 12 6	2 14 2
For a period of one year from the date of coming into operation of this determination	0 18 0	3 18 0	—	—
Thereafter.....	1 0 0	4 6 8	—	—

	18 jaar en ouer.		Onder 18 jaar oud.	
	Per week.	Per maand.	Per week.	Per maand.
	£ s. d.	£ s. d.	£ s. d.	£ s. d.
Arbeider en nagwag—				
In die munisipale gebiede Kaapstad en Port Elizabeth.....	—	—	1 2 6	4 17 6
Vir 'n tydperk van een jaar vanaf die datum waarop hierdie vasstelling van krag word	1 7 8	6 0 0	—	—
Daarna.....	1 10 0	6 10 0	—	—
In die munisipale gebied Johannesburg (met inbegrip van die gebiede wat voorheen onderskeidelik in die regsgebied van die Craighall-gesondheidskomitee en die Greymont-dorpsraad geval het).....	1 7 8	6 0 0	1 1 0	4 11 0
In die munisipale gebiede Oos-Londen, Krugersdorp, Randfontein, Germiston, Roodepoort-Maraisburg, Boksburg, Benoni, Brakpan, Springs, Nigel en Pretoria.....	—	—	0 18 6	4 0 2
Vir die tydperk van een jaar vanaf die datum waarop hierdie vasstelling van krag word	1 2 0	4 15 4	—	—
Daarna.....	1 5 0	5 8 4	—	—
In die munisipale gebiede Hercules, Walmer, Cambridge, Goodwood (voorheen bekend as die dorpsbestuur-raadsgebied Goodwood), Simonstad en Parow (voorheen bekend as die dorpsbestuur raadsgebiede Glenlily, Fairfield en Parow, waarby die gedeelte van die teenswoordige munisipale gebied Parow wat nie voorheen binne die dorpsbestuur-raadsgebied Glenlily, Fairfield en Parow geval het nie, uitgesluit is), en die gebiede wat in die regsgebied van die Gesondheidskomitee van Alberton en Elsburg val, en die dorpsbestuur-raadsgebiede Vishoek en Bellville.....	—	—	0 18 0	3 18 0
Vir die tydperk van een jaar vanaf die datum waarop hierdie vasstelling van krag word	1 1 0	4 11 0	—	—
Daarna.....	1 4 0	5 4 0	—	—
In die munisipale gebiede Bloemfontein en Durban.....	—	—	0 15 0	3 5 0
Vir 'n tydperk van een jaar vanaf die datum waarop hierdie vasstelling van krag word	1 0 0	4 6 8	—	—
Daarna.....	1 2 0	4 15 4	—	—
In die munisipale gebiede Pietermaritzburg, Uitenhage, en die plaaslike administrasie en gesondheidsraadsgebiede Westville, Malvern en Pinetown.....	—	—	0 12 6	2 14 2
Vir 'n tydperk van een jaar vanaf die datum waarop hierdie vasstelling van krag word	0 18 0	3 18 0	—	—
Daarna.....	1 0 0	4 6 8	—	—

Driver of animal drawn vehicle—

The remuneration payable to an employee wholly or mainly engaged in driving an animal drawn vehicle shall be not less than the remuneration prescribed for a labourer for the area in which he is employed, plus an amount of not less than one shilling and twopence per week if he is a weekly employee, or five shillings per month if he is a monthly employee.

Bestuurder van voertuig deur diere getrek—

Die loon betaalbaar aan 'n werknemer uitsluitlik of hoofsaaklik in diens in die bestuur van 'n voertuig deur diere getrek, is minstens die loon voorgeskryf vir 'n arbeider vir die gebied waar hy in diens is, plus 'n bedrag van minstens een sjeling en twee pennies per week as hy 'n weeklikse werknemer is, of vyf sjelings per maand as hy 'n maandelikse werknemer is.

(2) *Casual Employees.*—The minimum rates at which remuneration shall be paid by an employer to a casual employee for each day or part of a day of employment shall be as follows:—

- (a) In the case of all those employees for whom a rising scale of remuneration is prescribed in sub-clause (1), one-fifth of the highest weekly remuneration prescribed for an employee performing the same class of work as the casual employee is required to perform, in the area in which he is employed.
- (b) In the case of all other employees one-fifth of the weekly remuneration prescribed for an employee performing the same class of work as the casual employee is required to perform in the area in which he is employed.

(3) *Basis of Contract.*—Every employee shall be deemed to be a weekly employee unless he falls within the definition of a "casual employee" and shall be paid not less than the full weekly remuneration prescribed in sub-clause (1) for an employee of his class, subject to the provisions of clause 4 (6), whether he has worked full time or less, and be subject to the other conditions (in so far as they may be applicable) prescribed for such employee.

(4) *Bicycle Allowance.*—An employee who is required to provide his own bicycle for use in his work shall be paid not less than one shilling and sixpence per week in addition to the remuneration prescribed in sub-clause (1) for an employee of his class.

(5) *Transport and/or Subsistence Allowance.*—In addition to the remuneration prescribed in sub-clause (1)—

- (a) a traveller shall be paid all reasonable transport and/or subsistence expenses incurred by him in the performance of his duties; and
- (b) a sample-boy shall be paid a subsistence allowance of not less than one shilling in respect of every night spent away from the traveller's headquarters during any journey.

(6) *Remuneration during Sickness.*—An employee who has completed three months' employment with the same employer and who is absent from work through sickness, or accident not caused by the employee's own neglect or misconduct, shall be paid not less than the weekly remuneration which the employee was receiving immediately prior to the date on which he became sick divided by six for each day of such absence not exceeding twelve working days in the aggregate in any one year of employment, calculated from the date of coming into operation of this determination or from the date on which the employee entered his employer's service whichever is the later:

Provided that an employer may—

- (a) require his employee to produce a medical certificate in respect of any absence in excess of three days, in proof of such sickness or accident;
- (b) deduct the amount of any compensation payable under the provisions of the Workmen's Compensation Act, 1934, in respect of such sickness or accident;
- (c) deduct any amount paid for medical and/or hospital treatment under the provisions of any Masters' and Servants' Law arising out of such sickness or accident.

(7) *Leave Remuneration.*—The remuneration due to an employee in terms of clause 6 (1) shall be paid before the date of the commencement of such annual leave: Provided that if an employer requires an employee to take leave before the completion of the year of employment to which it relates leave remuneration shall become due and be paid before the commencement of such period of leave.

(8) *Differential Rates.*—Notwithstanding the remuneration prescribed for different classes of employees in sub-clause (1), an employee, other than a casual employee, who on any day is required or permitted, for longer than one hour, to perform the work of one or more employees for whom a higher rate or higher rates of remuneration are prescribed in this clause shall, in respect of the whole of such day, be paid at the higher or highest of such rates.

(9) *Calculation of Daily Remuneration.*—For the purposes of sub-clause (8) the remuneration payable in respect of any one day shall be not less than one-sixth of the weekly remuneration prescribed in sub-clause (1) for the particular class of work performed.

(10) *Incremental Date.*—Increments due to an employee in terms of sub-clause (1) shall be calculated from the first or fifteenth day of the month next succeeding the date on which the employee commenced his contract of employment.

(11) *Calculation of Monthly Remuneration.*—Whenever it is necessary to calculate the weekly equivalent of the remuneration payable to a monthly employee the amount due shall be ascertained by dividing the monthly remuneration by four and one third.

4. PAYMENT OF REMUNERATION.

(1) *Employees other than Casual Employees.*—Remuneration shall become due and be paid in cash either weekly or monthly, during working hours, on the usual pay day of the establishment.

(2) *Los werkers.*—Die minimum loon waarteen 'n werkgewer 'n los werker mag betaal vir elke dag of deel van 'n dag diens moet as volg wees:—

- (a) in geval van al die werknemers vir wie 'n stygende loon voorgeskryf is in subklousule (1), een-vyftede van die hoogste weeklikse loon voorgeskryf vir 'n werknemer wat dieselfde soort werk verrig as wat die los werker vereis word om te verrig in die gebied waar hy in diens is;
- (b) in geval van alle ander werknemers een-vyftede van die weeklikse loon voorgeskryf vir 'n werknemer wat dieselfde soort werk verrig as wat die los werker vereis word om te verrig in die gebied waar hy in diens is.

(3) *Kontrakbasis.*—Elke werknemer word beskou as 'n weeklikse werknemer tensy hy binne die woordbepaling van 'n „loswerker" val en moet minstens die volle weeklikse loon voorgeskryf in subklousule (1) vir 'n werknemer van sy soort ontvang, onderworpe aan die bepalings van klousule 4 (6), of hy voltyd gewerk het of minder, en is onderworpe aan die ander voorwaardes (in sover hulle van toepassing is), voorgeskryf vir sodanige werknemer.

(4) *Fietstoelae.*—'n Werknemer wat vereis word om sy eie fiets vir gebruik in sy werk te verskaf, moet minstens een sjieling en ses pennies per week betaal word behalwe die loon voorgeskryf in subklousule (1) vir 'n werknemer van sy soort.

(5) *Vervoer en/of onderhoudstoelae.*—Behalwe die loon voorgeskryf in subklousule (1) moet—

- (a) 'n handelsreisiger alle redelike vervoer- en/of onderhoudskoste deur hom aangegaan in die volvoering van sy pligte betaal word; en
- (b) 'n monsterbediende 'n onderhoudstoelae van minstens een sjieling betaal word betreffende elke nag deurgebring weg van die handelsreisiger se hoofkwartiere gedurende enige reis.

(6) *Besoldiging tydens siekte.*—'n Werknemer wat drie maande diens by dieselfde werkgewer voltooi het en wat van sy werk afwesig is weens siekte of ongeluk wat nie deur die werknemer se eie nalatigheid of wangedrag veroorsaak is nie, moet minstens die weeklikse loon wat die werknemer ontvang het onmiddellik voor die datum waarop hy siek geword het, gedeel deur ses, betaal word vir elke dag van sodanige afwesigheid van nie meer as twaalf werksdae in die geheel in enige diensjaar nie, bereken vanaf die datum waarop hierdie vasstelling in werking tree of vanaf die datum waarop die werknemer by sy werkgewer in diens getree het, na gelang watter die laaste is.

Met dien verstande dat 'n werkgewer:—

- (a) van sy werknemer kan vereis om 'n mediese sertifikaat betreffende enige afwesigheid van meer as drie dae te vertoon, ter bewys van sodanige siekte of ongeluk;
- (b) die bedrag van enige skadeloosstelling betaalbaar ingevolge die Werksmense Skadeloosstelling Wet, 1934, betreffende sodanige siekte of ongeluk kan aftrek;
- (c) enige bedrag betaal vir mediese en/of hospitaalbehandeling ingevolge die bepalings van enige Here en Diensbodes Wet wat uit sodanige siekte of ongeluk voortvloei, kan aftrek.

(7) *Verlofbesoldiging.*—Die loon verskuldig aan 'n werknemer ingevolge klousule 6 (1) moet betaal word voor die aanvangsdatum van sodanige jaarlikse verlof. Met dien verstande dat as 'n werkgewer van 'n werknemer verlang om verlof te neem voor die eiende van die betrokke diensjaar, verlofbesoldiging verskuldig is en betaal moet word voor die aanvang van sodanige verloftydperk.

(8) *Verskillende Lone.*—Ondanks die besoldiging vir verskillende groepe werknemers in subklousule (1) voorgeskryf, moet 'n werknemer, behalwe 'n los werker wat op enige dag verlang of toegelaat word om vir langer as een uur die werk van een of meer werknemers te verrig vir wie 'n hoër loon of lone in hierdie klousule voorgeskryf is, ten opsigte van eersgenoemde werknemer vir die hele sodanige dag, teen die hoogste sodanige loon betaal word.

(9) *Berekening van daelike besoldiging.*—Vir die toepassing van subklousule (8) is die loon betaalbaar betreffende enige dag minstens een-sesde van die weeklikse loon voorgeskryf in subklousule (1) vir die besondere soort werk wat verrig is.

(10) *Datum van verhoging.*—Verhogings verskuldig aan 'n werknemer ingevolge subklousule (1) moet bereken word vanaf die eerste of vyftiende dag van die maand wat volg op die datum waarop die werknemer se dienskontrak begin het.

(11) *Berekening van maandelikse besoldiging.*—As dit nodig is om die weeklikse ekwivalent van die besoldiging aan 'n maandelikse werknemer betaalbaar, te bereken, moet die verskuldigde bedrag vasgestel word deur die maandelikse besoldiging deur vier-en-een-derde te deel.

4. BETALING VAN BESOLDIGING.

(1) *Werknemers behalwe los werkers.*—Lone is betaalbaar en moet of weekliks of maandeliks gedurende werkure op die gewone betaaldag van die inrigting kontant betaal word.

(2) *Casual Employees.*—A casual employee shall be paid his remuneration on termination of his contract of employment.

(3) *Premiums.*—No payment shall be made to or accepted by an employer, either directly or indirectly, in respect of the employment or training of any employee.

(4) *Purchase of Goods.*—An employer shall not require his employee to purchase any goods from him or from any shop or person nominated by him.

(5) *Board and Lodging.*—Subject to the provisions of the Natives (Urban Areas) Act, 1923, an employer shall not require his employee to board and/or lodge with him or at any place nominated by him.

(6) *Fines and Deductions.*—An employer shall not levy any fines against his employee nor shall he make any deductions from his employee's remuneration, other than the following:—

- (a) With the written consent of his employee deductions for holiday, sick, insurance provident and/or pension funds or trade union subscriptions;
- (b) subject to the provisions of clause 3 (6), when an employee absents himself from work, a deduction proportionate to the period of such absence;
- (c) a deduction of any amount which an employer by any law or any order of any competent court is required or permitted to make;
- (d) subject to the provisions of sub-clause (4), with the written consent of his employee a deduction of any amount due to an employer for goods purchased from him by his employee;
- (e) a deduction of any cash advanced by an employer to his employee;
- (f) a deduction of any amount referred to in the provisos (b) and (c) to clause 3 (6);
- (g) when an employee has agreed to accept board and/or lodging from his employer, a deduction not exceeding the amounts specified hereunder:—

- (i) Caretakers, sample-boys, bicycle wheel truers and/or assemblers, packers, labourers and drivers of animal drawn vehicles, assistant despatch clerks and employees engaged in weighing up for stock, passenger lift attendants and telephone operators—

Per Week. Per Month.

	£ s. d.	£ s. d.
Board	0 3 0	0 13 0
Lodging	0 2 0	0 8 8
Board and lodging	0 5 0	1 1 8

- (ii) All other employees—
- | | | |
|--------------------------|---------|--------|
| Board | 0 12 11 | 2 16 0 |
| Lodging | 0 4 7 | 1 0 0 |
| Board and lodging | 0 17 6 | 3 16 0 |

5. HOURS OF WORK, ORDINARY AND OVERTIME AND PAYMENT FOR OVERTIME.

(1) *Ordinary Hours of Work.*—The ordinary hours of work of an employee, excluding meal hours, shall not exceed in the case of—

- (a) employees other than those wholly or mainly engaged in the despatch, delivery or receipt of goods and labourers—
 - (i) forty-six hours in any week of six working days;
 - (ii) eight and one-sixth hours per day on five days in the week;
 - (iii) five and one-sixth hours on the day observed as a weekly half-holiday;
- (b) employees wholly or mainly engaged in the despatch or receipt of goods, labourers [other than those referred to in paragraph (c)] and employees wholly or mainly engaged in supervising the work of such employees—
 - (i) forty-eight hours in any week of six working days;
 - (ii) eight and a half hours per day on five days in the week;
 - (iii) five and a half hours on the day observed as a weekly half-holiday;
- (c) employees wholly or mainly engaged in the delivery of goods and employees engaged in cleaning premises—
 - (i) fifty-two hours in any week of six working days;
 - (ii) nine and one-sixth hours per day on five days in the week;
 - (iii) six and one-sixth hours on the other day of the week;

Provided that—

- (1) where an employee is required to attend to a customer after the completion of the ordinary hours of work referred to in sub-paragraphs (ii) and (iii) of paragraph (a), the said ordinary hours of work may be exceeded in respect of that employee by not more than fifteen minutes on any one day and such excess shall not be reckoned as time worked;

(2) *Los werkers.*—'n Los werker moet sy loon betaal word by beëindiging van sy dienskontrak.

(3) *Onderriggelde.*—Geen betaling mag regstreeks of onregstreeks aan 'n werkgever geskied of deur hom ontvang word, betreffende die indiensneming of opleiding van enige werknemer nie.

(4) *Aankoop van goedere.*—'n Werkgever mag nie van sy werknemer vereis om enige goedere van hom te koop of van enige winkel of persoon deur hom benoem nie.

(5) *Kos en inwoning.*—Onderworpe aan die bepalinge van die Naturellen (Stadsgebieden) Wet, 1923, mag 'n werkgever nie van sy werknemer vereis om by hom te eet en/of in te woon of by enige plek deur hom benoem nie.

(6) *Boetes en aftrekkings.*—'n Werkgever mag geen boetes van sy werknemer hef of enige bedrae van sy werknemer se loon aftrek behalwe onderstaande nie.—

- (a) met die skriftelike toestemming van sy werknemer aftrekkings vir vakansie-, siekte-, versekerings-, voorsorg- en/of pensioenfondse of ledesgede vir vakverenigings;
- (b) onderworpe aan die bepalinge van klousule 3 (6), as 'n werknemer van sy werk wegbly 'n aftrekking in verhouding met die tydperk van sodanige afwesigheid;
- (c) 'n aftrekking van enige bedrag wat 'n werkgever vereis of toegelaat word om te maak kragtens enige wet of enige bevel van enige bevoegde hof;
- (d) onderworpe aan die bepalinge van subklousule (4), met die skriftelike toestemming van sy werknemer 'n aftrekking van enige bedrag verskuldig aan 'n werkgever vir goedere deur sy werknemer van hom gekoop;
- (e) 'n aftrekking van enige kontantgeld deur 'n werkgever aan sy werknemer voorgeskiet;
- (f) 'n aftrekking van enige bedrag waarna in die voorbehoudsbepalinge (b) en (c) by klousule 3 (6) verwys is;
- (g) as 'n werknemer ingestem het om kos en/of inwoning van sy werkgever aan te neem, 'n aftrekking van hoogstens die bedrae hieronder bepaal:

- (i) Opsigtors, monsterbediendes, fietswielstellers en/of inmekearsitters, verpakkers, arbeiders en bestuurders van voertuie deur diere getrek, assistent-versendingsklerke en werknemers werksaam in die opweeg vir voorraad, passasiers-hysbediendes en telefoniste—

	Per week.	Per maand.
	£ s. d.	£ s. d.
Kos	0 3 0	0 13 0
Inwoning	0 2 0	0 8 8
Kos en inwoning	0 5 0	1 8 8
(ii) Alle ander werknemers—		
Kos	0 12 11	2 16 0
Inwoning	0 4 7	1 0 0
Kos en inwoning	0 17 6	3 16 0

5. WERKURE, GEWONE EN OORTYD EN BETALING VIR OORTYD.

(1) *Gewone werkure.*—Die gewone werkure van 'n werknemer, behalwe etenstye mag in geval van—

- (a) werknemers, behalwe dié wat uitsluitlik of hoofsaaklik werksaam is in die versending, aflewering of ontvangs van goedere, en arbeiders nie meer wees as—
 - (i) ses-en-veertig uur in enige week van ses werkdade nie;
 - (ii) ag-en-een-sesde uur per dag op vyf dae per week nie;
 - (iii) vyf-en-een-sesde uur op die weeklikse halfdag nie;
- (b) werknemers uitsluitlik of hoofsaaklik in diens in die versending of ontvangs van goedere, arbeiders [behalwe dié waarna in paragraaf (c) verwys is] en werknemers uitsluitlik of hoofsaaklik in diens in die toesighou oor die werk van sodanige werknemers nie meer wees as—
 - (i) ag-en-veertig uur gedurende enige week van ses werkdade nie;
 - (ii) ag-en-'n-halfuur per dag op vyf dae per week nie;
 - (iii) vyf-en-'n-halfuur op die weeklikse halfdag nie;
- (c) werknemers uitsluitlik of hoofsaaklik werksaam in die aflewering van goedere en werknemers werksaam in die skoonmaak van persele nie meer wees as—
 - (i) twee-en-veertig uur in enige week van ses werkdade nie;
 - (ii) nege-en-een-sesde uur per dag op vyf dae per week nie;
 - (iii) ses-en-een-sesde uur op die ander dag van die week nie.

Met dien verstande dat—

- (1) waar van 'n werknemer vereis word om 'n klant te bedien na voltooiing van die gewone werkure waarna in subparagrafe (ii) en (iii) van paragraaf (a) verwys word, kan genoemde gewone werkure te bowe gegaan word betreffende daardie werknemer deur hoogstens vyftien minute op enige dag en sodanige oormaat mag nie as tyd gewerk gereken word nie;

- (2) within the municipal areas of Capetown; Durban, Pietermaritzburg and Port Elizabeth, the daily hours prescribed in sub-paragraph (ii) of paragraph (a) and sub-paragraph (ii) of paragraph (b) may be exceeded by one and a half hours on the late closing day if by such extension the limitation referred to in sub-paragraph (i) of paragraph (a) or sub-paragraph (i) of paragraph (b), as the case may be, is not exceeded;
- (3) subject to the fourth proviso an employer shall not employ an employee for more than five hours continuously without an interval of at least one hour on any day, other than the day observed as a weekly half-holiday, or, in the areas referred to in the second proviso, during the afternoon of the late closing day;
- (4) on any day when overtime is worked the period of one hour referred to in the third proviso may be reduced to thirty minutes if the employee agrees to such reduction.

For the purpose of the third proviso to this sub-clause and subject to the provisions of the fourth proviso to this sub-clause and of sub-clause (2) an employee who is employed during two or more periods of work broken by intervals of less than one hour, the said periods of work totalling in the aggregate more than five hours, shall be deemed to have been employed for more than five hours continuously.

(2) *Rest Intervals.*—An employer shall grant to each employee, other than a traveller, sample-boy, or an employee engaged in the delivery of goods—

- (a) a rest interval of not less than ten minutes at as nearly as practicable the middle of each morning and afternoon work period, and such interval shall, for the purpose of calculating remuneration, be reckoned as part of the ordinary working hours;
- (b) in the areas referred to in the second proviso to sub-clause (1), during the afternoon work period of the late closing day a rest interval of not less than thirty minutes, to those employees who remain at work on such day later than the usual closing time on the other days of the week, instead of the afternoon interval referred to in paragraph (a) and such interval shall not be reckoned as time worked.

(3) *Hours of Work to be Consecutive.*—Subject to the third proviso to sub-clause (1) and to the provisions of sub-clause (2) all hours of work shall be consecutive.

(4) *Overtime.*—Subject to the first and second provisos to sub-clause (1), all hours worked in excess of the ordinary hours prescribed in paragraphs (a) and (b) of sub-clause (1) shall be deemed to be overtime.

(5) *Limitation of Overtime.*—An employer shall not require or permit an employee to work overtime for more than, in the case of—

- (a) employees other than those wholly or mainly engaged in the despatch, delivery or receipt of goods—
 - (i) thirty hours in any year;
 - (ii) two hours in any day;

Provided that for the purposes of stocktaking the daily limitation referred to in sub-paragraph (ii) may be exceeded by not more than two hours on not more than two days in any one week;

- (b) employees wholly or mainly engaged in the despatch or receipt of goods and employees engaged in supervising the work of such employees, two hours in any one day;
- (c) employees wholly or mainly engaged in the delivery of goods, six hours in any week and three hours in any day.

Provided that during the period 1st to 24th December inclusive—

- (i) the limitation of overtime referred to in sub-paragraph (i) of paragraph (a) may be extended by not more than fifteen hours if by such extension the daily limitation referred to in sub-paragraph (ii) of paragraph (a) be not exceeded;
- (ii) the limitations of overtime hours referred to in paragraphs (b) and (c) may be extended by not more than one hour in any day on not more than fifteen days.

(6) *Payment for Overtime.*—(a) An employee, other than a casual employee, dressmaker, milliner, invisible mender, labourer and an employee wholly or mainly engaged in the despatch, delivery or receipt of goods, shall be paid not less than one and a quarter times the weekly remuneration prescribed for an employee of his class in clause 3 divided by forty-six for each hour, or part thereof, of overtime in excess of thirty hours in any year.

(b) An employee wholly or mainly engaged in the despatch, delivery or receipt of goods and a labourer shall be paid not less than one and a quarter times the weekly remuneration prescribed for an employee of his class in clause 3 divided by forty-eight for each hour, or part thereof, of overtime.

- (2) binne die munisipale gebiede Kaapstad, Durban, Pietermaritzburg en Port Elizabeth die daelike ure voorgeskryf in subparagraaf (ii) van paragraaf (a) en subparagraaf (ii) van paragraaf (b) te bowe gegaan mag word deur anderhalfuur op die dag waarop laat toegemaak word as by sodanige verlenging die beperking waarna in subparagraaf (i) van paragraaf (a) of subparagraaf (i) van paragraaf (b), na gelang van die geval, nie te bowe gegaan word nie;
- (3) onderworpe aan die vierde voorbehoudsbepaling 'n werkgewer nie 'n werknemer vir langer as vyf uur aan een mag laat werk sonder 'n tussenpose van minstens een uur enige dag behalwe die weeklikse halfdag of, in die gebiede waarna in die tweede voorbehoudsbepaling verwys word, gedurende die namiddag van die dag waarop laat toegemaak word nie;
- (4) enige dag wanneer oortyd gewerk word, die tydperk van een uur waarna in die derde voorbehoudsbepaling verwys word, na dertig minute verminder kan word as die werknemer met sodanige vermindering saamstem.

Vir die toepassing van die derde voorbehoudsbepaling by hierdie subklousule en onderworpe aan die bepaling van die vierde voorbehoudsbepaling van hierdie subklousule en van subklousule (2) word beskou dat 'n werknemer wat gedurende twee of meer werktydperke onderbreek deur tussenposes van minder as een uur in diens is, en genoemde werktydperke in die geheel meer as vyf uur beloop, vir meer as vyf uur aan een in diens was.

(2) *Rusttye.*—'n Werkgewer moet elke werknemer behalwe 'n handelsreisiger, monsterbediende of 'n werknemer werksaam in die aflewering van goedere 'n rustyd toestaan—

- (a) van minstens tien minute so na as moontlik aan die middel van elke more- en namiddagwerktydperk en sodanige pouse moet vir die berekening van loon as deel van die gewone werkure gereken word;
- (b) van minstens dertig minute in die gebiede waarna in die tweede voorbehoudsbepaling by subklousule (1) verwys is, gedurende die namiddagwerktydperk van die dag waarop laat toegemaak word, aan dié werknemers wat op sodanige dag later as die gewone toemaaktyd op die ander dae van die week by hul werk bly, in plaas van die namiddagpouse waarna in paragraaf (a) verwys word en sodanige pouse mag nie as tyd gewerk, gereken word nie.

(3) *Werkure moet opeenvolgend wees.*—Onderworpe aan die derde voorbehoudsbepaling by subklousule (1) en aan die bepaling van subklousule (2) moet alle werkure opeenvolgend wees.

(4) *Oortyd.*—Onderworpe aan die eerste en tweede voorbehoudsbepaling by subklousule (1) moet alle ure gewerk behalwe die gewone ure voorgeskryf in paragrafe (a) en (b) van subklousule (1) as oortyd beskou word.

(5) *Beperking van oortyd.*—'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om oortyd te werk in geval van—

- (a) werknemers behalwe dié wat uitsluitlik of hoofsaaklik werksaam is in die versending, aflewering of ontvangs van goedere—
 - (i) vir meer as dertig uur enige jaar nie;
 - (ii) vir meer as twee uur enige dag nie;
- (b) werknemers wat uitsluitlik of hoofsaaklik werksaam is by die versending of ontvangs van goedere en werknemers wat toesig hou oor die werk van sodanige werknemers, vir meer as twee uur enige dag nie;
- (c) werknemers wat uitsluitlik of hoofsaaklik werksaam is by die aflewering van goedere, vir meer as ses uur enige week en drie uur enige dag nie.

Met dien verstande dat gedurende die tydperk 1 tot en met 24 Desember—

- (i) die beperking van oortyd waarna in subparagraaf (i) van paragraaf (a) verwys word, verleng mag word deur nie meer as vyftien uur nie as by sodanige verlenging die daelike beperking waarna verwys word in subparagraaf (ii) van paragraaf (a) nie te bowe gegaan word nie;
- (ii) die beperking van oortydure waarna in paragrafe (b) en (c) verwys word, verleng mag word deur nie meer as een uur enige dag vir nie meer as vyftien dae nie.

(6) *Betaling vir oortyd.*—(a) 'n Werknemer behalwe 'n los werker, modemaakster, hoedemaakster, onsigbare herstelwerker, arbeider en 'n werknemer wat uitsluitlik of hoofsaaklik in diens is by die versending, aflewering of ontvangs van goedere, moet minstens een-en-n-kwartmaal die weeklike loon voorgeskryf vir 'n werknemer van sy soort in klousule (3), gedeel deur ses-en-veertig vir elke uur of deel daarvan oortyd van meer as dertig uur enige jaar betaal word.

(b) 'n Werknemer wat uitsluitlik of hoofsaaklik werksaam is in die versending, aflewering of ontvangs van goedere en 'n arbeider moet minstens een-en-n-kwartmaal die weeklike loon voorgeskryf vir 'n werknemer van sy soort in klousule 3, gedeel deur ag-en-veertig vir elke uur of deel daarvan oortyd betaal word.

(c) A dressmaker, milliner and an invisible mender shall be paid not less than one and a quarter times the weekly remuneration prescribed in clause 3 divided by forty-six for each hour, or part thereof, of overtime.

(7) *Sundays and Public Holidays.*—An employee who works on a Sunday or public holiday in or in connection with an establishment which by any law, regulation or by-law is permitted to keep open on any such day shall be paid not less than the weekly remuneration prescribed in clause 3 for an employee of his class divided by six: Provided that such employee shall be given one day off duty without pay in the week immediately succeeding the Sunday or public holiday worked.

(8) *Savings.*—(a) The provisions of this clause shall not apply to any employee who is in receipt of remuneration at the rate of £360 per annum or more, a registered chemist, traveller, sample-boy, night watchman, caretaker, door-keeper, an employee engaged in emergency work, a motor salesman or an employee engaged in the sale, installation, repair or demonstration of radios, refrigerators or other electrical appliances.

(b) The provisions of sub-clause (5) (c) shall not apply to a chemist's delivery employee (or messenger).

6. ANNUAL LEAVE AND PUBLIC HOLIDAYS.

(1) An employee shall be entitled to and be granted two consecutive weeks leave (twelve working days) after each year of employment with the same employer and shall in respect of each week thereof be paid an amount not less than the weekly remuneration which the employee was receiving immediately prior to the date upon which the employee became entitled to annual leave:

Provided that where the employer and the employee agree, such leave need not be consecutive:

Provided further that—

(a) the period of such leave shall not be concurrent with any period during which the employee is required to undergo training under the South Africa Defence Act, 1912; and

(b) if any public holiday falls within the period of such leave, such holiday shall be added to the said period as a further period of leave of absence with pay.

(2) The leave to which an employee is entitled in terms of sub-clause (1) shall be granted at a time to be fixed by the employer, provided that if such leave has not been granted earlier it shall be granted within two months of the completion of the year of employment to which it relates.

(3) In lieu of the leave referred to in sub-clause (1) a labourer may, if the employer and employee agree, be paid an amount not less than double the weekly remuneration which he was receiving immediately prior to the date upon which he became entitled to such leave.

(4) An employee whose contract of employment terminates—

(a) in the first year of employment with the same employer, after the completion of four months' employment but before the completion of such year; and

(b) in any subsequent year of employment with the same employer, before the completion of such year;

shall upon such termination be paid in respect of each completed month of employment an amount not less than the weekly remuneration which the employee was receiving immediately prior to the date of such termination divided by six.

(5) An employee who has become entitled to a period of leave in terms of sub-clause (1) and whose employment terminates before such leave has been granted shall, upon such termination be paid in respect of each week thereof an amount not less than the weekly remuneration which the employee was receiving immediately prior to the date of such termination.

(6) Subject to the provisions of clause 5 (7), in addition to the leave prescribed in sub-clause (1), an employee shall be entitled to and be granted leave on all public holidays and shall be paid in respect of each such holiday not less than one-sixth of the weekly remuneration which the employee was receiving immediately prior to the date of such public holiday.

(7) For the purposes of this clause the expression "the same employer" includes—

(a) in the case of the death of an employer, the legal representative, heir, legatee, successor or executor of the estate of that employer;

(b) in the case of insolvency, liquidation or sale of a business, the trustee, liquidator or purchaser of the business;

for the period during which such representative, heir, legatee, successor, executor, trustee, liquidator or purchaser continues to carry on the business in which the employee concerned is employed and—

(c) "employment" shall be deemed to include any period or periods during which an employee—

(i) is on leave in terms of sub-clause (1);

(ii) is required to undergo training under the South Africa Defence Act, 1912;

(iii) is absent from work on the instructions or at the request of the employer;

(iv) is absent from work owing to sickness or accident;

(c) 'n Modemaakster, hoedemaakster en 'n onsigbare herstelwerker moet minstens een-en-n-kwartmaal die weeklikse loon voorgeskryf in klousule 3, gedeel deur ses-en-veertig vir elke uur oortyd, of deel daarvan betaal word.

(7) *Sondae en openbare vakansiedae.*—'n Werknemer wat op Sondag of 'n openbare vakansiedag in of in verband met 'n inrigting werk wat by enige wet, regulasie of verordening toegelaat word om op enige sodanige dag oop te bly, moet minstens die weeklikse loon voorgeskryf in klousule 3 vir 'n werknemer van sy soort, gedeel deur ses, betaal word. Met dien verstande dat sodanige werknemer een dag sonder diens toegestaan sal word sonder betaling gedurende die week wat onmiddellik op die Sondag of openbare vakansiedag waarop gewerk is, volg.

(8) *Voorbehoud.*—(a) Die bepaling van hierdie klousule is nie van toepassing op enige werknemer wat teen £360 per jaar of meer betaal word, 'n geregistreerde apteker, handelsreisiger, monsterbediende, nagwag, opsigter, deurwag, 'n werknemer wat noodwerk verrig, 'n motorverkooper of 'n werknemer werksaam in die verkoping, installering, herstel of demonstreer van radiotoestelle, yskaste of ander elektriese toestelle nie.

(b) Die bepaling van subklousule (5) (c) is nie van toepassing op 'n apteker se afleweringswerknemer (of bode) nie.

6. JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE.

(1) 'n Werknemer is geregtig op en moet twee opeenvolgende weke verlof (twaalf werkdag) na elke diensjaar by dieselfde werkgever toegestaan word, en moet betreffende elke week daarvan 'n bedrag ontvang van minstens die weeklikse loon wat die werknemer ontvang het onmiddellik voor die datum waarop hy op jaarlikse verlof geregtig geword het: Met dien verstande dat waar die werkgever en die werknemer ooreenkom sodanige verlof nie opeenvolgend behoeft te wees nie. Verder, met dien verstande dat—

(a) die tydperk van sodanige verlof nie saamval met enige tydperk wanneer die werknemer ingevolge die Zuid-Afrika Verdedigings Wet, 1912, vereis word om opleiding te ondergaan nie, en

(b) as enige openbare vakansiedag binne die tydperk van sodanige verlof val, sodanige vakansiedag by genoemde tydperk gevoeg moet word as 'n verdere tydperk van verlof met betaling.

(2) Die verlof waarop 'n werknemer ingevolge subklousule (1) geregtig is, moet toegestaan word wanneer deur die werkgever bepaal, met dien verstande dat as sodanige verlof nie vroeër toegestaan is nie dit binne twee maande na die einde van elke betrokke diensjaar toegestaan moet word.

(3) In plaas van die verlof waarna in subklousule (1) verwys word, kan 'n arbeider, as die werkgever en werknemer ooreenstem, 'n bedrag betaal word van minstens tweemaal die weeklikse loon wat hy ontvang het onmiddellik voor die datum waarop hy op sodanige verlof geregtig geword het.

(4) 'n Werknemer wie se dienskontrak—

(a) in die eerste diensjaar by dieselfde werkgever na voltooiing van vier maande diens maar voor die einde van sodanige jaar eindig; en

(b) in enige daaropvolgende diensjaar by dieselfde werkgever voor die einde van sodanige jaar eindig;

moet by sodanige beëindiging betreffende elke volle diensmaand 'n bedrag betaal word van minstens die weeklikse loon wat die werknemer ontvang het onmiddellik voor die datum van sodanige beëindiging, gedeel deur ses.

(5) 'n Werknemer wat geregtig is op 'n tydperk van verlof ingevolge subklousule (1) en wie se diens eindig voor sodanige verlof toegestaan is, moet by sodanige beëindiging betreffende elke week daarvan 'n bedrag betaal word van minstens die weeklikse loon wat die werknemer ontvang het onmiddellik voor die datum van sodanige beëindiging.

(6) Onderworpe aan die bepaling van klousule 5 (7), is 'n werknemer, benewens die verlof voorgeskryf in subklousule (1), geregtig op verlof op alle openbare vakansiedae en moet dit hom toegestaan word en moet hy betreffende elke sodanige vakansiedag minstens een-sesse van die weeklikse loon betaal word wat die werknemer ontvang het onmiddellik voor die datum van sodanige openbare vakansiedag.

(7) Vir die toepassing van hierdie klousule is by die uitdrukking „dieselfde werkgever” inbegrepe:

(a) in geval van die afsterwe van 'n werkgever die wettige verteenwoordiger, erfgenaam, legataris, opvolger of ekskuteur van die boedel van daardie werkgever;

(b) in geval van bankrotskap, likwidasie of verkoop van 'n besigheid, die trustee, likwidator of koper van die besigheid;

vir die tydperk wat sodanige verteenwoordiger, erfgenaam, legataris, opvolger, ekskuteur, trustee, likwidator of koper voortgaan om die besigheid waarin die betrokke werknemer in diens is, voort te sit, en—

(c) dit word beskou dat by „diens” enige tydperk of tydperke inbegrepe is wanneer 'n werknemer—

(i) ingevolge subklousule (1) op verlof is;

(ii) ingevolge die Zuid Afrika Verdedigings Wet, 1912, vereis word om opleiding te ondergaan;

(iii) op bevel of op versoek van die werkgever van sy werk afwesig is;

(iv) weens siekte of ongeluk van sy werk afwesig is;

amounting in the aggregate to not more than thirty days in any year, and shall be deemed to commence—

- (I) in the case of those employees to whom leave has been granted in terms of clause 7 (1) of Determination No. 38, from the date on which such employee became entitled to such leave; and
- (II) in the case of all other employees from the date on which the employee enters the employer's service or the date of coming into operation of this Determination, whichever may be the later.

(8) Any absence or absences referred to in clause 3 (6) shall not be reckoned as annual leave.

7. PROPORTION OR RATIO.

(1) In District A, an employer shall not employ an unqualified female shop assistant or clerical employee unless he has in his employ a qualified female shop assistant or clerical employee and for each three or part of three qualified female shop assistants or clerical employees employed, not more than two unqualified female shop assistants or clerical employees may be employed.

(2) In District A, an employer shall not employ an unqualified male shop assistant or clerical employee unless he has in his employ a qualified male shop assistant or clerical employee and for each qualified male shop assistant or clerical employee employed not more than one unqualified male shop assistant or clerical employee may be employed.

(3) In Districts B and C an employer shall not employ an unqualified female shop assistant or clerical employee unless he has in his employ a qualified female shop assistant or clerical employee and for each qualified female shop assistant or clerical employee employed not more than two unqualified female shop assistants or clerical employees may be employed.

(4) In Districts B and C an employer shall not employ an unqualified male shop assistant or clerical employee unless he has in his employ a qualified male shop assistant or clerical employee and for each qualified male shop assistant or clerical employee employed not more than two unqualified male shop assistants or clerical employees may be employed.

(5) For the purposes of sub-clauses (1) to (4) inclusive shop assistants and clerical employees may be regarded as interchangeable.

(6) For the purposes of this clause—

- (i) an unqualified male shop assistant or clerical employee receiving not less than the remuneration prescribed in clause 3 (1) for a qualified male shop assistant or clerical employee may be reckoned as a qualified male shop assistant or clerical employee;
- (ii) an unqualified female shop assistant or clerical employee receiving not less than the remuneration prescribed in clause 3 (1) for a qualified female shop assistant or clerical employee may be reckoned as a qualified female shop assistant or clerical employee;
- (iii) a qualified female shop assistant or clerical employee receiving not less than the remuneration prescribed in clause 3 (1) for a qualified male shop assistant or clerical employee may be reckoned as a qualified male shop assistant or clerical employee;
- (iv) if the number of qualified male shop assistants or clerical employees employed by any employer exceeds the number of unqualified male shop assistants or clerical employees employed by him, such excess may be reckoned as qualified female shop assistants or clerical employees;
- (v) an employer who is wholly or mainly engaged in performing the work of a shop assistant or clerical employee may be deemed to be a qualified male or female shop assistant or clerical employee;
- (vi) where an employer carries on business in more than one establishment he shall not be deemed to be a qualified shop assistant or clerical employee, in terms of paragraph (v) in respect of more than one such establishment.

(7) *Dressmakers, Milliners and Invisible Menders.*—In all districts, an employer shall not employ an unqualified dressmaker, milliner or invisible mender, unless he has in his employ a qualified dressmaker, milliner or invisible mender as the case may be, and for each qualified dressmaker, milliner or invisible mender, as the case may be, employed not more than three unqualified dressmakers, milliners or invisible menders may be employed.

8. PROHIBITION OF PIECE-WORK OR TASK-WORK.

An employer shall not require or permit his employee to perform nor shall an employee perform piece-work or task-work.

wat in die geheel nie meer as dertig dae per jaar beloop nie en dit word beskou dat—

- (I) in geval van dié werknemers aan wie verlof ingevolge klousule 7 (1) van Vasstelling No. 38 toegestaan is, dit vanaf die datum waarop sodanige werknemer op sodanige verlof geregtig is, begin; en
- (II) in geval van alle ander werknemers dit vanaf die datum waarop die werknemer by die werkgever in diens tree of die datum waarop hierdie Vasstelling in werking tree, na gelang watter die laaste is, begin.

(8) Enige afwesigheid of afwesighede waarna in klousule 3 (6) verwys word, mag nie as jaarlikse verlof gereken word nie.

7. VERHOUDING.

(1) In distrik A mag 'n werkgever nie 'n ongekwalifiseerde vroulike winkelbediende of klerklike werknemer in diens neem tensy hy 'n gekwalifiseerde vroulike winkelbediende of klerklike werknemer in diens het nie en vir elke drie of gedeelte van drie gekwalifiseerde vroulike winkelbediendes of klerklike werknemers in diens, mag nie meer as twee ongekwalifiseerde vroulike winkelbediendes of klerklike werknemers in diens geneem word nie.

(2) In distrik A, mag 'n werkgever nie 'n ongekwalifiseerde manlike winkelbediende of klerklike werknemer in diens neem tensy hy 'n gekwalifiseerde manlike winkelbediende of klerklike werknemer in diens het nie en vir elke gekwalifiseerde manlike winkelbediende of klerklike werknemer in diens mag nie meer as een ongekwalifiseerde manlike winkelbediende of klerklike werknemer in diens geneem word nie.

(3) In distrikte B en C mag 'n werkgever nie 'n ongekwalifiseerde vroulike winkelbediende of klerklike werknemer in diens neem tensy hy 'n gekwalifiseerde vroulike winkelbediende of klerklike werknemer in diens het nie en vir elke gekwalifiseerde vroulike winkelbediende of klerklike werknemer in diens mag nie meer as twee ongekwalifiseerde vroulike winkelbediendes of klerklike werknemers in diens geneem word nie.

(4) In distrikte B en C mag 'n werkgever nie 'n ongekwalifiseerde manlike winkelbediende of klerklike werknemer in diens neem tensy hy 'n gekwalifiseerde manlike winkelbediende of klerklike werknemer in diens het nie en vir elke gekwalifiseerde manlike winkelbediende of klerklike werknemer in diens mag nie meer as twee ongekwalifiseerde manlike winkelbediendes of klerklike werknemers in diens geneem word nie.

(5) Vir die toepassing van subklousules (1) tot en met (4) kan winkelbediendes en klerklike werknemers mekaar vervang.

(6) Vir die toepassing van hierdie klousule kan—

- (i) 'n ongekwalifiseerde manlike winkelbediende of klerklike werknemer wat minstens die loon voorgeskryf in klousule 3 (1) vir 'n gekwalifiseerde manlike winkelbediende of klerklike werknemer ontvang as 'n gekwalifiseerde manlike winkelbediende of klerklike werknemer gereken word;
- (ii) 'n ongekwalifiseerde vroulike winkelbediende of klerklike werknemer wat minstens die loon voorgeskryf in klousule 3 (1) vir 'n gekwalifiseerde vroulike winkelbediende of klerklike werknemer ontvang as 'n gekwalifiseerde vroulike winkelbediende of klerklike werknemer gereken word;
- (iii) 'n gekwalifiseerde vroulike winkelbediende of klerklike werknemer wat minstens die loon voorgeskryf in klousule 3 (1) vir 'n gekwalifiseerde manlike winkelbediende of klerklike werknemer ontvang as 'n gekwalifiseerde manlike winkelbediende of klerklike werknemer gereken word;
- (iv) as die getal gekwalifiseerde manlike winkelbediendes of klerklike werknemers deur enige werkgever in diens geneem meer is as die getal ongekwalifiseerde manlike winkelbediendes of klerklike werknemers deur hom in diens geneem, sodanige oormaat as gekwalifiseerde vroulike winkelbediendes of klerklike werknemers gereken word;
- (v) 'n werkgever wat uitsluitlik of hoofsaaklik die werk van 'n winkelbediende of klerklike werknemer verrig beskou word as 'n gekwalifiseerde manlike of vroulike winkelbediende of klerklike werknemer;
- (vi) 'n werkgever wat besigheid in meer as een inrigting voortsit, nie beskou word as 'n gekwalifiseerde winkelbediende of klerklike werknemer ingevolge paragraaf (v) betreffende meer as een sodanige inrigting nie.

(7) *Modemaaksters, hoedemaaksters en onsigbare herstelwerkers.*—In alle distrikte mag 'n werkgever nie 'n ongekwalifiseerde modemaakster, hoedemaakster of onsigbare herstelwerker in diens neem tensy hy 'n gekwalifiseerde modemaakster, hoedemaakster of onsigbare herstelwerker, na gelang van die geval, in diens het nie en vir elke gekwalifiseerde modemaakster, hoedemaakster of onsigbare herstelwerker, na gelang van die geval, wat hy in diens het, mag nie meer as drie ongekwalifiseerde modemaaksters, hoedemaaksters of onsigbare herstelwerkers in diens geneem word nie.

8. VERBOD OF STUK- OF TAAKWERK.

'n Werkgever mag nie van sy werknemer vereis of hom toelaat om stukwerk te verrig nie, en ook mag 'n werknemer nie stuk- of taakwerk verrig nie.

9. PROHIBITION OF EMPLOYMENT OF ANY PERSON UNDER THE AGE OF FOURTEEN YEARS.

An employer shall not employ any person under the age of fourteen years

10. UNIFORMS, OVERALLS, WASHING COATS AND/OR APRONS.

An employer who requires an employee to wear a uniform, overall, washing coat and/or apron shall provide and launder or clean such garments free of charge and they shall remain the property of the employer.

11. CERTIFICATES OF SERVICE.

An employer shall upon termination of the contract of employment of any member of any class of his employees, other than a casual employee, furnish such employee with a certificate of service showing the full name of the employer and of the employee, the occupation in which he was employed, the date of commencement of the contract of employment, the date of termination of the contract of employment and the rate of remuneration at the date of such termination.

12. TERMINATION OF CONTRACT OF EMPLOYMENT.

(1) A weekly employee or his employer shall give not less than one week's notice and a monthly employee or his employer shall give not less than two weeks' notice to terminate the contract of employment: Provided that this shall not affect the right of an employee or an employer to terminate the contract of employment without notice for any cause recognised by law as sufficient; or any agreement between an employee and an employer which provides for a period of notice of equal duration on both sides and for longer than one week or two weeks as the case may be.

(2) Annual leave and notice shall not run concurrently.

(3) An employer shall provide his employee with work during the whole period of such notice or in lieu thereof shall pay such employee an amount not less than—

(a) if a weekly employee, the weekly remuneration which the employee was receiving immediately prior to the date of such notice;

(b) if a monthly employee, remuneration at the rate which the employee was receiving immediately prior to the date of such notice;

(c) if an agreement has been entered into in terms of the second proviso to sub-clause (1), the remuneration proportionate to the period of notice agreed upon.

(4) The notice referred to in sub-clause (1) shall be so given as to take effect from—

(a) in the case of a weekly employee, the usual weekly pay-day of the establishment;

(b) in the case of a monthly employee, the first or the fifteenth day of the month,

as the case may be.

13. ATTENDANCE REGISTER.

(1) Every employer shall provide in his establishment one or more attendance registers in which provision is made for the entries which an employee is, in terms of sub-clause (2), required to make: Provided that in lieu of such attendance register an employer may provide a semi-automatic time recorder with the necessary cards as nearly as practicable in the following form:—

No.....

Name.....

Week ending.....19.....

Day.	In.	Out.	In.	Out.	Total.
a.m.					
Monday.....					
p.m.					
a.m.					
Tuesday.....					
p.m.					
a.m.					
Wednesday.....					
p.m.					
a.m.					
Thursday.....					
p.m.					
a.m.					
Friday.....					
p.m.					
a.m.					
Saturday.....					
p.m.					

9. VERBOD OP INDIENSNEMING VAN ENIGE PERSOON ONDER VEERTIEN JAAR OUD.

'n Werkgever mag geen persoon onder veertien jaar oud in diens neem nie.

10. UNIFORMS, OORJASSE, WASBARE BAADJIES EN/OF VOORSKOTE.

'n Werkgever wat vereis dat 'n werknemer 'n uniform, oorjas, wasbare baadjie en/of voorskoot dra, moet sodanige kledingstukke kosteloos verskaf en laat was en stryk of skoonmaak en hulle bly die eiendom van die werkgever.

11. DIENSSERTIFIKATE.

'n Werkgever moet by beëindiging van die dienskontrak van enige lid van enige groep van sy werknemers behalwe 'n los werker sodanige werknemer van 'n dienssertifikaat voorsien waarop die volle naam van die werkgever en van die werknemer, die beroep waarin hy in diens was, die aanvangsdatum van die dienskontrak, die datum van beëindiging van die dienskontrak en die loon op datum van sodanige beëindiging aangegee is.

12. BEÏNDIGING VAN DIENSKONTRAK.

(1) 'n Weeklikse werknemer of sy werkgever moet minstens een week kennis van diensopsegging gee en 'n maandelikse werknemer of sy werkgever moet minstens twee weke kennis van diensopsegging gee om die dienskontrak te beëindig: Met dien verstande dat dit nie die reg van 'n werknemer of 'n werkgever om die dienskontrak te beëindig sonder kennisgewing om enige rede erken by wet as voldoende sal raak nie; of enige ooreenkoms tussen 'n werknemer en 'n werkgever wat voorsien vir 'n tydperk van kennisgewing van gelyke duur aan albei kante en vir langer as een week of twee weke na gelang van die geval.

(2) Jaarlikse verlof en kennisgewing van diensopsegging mag nie saamval nie.

(3) 'n Werkgever moet aan sy werknemer werk verskaf gedurende die hele tydperk van sodanige kennisgewing of moet in plaas daarvan aan sodanige werknemer 'n bedrag van minstens—

(a) die weeklikse loon wat die werknemer ontvang het onmiddellik voor die datum van sodanige kennisgewing betaal indien 'n weeklikse werknemer;

(b) die loon betaal wat die werknemer ontvang het onmiddellik voor die datum van sodanige kennisgewing indien 'n maandelikse werknemer;

(c) die loon betaal in verhouding met die tydperk van kennisgewing waartoe ooreengekom is as 'n ooreenkoms ingevolge die tweede voorbehoudsbepaling by subklousule (1) aangegaan is.

(4) Die kennis waarna in subklousule (1) verwys word, moet so gegee word dat dit van krag word—

(a) in geval van 'n weeklikse werknemer vanaf die gewone weeklikse betaaldag van die inrigting;

(b) in geval van 'n maandelikse werknemer vanaf die eerste of vyftiende dag van die maand, na gelang van die geval.

13. BYWONINGSREGISTER.

(1) Elke werkgever moet in sy inrigting een of meer bywoningsregisters verskaf waarin voorsiening gemaak is vir die inskrywings wat 'n werknemer ingevolge subklousule (2) vereis word om te maak. Met dien verstande dat 'n werkgever in plaas van sodanige bywoningsregister 'n half-automatiese tydsregistrasietoestel kan voorsien met die nodige kaarte so na as moontlik aan onderstaande vorm:—

No.....

Naam.....

Week eindigende..... 19.....

Dag.	In.	Uit.	In.	Uit.	Totaal.
v.m.					
Maandag.....					
n.m.					
v.m.					
Dinsdag.....					
n.m.					
v.m.					
Woensdag.....					
n.m.					
v.m.					
Donderdag.....					
n.m.					
v.m.					
Vrydag.....					
n.m.					
v.m.					
Saterdag.....					
n.m.					

(2) Unless precluded from doing so by sickness or other unavoidable cause, every shop assistant or clerical employee who is in receipt of remuneration of less than £360 per annum shall day by day and in respect of each day make the following entries in the register referred to in sub-clause (1):—

- (a) Signature of employee;
- (b) time of commencing work;
- (c) time of finishing work;
- (d) time of commencement and termination of each meal interval off work;
- (e) time of starting and finishing any overtime worked;
- (f) total number of hours worked each day:

Provided that in an establishment in which a semi-automatic time recorder is provided every shop assistant or clerical employee who is in receipt of remuneration of less than £360 per annum, unless precluded from doing so by sickness or other unavoidable cause, shall day by day and in respect of each day, by means of the semi-automatic time recorder, make such entries as are prescribed in the proviso to sub-clause (1).

(3) Every employer shall retain the completed attendance registers or semi-automatic time recorder cards for a period of three years subsequent to the date of the completion thereof.

14. Log Book.

(1) Every employer shall provide each driver of a delivery van or motor vehicle used for the conveyance of goods in his employ with a log book as nearly as practicable in the following form:—

Daily Log.

Name of Employer.....
Name of driver.....
Time of starting worka.m./p.m.....a.m./p.m.
Time of finishing worka.m./p.m.....a.m./p.m.
Number of hours worked.....
Meal hours froma.m./p.m. toa.m./p.m.
Rest intervals froma.m./p.m. toa.m./p.m.
Particulars of accidents and/or delays.....
.....
.....

(Signature of Driver.)

Date.....19.....

(2) Every driver of a delivery van or motor vehicle used for the conveyance of goods upon being provided with the log book referred to in sub-clause (1) shall keep the said daily log in duplicate, as nearly as practicable in the form prescribed, in respect of each day's work, and shall within twenty-four hours of the completion of the day's work to which it relates deliver a duplicate completed copy thereof to his employer.

(3) Every employer shall retain the duplicate completed copy of the daily log, which in terms of sub-clause (2) has been delivered to him, for a period of three years subsequent to the occurrence of that event.

* No. 2080.]

[22 December 1939.

WAGE ACT, 1937.

OCCUPATION OF MOTOR TRANSPORT DRIVING (DURBAN).

I, WALTER BAYLEY MADELEY, Minister of Labour, hereby, in terms of section *seventeen* of the Wage Act, 1937 (Act No. 44 of 1937), cancel as from the 1st January, 1940, the provisions of Determination 59, published under Government Notice No. 975 in the *Gazette* of the 17th June, 1938, in so far as they apply to persons engaged in that section of the Commercial Distributive Trade carried on by the holder of a bottle liquor licence issued under the Liquor Act, 1928, or any amendment thereof, and by every person who is required to take out one or more of the following trading licences as provided in Part I of the Second Schedule to the Licences Consolidation Act, 1925:—

- Item 10: Fresh Produce Dealer;
- Item 11: General Dealer;

in the Magisterial District of Durban.

WALTER B. MADELEY,
Minister of Labour.

(C. 1069/118.)

N.B.—The effect of this notice is to exclude from the provisions of Determination No. 59 motor vehicle drivers employed by bottle store keepers, fresh produce dealers, and general dealers. The wages and conditions of employment of such drivers will in future be governed by the provisions of Determination No. 70 published under Government Notice No. 2079 of 22nd December, 1939.

(2) Tensy deur siekte of ander onvermydelike oorsaak verhoed om dit te doen, moet elke winkelbediende of klerklike werknemer wat minder as £360 per jaar ontvang, dag vir dag en betreffende elke dag onderstaande inskrywings in die register waarna in subklousule (1) verwys word, aanbring:—

- (a) handtekening van werknemer;
- (b) begintyd van werk;
- (c) ophoutyd van werk;
- (d) begin- en ophoutyd van elke etenstyd sonder diens;
- (e) begin- en ophoutyd van enige oortyd gewerk;
- (f) totale getal ure elke dag gewerk;

Met dien verstande dat in 'n inrigting waar 'n half-outomatiese tydsregistrasietoestel verskaf is, elke winkelbediende of klerklike werknemer wat 'n loon van minder as £360 per jaar ontvang, tensy weens siekte of ander onvermydelike oorsaak verhoed om dit te doen, dag vir dag en betreffende elke dag deur middel van die half-outomatiese tydsregistrasietoestel sodanige inskrywings moet aanbring as wat in die voorbehoudsbepaling by subklousule (1) voorgeskryf is.

(3) Elke werkgever moet die voltooië bywoningsregisters of half-outomatiese tydsregistrasietoestelkaarte vir 'n tydperk van drie jaar na die datum van die voltooiing daarvan hou.

14. REGISTER.

(1) Elke werkgever moet aan elke bestuurder van 'n afleweringsvervoerwa of motorvoertuig gebruik vir die vervoer van goedere in sy diens 'n register verskaf so na as moontlik aan onderstaande vorm:—

Daelikse Opgawe.

Naam van werkgever.....
Naam van bestuurder.....
Begintyd van werk.....v.m./n.m.....v.m./n.m.
Ophoutyd van werk.....v.m./n.m.....v.m./n.m.
Getal ure gewerk.....
Etenstye vanaf.....v.m./n.m. totv.m./n.m.
Rustye vanaf.....v.m./n.m. totv.m./n.m.
Besonderhede van enige ongevalle en/of oponthoude.....
.....
.....

Handtekening van bestuurder.

Datum.....19.....

(2) Elke bestuurder van 'n afleweringsvervoerwa of motorvoertuig gebruik vir die vervoer van goedere moet, as hy voorsien word van die register waarna in subklousule (1) verwys is, genoemde daelikse opgawe in duplikaat hou in 'n vorm so na as moontlik aan dié voorgeskryf betreffende elke dag se werk en moet binne vier-en-twintig uur na die voltooiing van die betrokke dag se werk 'n voltooië duplikaat daarvan aan sy werkgever verstrek.

(3) Elke werkgever moet die voltooië duplikaat van die daelikse opgawe wat ingevolge subklousule (2) aan hom verstrek is vir 'n tydperk van drie jaar wat volg op dié voorval hou.

* No. 2080.]

[22 Desember 1939.

LOONWET, 1937.

MOTORVERVOER-BESTUURBEDRYF (DURBAN).

Ek, WALTER BAYLEY MADELEY, Minister van Arbeid, herroep hierby, kragtens artikel *sewentien* van die Loonwet, 1937 (Wet No. 44 van 1937), vanaf die 1ste Januarie 1940, die bepalings van Vastelling No. 59 afgekondig by Goewermentskennisgewing No. 975 in die *Staatskoerant* van 17 Junie 1938, in soverre hulle van toepassing is op persone in diens in daardie afdeling van die kommersiële distribusiebedryf voortgesit deur 'n houer van 'n bottel-dranklisensie uitgereik onder die Drankwet, 1928, of enige wysiging daarvan, en deur elke persoon wat vereis word om een of meer van onderstaande handelslisensies uit te neem soos bepaal in Deel I van die Tweede Bylae by die Licenties Konsolidatiewet, 1925:—

- Item 10: Handelaar in vars produkte;
- Item 11: Algemene Handelaar;

in die magistraatsdistrik Durban.

WALTER B. MADELEY,
Minister van Arbeid.

(C. 1069/118.)

L.W.—Die uitwerking van hierdie kennisgewing is om van die bepalings van Vastelling No. 59 motorvoertuigbestuurders in diens by drankwinkelhouers, handelaars in vars produkte, en algemene handelaars uit te sluit. Die lone en diensvoorwaardes van sodanige bestuurders sal in die toekoms deur die bepalings van Vastelling No. 70 afgekondig by Goewermentskennisgewing No. 2079 van 22 Desember 1939 beheer word.

* No. 2081.]

[22 December 1939.]

WAGE ACT, 1937.

OCCUPATION OF MOTOR TRANSPORT DRIVING
(WITWATERSRAND AND PRETORIA).

I, WALTER BAYLEY MADELEY, Minister of Labour, hereby, in terms of section *seventeen* of the Wage Act, 1937 (Act No. 44 of 1937), cancel as from the 1st January, 1940, the provisions of Determination No. 56 published under Government Notice No. 377 in the *Gazette* of the 12th March, 1937, is so far as they apply to persons engaged in that section of the Commercial Distributive Trade carried on by the holder of a bottle liquor licence issued under the Liquor Act, 1928, or any amendment thereof, and by every person who is required to take out one or more of the following trade licences as provided in Part I of the Second Schedule to the Licences Consolidation Act, 1925:—

- Item 10: Fresh Produce Dealer;
Item 11: General Dealer;

in the Magisterial Districts of Pretoria (excluding the farm Geelbeksvley No. 345, added thereto by Proclamation No. 125 of 1936, but including the farms transferred from the said district to the Magisterial District of Witbank by the said proclamation), Krugersdorp (excluding the farm Holfontein No. 161 added thereto by Proclamation No. 40 of 1936), Roodepoort, Johannesburg, Germiston, Boksburg, Benoni, Brakpan, Springs and Heidelberg.

WALTER B. MADELEY,
Minister of Labour.

C.1069/109.

N.B.—The effect of this notice is to exclude from the provisions of Determination No. 56 motor vehicle drivers employed by bottle store keepers, fresh produce dealers, and general dealers. The wages and conditions of employment of such drivers will in future be governed by the provisions of Determination No. 70 published under Government Notice No. 2079 of 22nd December, 1939.

* No. 2081.]

[22 Desember 1939.]

LOONWET, 1937.

MOTORVERVOER-BESTUURBEDRYF
(WITWATERSRAND EN PRETORIA).

Ek, WALTER BAYLEY MADELEY, Minister van Arbeid, herroep hierby, kragtens artikel *sewentien* van die Loonwet, 1937 (Wet No. 44 van 1937), vanaf die 1ste Januarie 1940, die bepalings van Vasstelling No. 56, afgekondig by Goewermentskennisgewing No. 377 in die *Staatskoerant* van 12 Maart 1937, in 'sovere hulle van toepassing is op persone in diens in daardie afdeling van die kommersiële distribusie-bedryf voortgesit deur die houer van 'n bottel-dranklisensie uitgereik onder die Drankwet, 1928, of enige wysiging daarvan, en deur elke persoon wat vereis word om een of meer van onderstaande handelslisensies uit te neem soos bepaal in Deel I van die Tweede Bylae by die Licenties Konsolidatiewet, 1925:—

- Item 10: Handelaar in vars produkte;
Item 11: Algemene handelaar;

in die magistraatsdistrikte Pretoria (waarby die plaas Geelbeksvley No. 345 daarby gevoeg by Proklamasie No. 125 van 1936 uitgesluit word, maar waarby die plase oorgebring vanuit genoemde distrik na die magistraatsdistrik Witbank by genoemde Proklamasie ingesluit is), Krugersdorp (waarby die plaas Holfontein No. 161 daarby gevoeg by Proklamasie No. 40 van 1936 uitgesluit word), Roodepoort, Johannesburg, Germiston, Boksburg, Benoni, Brakpan, Springs en Heidelberg.

WALTER B. MADELEY,
(C. 1069/109.) Minister van Arbeid.

L.W.—Die uitwerking van hierdie kennisgewing is om van die bepalings van Vasstelling No. 56, motorvoertuigbestuurders in diens by drankwinkelhouders, handelaars in vars produkte, en algemene handelaars uit te sluit. Die lone en diensvoorwaardes van sodanige bestuurders sal in die toekoms deur die bepalings van Vasstelling No. 70 afgekondig by Goewermentskennisgewing No. 2079 van 22 Desember 1939 beheer word.

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OF SOUTH AFRICA

1939

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GOVERNMENT GAZETTE NO. 2716 - DATED 29/12/39.

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THE CONSOLIDATED DIAMOND MINES OF SOUTH
WEST AFRICA, LIMITED - NOTICE TO PREFERENCE
SHAREHOLDERS.

Page xxviii

DE BEERS CONSOLIDATED MINES, LIMITED -
NOTICE TO PREFERENCE SHAREHOLDERS.

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