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

GOVERNMENT NOTICES.

The following Government Notices are published for general information:—

DEPARTMENT OF NATIVE AFFAIRS.

* No. 2582.] [30 December 1955.

DATE OF APPLICATION OF THE REGULATIONS GOVERNING THE CONDITIONS OF APPOINTMENT, SERVICE AND DISCIPLINE OF EUROPEAN TEACHERS IN GOVERNMENT BANTU SCHOOLS.

Under and by virtue of the powers vested in me by paragraphs (b), (c) and (s) of sub-section (1) of section fifteen of the Bantu Education Act, 1953, (No. 47 of 1953), as amended, I, HENDRIK FRENCH VERWOERD, Minister of Native Affairs, hereby determine the 1st of January, 1956, as the date on which the regulations contained in Government Notice No. 2583, dated 30th December, 1955, shall become effective in respect of European teachers in all Government Bantu Schools.

H. F. VERWOERD,
Minister of Native Affairs.

* No. 2583.] [30 December 1955.
REGULATIONS GOVERNING THE CONDITIONS OF APPOINTMENT, SERVICE AND DISCIPLINE OF EUROPEAN TEACHERS IN GOVERNMENT BANTU SCHOOLS.

Under and by virtue of the powers vested in me by sub-section (2) of section ten and paragraphs (b), (c) and (s) of sub-section (1) of section fifteen of the Bantu Education Act, 1953 (Act No. 47 of 1953), as amended, I, HENDRIK FRENCH VERWOERD, Minister of Native Affairs hereby make the regulations contained in the Schedule hereto governing the conditions of appointment, service and discipline of European teachers in Government Bantu schools.

H. F. VERWOERD,
Minister of Native Affairs.

SCHEDULE.

DEFINITIONS.

1. Any expression used in these regulations, to which a meaning has been assigned in the Bantu Education Act, 1953, shall, unless inconsistent with the context, have the meaning so assigned to it, and—

“the Act” means the Bantu Education Act, 1953 (Act No. 47 of 1953), and any amendment thereof;

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GOEWERMENTSKENNISGEWINGS.

Onderstaande Goewermentskennisgewings word vir algemene inligting gepubliseer:—

DEPARTEMENT VAN NATURELLESAKE.

* No. 2582.] [30 Desember 1955.

DATUM VAN TOEPASSING VAN REGULASIES BETREFFENDE DIE AANSTELLINGS-, DIENS- EN TUGVOORWAARDES VAN BLANKE ONDERWYSERS IN STAATSBANTOESKOLE.

Kragtens die bevoegdheid aan my verleen by paragrawe (b), (c) en (s) van subartikel (1) van artikel vyftien van die Bantoe-onderwyswet, 1953 (No. 47 of 1953), soos gewysig, bepaal ek, HENDRIK FRENCH VERWOERD, Minister van Naturellesake, hierby 1 Januarie 1956 as die datum waarop die regulasies vervat in Goewermentskennisgewing No. 2583, gedateer 30 Desember 1955, op blanke onderwysers in alle Staatsbantoeskole van toepassing word.

H. F. VERWOERD,
Minister van Naturellesake.

* No. 2583.] [30 Desember 1955.

REGULASIES BETREFFENDE DIE AANSTELLINGS-, DIENS-, EN TUGVOORWAARDES TEN OPSIGTE VAN BLANKE ONDERWYSERS IN STAATSBANTOESKOLE.

Kragtens die bevoegdhede aan my verleen by subartikel (2) van artikel tien en paragrawe (b), (c) en (s) van subartikel (1) van artikel vyftien van die Wet op Bantoe-onderwys, 1953 (No. 47 van 1953), soos gewysig, maak ek, HENDRIK FRENCH VERWOERD, Minister van Naturellesake, hierby die regulasies wat in die Bylae hiervan vervat is betreffende die aanstellings-, diens-, en tugvoorwaardes ten opsigte van blanke onderwysers in Staatsbantoeskole.

H. F. VERWOERD,
Minister van Naturellesake.

BYLAE.

WOORDOMSKRYWING.

1. Enige uitdrukking wat in hierdie regulasies gebruik word en waaraan 'n betekenis in die Wet op Bantoe-onderwys, 1953, geheg is, het tensy strydig met die verband, die betekenis aldus daaraan geheg en—

„ambagsinstrukteur” beteken enige blanke lid van die onderwyspersoneel genoem in regulasie 2 (1), wat aangestel is om onderrig te gee in 'n ambag;

- “assistant teacher” means a European teacher who has been appointed to teach in a Government Bantu school under the supervision of a principal;
- “competent authority” means a principal or inspector of Bantu schools;
- “Department” means the Department of Native Affairs;
- “Government Bantu School” means a school or institution established or maintained in terms of paragraphs (a) and (b) of sub-section (1) of section seven of the Act, or deemed in terms of sub-section (2) of section seven of the Act to have been so established or maintained;
- “inspector” means an inspector of Bantu schools;
- “officer” means a person on the fixed establishment of the Public Service;
- “organizer” is a teacher on the permanent teaching establishment who fulfils duties in connection with a number of schools as prescribed by the Secretary;
- “Pensions Act” means the Government Service Pensions Act, 1955 (Act No. 58 of 1955);
- “permanent teaching establishment” means the posts in a Government Bantu school approved by the Minister in accordance with section ten of the Act;
- “principal” means a European teacher who is in charge of a school and of its teaching personnel;
- “school holiday” means the period falling between two consecutive school quarters;
- “school quarter” means a school quarter as determined by the Secretary;
- “Secretary” means the Secretary for Native Affairs, or the Under-Secretary for Native Affairs (Bantu Education);
- “teacher” means any European member of the teaching establishment referred to in regulation 2 (1) and, for the purposes of these regulations, shall include a European *locum tenens* or temporary assistant;
- “trade instructor” means any European member of the teaching establishment referred to in regulation 2 (1) who is appointed to give instruction in a trade.

CHAPTER I.

INTRODUCTION.

2. (1) In Government Bantu schools the establishment may consist of—

- (a) the teaching establishment, divided into the following categories of teachers:—
- organizers of special subjects;
 - principals;
 - vice-principals;
 - assistant teachers; and
 - trade instructors;
- (b) other persons employed for the purposes of or in connection with Government Bantu schools in such posts as may be designated by the Minister.

(2) The number, grading and classification of posts in the establishment of Government Bantu schools shall be such as may from time to time be prescribed by the Minister, after consultation with the Minister of Finance and on the recommendation of the Public Service Commission.

(3) A teacher who occupies a post which on re-organization is raised to a higher grade may not claim such regraded post as a right.

APPOINTMENTS AND PROMOTIONS.

3. (1) All appointments to the teaching establishment and all promotions therein shall be made in accordance with the provisions of section ten (2) (a) of the Act; provided that no person shall be appointed to the teaching establishment on probation or in a permanent capacity, unless he—

- (a) possesses such qualifications and is of such an age as may be prescribed by the Secretary from time to time;

- „amptenaar” beteken ’n persoon op die vaste diensstaat van die Staatsdiens;
- „assistent-onderwyser” beteken ’n blanke onderwyser wat aangestel is om in ’n Staatsbantoeskool onderwys te gee onder toesig van ’n prinsipaal;
- „bevoegde gesag” beteken ’n prinsipaal, of ’n inspekteur van Bantoeskole;
- „Departement” beteken die Departement van Naturellesake;
- „inspekteur” beteken ’n inspekteur van Bantoeskole;
- „onderwyser” beteken ’n blanke lid van die onderwyspersoneel genoem in regulasie 2 (1), en omvat vir die toepassing van hierdie regulasies ’n blanke *locum tenens* of tydelike assistent;
- „organiseerder” is ’n onderwyser op die vaste diensstaat van die onderwyspersoneel wat pligte in verband met ’n aantal skole vervul soos deur die Sekretaris voorgeskryf;
- „Pensioenewet” beteken die Regeringsdiens Pensioenewet, 1955 (No. 58 van 1955);
- „prinsipaal” beteken ’n blanke onderwyser wat beheer het oor ’n skool en die personeel daarvan;
- „Sekretaris” beteken die Sekretaris van Naturellesake of die Ondersekretaris van Naturellesake (Bantoe-onderwys);
- „skoolkwartaal” beteken ’n skoolkwartaal wat deur die Sekretaris bepaal word;
- „skoolvakansie” beteken ’n tydperk wat tussen twee opeenvolgende skoolkwartale val;
- „Staatsbantoeskool” beteken ’n skool of inrigting wat ooreenkomstig paragrawe (a) en (b) van subartikel (1) van artikel sewe van die Wet gestig of onderhou word of wat ooreenkomstig subartikel (2) van artikel sewe van die Wet aldus gestig of onderhou geag word;
- „vaste diensstaat” beteken die betrekkings ten opsigte van ’n Staatsbantoeskool deur die Minister goedgekeur kragtens artikel tien van die Wet.
- „die Wet” beteken die Wet op Bantoe-onderwys, 1953, (No. 47 van 1953) en enige wysiging daarvan.

HOOFSTUK I.

INLEIDING.

2. (1) In Staatsbantoeskole bestaan die personeel uit die volgende:—

- (a) Die onderwyspersoneel, ingedeel in die volgende kategorieë van onderwysers:—
- organiseerders van spesiale vakke;
 - prinsipale;
 - visie-prinsipale;
 - assistent-onderwysers; en
 - ambagsinstruktors.
- (b) Ander persone wat in diens geneem word vir die doeleindes van, of in verband met Staatsbantoeskole in poste wat die Minister aanwys.

(2) Die aantal, gradering en indeling van poste op die diensstaat van Staatsbantoeskole is soos van tyd tot tyd deur die Minister voorgeskryf in oorleg met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie.

(3) ’n Onderwyser wat ’n pos beklee waarvan die graad by herindeling verhoog word, kan nie as ’n reg op so ’n hergradeerde pos aanspraak maak nie.

AANSTELLINGS EN BEVORDERINGS.

3. (1) Alle aanstellings in die personeel en alle bevorderings daarin moet ingevolge die bepalinge van artikel tien (2) (a) van die Wet gedoen word; met dien verstande dat geen persoon op proef of in ’n permanente hoedanigheid as ’n onderwyser in die onderwyspersoneel aangestel mag word nie tensy hy—

- (a) die kwalifikasies het en die ouderdom bereik het wat deur die Sekretaris van tyd tot tyd voorgeskryf mag word;

- (b) is a South African citizen or a citizen of a Commonwealth country or of the Irish Republic and has resided for at least three years in the Union of South Africa or in South West Africa; provided that a person who has not been resident in the Union or in the territory of South West Africa may be appointed if the Secretary is satisfied that it is necessary to make such an appoint because of vocational or technical qualifications or for other special reasons;
- (c) is of good character;
- (d) is free from any mental or physical defect, disease or infirmity which would in the opinion of the Secretary be likely to interfere with the proper performance of his duty, or to render necessary his retirement at an age earlier than that prescribed for the superannuation or retirement of teachers;
- (e) submits a certificate of health with which the Secretary is satisfied;
- (f) has passed a written examination equivalent to the examination of the Joint Matriculation Board in the two official languages, one on the higher and one on the lower grade; provided that—
 - (i) the Secretary may approve the permanent appointment of a person who does not possess such qualifications, but such person's salary shall not be raised above the salary which he receives after the expiry of three years after the date of his first appointment under these regulations unless and until he has passed such an examination or such examinations;
 - (ii) any person who does not hold such qualifications may be appointed in a temporary capacity, or under contract, after the vacancy has been advertised and the Secretary is satisfied that no suitably qualified person is available for appointment to the post; and
 - (iii) in the case of any trade instructor the written examinations in the two official languages shall be equivalent to at least Standard VI on first appointment; and to the Junior Certificate before he shall be allowed to receive a salary of more than £710 per year;
- (g) passes a test of competence in teaching in both official languages; provided that—
 - (i) such test shall be administered in accordance with the directions of the Secretary and in consultation with the Public Service Commission;
 - (ii) the test shall be appropriate to the standard of teaching required of the teacher;
 - (iii) the Secretary may approve the permanent appointment of a person who has not passed such a test of competency but such person's salary shall not be raised above the salary which he receives after the expiry of three years after the date of his first appointment under these regulations unless and until he has passed such a test of competency;
 - (iv) any person who has not passed such a test of competency may be appointed in a temporary capacity, or under contract, after the vacancy has been advertised and the Secretary is satisfied that no suitably qualified person is available for appointment to the post;
 - (v) the Secretary may accept in lieu of such a test of competency any certificate of competency to teach in English and Afrikaans issued by the Department of Education, Arts and Science or by any provincial education department;
- (h) submits a birth certificate or satisfies the Secretary in any other manner as to the date of his birth.

- (b) 'n Suid-Afrikaanse burger is of 'n burger van 'n Statebondslan of van die Republiek Ierland en minstens drie jaar in die Unie van Suid-Afrika of in Suidwes-Afrika gewoon het; met dien verstande dat 'n persoon wat nie drie jaar in die Unie of die gebied van Suidwes-Afrika woonagtig was nie, aangestel kan word mits die Sekretaris tevrede is dat weens vakkundige of tegniese kwalifikasies of om ander besondere redes dit nodig is om sodanige aanstelling te maak;
- (c) 'n goeie karakter het;
- (d) vry is van enige geestelike of liggaamlike gebrek, siekte of kwaal wat na die oordeel van die Sekretaris moontlik kan inbreuk doen aan die behoorlike uitvoering van sy pligte, of moontlik die oorsaak kan wees dat hy moet aftree voor die voorgeskrewe ouderdom vir die pensioenering of uitdienstreding van onderwysers;
- (e) 'n gesondheidsertifikaat waarmee die Sekretaris tevrede is, indien;
- (f) 'n skriftelike eksamen gelykwaardig aan die eksamen van die Gemeenskaplike Matrikulasieraad, in die twee amptelike tale, een in die hoër en een in die laer graad, geslaag het; met dien verstande dat—
 - (i) die Sekretaris die permanente aanstelling van 'n persoon wat nie sodanige kwalifikasies besit nie kan goedkeur maar sodanige persoon se salaris sal nie verhoog word bokant die salaris wat hy na verstryking van drie jaar na die datum van sy eerste aanstelling ontvang nie tensy en totdat hy sodanige eksamen of eksamens geslaag het nie;
 - (ii) 'n persoon wat nie sodanige kwalifikasies besit nie in 'n tydelike hoedanigheid of onder kontrak aangestel kan word nadat die vakature geadverteer is en die Sekretaris seker is dat geen behoorlik gekwalifiseerde persoon vir aanstelling in die pos beskikbaar is nie;
 - (iii) in die geval van 'n ambagsinrukteur, die skriftelike eksamen in die twee amptelike tale sal gelykstaan aan minstens Std. VI by die eerste aanstelling, en Juniorertifikaat alvorens hy toegelaat sal word om 'n salaris van meer as £710 per jaar te ontvang;
- (g) 'n bevoegdheidstoets om onderrig te gee in albei amptelike tale, slaag; met dien verstande dat—
 - (i) sodanige toets ooreenkomstig die voorskrifte van die Sekretaris en met raadpleging van die Staatsdienskommissie afgeneem sal word;
 - (ii) die toets sal ooreenstem met die standaard van onderrig wat van die onderwyser verlang word;
 - (iii) die Sekretaris die permanente aanstelling van 'n persoon wat nie die bevoegdheidstoets geslaag het nie kan goedkeur maar sodanige persoon se salaris sal nie verhoog word bokant die salaris wat hy na verstryking van drie jaar na die datum van sy eerste aanstelling kragtens hierdie regulasies ontvang nie tensy en totdat hy sodanige bevoegdheidstoets geslaag het nie;
 - (iv) 'n persoon wat nie so 'n bevoegdheidstoets geslaag het nie in 'n tydelike hoedanigheid of onder kontrak aangestel kan word nadat die vakature geadverteer is en die Sekretaris seker is dat geen behoorlik gekwalifiseerde persoon vir aanstelling in die pos beskikbaar is nie;
 - (v) die Sekretaris in plaas van so 'n bevoegdheidstoets enige sertifikaat van bevoegdheid om in Engels en Afrikaans onderrig te gee, wat uitgereik is deur die Departement van Onderwys, Kuns en Wetenskap of deur enige provinsiale onderwysdepartement, kan aanvaar;
- (h) 'n geboortesertifikaat indien of die Sekretaris op enige ander manier verseker van die datum van sy geboorte.

(2) Notwithstanding the provisions of sub-regulation (1) above, any European teacher who is in terms of the regulations of any provincial administration as read in conjunction with sub-section (4) of section *fifteen* of the Act in effect immediately prior to the coming into force of these regulations, an employee of the Department of Native Affairs, shall be deemed to have been appointed in terms of these regulations: Provided that the salary of any such teacher shall not be raised above the salary which he receives after the expiry of three years after the date of the application of these regulations to him unless and until he has satisfied such requirements as are prescribed by paragraphs (f) and (g) of sub-regulation (1) above.

(3) Notwithstanding the provisions of sub-regulation (1) above, when any school recognized by the Minister for purposes of subsidization under the Act has been declared a Government Bantu school and these regulations have been made applicable to the teachers of such school, any European teacher who is at such time a member of the staff of such school may be deemed to have been appointed under these regulations, with such recognition of previous teaching experience as may be determined by the Minister in consultation with the Minister of Finance and on the recommendation of the Public Service Commission: Provided that—

- (a) the salary of any such teacher shall not be raised above the salary which he receives after the expiry of three years after the date of the application of these regulations to him unless and until he has satisfied such requirements as are prescribed by paragraphs (f) and (g) of sub-regulation (1) above;
- (b) such teacher shall apply in writing to the Secretary for appointment under these regulations within three months of the date of the application of these regulations to the school in which he is employed; and
- (c) if such teacher fails to make application for appointment under these regulations by the date fixed in accordance with paragraph (b) above, he shall be deemed to have terminated his services with the Department with effect from the end of the first full school quarter immediately following the aforementioned date, and the provisions of regulation 53 (6) shall apply to him.

APPOINTMENT ON PROBATION.

4. (1) All appointments to the teaching establishment shall be on probation.

(2) The period of probation shall be not less than one year and not more than three years: Provided that an appointment on probation of less than three years may be extended from time to time by the Secretary.

(3) The appointment of a person on probation shall not be confirmed, nor shall he be appointed to any post, unless the Secretary is satisfied that, during the period of such probation or extended period of probation, such person has been diligent, that his conduct has been uniformly satisfactory and that he is in all respects suitable for the confirmation of his appointment.

(4) Notwithstanding anything in this regulation contained, the services of a probationer may be terminated at any time by the Secretary by giving the probationer one month's notice, if the Department is not satisfied with the services and/or conduct of the probationer.

ACTING APPOINTMENTS.

5. Whenever by reason of his absence or incapacity through sickness or any other cause, any teacher is unable to carry out the functions of his office or post, or whenever an office or post is vacant, the Secretary may authorize a fit and proper person to act in the place of the absent or incapacitated teacher, or to act in the vacant office or post until the vacancy is filled, as the case may be. Any person thus appointed shall exercise the powers and perform the duties attaching to the post.

(2) Nieteenstaande die bepalings van subregulasie (1) hierbo, sal 'n blanke onderwyser wat in diens van die Departement van Naturellesake is kragtens die regulasies van enige provinsiale administrasie in samehang met sub-artikel (4) van artikel *vyftien* van die Wet en wat onmiddellik voor die inwerkingtreding van hierdie regulasies van krag was, beskou word asof hy kragtens hierdie regulasies aangestel is; met dien verstande dat die salaris van sodanige onderwyser nie verhoog sal word bokant die salaris wat hy ontvang na verstryking van drie jaar vanaf die datum waarop hierdie regulasies op hom van toepassing word nie tensy en totdat hy voldoen aan die vereistes soos voorgeskryf by paragrawe (f) en (g) van subregulasie (1) hierbo.

(3) Wanneer enige skool wat kragtens die Wet deur die Minister erken word vir die doeleindes van subsidiëring, tot 'n Staatsbantoeskool verklaar word en hierdie regulasies van toepassing gemaak is op die onderwysers van sodanige skool, kan 'n blanke onderwyser wat op daardie tydstip 'n lid is van die personeel van sodanige skool, nieteenstaande die bepalings van subregulasie (1) beskou word asof hy kragtens hierdie regulasies aangestel is met sodanige erkenning van vorige onderwyservaring as wat deur die Minister vasgestel word na raadpleging met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie; met dien verstande dat—

- (a) die salaris van sodanige onderwyser nie verhoog sal word bokant die salaris wat hy ontvang na verstryking van drie jaar vanaf die datum waarop hierdie regulasies op hom van toepassing word nie tensy en totdat hy voldoen aan die vereistes soos voorgeskryf by paragrawe (f) en (g) van subregulasie (1) hierbo;
- (b) sodanige onderwyser binne drie maande na die datum waarop sodanige skool tot Staatsbantoeskool verklaar is, skriftelik by die Sekretaris sal aansoek doen om aanstelling onder hierdie regulasies; en
- (c) indien sodanige onderwyser in gebreke bly om teen die datum vasgestel ooreenkomstig paragraaf (b) hierbo, aansoek te doen om aanstelling onder hierdie regulasies, sal dit beskou word asof hy sy dienste by die Departement beëindig het vanaf die einde van die eerste volle skoolkwartaal wat onmiddellik op die voorgenoemde datum volg, en die bepalings van regulasie 53 (6) sal op hom van toepassing wees.

AANSTELLING OP PROEF.

4. (1) Alle aanstellings in die onderwyspersoneel geskied op proef.

(2) Die proeftydperk moet minstens een jaar en hoogstens drie jaar wees; met dien verstande dat 'n aanstelling op proef van minder as drie jaar van tyd tot tyd deur die Sekretaris verleng kan word.

(3) Die aanstelling van 'n persoon op proef mag nie bekragtig word nie en hy mag ook nie in 'n pos aangestel word nie tensy die Sekretaris daarvan oortuig is dat sodanige persoon gedurende die proeftydperk of verlengde proeftydperk, ywerig was, dat sy gedrag deurgaans bevredigend was en dat hy in alle opsigte geskik is vir die bekragtiging van sy aanstelling.

(4) Ondanks enigiets wat in hierdie regulasie vervat is, kan die dienste van 'n onderwyser op proef te eniger tyd deur die Sekretaris beëindig word deur aan die onderwyser een maand kennis te gee, indien die Departement nie tevrede is met die dienste en/of gedrag van die onderwyser op proef nie.

AANSTELLING IN WAARNEMENDE HOEDANIGHEID.

5. Wanneer 'n lid van die onderwyspersoneel, weens afwesigheid of siekte of om enige ander rede, nie in staat is om die funksies van sy pos uit te voer nie, of wanneer 'n amp of pos vakant is, kan die Sekretaris magtiging verleen aan 'n geskikte lid van die onderwyspersoneel om in die plek van die afwesige of siek onderwyser waar te neem of om in die vakante pos waar te neem tot die vakature gevul is, na gelang van die geval. Iemand wat aldus aangestel is moet die bevoegdhede uitoefen en die pligte uitvoer wat aan die pos verbonde is.

TRANSFER OF TEACHERS.

6. (1) Any teacher in the teaching establishment shall, whenever the public interest or the interest of the service so requires, be liable to be transferred from any school or office in which he is employed, or from an appointment which he holds, to any other school, office or appointment in the teaching establishment, irrespective of whether or not such transfer is to a post of a lower grade: Provided that no transfer involving reduction in such teacher's pensionable emoluments shall be made without his consent; provided further that a teacher who has been transferred to a post of lower grade without reduction of pensionable emoluments shall be employed by the Secretary in the grade to which his salary is appropriate as soon as a suitable vacancy occurs therein.

(2) Transfers which involve—

(a) change of status or salary; or

(b) change of permanent principalships

are subject to the approval of the Minister on the recommendation of the Public Service Commission.

(3) As long as a teacher is necessarily absent on service from the school of which he is a regular staff member, subsistence and transport expenses shall be paid to him in accordance with the tariffs prescribed from time to time by the Public Service Regulations.

(4) Subject to the provisions of sub-regulations (1), (2) and (3) of this regulation, the provisions of the regulations governing the transfer of officers of the Union Public Service shall apply, *mutatis mutandis*, to teachers.

SUBSISTENCE AND TRANSPORT ALLOWANCES.

7. The provisions of the regulations governing the subsistence and transport privileges and allowances of officers of the Union Public Service shall apply, *mutatis mutandis*, to teachers.

WHOLE TIME OF TEACHERS TO BE AT THE DISPOSAL OF THE DEPARTMENT.

8. (1) Unless it is otherwise provided in the conditions of his appointment—

(a) every teacher shall place the whole of his time at the disposal of the Secretary;

(b) no teacher shall perform or engage himself to perform remunerative work outside the service of the Department without the permission, in writing, of the Secretary;

(c) no teacher may claim as of right additional remuneration in respect of any extra-curricula duty or work which he is required by competent authority to perform.

(2) Any teacher engaged in approved extra-curricula activities before, during or after school hours, on or off the school premises, shall be deemed to be on duty.

TEACHER TO RESIDE IN HOSTEL WHEN SO REQUIRED BY SECRETARY.

9. A teacher shall, if so required by the Secretary reside in a hostel attached to any educational institution and shall in such event be subject to any regulations or rules applicable to such hostel.

CERTAIN DUTIES OF THE PRINCIPAL.

10. (1) A principal shall ensure that the buildings and grounds of the education institution of which he is the principal are under adequate supervision during school vacation periods and shall at any time attend to the organization and administrative work required for the proper functioning of such institution.

(2) (a) The principal of a school with an enrolment of up to 200 pupils shall be in attendance at the school on the day preceding the opening day of his school after the summer and winter vacations without any claim to extra remuneration.

VERPLASINGS.

6. (1) Elke onderwyser in die onderwyspersoneel kan, wanneer die openbare belang of die belange van die diens dit vereis, van die skool of kantoor waar hy werksaam is of van die betrekking wat hy beklee, na enige ander skool, kantoor of betrekking in die onderwyspersoneel oorgeplaas word, of hy na 'n betrekking van 'n laer graad oorgeplaas word al dan nie; met dien verstande dat 'n oorpasing wat 'n verlaging van sodanige onderwyser se pensioengewende besoldiging meebring, nie sonder die onderwyser se toestemming mag plaasvind nie; en verder met dien verstande dat 'n onderwyser wat sonder verlaging van sy pensioengewende besoldiging na 'n betrekking van 'n laer graad oorgeplaas is, deur die Sekretaris vir diens in die graad, waarby sy salaris pas, aangestel moet word sodra 'n geskikte vakature voorkom.

(2) Oorpasinge wat—

(a) verandering van status of besoldiging, of

(b) verandering van permanente prinsipaalskappe, meebring,

is onderworpe aan die goedkeuring van die Minister op aanbeveling van die Staatsdienskommissie.

(3) Solank 'n onderwyser noodwendig van die skool waarvan hy 'n gereelde personeellid is op diens afwesig is, word reis- en verblyftoelaes aan hom betaal teen die tariewe soos van tyd tot tyd in die Staatsdiensregulasies voorgeskryf.

(4) Behoudens die bepalinge van subregulasies (1), (2) en (3) van hierdie regulasie, sal die bepalinge van die regulasies betreffende die verplasing van amptenare van die Unie-Staatsdiens, *mutatis mutandis* van toepassing wees op onderwysers.

REIS- EN VERBLYFTOELAES.

7. Die bepalinge van die regulasies betreffende reis- en verblyfvoorregte en toelaes vir amptenare in die Unie-Staatsdiens, sal *mutatis mutandis* van toepassing wees op onderwysers.

DIE VOLLE TYD VAN ONDERWYSERS MOET TOT BESKIKKING VAN DIE DEPARTEMENT WEES.

8. (1) Tensy anders bepaal in die voorwaardes van sy aanstelling—

(a) moet elke onderwyser al sy tyd tot beskikking van die Sekretaris plaas;

(b) mag geen onderwyser sonder die skriftelike toestemming van die Sekretaris lonende werk buite die diens van die Departement doen of hom verbind om sulke werk te doen nie;

(c) mag geen onderwyser as 'n reg aanspraak maak op ekstra besoldiging ten opsigte van die verrigting van enige plig of werk wat nie deel van die kurrikulum uitmaak nie as 'n bevoegde gesag dit van hom vereis.

(2) 'n Onderwyser wat gedurende of na skoolure, op die skool terrein of daarvan af, besig is met goedgekeurde bedrywighede wat nie deel van die kurrikulum uitmaak nie, word as op diens beskou.

ONDERWYSER IN KOSHUIS IN TE WOON INDIEN DIE SEKRETARIS DIT VERLANG.

9. Indien die Sekretaris dit verlang, moet 'n onderwyser in 'n koshuis inwoon wat verbonde is aan enige opvoedkundige inrigting en in dié geval is hy onderworpe aan enige regulasies of reëls wat in sodanige koshuis van toepassing is.

SEKERE PLIGTE VAN PRINSIPAAL.

10. (1) 'n Prinsipaal moet sorg dra dat die geboue en terrein van die opvoedkundige inrigting waarvan hy die prinsipaal is, onder doeltreffende sorg is gedurende skoolvakansietye en moet te alle tye aandag skenk aan die organisasie- en administrasiewerk vir die behoorlike werking van sodanige inrigting.

(2) (a) Die prinsipaal van 'n skool met 'n inskrywing van tot 200 leerlinge moet op die dag voor die opening van die skool na die somer- en wintervakansie by die skool op diens wees sonder aanspraak op ekstra besoldiging.

(b) In the case of a school with an enrolment of over 200 pupils the principal shall be in attendance at his school on the two days preceding the re-opening of the school after the summer and winter vacations without any claim to extra remuneration.

(c) Any assistant teacher in a Government Bantu school shall, when required by the principal, render such help to such principal as he may need for the application of the provisions of paragraphs (a) and (b) without any claim to extra remuneration.

INSTRUCTIONS BY THE SECRETARY.

11. The Secretary may from time to time issue instructions to members of the teaching establishment in connection with the performance of their duties.

ACCEPTANCE OF GIFTS.

12. Except with the written permission of the Secretary, no member of the teaching establishment may accept from the public any gift of money or any other article in consequence of his occupying or having occupied a particular post.

TERMINATION OF A TEACHER'S SERVICE.

13. (1) The service of any teacher may be terminated—
- (a) on attaining the pensionable age prescribed in the law governing his pension rights;
 - (b) in the case of a female teacher at the end of the quarter during which her marriage takes place;
 - (c) on account of continued ill-health;
 - (d) owing to abolition of his post, the disestablishment of the school or any reduction in, or re-organization or re-adjustment of, posts or schools, or if his removal will facilitate improvements in the organization of posts or schools by which greater efficiency or economy can be effected;
 - (e) on account of inefficiency, subject however to the provisions of regulation 44;
 - (f) on account of such misconduct as is in regulation 38 described, but subject to the provisions of regulations 39, 40, 41 and 42;
 - (g) if, during the course of his employment, he is convicted of a criminal offence which, in the opinion of the Secretary renders him unsuitable for continued employment.

(2) The powers of discharge conferred by these regulations shall be exercised by the Secretary.

(3) Any teacher may terminate his services by giving notice of a school quarter in writing to the Department or such shorter notice as may be acceptable to the Secretary.

(4) The services of a member of the teaching establishment serving in a temporary capacity may be terminated by the Secretary upon one day's notice.

MINIMUM QUALIFICATIONS.

14. The minimum qualifications required of any applicant for permanent appointment in the service of the Department in any of the different grades of teaching posts shall be as follows:—

(a) *Organizers of Special Subjects.*

Such qualifications as the Secretary may determine from time to time.

(b) *Principals and Vice-principals.*

- (i) A teacher's certificate, acceptable to the Secretary; and
- (ii) such experience as the Secretary may from time to time determine.

(c) *Assistant teachers.*

A teacher's certificate acceptable to the Secretary.

(d) *Trade instructors.*

A certificate of apprenticeship in an appropriate trade.

MARRIED WOMEN.

15. A married woman may be appointed by the Minister in consultation with the Minister of Finance and on the recommendation of the Public Service Commission in the service of the Department in a permanent capacity.

(b) In die geval van 'n skool met 'n inskrywing van meer as 200 leerlinge moet die prinsipaal twee dae voor die heropening van die skool na die somer- sowel as die wintervakansie by die skool op diens wees sonder aanspraak op ekstra besoldiging.

(c) Enige assistent-onderwyser van 'n Staatsbantoeskool moet, indien hy deur die prinsipaal daarom versoek word, sodanige hulp sonder aanspraak op ekstra besoldiging aan die prinsipaal verleen as wat hy nodig mag hê vir die toepassing van die bepalings van paragraaf (a) en (b).

VOORSKRIFTE DEUR SEKRETARIS.

11. Die Sekretaris kan van tyd tot tyd voorskrifte uitreik aan lede van die onderwyspersoneel in verband met die vervulling van hulle pligte.

AANNEMING VAN GESKENKE.

12. Behalwe met die skriftelike toestemming van die Sekretaris, mag geen lid van die onderwyspersoneel van enige lid van die publiek enige geskenk van geld of van enige ander artikel aanneem nie omdat hy 'n besondere pos beklee of beklee het.

BEÏNDIGING VAN 'N ONDERWYSER SE DIENS.

13. (1) Die dienste van 'n onderwyser word beëindig—
- (a) by bereiking van die pensioenouderdom soos voorgeskryf in die wet betreffende sy pensioenregte;
 - (b) in die geval van 'n onderwyseres, aan die einde van die kwartaal waarin sy in die huwelik tree;
 - (c) op grond van voortdurende swak gesondheid;
 - (d) weens afskaffing van sy pos of van die skool of enige vermindering, of reorganisasie of heraanpassing van poste of skole, of as sy verwydering bevorderlik is vir verbetering in die organisasie van poste of skole waardeur groter doeltreffendheid of besparing bewerkstelling kan word;
 - (e) op grond van onbekwaamheid, maar behoudens die bepalings van regulasie 44;
 - (f) op grond van wangedrag soos beskryf in regulasie 38 maar behoudens die bepalings van regulasies 39, 40, 41 en 42;
 - (g) indien hy gedurende die dienstyd skuldig bevind word aan 'n kriminele misdryf wat hom na die mening van die Sekretaris ongeskik maak vir verdere diens.

(2) Die ontslagbevoegdheid wat by hierdie regulasies verleen word, moet deur die Sekretaris uitgeoefen word.

(3) 'n Onderwyser kan sy dienste beëindig deur skriftelike kennis van een skoolkwartaal aan die Departement te gee of sodanige korter kennisgewing as wat vir die Sekretaris aanneemlik is.

(4) Die diens van 'n lid van die onderwyspersoneel wat in 'n tydelike hoedanigheid in diens is, kan deur die Sekretaris beëindig word deur een dag kennis te gee.

MINIMUM KWALIFIKASIES.

14. Die minimum kwalifikasies wat van enige applikant vereis word vir aanstelling in die diens van die Departement in 'n permanente hoedanigheid in enigen van die verskillende grade van onderwysposte, is as volg:—

(a) *Organiseerders van spesiale vakke.*

Sodanige kwalifikasies as wat die Sekretaris van tyd tot tyd mag vasstel.

(b) *Prinsipale en vise-prinsipale.*

- (i) 'n Onderwyserssertifikaat wat vir die Sekretaris aanneemlik is; en
- (ii) sodanige ondervinding as wat die Sekretaris van tyd tot tyd mag vasstel.

(c) *Assistent-onderwysers.*

'n Onderwyserssertifikaat wat vir die Sekretaris aanneemlik is.

(d) *Ambagsinstrukteurs.*

'n Sertifikaat van vakleerlingskap in 'n toepaslike ambag.

GETROUDE VROUENS.

15. 'n Getroude vrou kan deur die Minister in oorleg met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie in die diens van die Departement aangestel word in 'n permanente hoedanigheid.

CHAPTER II.

LEAVE.

APPLICATION FOR LEAVE.

16. (1) Any application for leave by an assistant teacher or a trade instructor shall be submitted to the Department through the principal of the school concerned.

(2) All applications for leave shall be made on the prescribed form set out in Appendix A of these regulations.

(3) Where a medical certificate is required to support an application for sick leave the prescribed form, substantially as set out in appendix B of these regulations, must be completed.

(4) Leave shall not be claimable as of right, but shall be granted subject to the exigencies of the Department. Leave granted to any teacher may be withdrawn by the Secretary if the interests of the Department so require.

(5) When a teacher leaves the service of the Department, for any reason whatsoever, he cannot claim payment in respect of the cash value of leave standing to his credit. This provision does not preclude the payment of leave gratuities on conditions recommended by the Public Service Commission and approved by the Treasury.

LEAVE COMPUTATIONS.

17. (1) Where any computation is necessary in order to arrive at any period of leave referred to in these regulations fractions of a day shall be disregarded in the final result.

(2) Any leave shall commence on the first school day on which a teacher is absent from duty and shall terminate on the last school day prior to that on which such teacher resumes duty.

(3) A school vacation, public holiday, Saturday or a Sunday falling within a period of leave shall be regarded as forming part of such leave and be taken into account as such.

(4) Where a school vacation, public holiday, Saturday or Sunday (referred to as a holiday in this sub-regulation) falls between two different kinds of leave, and such holiday and leave form a continuous period such holiday shall be regarded as forming part of the leave preceding such holiday and shall be taken into account as such.

(5) Where the services of a teacher employed in a permanent capacity terminate and such teacher is reappointed with or without a break in his service, his service prior to such reappointment shall not be counted for leave purposes.

(6) Any period of leave without pay shall not count for the purpose of calculating leave privileges but shall preserve the continuity of a teacher's service: Provided that—

(a) vacation leave without pay not exceeding 30 days in a calendar year and sick leave without pay not exceeding 120 days in a teacher's sick leave cycle shall count for the purposes of leave accrual;

(b) if the leave without pay exceeds the number of days mentioned in paragraph (a), the leave provision applicable to such teacher in terms of these regulations shall be reduced in proportion to the relative excess against one year in the case of vacation leave and against three years in the case of sick leave. In the case of sick leave the reduction shall be made in the sick leave provision of the cycle in which the leave without pay is taken, or, if the available sick leave for the relative cycle has already been taken, in the provision for the next succeeding cycle; and

(c) vacation leave which in terms of paragraph (a) hereof accrues during a period of vacation leave without pay or sick leave without pay, or both, may not be granted to a teacher until he has resumed his duties after his absence with vacation or sick leave without pay.

HOOFSTUK II.

VERLOF.

AANSOEK OM VERLOF.

16. (1) Enige aansoek om verlof deur 'n assistent-onderwyser of 'n ambagsinstrukteur word aan die Departement voorgelê deur bemiddeling van die prinsipaal van die betrokke skool.

(2) Alle aansoeke om verlof moet gedoen word op die voorgeskrewe vorm soos uiteengesit in Byvoegsel A van hierdie regulasies.

(3) Waar 'n mediese sertifikaat vereis word ter ondersteuning van 'n aansoek om siekteverlof moet die voorgeskrewe vorm soos in hoofsaak uiteengesit in Byvoegsel B van hierdie regulasies voltooi word.

(4) Verlof kan nie as 'n reg geëis word nie en word toegestaan met inagneming van die behoeftes van die Departement. Verlof wat aan 'n onderwyser toegestaan word kan deur die Sekretaris ingetrek word indien die belange van die Departement dit vereis.

(5) Wanneer 'n onderwyser die diens van die Departement verlaat, om watter rede ookal, kan hy nie eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie. Hierdie bepaling verhoed nie betaling van verlofgratifikasies onder voorwaardes deur die Staatsdienskommissie aanbeveel en deur die Tesourie goedgekeur nie.

VERLOFBEREKENINGS.

17. (1) Waar enige berekening nodig is ten einde enige tydperk van verlof in hierdie regulasies genoem, te verkry, word breuke van 'n dag in die finale resultaat verontsaam.

(2) Enige verlof begin op die eerste skooldag waarop 'n onderwyser van diens afwesig is en eindig op die laaste skooldag voor die dag waarop sodanige onderwyser weer diens aanvaar.

(3) 'n Skoolvakansie, openbare vakansiedag, Saterdag of Sondag wat binne 'n tydperk van verlof val, word beskou as deel van sodanige verlof en word as sodanig gereken.

(4) Waar 'n skoolvakansie, openbare vakansiedag, Saterdag of Sondag (in hierdie subregulasie 'n vakansiedag genoem) tussen twee verskillende soorte verlof val en sodanig vakansiedag en verlof vorm 'n aaneenlopende tydperk, word dit beskou dat sodanige vakansiedag deel uitmaak van die verlof wat sodanige vakansiedag voorafgaan en dit word as sodanig gereken.

(5) Waar die dienste van 'n onderwyser, in 'n permanente hoedanigheid in diens, eindig en sodanige onderwyser word weer aangestel met of sonder onderbreking van sy diens, word sy diens voor sodanige heraanstelling nie vir verlofdoeleindes gereken nie.

(6) 'n Tydperk van verlof sonder betaling tel nie vir die doeleindes van berekening van verlofvoordele nie maar beskerm die kontinuïteit van 'n onderwyser se diens; met dien verstande dat—

(a) vakansieverlof sonder betaling van altesaam 30 dae in 'n kalenderjaar en siekteverlof sonder betaling van altesaam 120 dae in 'n onderwyser se siekteverlofkringloop tel vir die doel van verlofaanwas;

(b) as die verlof sonder betaling die aantal dae gemeld in paragraaf (a) oorskry, word die verlofvoorsiening wat kragtens hierdie regulasies op sodanige onderwyser van toepassing is, verminder na die verhouding van die bedoelde oorskryding teenoor een jaar in die geval van vakansieverlof. In die geval van siekteverlof moet die vermindering aangebring word aan die siekteverlofvoorsiening van die kringloop waarin die verlof sonder betaling geneem is, of as die beskikbare siekteverlof van die betrokke kringloop reeds gebruik is, aan die voorsiening van die eersvolgende kringloop; en

(c) vakansieverlof wat kragtens paragraaf (a) aanwas gedurende 'n tydperk van vakansieverlof sonder betaling of siekteverlof sonder betaling, of albei, mag nie aan 'n onderwyser toegestaan word voordat hy, na sy afwesigheid met vakansieverlof sonder betaling, weer sy dienste hervat het nie.

ACCUMULATIVE VACATION LEAVE.

18. (1) A teacher shall be credited with accumulative leave (hereinafter referred to as vacation leave) at a rate of 12 days per annum for any period of continuous service.

(2) The Secretary may, in his discretion, require any teacher to remain on duty during any school vacation.

(3) Subject to the provisions of sub-regulation (9) where a teacher is required in terms of sub-regulation (2) to remain on duty, he shall be credited with vacation leave equivalent to one half the number of days which he remained on duty during school holidays: Provided that he shall not be credited with more than twenty-one days vacation leave in any one calendar year or a proportional number of days in respect of an incomplete calendar year in which the services of a teacher began or ended: Provided further that no leave credit shall accrue in respect of part-time service.

(4) Any application by a teacher for vacation leave shall reach the Department not less than a school quarter before the date on which the leave, if granted, would begin.

(5) Vacation leave shall be granted for one or two complete school quarters only.

(6) Vacation leave shall be with full pay: Provided that where a teacher has such leave in excess of one school quarter he may for the purpose of obtaining leave for two school quarters, convert any vacation leave standing to his credit to leave with half pay on the basis of two days with half pay for each day with full pay.

(7) Subject to reciprocity on the part of the Department concerned, a teacher appointed in a permanent capacity without a break in service, from the service of the Department of Education Arts and Science or of the Department of Education, of any of the provinces to the service of the Department of Native Affairs, shall retain as leave under these regulations the vacation leave standing to his credit by reason of such previous service at the date of such appointment.

(8) A person employed in the service of any Union Government Department, the South African Railways and Harbours Administration or any Provincial Administration, and who is appointed as a teacher in the service of the Department of Native Affairs under conditions which involve the transfer of such person's pension rights under his previous service to the Union Pension Fund, shall retain as leave under these regulations, the vacation leave standing to his credit by reason of such previous service at the date of such appointment.

(9) Notwithstanding anything to the contrary contained in this regulation, any teacher who is required to be on duty during all school vacations and—

(a) does not hold a post attached to a Government Bantu School; or

(b) is a trade instructor,

may be granted special vacation leave with full pay not exceeding 30 days during any calendar year.

SPECIAL LEAVE.—STUDY.

19. (1) Where a teacher has completed five years satisfactory service with the Department, he may, for the purpose of improving his qualifications as a teacher by following an approved course of study, be granted special leave for such period as the Secretary may determine; provided that for the purpose of determining the five-year period, the previous service of the teacher under the following departments shall be taken into account: The Department of Education, Arts and Science and the education departments of the provinces of the Union.

(2) Such leave shall be granted without pay except where such teacher has vacation leave to his credit, in which event such special leave may, at the request of such teacher and, notwithstanding anything to the contrary contained in this Chapter, be converted to vacation leave with full pay to the extent that such teacher has vacation leave to his credit or with half pay on the basis of two days with half pay for each day with full pay standing to his credit.

OPLOPENDE VAKANSIEVERLOF.

18. (1) 'n Onderwyser word gekrediteer met oplopende verlof (hieronder vakansieverlof genoem) teen 12 dae per jaar vir enige tydperk van ononderbroke diens.

(2) Die Sekretaris kan na goeë dunde vereis dat 'n onderwyser gedurende enige skoolvakansie op diens moet bly.

(3) Waar 'n onderwyser ingevolge sub-regulasie (2) verplig word om op diens te bly, kan hy gekrediteer word met vakansieverlof gelykstaande aan die helfte van die aantal dae wat hy gedurende skoolvakansietydperke op diens gebly het; met dien verstande dat hy nie met meer as een-en-twintig dae vakansieverlof in 'n kalenderjaar of 'n eweredige aantal dae ten opsigte van 'n onvoltooide kalenderjaar waarin die dienste van 'n onderwyser aanvang geneem het of beëindig is gekrediteer word nie; met dien verstande verder dat geen verlofkrediete ten opsigte van deeltydse diens verrig toegeken word nie.

(4) Enige aansoek om vakansieverlof deur 'n onderwyser moet die Departement bereik minstens 'n skoolkwartaal voor die datum waarop die verlof, indien toegestaan, 'n aanvang sal neem.

(5) Vakansieverlof sal slegs vir een of twee volle skoolkwartale toegestaan word.

(6) Vakansieverlof is met volle besoldiging; met dien verstande dat, waar 'n onderwyser meer sodanige verlof as een skoolkwartaal het, hy, vir die doel om verlof vir twee skoolkwartale te kry, vakansieverlof wat hy te goed het, kan omskep in verlof met half besoldiging op die basis van twee dae met half besoldiging vir elke dag met volle besoldiging.

(7) Waar daar resiprositeit van die kant van die betrokke Departement is, behou 'n onderwyser wat sonder onderbreking in sy diens in 'n permanente hoedanigheid uit die diens van die Departement van Onderwys, Kuns en Wetenskap van die Unie of die Onderwysdepartement van enige een van die provinsies, in die diens van die Departement van Naturellesake aangestel word, die vakansieverlof wat hy te goed gehad het omrede sodanige vorige diens ten tyde van sy aanstelling, as verlof ingevolge hierdie regulasies.

(8) Iemand in die diens van enige Departement van die Unie-regering, die Administrasie van die Suid-Afrikaanse Spoorweë en Hawens of enige Provinsiale Administrasie, en wat as onderwyser in die diens van die Departement van Naturellesake aangestel word op voorwaardes wat die oordrag van so 'n persoon se pensioenregte onder sy vorige diens, aan die Unie-pensioenfonds insluit, behou die vakansieverlof, wat hy te goed gehad het omrede sodanige vorige diens ten tyde van sy aanstelling, as verlof ingevolge hierdie regulasies.

(9) Nieteenstaande enigiets teenstrydigs wat in hierdie regulasie vervat is, sal aan enige onderwyser wat verwag word om gedurende skoolvakansies op diens te bly, en—

(a) nie 'n pos aan 'n Staatsbantoeskool bekleed nie; of

(b) 'n ambagsinstrukteur is;

spesiale vakansieverlof met volle betaling van nie meer as 30 dae nie gedurende enige kalenderjaar, toegestaan word.

SPESIALE VERLOF: STUDIE.

19. (1) Waar 'n onderwyser vyf jaar se bevredigende diens by die Departement voltooi het, kan aan hom verlof toegestaan word vir sodanige tydperk as wat die Sekretaris mag bepaal, vir die doel om sy kwalifikasies as onderwyser te verbeter deur 'n goedgekeurde studiekursus te volg; met dien verstande dat by die vasstelling van die vyfjaar-tydperk word 'n onderwyser se vorige diens onder die volgende departemente in berekening gebring: Departement van Onderwys, Kuns en Wetenskap en die Onderwysdepartemente van die provinsies van die Unie.

(2) Sodanige verlof word toegestaan sonder besoldiging uitgesonderd waar sodanige onderwyser vakansieverlof te goed het in welke geval sodanige spesiale verlof van sodanige onderwyser en, ondanks andersluidende bepalings in hierdie hoofstuk vervat, in vakansieverlof met volle besoldiging omskep kan word in die mate waarin sodanige onderwyser vakansieverlof te goed het, of met half besoldiging op die basis van twee dae met half besoldiging vir elke dag met volle besoldiging wat hy te goed het.

SPECIAL LEAVE.—MILITARY TRAINING.

20. (1) Special leave with full pay may be granted to a teacher—

- (a) when, as a member of the Active Citizen Force, he is required, in terms of the South African Defence Act, 1912, as amended, or any regulation made thereunder, to undergo continuous or non-continuous training, except when he is undergoing continuous training in terms of section *six bis* of the South Africa Defence Act Amendment Act, 1922, or performing whole-time service in lieu of peace-time training in terms of section *nineteen* of the South Africa Defence Act, 1912, as amended;
- (b) when, as a member of the Active Citizen Force, as defined in paragraph (a), he voluntarily, or in pursuance of a special agreement between him and the Department of Defence relating to his training, undertakes any continuous or non-continuous training or attends an instructional or qualifying course over and above any training to which he is liable in terms of the said Act, if the officer commanding the respective Command or South African Air Force Group certifies that such training or course is necessary in the interest of the Union Defence Forces;
- (c) when, as a member of a Rifle Commando, he is required, in terms of regulations made under the South Africa Defence Act, 1912, as amended, to attend an official musketry practice, if the officer commanding the respective Command certifies that attendance at such musketry practice is in accordance with the provisions of the aforesaid regulations;
- (d) when, as a member of a Rifle Commando, he attends an instructional or qualifying course if the officer commanding the respective Command certifies that attendance at such course is necessary in the interests of the Union Defence Forces;
- (e) when, as a member of the Reserve of Officers, he is required to attend a refresher course or undergo refresher training in order to maintain his proficiency, if the relative Army, Air or Naval and Marine Chief of Staff, certifies that such course or training is necessary in the interests of the Union Defence Forces;
- (f) when, as a member of any portion of the Union Defence Forces (except as a member of the Active Citizen Force who is undergoing continuous training in terms of section *six bis* of the South Africa Defence Act Amendment Act, 1922, or performing whole-time service in lieu of peace-time training in terms of section *nineteen* of the South Africa Defence Act, 1912, as amended), he is called up in terms of section *twenty-nine* of the South Africa Defence Act, 1912, as amended, for service in the prevention or suppression of disorder in the Union.

(2) Special leave granted in terms of sub-regulation (1) may include any period actually and necessarily occupied in travelling for the purpose for which the leave is granted.

SPECIAL LEAVE.—EXAMINATIONS.

21. (1) Special leave with full pay may be granted to a teacher for the purpose of sitting as a candidate at any approved university or teachers' examination.

(2) Special leave granted in terms of sub-regulation (1) may include any period actually and necessarily required for travelling in connection with such examination.

SPECIAL LEAVE.—QUARANTINE.

22. (1) Where a teacher is compelled to take leave on account of the existence of infectious or contagious disease in his family or at his place of residence or elsewhere, special leave with full pay may be granted to such teacher.

SPESIALE VERLOF: MILITÊRE OPLEIDING.

20. (1) Spesiale verlof met volle besoldiging kan aan 'n onderwyser toegestaan word—

- (a) wanneer hy, as 'n lid van die Aktiewe Burgermag ingevolge die Zuid Afrika Verdedigings Wet, 1912, soos gewysig, of enige regulasie daaronder gemaak, ononderbroke of ondergebroke opleiding moet ondergaan, behalwe as hy onafgebroke opleiding ingevolge artikel *ses bis* van die Zuid Afrika Verdedigings Wet, 1922, ondergaan of voltydse diens ingevolge artikel *negentien* van die Zuid Afrika Verdedigings Wet, 1912, soos gewysig, in plaas van die vredestrydse diens verrig;
- (b) wanneer hy as 'n lid van die Aktiewe Burgermag, soos in paragraaf (a) omskryf, vrijwillig of as gevolg van 'n spesiale ooreenkoms tussen hom en die Departement van Verdediging in verband met sy opleiding, bo en behalwe enige opleiding wat hy ingevolge genoemde wet moet ondergaan, enige onafgebroke of afgebroke opleiding ondergaan of 'n instruksie- of kwalifiserende kursus bywoon, mits die bevelvoerende offisier van die betrokke Kommandement of Suid-Afrikaanse Lugmaggroep sertifiseer dat sodanige opleiding of kursus nodig is in die belang van die Unieverdedigingsmagte;
- (c) wanneer hy as 'n lid van 'n Skietkommando ingevolge regulasies gemaak onder die Zuid Afrika Verdedigings Wet, 1912, soos gewysig, 'n amptelike skietoefening moet bywoon, mits die bevelvoerende offisier van die betrokke Kommandement sertifiseer dat bywoning van sodanige skietoefening in ooreenstemming met die bepalings van voormelde regulasies is;
- (d) wanneer hy, as 'n lid van 'n Skietkommando, 'n instruksie- of kwalifiserende kursus bywoon mits die bevelvoerende offisier van die betrokke Kommandement sertifiseer dat bywoning van sodanige kursus nodig is in die belang van die Unieverdedigingsmagte;
- (e) wanneer hy, as 'n lid van die Reserwe van Offisiere, 'n herhalingskursus moet bywoon of herhalingsopleiding moet ondergaan ten einde sy bevoegdheid te behou, mits die Stafhoof van die betrokke Landmag, Lugmag of Vloot- en Marinemag sertifiseer dat sodanige kursus of opleiding nodig is in die belang van die Unieverdedigingsmagte;
- (f) wanneer hy, as 'n lid van enige afdeling van die Unieverdedigingsmag (uitgesonderd 'n lid van die Aktiewe Burgermag wat ononderbroke opleiding kragtens artikel *ses bis* van die Zuid Afrika Verdedigings Wet Wysigings Wet, 1922, ondergaan of voltydse diens doen ingevolge artikel *negentien* van die Zuid Afrika Verdedigings Wet, 1912, soos gewysig in plaas van vredestrydse diens), hy opgeroep word kragtens artikel *nege-en-twintig* van die Zuid Afrika Verdedigings Wet, 1912, soos gewysig, vir diens vir die voorkoming of onderdrukking van onluste in die Unie.

(2) Spesiale verlof wat ingevolge subregulasie (1) toegestaan word, kan enige tydperk insluit wat werklik en noodsaaklik in beslag geneem word deur reise afgelê vir die doel waarvoor die verlof toegestaan word.

SPESIALE VERLOF: EKSAMENS.

21. (1) Spesiale verlof met volle besoldiging kan aan 'n onderwyser toegestaan word vir die doel om as kandidaat enige goedgekeurde universiteits- of onderwyserseksamen te doen.

(2) Spesiale verlof wat ingevolge subregulasie (1) toegestaan word, kan enige tydperk insluit wat werklik en noodsaaklik nodig is om in verband met sodanige eksamen te reis.

SPESIALE VERLOF: KWARANTYN.

22. (1) Waar 'n onderwyser verplig word om verlof te neem omdat daar besmetlike of aansteeklik siekte in sy gesin of in sy tuiste of elders heers, kan spesiale verlof met volle besoldiging aan sodanige onderwyser toegestaan word.

(2) Any application for such leave shall be accompanied by the certificate of a duly qualified medical practitioner in which shall be stated the reasons necessitating such leave.

(3) Such leave shall not exceed the period required for removal from contagion or infection or for the disinfection of the teacher concerned.

SPECIAL LEAVE.—CONTINUITY OF SERVICE.

23. Notwithstanding anything to the contrary contained in these regulations, a teacher who is appointed in the service of the Department and who was previously employed may be granted leave without pay for the purpose of preserving the continuity of such teacher's service (to be known as continuity leave) from the first day following upon the date upon which he last received salary from the Department to the date preceding the date of assumption of duty pursuant to such appointment if such period does not exceed 90 days; provided that the limitation of 90 days shall not apply where the period concerned is from the day following the last day of a school quarter to the day preceding the first day of the next succeeding school quarter but one.

SPECIAL LEAVE.—EXTRAORDINARY.

24. Where the Secretary considers that it will be in the interest of the Department to do so, he may grant a teacher special leave without pay for such period as he may determine; provided that such leave with pay may be granted only with the approval of the Minister in consultation with the Minister of Finance and on the recommendation of the Public Service Commission.

LEAVE FOR URGENT PRIVATE AFFAIRS.

25. (1) A teacher may be granted leave to attend to private affairs (to be known as leave for urgent private affairs).

(2) Leave for urgent private affairs shall be with or without pay as the Secretary may determine; provided that such leave with pay shall not be granted in excess of the vacation leave standing to the credit of the teacher concerned and shall be set off against such vacation leave.

ACCOUCHEMENT LEAVE.

26. (1) A married woman teacher shall be obliged to take leave on account of her accouchement (to be known as accouchement leave) for such period as the Secretary may determine but not less than a period of three months before the anticipated date thereof and six weeks after such accouchement.

(2) At least one month's notice of intention to take such leave shall be given to the Secretary and any such leave granted shall be without pay.

(3) Notwithstanding anything to the contrary contained in these regulations a teacher may, at her request, be granted in lieu of any portion of accouchement leave, vacation leave with full pay to the extent that such teacher has vacation leave standing to her credit or with half pay on the basis of two days with half pay for each day with full pay standing to her credit.

SICK LEAVE.

27. (1) A teacher may be granted leave on account of his illness (to be known as sick leave) for 90 days with full pay and 90 days with half pay in each cycle of three years' continuous service and for such further period without pay as the Secretary may determine; provided that a sick leave cycle shall commence on the first day of a teacher's service in respect of which he falls under these regulations for leave purposes.

(2) Sick leave accrues to a teacher on the first day of the cycle of three years and with effect from that day the full provision of the cycle may be granted to him if the other provisions of these regulations are complied with;

(2) Enige aansoek om sodanige verlof moet vergesel wees van die sertifikaat van 'n behoorlik gekwalifiseerde praktiserende geneesheer waarin die redes vermeld moet word waarom sodanige verlof nodig is.

(3) Sodanige verlof mag nie vir langer wees nie as die tydperk wat nodig is vir die verwydering van die besmetting of aansteeking of vir die ontsmetting van die betrokke onderwyser.

SPESIALE VERLOF: DIENSKONTINUÏTEIT.

23. Ondanks andersluidende bepalings in hierdie regulasies vervat, kan aan 'n onderwyser wat in die diens van die Departement aangestel word en wat voorheen by die Departement in 'n tydelike hoedanigheid in diens was, verlof sonder besoldiging toegestaan word vir die doel om die kontinuïteit van sodanige onderwyser se diens te behou (as kontinuïteitsverlof bekend te staan) van die eerste dag na die datum waarop hy die laaste keer salaris van die Departement ontvang het tot die datum voor die datum van diensaanvaarding ingevolge sodanige aanstelling, indien sodanige tydperk hoogstens 90 dae is; met dien verstande dat die beperkings van 90 dae nie van toepassing is nie waar die betrokke tydperk strek van die dag net na die laaste dag van 'n skoolkwartaal tot die dag net voor die eerste dag van die volgende skoolkwartaal op een na.

SPESIALE VERLOF: BUITENGEWONE.

24. Waar die Sekretaris meen dat dit in die belang van die Departement is om dit te doen, kan hy aan 'n onderwyser spesiale verlof sonder besoldiging toestaan vir sodanige tydperk as wat hy mag bepaal; met dien verstande dat sodanige verlof met besoldiging alleen met die goedkeuring van die Minister in oorleg met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie toegestaan kan word.

VERLOF VIR DRINGENDE PRIVATE SAKE.

25. (1) Aan 'n onderwyser kan verlof toegestaan word om aandag te skenk aan private sake (as verlof vir dringende private sake bekend te staan).

(2) Verlof vir dringende private sake is met of sonder besoldiging al na die Sekretaris bepaal; met dien verstande dat sodanige verlof met besoldiging nie toegestaan sal word vir langer as die vakansieverlof wat die betrokke onderwyser te goed het nie en dit word teen sodanige vakansieverlof in rekening gebring.

BEVALLINGSVERLOF.

26. (1) 'n Getroude onderwyseres moet verlof neem vir haar bevalling (as bevallingsverlof bekend te staan) vir sodanige tydperk as wat die Sekretaris mag bepaal maar vir minstens 'n tydperk van drie maande voor die verwagte datum en ses weke na sodanige bevalling.

(2) Daar moet minstens een maand kennis aan die Sekretaris gegee word van die voorneme om sodanige verlof te neem en enige sodanige verlof wat toegestaan word, is verlof sonder besoldiging.

(3) Ondanks andersluidende bepalings in hierdie regulasies vervat, kan aan 'n onderwyseres op haar versoek vakansieverlof met volle besoldiging toegestaan word, in die plek van enige gedeelte van die bevallingsverlof, in die mate wat sodanige onderwyseres vakansieverlof te goed het of met half besoldiging op die basis van twee dae met half besoldiging vir elke dag met volle besoldiging wat sy te goed het.

SIKTEVERLOF.

27. (1) Verlof kan aan 'n onderwyser toegestaan word op grond van sy siekte (bekend te staan as siekteverlof) vir 90 dae teen vol salaris en 90 dae teen half salaris in elke kringloop van drie jaar aaneenlopende diens en sonder salaris vir sodanige verdere tydperk as wat die Sekretaris vasstel; met dien verstande dat 'n siekteverlof-kringloop begin op die eerste dag van 'n onderwyser se diens ten opsigte waarvan hy vir verlofdoeleindes onder hierdie regulasies ressorteer.

(2) Siekteverlof val toe aan 'n onderwyser op die eerste dag van die kringloop van die jaar en met ingang van daardie dag mag die volle voorsiening vir die betrokke kringloop aan hom toegestaan word mits aan die ander bepalings van hierdie regulasies voldoen word; met dien

provided that no teacher may be granted sick leave with full pay or half pay until he has completed thirty days' service which counts as service for leave purposes and then only in respect of absences subsequent to the completion of such service.

(3) Any application for sick leave in respect of a continuous period of more than three days shall be supported by a medical certificate and the Secretary may require a medical certificate to be furnished in support of any application for sick leave for a period of three days or less if he considers that the circumstances warrant the furnishing of such a certificate; provided that where the Secretary is satisfied that the absence of the teacher concerned is *bona fide* due to sickness and is further satisfied that there are sufficient reasons for the non-production of a medical certificate he may, in his discretion, dispense with a medical certificate for a period not exceeding fourteen days.

(4) Where a medical certificate has been dispensed with by the Secretary in terms of sub-regulation (3), the form of application for leave shall be endorsed to that effect.

(5) Sick leave shall not be granted to a teacher in respect of—

- (a) illness, disease or injury due to misconduct or failure to take reasonable care or precautions on the part of such teacher; or
- (b) neurasthenia, insomnia, debility or other similar ill-defined disease or condition of ill-health, unless it is established to the satisfaction of the Secretary that—
 - (i) such teacher is not in a fit state of health to perform his duties; and
 - (ii) the condition could not have been avoided by the taking of reasonable care or precautions on the part of such teacher or by the utilization of the facilities available to him in regard to vacation leave.

(6) Notwithstanding anything to the contrary contained in these regulations, a teacher may, at his request, be granted in lieu of any portion of sick leave granted with half pay or without pay vacation leave with full pay to the extent of the vacation leave standing to his credit or with half pay on the basis of two days with half pay for each day with full pay standing to his credit.

(7) Notwithstanding anything to the contrary contained in sub-regulation (1), a teacher (other than a teacher who being in receipt of climatic allowance contracts malaria) who is absent from duty owing to an injury sustained in an accident arising out of and in the course of his duties or owing to a disease contracted in the course of and as a result of his duties, may be granted special sick leave with full pay for the period he is incapacitated for such duties, or, if the case falls within the scope of the Workmen's Compensation Act, 1941, as amended, sick leave with remuneration equal to the difference between full pay and the compensation payable to him in terms of that Act.

TERMINATION OF LEAVE ON RESIGNATION OR DISCHARGE.

28. If, prior to the expiration of a period of leave granted to a teacher, such teacher should resign or be discharged from the service of the Department, such leave shall *ipso facto* terminate on the date of the receipt of the notice of such resignation or the date upon which such discharge takes effect.

VOLUNTARY TERMINATION OF LEAVE BY TEACHER.

29. A teacher who wishes to assume duty before the expiration of a period of leave granted to him under these regulations, shall not do so before having obtained the prior approval of the Secretary.

LEAVE UNDER PREVIOUS REGULATIONS.

30. In respect of any teacher in the service of the Department upon the coming into operation of these regulations—

- (a) the vacation leave standing to the credit of such teacher shall be deemed to be a credit under these regulations;

verstande dat aan geen onderwyser siekteverlof met vol of half betaling toegestaan mag word voordat hy nie dertig dae diens, wat tel as diens vir verlofdoeleindes, voltooi het nie en dan slegs ten opsigte van afwesighede na die voltooiing van sodanige diens.

(3) Enige aansoek om siekteverlof ten opsigte van 'n ononderbroke tydperk van meer as drie dae moet gestaaf word deur 'n geneeskundige sertifikaat en die Sekretaris kan eis dat 'n geneeskundige sertifikaat verstrekkend word ter staving van enige aansoek om siekteverlof vir 'n tydperk van drie dae of minder indien hy meen dat omstandighede die verstrekking van sodanige sertifikaat regverdig; met dien verstande dat, waar die Sekretaris oortuig is dat die afwesigheid van die betrokke onderwyser *bona fide* te wyte is aan siekte en as hy verder oortuig is dat daar genoegsame redes bestaan waarom 'n geneeskundige sertifikaat nie ingedien is nie, kan hy, na goeë dunks, vrystelling verleen van die voorlegging van 'n geneeskundige sertifikaat vir 'n tydperk van hoogstens veertien dae.

(4) Waar die Sekretaris vrystelling verleen het van die voorlegging van 'n geneeskundige sertifikaat ingevolge subregulasie (3), moet hy die verlofaansoekvorm in diervolgende endosseer.

(5) Siekteverlof word nie aan 'n onderwyser toegestaan nie ten opsigte van—

- (a) siekte, ongesteldheid of besering wat toe te skrywe is aan die onderwyser se wangedrag of gebrek aan 'n redelike mate van sorg of voorsorg; of
- (b) neurastenie, slaapproosheid, swakheid of ander dergelyke minder goed omskrewe siekte of ongesteldheid, tensy die Sekretaris oortuig is dat—
 - (i) sodanige onderwyser se gesondheidstoestand hom ongeskik maak vir sy werk;
 - (ii) die toestand waarin hy verkeer nie deur 'n redelike mate van sorg of voorsorg van sy kant of deur gebruik te maak van sy vakansieverlofvoorregte, vermy kon geword het nie.

(6) Ondanks andersluidende bepalings in hierdie regulasies vervat, kan daar aan 'n onderwyser op sy versoek, in die plek van enige gedeelte van die siekteverlof wat met half besoldiging of sonder besoldiging toegestaan is, vakansieverlof met volle besoldiging toegestaan word in die mate van die vakansieverlof wat hy te goed het, of met half besoldiging op die basis van twee dae met half besoldiging vir elke dag met volle besoldiging wat hy te goed het.

(7) Ondanks andersluidende bepalings in subregulasie (1) vervat, kan aan 'n onderwyser (uitgesonderd 'n onderwyser wat klimaatstoelae ontvang en malaria opdoen) wat van diens afwesig is weens 'n besering opgedoen in 'n ongeluk wat voortvloei uit en in die loop van sy pligte of weens 'n siekte opgedoen in die loop of as gevolg van sy pligte, spesiale siekteverlof met volle besoldiging toegestaan word vir die tydperk wat hy onbevoeg is vir sodanige pligte, of, indien die geval onder die Ongevalwet, 1941, soos gewysig, ressorteer siekteverlof met besoldiging gelyk aan die verskil tussen volle besoldiging en die vergoeding wat ingevolge genoemde Wet aan hom betaalbaar is.

BEEÏNDIGING VAN VERLOF BY BEDANKING OF ONTSLAG.

28. Indien 'n onderwyser voor die verstryking van 'n tydperk van verlof wat aan so 'n onderwyser toegestaan is, bedank of uit die diens van die Departement ontslaan word, eindig sodanige verlof *ipso facto* op die datum van die ontvangs van die kennisgewing van sodanige bedanking of op die datum waarop sodanige ontslag in werking tree.

VRYWILLIGE BEEÏNDIGING VAN VERLOF DEUR ONDERWYSER.

29. 'n Onderwyser wat diens wil aanvaar voor die verstryking van 'n tydperk van verlof wat ingevolge hierdie regulasies aan hom toegestaan is, mag dit nie sonder die voorafverkreë goedkeuring van die Sekretaris doen nie.

VERLOF INGEVOLGE VORIGE REGULASIES.

30. Ten opsigte van 'n onderwyser wat met die inwerkingtreding van hierdie regulasies in die diens van die Departement is—

- (a) word daar geag dat die vakansieverlof wat sodanige onderwyser te goed het, verlof te goed is ingevolge hierdie regulasies;

- (b) any leave cycle applicable to such teacher shall continue as a leave cycle under these regulations;
- (c) any leave granted to such teacher shall be deemed to be leave granted under these regulations.

LEAVE PRIVILEGES OF TEMPORARY TEACHERS.

31. Leave privileges as set out in these regulations may be granted by the Secretary to any teacher appointed in a temporary capacity: Provided that any leave granted to any such teacher shall be calculated on the basis of his uninterrupted service under the Department.

CHAPTER III.

PROVISIONS RELATING TO ILL-HEALTH OF TEACHER.

32. (1) The Secretary shall refer the matter to the Secretary for Health for advice and may at any time require a teacher whom he suspects to be suffering from ill-health to submit himself for examination by a medical practitioner, or a medical board, constituted in a manner provided for in regulation 33, as he may determine and any such teacher shall submit himself to any such examination.

(2) Where a teacher fails or refuses to submit to an examination contemplated in sub-regulation (1), the Secretary may terminate his appointment as from a date to be determined by him.

CONSTITUTION OF MEDICAL BOARD.

33. (1) A medical board shall consist of three medical practitioners appointed by the Secretary of whom one shall be a district surgeon and one shall be a medical practitioner nominated by the teacher concerned, if he so desires.

(2) The expenses incurred in connection with any such board shall be defrayed by the Department: Provided that where the travelling expenses of a member of such board nominated by a teacher are in excess of those incurred in respect of the other members thereof, such teacher shall pay such excess.

EXAMINATION OF TEACHER.

34. (1) It shall be the function of any medical practitioner, or medical board, required to examine any teacher in terms of sub-regulation (1) of regulation 32 to furnish the Secretary with a comprehensive report on the health of such teacher.

(2) It shall be competent for any such medical practitioner, or medical board, to obtain, subject to the approval of the Secretary such other professional advice as it may deem necessary in connection with any such examination.

POWER OF SECRETARY ON RECEIPT OF MEDICAL REPORT.

35. (1) Whenever the Secretary receives a report referred to in sub-regulation (1) of regulation 34, he shall refer the matter to the Secretary for Health for advice and may, subject to the provisions of the Pensions Act—

- (a) if in the opinion of the medical practitioner or medical board there is a reasonable prospect of the teacher being able, after a period of leave, to perform his duties satisfactorily, require the teacher concerned to take sick leave in terms of the provisions of these regulations for such period or further period as he may determine and to undergo during such period such medical treatment as the circumstances of the case may require; or
- (b) terminate such teacher's services with the Department from a date to be determined by the Secretary and such teacher's services shall, for the purposes of the Pensions Act, be deemed to have been terminated on the grounds of ill-health.

- (b) bly enige verloftydkring wat op sodanige onderwyser van toepassing is, nog van toepassing as 'n verloftydkring ingevolge hierdie regulasies;
- (c) word daar geag dat verlof aan sodanige onderwyser toegestaan, verlof ingevolge hierdie regulasies is.

VERLOFVOORREGTE VAN TYDELIKE ONDERWYSERS.

31. Aan 'n onderwyser in 'n tydelike hoedanig'e'd deur die Sekretaris aangestel kan verlofvoorregte soos in hierdie regulasies uiteengesit, toegestaan word; met dien verstande dat enige verlof aan sodanige onderwyser toegestaan, op die basis van sy ononderbroke diens onder die Departement bereken sal word.

HOOFSTUK III.

BEPALINGS BETREFFENDE 'N ONDERWYSER WAT ONGESTELD IS.

VERPLIGTE GENEESKUNDIGE ONDERSOEK.

32. (1) Die Sekretaris moet die saak na die Sekretaris van Gesondheid verwys om advies en kan te eniger tyd eis dat 'n onderwyser van wie hy vermoed dat hy ongesteld is hom moet onderwerp aan 'n ondersoek deur 'n praktiserende geneesheer, of 'n geneeskundige raad, saamgestel op 'n wyse in regulasie 33 bepaal, al na hy besluit, en enige sodanige onderwyser moet hom aan enige sodanige ondersoek onderwerp.

(2) Ingeval 'n onderwyser versuim of weier om hom te onderwerp aan 'n ondersoek in subregulasie (1) beoog, kan die Sekretaris 'n beslissing vel aangaande enige sodanige onderwyser asof so 'n ondersoek wel plaasgevind het.

SAMESTELLING VAN GENEESKUNDIGE RAAD.

33. (1) 'n Geneeskundige raad bestaan uit drie praktiserende geneesheer deur die Sekretaris benoem waarvan een 'n distriksgeneesheer is en een 'n praktiserende geneesheer deur die betrokke onderwyser aangewys, indien hy dit verlang.

(2) Die onkoste in verband met enige sodanige raad aangegaan moet deur die Departement bestry word; met dien verstande dat waar die reiskoste van 'n lid van so 'n raad deur 'n onderwyser aangewys meer bedra as dié ten opsigte van die ander lede daarvan aangegaan, so 'n onderwyser sodanige oorskrydingsbedrag moet betaal.

ONDERSOEK VAN ONDERWYSER.

34. (1) Dit is die plig van 'n praktiserende geneesheer, of geneeskundige raad, wat 'n onderwyser ingevolge subregulasie (1) van regulasie 32 moet ondersoek, om 'n omvangryke verslag oor die gesondheid van so 'n onderwyser aan die Sekretaris te verstrek.

(2) Enige sodanige praktiserende geneesheer, of geneeskundige raad, het die bevoegdheid om, onderworpe aan die goedkeuring van die Sekretaris, sodanige ander professionele advies in te win as wat hy in verband met sodanige ondersoek nodig ag.

BEVOEGDHEID VAN SEKRETARIS BY ONTVANGS VAN GENEESKUNDIGE VERSLAG.

35. (1) Wanneer die Sekretaris 'n verslag ontvang, in subregulasie (1) van regulasie 34 genoem, moet hy die saak na die Sekretaris van Gesondheid verwys om advies en kan hy, behoudens die bepalings van die Pensioene-wet—

- (a) indien daar na die mening van die praktiserende geneesheer, of geneeskundige raad, 'n redelike vooruitsig is dat die onderwyser na 'n tydperk van verlof sy pligte op doeltreffende wyse kan uitvoer, vereis dat die betrokke onderwyser siekteverlof ingevolge die bepalings van hierdie regulasies moet neem vir sodanige tydperk of verdere tydperk as wat hy bepaal en om gedurende bedoelde tydperk sodanige geneeskundige behandeling te ontvang, al na die vereistes van die geval; of
- (b) sodanige onderwyser se dienste by die Departement beëindig met ingang van 'n datum deur die Sekretaris bepaal te word en sodanige onderwyser se diens sal vir die doeleindes van die pensioene-wet as beëindig geag word op grond van swak gesondheid.

(2) When the Secretary is satisfied that any teacher has failed or refused to undergo during a period of sick leave the treatment referred to in paragraph (a) of sub-regulation (1), the Secretary may withdraw such leave and terminate forthwith the service of any such teacher in the Department.

TEACHER FAILING TO RESUME DUTY AFTER PERIOD OF SICK LEAVE.

36. Where a teacher to whom sick leave has been granted in terms of paragraph (a) of sub-regulation 1 of regulation 35, fails to resume duty on the expiry of such leave, his services with the Department shall be deemed to have terminated—

- (a) from the date on which the sick leave expired if it was paid sick leave; or
- (b) from the date of commencement of the sick leave if it was sick leave without pay.

The provisions of this regulation apply *mutatis mutandis* where sick leave without pay is preceded by sick leave with pay.

PAID LEAVE COUNTS FOR PURPOSES OF SALARY INCREMENTS AND LEAVE.

37. All kinds of leave, in respect of which a teacher receives full or part pay shall count for purposes of salary increments and leave.

CHAPTER IV.

MISCONDUCT.

38. A teacher who contravenes or fails to comply with any of the provisions of these regulations or who—

- (a) disobeys or disregards, or makes wilful default in carrying out a lawful order given to him by a person having authority to give the same or by word or conduct displays insubordination; or
- (b) secures or attempts to secure intervention from any source in favour of his own or to the prejudice of another teacher's promotion, transfer or emoluments in the service of the Department: Provided that nothing herein contained shall prevent a teacher from obtaining redress of any grievance through Parliament; or
- (c) conducts himself in a disgraceful or improper manner, or whilst on duty shows gross discourtesy to another teacher or to any other person; or
- (d) is addicted to excessive use of intoxicants or stupefying drugs; or
- (e) becomes insolvent or assigns his estate for the benefit of, or compromises with his creditors, or has a decree of civil imprisonment made against him by a court of law, unless he can show that his insolvency, assignment, compromise or civil imprisonment has been occasioned by unavoidable misfortune; or
- (f) becomes pecuniarily embarrassed if such pecuniary embarrassment is occasioned by imprudence or other reprehensible cause and is prejudicial to the faithful performance of his duties; or
- (g) without the approval of the Secretary accepts or demands in respect of the performance of his duties any commission, fee or reward pecuniary or otherwise (not being emoluments payable to him in respect of his duties); or
- (h) misappropriates or improperly uses any property of the Department under circumstances which do not constitute a criminal offence; or
- (i) commits a criminal offence; or
- (j) absents himself from his post or duty without leave or valid cause; or

(2) Wanneer die Sekretaris oortuig is dat 'n onderwyser versuim of geweier het om gedurende 'n tydperk van siekteverlof die behandeling te ondergaan in paragraaf (a) van subregulasie (1) genoem, kan die Sekretaris sodanige verlof intrek of sodanige verlof intrek en onverwyld die dienste van so 'n onderwyser by die Departement beëindig.

ONDERWYSER WAT NA 'N TYDPERK VAN SIEKTEVERLOF IN GEBREKE BLY OM DIENS TE HERVAT.

36. Ingeval 'n onderwyser aan wie siekteverlof toegestaan is kragtens paragraaf (a) van subregulasie 1 van regulasie 35, nie by die verstryking van sodanige verlof diens hervat nie, word sy dienste by die Departement geag beëindig te wees—

- (a) vanaf die datum waarop die siekteverlof verstryk het indien dit siekteverlof met besoldiging was; of
- (b) vanaf die datum waarop sodanige verlof, indien sonder besoldiging, toegestaan is.

Die bepalings van hierdie regulasie is *mutatis mutandis* van toepassing waar siekteverlof sonder besoldiging voorafgegaan word deur siekteverlof met besoldiging.

BETAALDE VERLOF TEL VIR DIE DOELEINDES VAN SALARIS-VERHOOGINGS EN VERLOF.

37. Alle soorte verlof ten opsigte waarvan 'n onderwyser vol of half salaris ontvang tel vir die doeleindes van salarisverhogings en verlof.

HOOFTUK IV.

WANGEDRAG.

38. 'n Onderwyser wat enigeen van die bepalings van hierdie regulasies oortree of versuim om daaraan te voldoen of wat—

- (a) 'n wettige bevel aan hom gegee deur iemand wat bevoeg is om dit te gee, nie gehoorsaam nie of verontagsaam of opsetlik nie uitvoer nie of hom deur woord of gedrag aan insubordinasie skuldig maak; of
- (b) bemiddelling verkry of probeer verkry uit enige bron ten voordele van sy eie of ten nadele van 'n ander onderwyser se bevordering, oorsprong of emolumente in die diens van die Departement; met dien verstande dat geen bepaling hierin vervat 'n onderwyser belet om herstel van griewe deur middel van die Parlement te probeer verkry nie; of
- (c) hom op 'n skandelijke of onbehoorlike wyse gedra of terwyl hy diens doen hom uiters onbeleefd betoon teenoor 'n ander onderwyser of ander persoon; of
- (d) verslaaf is aan oormatige gebruik of bedwelmende drankie of verdowingsmiddels; of
- (e) insolvent word of sy boedel afstaan ten behoeve van sy skuldeisers of met hulle 'n kompromis aangaan of teen wie 'n vonnis vir siviele gyseling deur 'n geregshof gegee is, tensy hy kan bewys dat sy insolvensie, boedelafstand, kompromis of siviele gyseling veroorsaak is deur onvermydelike teenspoed; of
- (f) in geldelike moeilikheid raak indien sodanige geldelike moeilikheid die gevolg is van onversigtigheid of 'n ander afkeurenswaardige oorsaak en nadelig is vir die getroue vervulling van sy pligte; of
- (g) sonder goedkeuring van die Sekretaris vir die vervulling van sy pligte 'n kommissie, geld of geldelike of ander beloning (wat nie die emolumente is wat aan hom betaalbaar is ten opsigte van sy pligte nie) aanneem of eis; of
- (h) hom eiendom van die Departement wederregtelik toeëien of daarvan onbehoorlike gebruik maak onder omstandighede wat nie 'n strafbare misdryf uitmaak nie; of
- (i) 'n strafbare misdryf begaan; of
- (j) sonder verlof of 'n gegronde rede van sy pos of sy plig afwesig is; of

- (k) with a view to obtaining any privilege or advantage in relation to his official position or his duties or to causing prejudice or injury to the service of the Department or to the Government of the Union makes an incorrect or false statement knowing it to be incorrect or false;

shall be deemed to have been guilty of misconduct and may be dealt with as provided in these regulations.

CHARGE OF MISCONDUCT AND PROCEDURE.

39. (1) (a) A complaint against a teacher of such misconduct as is referred to in regulation 38 may be made by any person or body considering himself or itself to have an interest in making such complaint.

(b) Such complaint shall be submitted in writing, clearly defining the alleged misconduct.

(2) The complaint may, after such inquiry as the Secretary may deem desirable, form the subject of a charge of misconduct against the teacher.

(3) When a teacher is charged with misconduct, the Secretary or other officer in the service of the Department authorised in writing thereto by the Secretary shall in writing under his hand charge such teacher with the misconduct.

(4) The person who signed the charge of misconduct shall cause it to be sent by post in a registered letter or to be delivered to the teacher so charged or shall send it or cause it to be sent to his last known place of residence.

(5) The charge of misconduct shall contain or shall be accompanied by a direction calling upon the teacher so charged to send or deliver, within a period specified in such direction, to a person likewise specified, a written admission or denial of the charge and, if he so desires, a written explanation of the misconduct with which he is so charged.

(6) The Secretary or any officer in the service of the Department authorized thereto in writing by the Secretary, may suspend a teacher against whom a complaint referred to in sub-regulation (1) has been made from duty and such suspension shall forthwith be reduced to writing.

(7) A teacher suspended from duty shall not be entitled to any emoluments for the period of his suspension: Provided that the Minister may order the payment to such teacher of the whole or any portion of such emoluments.

(8) The Secretary may at any time cancel the suspension but such cancellation shall in no way affect the prosecution of the charge.

(9) If the teacher concerned denies the charge or fails to comply with a direction referred to in sub-regulation (5), the Secretary may appoint a commission to conduct an enquiry into the charge.

COMMISSION OF ENQUIRY.

40. (1) (a) The commission shall consist of three members, who in the opinion of the Secretary have the necessary ability to conduct an enquiry into a charge referred to in regulation 39 and who shall be appointed by him as members of the commission.

(b) The Secretary shall appoint one of the members of the commission as chairman thereof.

(c) The decision of the majority of the members of the commission on any matter shall be the decision of the commission thereon and in all other respects the commission shall regulate its own procedure.

(d) The Secretary may provide each commission with such clerical and other assistance as may from time to time appear to him to be necessary.

(e) The commission may for the purpose of the enquiry for which it is appointed—

- (i) summon any person who in its opinion may be able to give information relevant to the subject of the enquiry or who it suspects or believes has in his possession or custody or under his control

- (k) met die doel om 'n voorreg of voordeel ten aansien van sy amptelike posisie of sy pligte verkry of om afbreuk te doen aan of nadeel te berokken aan die diens van die Departement of die Regering van die Unie 'n onjuiste of onware verklaring doen wetende dat dit onjuis of onwaar is; of

word geag hom aan wangedrag skuldig gemaak te hê en met hom kan gehandel word soos in hierdie regulasies bepaal.

39. (1) (a) 'n Klag van sodanige wangedrag as wat in regulasie 38 genoem word kan teen 'n onderwyser ingebring word deur enige persoon of liggaam wat meen dat hy belang daarby het.

(b) Sodanige klag moet skriftelik ingedien word en die beweerde wangedrag moet daarin duidelik omskryf wees.

(2) Die klag kan, na sodanige ondersoek as wat die Sekretaris wenslik mag ag, die onderwerp uitmaak van 'n aanklag van wangedrag teen die onderwyser.

(3) Wanneer 'n onderwyser van wangedrag aangekla word, moet die Sekretaris of ander amptenaar in die diens van die Departement, wat skriftelik deur die Sekretaris gemagtig is, sodanige onderwyser skriftelik van die wangedrag aankla.

(4) Die persoon wat die aanklag van wangedrag onderteken, moet dit per geregistreerde pos laat afstuur of aflewer aan die onderwyser wat aldus aangekla is of dit na sy jongsbekende verblyfplek stuur of laat stuur.

(5) Die aanklag van wangedrag moet 'n opdrag bevat of van sodanige opdrag vergesel gaan waarby die onderwyser wat aldus aangekla word, aangesê word om binne 'n tydperk in sodanige opdrag genoem, aan 'n persoon insgelyks genoem, 'n skriftelike erkenning of ontkenning van die aanklag en, as hy dit wens, 'n skriftelike verduideliking van die wangedrag waarvan hy aldus aangekla is, te stuur of af te lewer.

(6) Die Sekretaris of enige amptenaar in die diens van die Departement, wat skriftelik deur die Sekretaris daartoe gemagtig is, kan 'n onderwyser teen wie 'n klag in subregulasie (1) genoem, ingebring is in sy diens skors en sodanige skorsing moet onverwyld op skrif gestel word.

(7) 'n Onderwyser wat in sy diens geskors is, is nie op enige emolumente vir die tydperk van sy skorsing geregtig nie; met dien verstande dat die Minister die betaling van die geheel of enige gedeelte van sodanige emolumente aan sodanige onderwyser kan gelas.

(8) Die Sekretaris kan te eniger tyd 'n skorsing intrek, maar sodanige intrekking raak geensins die voortsetting van die klagproses nie.

(9) As die betrokke onderwyser die aanklag ontken of versuim om aan 'n opdrag, genoem in subregulasie (5), te voldoen, kan die Sekretaris 'n kommissie benoem om ondersoek in te stel na die aanklag.

KOMMISSIE VAN ONDERSOEK.

40. (1) (a) Die kommissie bestaan uit drie lede, wat na die mening van die Sekretaris die nodige bekwaamheid besit of ondersoek na 'n klagte in regulasie 39 bedoel, in te stel en wat deur hom tot lede van die kommissie benoem word.

(b) Die Sekretaris benoem een van die lede van die kommissie tot voorsitter van die kommissie.

(c) Die beslissing van die meerderheid van die lede van die kommissie oor enige saak is die beslissing van die kommissie daaroor en in alle ander opsigte reël die kommissie sy eie prosedure.

(d) Die Sekretaris kan iedere kommissie van sodanige klerklike en ander hulp voorsien as wat van tyd tot tyd vir hom nodig mag blyk.

(e) Die kommissie kan vir die doeleindes van die ondersoek waarvoor hy genoem is—

- (i) enigiemand wat na die kommissie se mening in staat mag wees om inligting ter sake betreffende die onderwerp van die ondersoek te verstrek of omtrent wie die kommissie vermoed of glo dat hy in sy besit of bewaring of onder sy beheer enige boek, stuk, dokument of ding het wat enige betrek-

any book, record, document or thing which has any bearing upon the subject of the enquiry to appear before it at a time and place specified in the summons, to be interrogated or to produce such book, record, document or thing and the commission may retain for examination any such book, record, document or thing so produced;

- (ii) call and administer an oath to any person present at such inquiry who was or might have been summoned in terms of sub-paragraph (i) and may interrogate him and require him to produce any book, record, document or thing in his possession or custody or under his control.

(2) A summons for the attendance before the commission or for the production of any book, record, document or thing shall be in the form prescribed in Annexure D and shall be sent by post in a registered letter or be delivered by hand to the person summoned.

(3) Any power or function of the commission under this regulation may be exercised on behalf of such commission by any member thereof to whom such power or function has been delegated by the commission.

(4) Any person summoned to appear before a commission and to give evidence or produce any book, record, document or thing and who without sufficient cause (of which the burden of proof shall be upon him) fails to attend at the time and place specified in the summons, or to remain in attendance until the enquiry has been completed or until the chairman of the commission has granted him permission to absent himself, or who having appeared, refuses to be sworn as a witness after the chairman of the commission has required him to do so, or who, having been sworn as a witness, refuses to answer fully and in a satisfactory manner any question lawfully put to him, or who fails to produce any book, record, document or thing in his possession or custody or under his control for the production of which he has been summoned or called upon to produce, shall be guilty of an offence, and liable, on conviction, to a fine not exceeding fifty pounds, or in default of payment, to imprisonment for a period not exceeding six months.

(5) Any person who having been sworn as a witness, gives any false evidence before a commission in connection with any subject, knowing such evidence to be false, or not knowing or believing it to be correct, shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months.

(6) Any person who wilfully interferes with the proceedings of a commission or wilfully hinders or obstructs such commission in the conduct of its proceedings or hinders or obstructs or intimidates any person whilst giving evidence or furnishing such information as may be required of him, shall be guilty of an offence, and liable, on conviction, to a fine not exceeding fifty pounds, or to imprisonment for a period not exceeding six months.

(7) A person summoned to attend a sitting of a commission or who has given evidence before such commission, shall be entitled to such witness fees as may be prescribed by regulation or determined upon by the Minister and in connection with the giving of evidence or the production of any book, record, document or thing the legal provisions governing privilege, as applicable to a witness giving evidence before a superior court or summoned to produce any book, record, document or thing, shall apply.

(8) The sittings of a commission shall not be open to the public or the press; and any person publishing any proceedings or recommendation of such commission (except where such publication is necessary to comply with the provisions of these regulations) shall be guilty of an offence and liable, on conviction, to a fine not exceeding fifty pounds or to imprisonment for a period not exceeding six months.

king op die onderwerp van die ondersoek het, dagvaar om voor die kommissie te verskyn op 'n tyd en plek wat in die dagvaarding vermeld word, om ondervra te word of om sodanige boek, stuk, dokument of ding voor te lê en die kommissie kan enige sodanige boek, stuk, dokument of ding wat aldus voorgelê is, vir ondersoek hou;

- (ii) enigiemand wat by sodanige ondersoek aanwesig is en wat gedagvaar is of ingevolge subparagraaf (i) gedagvaar kon gewees het, oproep en hom 'n eed afneem en die kommissie kan hom ondervra en van hom eis om enige boek, stuk, dokument of ding in sy besit of bewaring of onder sy beheer voor te lê.

(2) 'n Dagvaarding ter verskyning voor 'n kommissie of ter voorlegging aan sodanige kommissie van enige boek, stuk, dokument of ding moet in die vorm wees wat in Byvoegsel D by hierdie regulasies voorgeskryf word en word per pos in 'n aangetekende brief of per bode aan die gedagvaarde persoon afgelewer.

(3) Enige bevoegdheid of funksie van die kommissie kragtens hierdie regulasie kan namens sodanige kommissie deur enige lid daarvan aan wie sodanige bevoegdheid of funksie deur die kommissie opgedra is, uitgeoefen word.

(4) Enigiemand wat gedagvaar is om voor 'n kommissie te verskyn en getuie af te lê of enige boek, stuk, dokument of ding voor te lê en wat sonder voldoende rede (waarvan die las om dit te bewys op hom rus), in gebreke bly om op die tyd en plek in die dagvaarding opgegee, te verskyn, of om aanwesig te bly totdat die ondersoek voltooi is of totdat die voorsitter van die kommissie hom verlos gegee het om weg te bly, of wat na verskyning weier om as getuie die eed af te lê nadat die voorsitter van die kommissie dit van hom vereis het of wat, na dié eedaflegging, weier om elke wettiglik aan hom gestelde vraag ten volle en op bevredigende wyse te beantwoord, of wat in gebreke bly om enige boek, stuk, dokument of ding voor te lê wat in sy besit of bewaring of onder sy beheer is en tot voorlegging waarvan hy gedagvaar is of opgeroep is om voor te lê, is aan 'n misdryf skuldig en by skuldigverklaring strafbaar met 'n boete van hoogstens vyftig pond of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

(5) Enigiemand wat, nadat hy as getuie die eed afgelê het, omtrent enige onderwerp valse getuie afleë voor 'n kommissie afleë met die wete dat sodanige getuie vals is, of terwyl hy nie weet of glo dat dit juis is nie, is aan 'n misdryf skuldig en by skuldigverklaring strafbaar met 'n boete van hoogstens vyftig pond of met gevangenisstraf van hoogstens ses maande.

(6) Enigiemand wat die verrigtings van 'n kommissie opsetlik steur of sodanige kommissie by die verrigting van sy werksaamhede opsetlik hinder of dwarsboom of enigiemand anders by die aflegging van getuie afleë van verstrekking van sodanige inligting as wat van hom geëis word, hinder of belemmer of intimideer, is aan 'n misdryf skuldig en, by skuldigverklaring, strafbaar met 'n boete van hoogstens vyftig pond of met gevangenisstraf van hoogstens ses maande.

(7) Iemand wat gedagvaar is om 'n sitting van 'n kommissie by te woon of wat voor sodanige kommissie getuie afleë het, is geregtig op sodanige getuieloon as wat by regulasie voorgeskryf of deur die Minister bepaal word en in verband met die aflegging van getuie afleë of die voorlegging van enige boek, stuk, dokument of ding, is die regs-bepalings betreffende privilegie, soos toepaslik op 'n getuie wat voor 'n hoër hof getuie afleë of gedagvaar is om daarin 'n boek, stuk, dokument of ding voor te lê, van toepassing.

(8) Die sittings van 'n kommissie is nie vir die publiek of die pers toeganklik nie en enigiemand wat enige verrigtings of aanbeveling van sodanige kommissie publiseer (uitgenome waar sodanige publikasie nodig is ten einde aan die bepaling van hierdie Regulasies te voldoen) is skuldig aan 'n misdryf en, by skuldigverklaring, strafbaar met 'n boete van hoogstens vyftig pond of met gevangenisstraf van hoogstens ses maande.

PROCEDURE AT ENQUIRY INTO CHARGE OF MISCONDUCT.

41. (1) The chairman of the commission shall, in consultation with the person who signed the charge, fix the date, time and place of the enquiry and such person shall give the teacher charged reasonable notice in writing of the date, time and place so fixed.

(2) At the enquiry the teacher concerned may be present, give evidence himself and either personally or by a representative be heard, cross-examine any witness appearing in support of the allegations contained in the charge, inspect any document produced in evidence and call any other person as a witness.

(3) The commission shall keep a record of the proceedings at the enquiry and of all evidence given thereat.

(4) The failure of the teacher concerned to attend the enquiry shall not invalidate the proceedings.

(5) The Secretary may authorize any person to attend the enquiry and to adduce evidence and arguments in support of the allegations contained in the charge of misconduct and to cross-examine any person who gave evidence in rebuttal of such allegations.

(6) At the conclusion of the enquiry the commission shall transmit to the Secretary the record of the proceedings kept in terms of sub-regulation (3) together with a recommendation that the teacher concerned should in its opinion be found either guilty of the charge or not guilty of the charge.

FINDING AND IMPOSITION OF PUNISHMENT.

42. (1) If the misconduct with which a teacher is charged amounts to an offence of which he has been convicted by a court of law, a certified copy of the record of his trial and conviction by that court shall be sufficient proof of the commission by him of such offence unless the conviction has been set aside by a superior court: Provided that such teacher shall have the right to produce evidence either to the Secretary or to the commission, if appointed, that he had in fact been wrongly convicted.

(2) After consideration of the teacher's admission or denial of the charge of misconduct and, in the event of a commission having been appointed, of the report and recommendation of such commission, the Secretary may—

- (a) find such teacher not guilty; or
- (b) find such teacher guilty; and
 - (i) caution or reprimand him; or
 - (ii) impose upon him a fine not exceeding fifty pounds which may be recovered by deduction from the teacher's emoluments in such instalments as the Secretary may determine; or
 - (iii) reduce his emoluments or the grade of post held by such teacher or both his emoluments and such grade, or transfer him to another teaching post of equal or lower grade; or
 - (iv) discharge him from the service of the Department or call upon him to resign therefrom as from a date to be specified by the Secretary.

(3) If the teacher charged was suspended from duty and he is in terms of paragraph (a) of sub-regulation (2) found not guilty, such teacher shall be reinstated and paid his full emoluments for the period of his suspension.

TEACHER FOUND GUILTY OF MISCONDUCT HAS RIGHT OF APPEAL.

43. (1) When a teacher has in terms of paragraph (b) of sub-regulation (2) of regulation 42 been found guilty of misconduct, the Secretary shall forthwith notify him of such finding and of the punishment therefor and such teacher shall be entitled within a period of thirty days after having been so notified to note an appeal in writing to the Minister against such finding or punishment or both, by giving notice to the Secretary of such appeal.

PROSEDURE BY DIE ONDERSOEK VAN WANGEDRAG.

41. (1) Die voorsitter van die kommissie moet in oorleg met die persoon wat die aanklag onderteken het, die datum, tyd en plek van die ondersoek vasstel en bedoelde persoon moet die onderwyser wat aangekla is, redelike skriftelike kennis gee van die datum, tyd en plek aldus vasgestel.

(2) By die ondersoek kan die betrokke onderwyser teenwoordig wees, self getuienis aflê en of persoonlik of deur bemiddeling van 'n verteenwoordiger gehoor word, enige getuie wat verskyn ter stawing van die bewerings in die aanklag onder kruisverhoor neem, alle dokumente ingedien as getuienis insien en enige persoon as getuie ontbied.

(3) Die kommissie moet 'n verslag hou van die verrigtings by die ondersoek en van al die getuienis daarby afgelê.

(4) Die versuim van die betrokke onderwyser om by die ondersoek teenwoordig te wees, maak die verrigtings nie ongeldig nie.

(5) Die Sekretaris kan aan enige persoon magtiging verleen om die ondersoek by te woon en om getuienis en argumente aan te voer ter stawing van die bewerings vervat in die aanklag van wangedrag en om enige persoon wat getuienis afgelê het om sodanige bewerings te weerlê, onder kruisverhoor te neem.

(6) Na die beëindiging van die ondersoek moet die kommissie die verslag wat hy van die verrigtings ingevolge subregulasie (3) gehou het aan die Sekretaris stuur tesame met 'n aanbeveling dat die betrokke onderwyser, na die mening van die kommissie, skuldig dan wel onskuldig op die aanklag bevind behoort te word.

BEVINDING EN OPLEGGING VAN STRAF.

42. (1) As die wangedrag, waarvan 'n onderwyser aangekla is neerkom op 'n misdryf waaraan hy deur 'n geregs-hof skuldig verklaar is, is 'n gesertifiseerde afskrif van die verslag van sy verhoor en skuldigverklaring deur die hof genoegsame bewys daarvan dat hy sodanige misdryf begaan het tensy die skuldigverklaring deur 'n hoër hof ter syde gestel is; met dien verstande dat sodanige onderwyser die reg het om getuienis of aan die Sekretaris of aan die kommissie, indien benoem, voor te lê dat hy in werklikheid ten onregte skuldig verklaar is.

(2) Na oorweging van die onderwyser se erkenning of ontkenning van die aanklag van wangedrag en, ingeval 'n kommissie benoem was, van die verslag en aanbeveling van sodanige kommissie, kan die Sekretaris sodanige onderwyser—

- (a) onskuldig verklaar; of
- (b) skuldig verklaar, en—
 - (i) waarsku of berispe; of
 - (ii) beboet met 'n bedrag van hoogstens vyftig pond wat verhaal kan word in sodanige paaiemente as wat die Sekretaris mag vasstel, deur aftrekking van sodanige onderwyser se emolumente; of
 - (iii) sy emolumente verminder of die graad van die pos deur sodanige onderwyser bekleë verlaag of beide sy emolumente verminder en sodanige graad verlaag of hom oorplaas na 'n ander onderwysspos van gelyke of laer graad; of
 - (iv) ontslaan uit die diens van die Departement of hom aansê om te bedank met ingang van 'n deur die Sekretaris bepaalde datum.

(3) As die onderwyser wat aangekla is in sy diens geskors is en hy word ingevolge paragraaf (a) van subregulasie (2) onskuldig verklaar, moet sodanige onderwyser in sy pos herstel word en sy volle emolumente vir die tydperk van sy skorsing aan hom betaal word.

ONDERWYSER SKULDIG BEVIND AAN WANGEDRAG HET REG TOT APPEL.

43. (1) As 'n onderwyser ingevolge paragraaf (b) van subregulasie (2) van regulasie 42 aan wangedrag skuldig verklaar is, moet die Sekretaris hom onverwyld van sodanige skuldigverklaring en straf daarvoor in kennis stel en sodanige onderwyser het die reg om binne 'n tydperk van dertig dae nadat hy aldus in kennis gestel is, skriftelik appél by die Minister aan te teken, teen sodanige skuldigverklaring of straf, of albei, deur aan die Sekretaris kennis te gee van sodanige appél.

(2) Upon receipt of a notice of appeal the Secretary shall—

- (a) if a commission was appointed in respect of the misconduct which is concerned in the appeal, within a period of fourteen days of such receipt furnish such teacher with a copy of the record referred to in sub-regulation (3) of regulation 41; and
- (b) forthwith notify the Minister that such appeal has been noted.

(3) The Minister shall within a period of thirty days after having been notified in accordance with paragraph (b) of sub-regulation (2) cause a board of appeal to be constituted to hear the appeal referred to in sub-regulation (1).

(4) The board of appeal referred to in sub-section (3) shall be constituted as follows:—

- (a) The Minister shall appoint one member who shall be chairman;
- (b) The Secretary shall appoint a second member; and
- (c) if the teacher who has noted the appeal, be a member of an association of teachers recognized by the Minister, such association shall appoint a third member: Provided that if such association refuses or neglects or fails to appoint such third member, or if such teacher be not a member of such association, the Minister shall appoint such third member.

(5) The provisions of regulation 40 [other than paragraphs (a) and (b) of sub-regulation (1) thereof] and of regulation 40 [other than sub-regulation (6) thereof] shall apply, *mutatis mutandis*, to such board of appeal.

(6) After the board of appeal has heard an appeal it shall recommend to the Minister—

- (a) that the appeal be allowed, either in respect of the finding or punishment or both the finding and punishment; or
- (b) that the appeal as a whole be dismissed.

(7) The recommendation of the board of appeal shall forthwith be submitted to the Minister, who shall give the final decision.

CHAPTER V.

INEFFICIENT TEACHER.

44. (1) Where an inspector of Bantu Schools, after an inspection of the work of a teacher, finds such work to have been unsatisfactory and intends making a report which may, in his opinion, result in steps being taken by the Secretary in terms of sub-regulation (2), he shall—

- (a) furnish to such teacher forthwith upon the conclusion of any such inspection the reasons why he finds his work to have been unsatisfactory; and
- (b) inform such teacher that he intends making such report, and thereupon such teacher shall be entitled to submit to the Secretary, within a period of twenty-one days from the date on which he was so informed, any explanation he may wish to offer.

(2) Where the Secretary has received a report contemplated in sub-regulation (1) in respect of any teacher and the period therein referred to has expired, he may cause provisional notice of the termination of such teacher's service to be given to him.

(3) (a) If the Secretary has decided in terms of sub-regulation (2) to cause such provisional notice to be given, the Secretary shall cause a copy of the report referred to in sub-regulation (2) to be forwarded to the teacher concerned and shall at the same time inform him that a further inspection of his work will be made at any time after an interval of at least three months, but not later than twelve months from the date of such notice: Provided that a teacher to whom provisional notice of the termination of his services has been given shall be entitled within

(2) By ontvangs van 'n kennisgewing van appèl moet die Sekretaris—

- (a) as 'n kommissie ten opsigte van die wangedrag waarop die appèl betrekking het, benoem was, binne 'n tydperk van veertien dae na sodanige ontvangs sodanige onderwyser voorsien van 'n afskrif van die by subregulasie (3) van regulasie 41 bedoelde verslag; en
- (b) onverwyld die Minister daarvan in kennis stel dat sodanige appèl aangeteken is.

(3) Die Minister laat binne 'n tydperk van dertig dae nadat hy ooreenkomstig paragraaf (b) van subregulasie (2) in kennis gestel is 'n appèlraad saamstel om die by subregulasie (1) bedoelde appèl te verhoor.

(4) Die by subregulasie (3) bedoelde appèlraad word as volg saamgestel:—

- (a) Die Minister benoem een lid wat as voorsitter optree;
- (b) die Sekretaris benoem 'n tweede lid; en
- (c) as die onderwyser wat die appèl aangeteken het, lid is van 'n vereniging van onderwysers (wat deur die Minister erken word), benoem sodanige vereniging 'n derde lid; met dien verstande dat as sodanige vereniging weier of versuim of in gebreke bly om sodanige derde lid te benoem, of indien sodanige onderwyser nie lid is van 'n sodanige erkende vereniging nie, die Minister sodanige derde lid benoem.

(5) Die bepalings van regulasie 40 [uitgesonderd paragrafe (a) en (b) van subregulasie (1) daarvan] en van regulasie 41 [uitgesonderd subregulasie (6) daarvan] is *mutatis mutandis* op sodanige appèlraad van toepassing.

(6) Nadat die appèlraad 'n appèl verhoor het, beveel hy by die Minister aan—

- (a) dat die appèl gehandhaaf word, hetsy ten opsigte van die skuldigverklaring of straf of beide die skuldigverklaring en straf; of
- (b) dat die appèl in sy geheel van die hand gewys word.

(7) Die aanbeveling van die appèlraad moet onverwyld aan die Sekretaris voorgelê word, wat die eindbeslissing gee.

HOOFSTUK V.

ONBEKWAME ONDERWYSER.

44. (1) Wanneer 'n inspekteur van Bantoe-onderwys, na 'n inspeksie van die werk van 'n onderwyser, bevind dat sodanige werk onbevredigend is en van voorneme is om 'n rapport uit te bring wat, na sy mening, tot gevolg kan hê dat stappe deur die Sekretaris ingevolge subregulasie (2) gedoen word, moet hy onverwyld na afloop van enige sodanige inspeksie—

- (a) die redes waarom hy sy werk onbevredigend bevind het aan sodanige onderwyser verstrek; en
- (b) sodanige onderwyser meedeel dat hy van voorneme is om sodanige rapport uit te bring;

en daarop is sodanige onderwyser geregtig om, binne 'n tydperk van een-en-twintig dae van die datum waarop hy aldus meegedeel is, enige verklaring wat hy wil doen, aan die Sekretaris voor te lê.

(2) Wanneer die Sekretaris 'n rapport in subregulasie (1) beoog ten opsigte van enige onderwyser ontvang het en die tydperk daarin genoem verstryk het, kan hy voorlopige kennis van die beëindiging van sodanige onderwyser se diens aan hom laat gee.

(3) (a) As die Sekretaris besluit het om ingevolge subregulasie (2) sodanige voorlopige kennisgewing te laat stuur, laat die Sekretaris 'n afskrif van die by subregulasie (2) bedoelde rapport aan die betrokke onderwyser stuur en hom terselfdertyd meedeel dat 'n verdere inspeksie van sy werk te eniger tyd na verloop van minstens drie maande maar hoogstens twaalf maande na die datum van sodanige kennisgewing sal plaasvind; met dien verstande dat 'n onderwyser aan wie voorlopige kennisgewing van die beëindiging van sy diens gestuur is, die reg het om binne 'n tydperk van dertig dae vanaf die datum van sodanige

a period of thirty days from the date of such notice to claim that such further inspection be made by an inspector of Bantu Schools other than the one who made the report referred to in sub-regulation (2) if—

- (i) such teacher be not a principal teacher and the principal teacher is not in agreement with the report of the inspector of Bantu schools on the merits of such teacher's work; or

- (ii) such teacher occupies the post of principal.

(b) When a teacher has exercised his right referred to in the proviso to paragraph (a), the Secretary shall appoint an inspector of Bantu schools other than the one who made the report referred to in sub-regulation (2) to make such further inspection.

(4) After such further inspection has been made and after the Secretary has considered the resultant report (hereinafter referred to as the second report)—

- (a) he shall, if the second report in his opinion shows, that the work of the teacher concerned is satisfactory, withdraw the provisional notice referred to in sub-regulation (2); or

- (b) he may, if the second report shows some improvement in the work of the teacher but states that in the opinion of the inspector of Bantu schools such work is still not sufficiently satisfactory, submit the case to the Minister with the recommendation that—

- (i) the teacher concerned be transferred to another post of equal or lower grade;

- (ii) the annual salary increment of the teacher concerned be withheld for a specified period;

and upon receipt and consideration of such recommendation the Minister may grant his approval to such recommendation or give such other direction as he may deem fit and thereafter the teacher concerned shall be dealt with in accordance with the Minister's approval, or direction, as the case may be;

- (c) he shall, if the second report in his opinion shows that the work of the teacher is unsatisfactory, without the circumstances contemplated in paragraph (b) being present, submit the case to the Minister with the recommendation that the teacher concerned be dismissed from the service as from a specified date, and the Minister may upon consideration of the recommendation order that such teacher be so dismissed or he may in his discretion impose either of the penalties provided for in sub-paragraph (i) or (ii) of paragraph (b); or

- (d) he shall withdraw such provisional notice where he decides not to take any action in terms of paragraph

(5) If an inspector of Bantu schools at any time after a teacher has been dealt with in accordance with the provisions of sub-regulation (4), reports that the work of such teacher is again or is still unsatisfactory, the Secretary shall submit the case to the Minister with the recommendation that one or other of the penalties provided for in paragraph (b) or (c) of sub-regulation (4) be imposed on such teacher and the Minister may impose any of those penalties on such teacher.

CHAPTER VI.

PROVISIONS RELATING TO REMUNERATION OF TEACHERS.

CLASSIFICATION OF ASSISTANT TEACHERS FOR SALARY PURPOSES ACCORDING TO QUALIFICATIONS.

45. (1) For the purpose of determining the salary payable to an assistant teacher every such teacher shall be classified by the Secretary into one of the following categories and the category into which he shall be placed shall depend on the recognized period required for the acquisition of the recognized qualification which he holds

kennisgewing te eis dat sodanige verdere inspeksie gedoen word deur 'n ander inspekteur van Bantoeskole as dié wat by die subregulasie (2) bedoelde rapport uitgebring het, indien—

- (i) sodanige onderwyser nie 'n prinsipaal is nie, en die prinsipaal nie saamstem met die rapport van die inspekteur van Bantoeskole oor die verdienste van sodanige onderwyser se werk nie; of

- (ii) sodanige onderwyser die pos van prinsipaal beklee.

(b) As 'n onderwyser sy by die voorbehoudsbepaling by paragraaf (a) bedoelde reg uitgeoefen het, benoem die Sekretaris 'n ander inspekteur van Bantoeskole as dié wat die by subregulasie (2) bedoelde rapport uitgebring het om sodanige verdere inspeksie te doen.

(4) Nadat sodanige verdere inspeksie gedoen is en nadat die Sekretaris die rapport na aanleiding daarvan (hierna die tweede rapport genoem) oorweeg het—

- (a) trek hy, as die tweede rapport na sy mening aantoon dat die werk van die betrokke onderwyser bevredigend is, die by subregulasie (2) bedoelde voorlopige kennisgewing terug; of

- (b) kan hy, as die tweede rapport enige verbetering in die werk van die onderwyser aantoon, maar vermeld dat sodanige werk na die mening van die inspekteur van Bantoeskole nog nie doeltreffend genoeg is nie, die geval aan die Minister voorlê met die aanbeveling dat—

- (i) die betrokke onderwyser na 'n ander pos van gelyke of laer graad oorgeplaas word; of

- (ii) die jaarlikse salarisverhoging van die betrokke onderwyser vir 'n bepaalde tyd teruggehou word;

en na ontvangs en oorweging van sodanige aanbeveling, kan die Minister sy goedkeuring aan sodanige aanbeveling heg, of sodanige ander opdrag gee as wat hy mag goedvind, en daarna word met die betrokke onderwyser ooreenkomstig die Minister se goedkeuring of opdrag, na gelang van die geval, gehandel;

- (c) moet hy, as die tweede rapport na sy mening aantoon dat die werk van die onderwyser onbevredigend is, sonder dat die omstandighede, in paragraaf (b) beoog, teenwoordig is, die geval aan die Minister voorlê met die aanbeveling dat die betrokke onderwyser van 'n bepaalde datum af uit die diens ontslaan word en die Minister kan na oorweging van die aanbeveling gelas dat sodanige onderwyser aldus ontslaan word of hy kan na goedgekeurde sodanige onderwyser enigeen van die strawwe waarvoor in subparagraaf (i) of (ii) van paragraaf (b) voorsiening gemaak is, oplê; of

- (d) moet hy sodanige voorlopige kennisgewing terugtrek as hy besluit om geen stappe ingevolge paragraaf (b) te doen nie.

(5) As 'n inspekteur van Bantoeskole te eniger tyd nadat met 'n onderwyser ooreenkomstig die bepalings van subregulasie (4) gehandel is, rapporteer dat sodanige onderwyser se werk weer of nog steeds onbevredigend is, moet die Sekretaris die geval aan die Minister voorlê met die aanbeveling dat die een of die ander by paragraaf (b) of (c) van subregulasie (4) bedoelde strawwe aan sodanige onderwyser opgelê word, en die Minister kan sodanige onderwyser enigeen van daardie strawwe oplê.

HOOFSTUK VI.

BEPALINGS BETREFFENDE DIE BESOLDIGING VAN ONDERWYSERS.

INDELING VAN ASSISTENT-ONDERWYSERS VIR SALARISDOEL-EINDES VOLGENS KWALIFIKASIES.

45. (1) Vir die doel om die salaris betaalbaar aan 'n assistent-onderwyser te bepaal, word elke onderwyser in een van die volgende kategorieë deur die Sekretaris ingedeel en die kategorie waarin hy geplaas word, hang af van die erkende tydperk wat nodig is vir die verkryging

and which is a period of study or training after the standard of education hereunder referred to and such classification shall be effective from such date as the Secretary may determine:—

Category A.—A teacher's certificate of a level lower than prescribed for Category B, and recognized by the Secretary.

Category B.—A teacher's certificate or other qualification, recognized by the Secretary and denoting the successful completion of approved courses of study and training extending over a minimum of two years above the level of the Transvaal Secondary School Certificate or any Secondary School Certificate recognized as equivalent by the Secretary.

Category C.—A teacher's certificate or other qualification, recognized by the Secretary and denoting the successful completion of approved courses of study and training extending over a minimum of three years above the level of the Transvaal Secondary School Certificate or any Secondary School Certificate recognized as equivalent by the Secretary.

Category D.—A teacher's certificate or other qualification, recognized by the Secretary and denoting the successful completion of approved courses of study and training extending over a minimum of four years above the level of the Transvaal Secondary School Certificate or any Secondary School Certificate recognized as equivalent by the Secretary.

Category E.—A teacher's certificate or other qualification recognized by the Secretary and denoting the successful completion of approved courses of study and training extending over a minimum of five years above the level of the Transvaal Secondary School Certificate or any Secondary School Certificate recognized as equivalent by the Secretary.

Category F.—A teacher's certificate or other qualification, recognized by the Secretary and denoting the successful completion of approved courses of study and training extending over a minimum of six years above the level of the Transvaal Secondary School Certificate or any Secondary School Certificate recognized as equivalent by the Secretary.

(2) Notwithstanding anything to the contrary contained in sub-regulation (1), any assistant teacher who holds qualifications not recognized for the purposes of that sub-regulation, and who has completed seven years approved teaching service (whether continuous or not) shall be classified for the purpose of that sub-regulation, as Category A.

(3) Notwithstanding anything to the contrary contained in this regulation, the Secretary may classify an assistant teacher in a higher category than he could be classified in terms of sub-regulation (1), if in his opinion such assistant teacher holds special qualifications additional to those referred to in that sub-regulation.

(4) The category of an assistant teacher in the service of the Department at the coming into operation of these regulations shall be deemed to be a category in accordance with this regulation.

CLASSIFICATION OF TRADE INSTRUCTORS FOR SALARY PURPOSES ACCORDING TO QUALIFICATIONS.

46. (1) Trade instructors shall be classified according to qualifications under three categories as follows:—

Category A.—A certificate of apprenticeship in an appropriate trade.

Category B.—A certificate of apprenticeship plus the National Advanced Technical Certificate (Part II) or an equivalent qualification.

Category C.—An appropriate university degree or an equivalent qualification.

van die erkende kwalifikasies wat hy het en wat 'n tydperk van studie of opleiding is ná die onderwyspeil hieronder genoem; sodanige indeling tree in werking op sodanige datum as wat die Sekretaris mag bepaal:—

Kategorie A.—'n Onderwyserssertifikaat van 'n graad laer as dié vir kategorie B voorgeskryf en deur die Sekretaris erken.

Kategorie B.—'n Onderwyserssertifikaat of ander kwalifikasie deur die Sekretaris erken en wat as bewys dien van die suksesvolle voltooiing van opleidings- en studiekursusse wat oor 'n minimum tydperk van 2 jaar strek na die Transvaalse Sekondêre Skooleindsertifikaat of enige sekondêre skooleindsertifikaat deur die Sekretaris as van gelykstaande waarde erken.

Kategorie C.—'n Onderwyserssertifikaat of ander kwalifikasie deur die Sekretaris erken en wat as bewys dien van die suksesvolle voltooiing van opleidings- en studiekursusse wat oor 'n minimum tydperk van drie jaar strek na die Transvaalse Sekondêre Skooleindsertifikaat of enige sekondêre skooleindsertifikaat deur die Sekretaris as van gelykstaande waarde erken.

Kategorie D.—'n Onderwyserssertifikaat of ander kwalifikasie deur die Sekretaris erken en wat as bewys dien van die suksesvolle voltooiing van opleidings- en studiekursusse wat oor 'n minimum tydperk van vier jaar strek na die Transvaalse Sekondêre Skooleindsertifikaat of enige sekondêre skooleindsertifikaat deur die Sekretaris as van gelykstaande waarde erken.

Kategorie E.—'n Onderwyserssertifikaat of ander kwalifikasie deur die Sekretaris erken en wat as bewys dien van suksesvolle voltooiing van opleidings- en studiekursusse wat oor 'n minimum tydperk van vyf jaar strek na die Transvaalse Sekondêre Skooleindsertifikaat of enige sekondêre skooleindsertifikaat deur die Sekretaris as van gelykstaande waarde erken.

Kategorie F.—'n Onderwyserssertifikaat of ander kwalifikasie deur die Sekretaris erken en wat as bewys dien van suksesvolle voltooiing van opleidings- en studiekursusse wat oor 'n minimum tydperk van ses jaar strek na die Transvaalse Sekondêre Skooleindsertifikaat of enige sekondêre skooleindsertifikaat deur die Sekretaris as van gelykstaande waarde erken.

(2) Ondanks andersluidende bepalings in subregulasie (1) vervat, word enige assistent-onderwyser wat kwalifikasies het wat nie vir die toepassing van genoemde subregulasie erken word nie, en wat sewe jaar goedgekeurde onderwysdiens voltooi het (hetsy onafgebroke of nie) vir die toepassing van genoemde subregulasie in Kategorie A ingedeel.

(3) Ondanks andersluidende bepalings in hierdie regulasie vervat, kan die Sekretaris 'n assistent-onderwyser in 'n hoër kategorie indeel as dié waarin hy ingevolge subregulasie (1) ingedeel kan word indien sodanige assistent-onderwyser, na sy mening, spesiale kwalifikasies besit benewens dié in gemelde subregulasie genoem.

(4) Daar word geag dat die kategorie van 'n assistent-onderwyser in die diens van die Departement met die inwerkingtreding van hierie regulasies, 'n kategorie is in ooreenstemming met hierie regulasie.

INDELING VAN AMBAGSINSTRUKTEURS VIR SALARISDOEL- EINDES VOLGENS KWALIFIKASIES.

46. (1) Ambagsinstrukteurs word vir salarisdoeleindes volgens kwalifikasies in die volgende drie kategorieë ingedeel:—

Kategorie A.—'n Sertifikaat van vakleerlingskap in 'n toepaslike ambag.

Kategorie B.—'n Sertifikaat van vakleerlingskap plus die Nasionale Gevorderde Tegniese Sertifikaat (Deel II) of 'n gelykwaardige kwalifikasie.

Kategorie C.—'n Toepaslike Universiteitsgraad of gelykwaardige kwalifikasie.

(2) The category of a trade instructor in the service of the Department at the coming into operation of these regulations shall be deemed to be a category in accordance with this regulation.

SALARIES OF TEACHERS EMPLOYED IN A PERMANENT CAPACITY.

47. (1) Subject to the provisions of these regulations, the following salary scales shall apply to teachers holding qualifications referred to in regulation 14 and employed in a permanent capacity in Bantu Training and Post-primary Schools:—

(a) Principals.

Grade of School.	Men.	Women.
Special Grade (500 pupils or more)	£1,160 × £50—£1,460	£950 × £40—£1,190.
Grade A (150 to 499 pupils)	£1,110 × £50—£1,410	£910 × £40—£1,150.
Grade B (75 to 149 pupils)	£1,070—£1,110 × £50—£1,360	£878—£910 × £40—£1,110.
Grade C (less than 75 pupils)	£1,030 × £40—£1,110 × £50—£1,310	£846 × £32—£910 × £40—£1,070

(b) Vice-Principals.

Grade of School.	Men.	Women.
Special Grade.....	£990 × £40—£1,110 × £50—£1,260	£814 × £32—£910 × £40—£1,030.
Grade A.....	£950 × £40—£1,110 × £50—£1,210	£782 × £32—£910 × £40—£990.
Grades B and C.....	£870 × £40—£1,110 × £50—£1,160	£718 × £32—£910 × £40—£950.

(c) Assistant Teachers.

Category.	Men.	Women.
A.....	£435 × £25—£ 860	£390 × £20—£710.
B.....	£485 × £25—£ 960	£430 × £20—£790.
C.....	£535 × £25—£ 985	£470 × £20—£810.
D.....	£585 × £25—£1,010	£510 × £20—£830.
E.....	£635 × £25—£1,035	£550 × £20—£850.
F.....	£685 × £25—£1,060	£590 × £20—£870.

Provided that any assistant woman teacher shall receive four additional increments of £20 per year each after she has completed five years' service at the maximum of her scale.

(d) *Organizers of Special Subjects* (not attached to any Departmental school).—Salaries shall be determined by the Minister in consultation with the Minister of Finance and on the recommendation of the Public Service Commission.

(e) Trade Instructors.

Category A: £485 × £25—£960.

Category B: £535 × £25—£985.

Category C: £585 × £25—£1,010.

Provided that no trade instructor shall be permitted to receive a salary of more than £710 per year unless and until he is in possession of the National Trade Instructor's Certificate or the National Technical Teacher's Certificate or an equivalent recognized by the Secretary.

(2) The salary of any teacher employed in a permanent capacity in a Government Bantu school at the date of the application of these regulations shall be deemed to have been determined under these regulations and shall not be reduced without the approval of the Minister on the recommendation of the Public Service Commission.

SALARIES OF TEACHERS EMPLOYED IN A TEMPORARY CAPACITY.

48. (1) The salary scales prescribed in regulation 47 for assistant teachers shall, subject to the provisions of these regulations, apply to teachers, holding qualifications referred to in regulation 45 and employed in a temporary capacity.

(2) Die kategorie van 'n ambagsinstrukteur wat in diens van die Departement is by die inwerkingtreding van hierdie regulasies word beskou as 'n kategorie in ooreenstemming met hierdie regulasie.

SALARISSE VAN ONDERWYSERS IN 'N PERMANENTE HOEDANIGHEID IN DIENS.

47. (1) Behoudens die bepalings van hierdie regulasies sal die volgende salarisskale van toepassing wees op onderwysers met die kwalifikasies waarna in regulasie 14 verwys word en wat in 'n permanente hoedanigheid in diens geneem is by Bantoe Onderwysersopleiding- en Na-primêre skole.

(a) Prinsipale.

Graad van skool.	Mans.	Vroue.
Spesiale graad (500 of meer leerlinge)	£1,160 × £50—£1,460	£950 × £40—£1,190.
Graad A (150 tot 499 leerlinge)	£1,110 × £50—£1,410	£910 × £40—£1,150.
Graad B (75 tot 149 leerlinge)	£1,070—£1,110 × £50—£1,360	£878—£910 × £40—£1,110.
Graad C (minder as 75 leerlinge)	£1,030 × £40—£1,110 × £50—£1,310	£846 × £32—£910 × £40—£1,070.

(b) Vise-prinsipale.

Graad van skool.	Mans.	Vroue.
Spesiale graad.....	£990 × £40—£1,110 × £50—£1,260	£814 × £32—£910 × £40—£1,030.
Graad A.....	£950 × £40—£1,110 × £50—£1,210	£782 × £32—£910 × £40—£990.
Grade B en C.....	£870 × £40—£1,110 × £50—£1,160	£718 × £32—£910 × £40—£950.

(c) Assistent-onderwysers.

Kategorie.	Mans.	Vroue.
A.....	£435 × £25—£ 860	£390 × £20—£710.
B.....	£485 × £25—£ 960	£430 × £20—£790.
C.....	£535 × £25—£ 985	£470 × £20—£810.
D.....	£585 × £25—£1,010	£510 × £20—£830.
E.....	£635 × £25—£1,035	£550 × £20—£850.
F.....	£685 × £25—£1,060	£590 × £20—£870.

Met dien verstande dat 'n vroulike assistent-onderwyser vier bykomstige verhogings van £20 elk per jaar sal ontvang nadat sy vyf jaar diens op die maksimum van haar skaal voltooi het.

(d) *Organiseerders van spesiale yake* (nie verbonde aan 'n Departementele skool nie).—Salarisse sal vasgestel word deur die Minister in oorleg met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie.

(e) Ambagsinstrukteurs.

Kategorie A: £485 × £25—£960.

Kategorie B: £535 × £25—£985.

Kategorie C: £585 × £25—£1,010.

Met dien verstande dat geen ambagsinstrukteur sal toegelaat word om 'n salaris van meer as £710 per jaar te ontvang tensy en totdat hy in besit is van die Nasionale Ambagsinstrukteursertifikaat of die Nasionale Tegniese Onderwysersertifikaat of 'n gelykwaardige sertifikaat wat deur die Sekretaris erken word.

(2) Die salaris van 'n onderwyser op die vaste diensstaat van 'n Staatsbantoeskool op die datum van die inwerkingtreding van hierdie regulasies word beskou as kragtens hierdie regulasies bepaal en mag nie verminder word sonder die goedkeuring van die Minister op aanbeveling van die Staatsdienskommissie nie.

SALARISSE VAN ONDERWYSERS IN 'N TYDELIKE HOEDANIGHEID IN DIENS.

48. (1) Die salarisskale in regulasie 47 voorgeskryf vir assistent-onderwysers is, behoudens die bepalings van hierdie regulasies, van toepassing op onderwysers, wat kwalifikasies besit soos genoem in regulasie 45 en wat in 'n tydelike hoedanigheid in diens is.

(2) (a) The following salaries shall apply to a principal or an assistant teacher appointed in a temporary capacity who does not qualify for the salary scales referred to in sub-regulation (1) and who holds any qualification as set out hereunder or any qualification recognized by the Secretary as equivalent thereto:—

Qualifications.	Salary.
South African University Degree	27s. per school day.
Two years' successful study after the Transvaal Secondary School Certificate	25s. per school day.
One years' successful study after the Transvaal Secondary School Certificate	23s. per school day.
Transvaal Secondary School Certificate	21s. per school day.
Lower than the Transvaal Secondary School Certificate	18s. per school day.

(b) Where a teacher is employed in terms of paragraph (a) the days on which he receives no salary within any period of such employment shall be regarded as continuous employment in the Department.

(3) A teacher employed part-time in a temporary capacity shall be paid according to the following provisions:—

- (a) A teacher holding qualifications recognized by the Secretary as falling under a category of regulation 45: Twelve shillings and sixpence per hour.
- (b) A teacher holding no recognized teaching qualification: To be determined by the Minister after consultation with the Minister of Finance and on the recommendation of the Public Service Commission.

DETERMINATION OF COMMENCING SALARY OF TEACHER WITHIN ANY APPLICABLE SALARY SCALE.

49. (1) A teacher entering the service of the Department, who has no recognized teaching or other experience, shall commence on the minimum salary of the salary scale applicable to the post to which he has been appointed.

(2) An assistant teacher entering the service of the Department who has recognized teaching or other experience shall commence on such salary, within the salary scale applicable to the post to which he has been appointed, as is arrived at after granting such teacher one increment for every completed year of such experience (whether continuous, or not).

(3) Where a principal occupying a post in the Department is appointed to a post of assistant teacher, his salary and salary scale shall be determined as if he were a teacher referred to in sub-regulation (2).

SALARY INCREMENTS.

50. (1) A teacher may receive a first increment—

- (a) if he is appointed during the first half of any calendar year on the 1st day of April of the calendar year next succeeding;
- (b) if he is appointed during the second half of any calendar year, on the 1st day of October of the calendar year next succeeding;

and further increments may, subject to the provisions of this regulation, be paid to such teacher annually on the anniversary of such first increment (hereinafter referred to as the incremental date); provided (i) that a trade instructor shall be subject to the provisions of sub-regulation 46 (1) (d) and (ii) that an increment has been duly recommended on the form prescribed in Annexure C.

(2) (a) Die volgende salarisse is van toepassing op 'n prinsipaal of 'n assistent-onderwyser wat in 'n tydelike hoedanigheid aangestel is en wat nie in aanmerking kom nie vir die salarisskale in subregulasie (1) genoem, en wat enige kwalifikasie het soos hierna uiteengesit of enige kwalifikasie wat as gelykwaardig deur die Sekretaris erken word:—

Kwalifikasie.	Salaris.
Suid-Afrikaanse Universiteitsgraad	27s. per skooldag.
Twee jaar geslaagde studie na die Transvaalse Eindsertifikaat van die Middelbare Skool	25s. per skooldag.
Een jaar geslaagde studie na die Transvaalse Eindsertifikaat van die Middelbare Skool	23s. per skooldag.
Transvaalse Eindsertifikaat van die Middelbare Skool	21s. per skooldag.
Laer as die Transvaalse Eindsertifikaat van die Middelbare Skool	18s. per skooldag.

(b) Waar 'n onderwyser ingevolge paragraaf (a) in diens is, word die dae waarop hy geen salaris ontvang nie binne enige tydperk van sodanige diens, beskou as ononderbroke diens in die Departement.

(3) 'n Onderwyser deelyds in 'n tydelike hoedanigheid in diens geneem sal volgens die volgende bepalings besoldig word:—

- (a) 'n Onderwyser met kwalifikasies wat deur die Sekretaris erken word as ressorterende onder 'n kategorie van regulasie 45: Twaalf sjelings en ses pennies per uur.
- (b) 'n Onderwyser wat geen erkende onderwyskwalifikasies besit nie: Sal deur die Minister na raadpleging met die Minister van Finansies en op aanbeveling van die Staatsdienskommissie vasgestel word.

BEPALING VAN AANVANGSALARIS VAN ONDERWYSERS BINNE ENIGE TOEPASLIKE SALARISSKAAL.

49. (1) 'n Onderwyser wat diens by die Departement aanvaar en wat geen erkende onderwys- of ander ondervinding het nie, begin teen die minimum salaris van die salarisskaal van toepassing op die pos waarin hy aangestel is.

(2) 'n Assistent-onderwyser wat diens by die Departement aanvaar en wat erkende onderwys- of ander ondervinding het, begin teen sodanige salaris, binne die salarisskaal van toepassing op die pos waarin hy aangestel is, as wat bepaal is nadat aan sodanige onderwyser een verhoging vir elke voltooide jaar van sodanige ondervinding (hetsy ononderbroke of nie) toegestaan is.

(3) Waar 'n prinsipaal wat 'n pos in die Departement beklee, in 'n pos van assistent-onderwyser aangestel word, word sy salaris en salarisskaal bepaal asof hy 'n onderwyser is in subregulasie (2) genoem.

SALARISVERHOEGINGS.

50. (1) 'n Onderwyser kan 'n eerste verhoging kry—

- (a) indien hy gedurende die eerste helfte van enige kalenderjaar aangestel word, op die eerste dag van April van die eersvolgende kalenderjaar;
- (b) indien hy gedurende die tweede helfte van enige kalenderjaar aangestel word, op die eerste dag van Oktober van die eersvolgende kalenderjaar; en verdere verhogings kan behoudens die bepalings van hierdie regulasies, aan sodanige onderwyser jaarliks betaal word op die verjaardag van sodanige eerste verhoging (hierna die verhogingsdatum genoem); met dien verstande dat—

- (i) 'n ambagsinstrukteur onderworpe sal wees aan die bepalings van subregulasie 46 (1) (d), en
- (ii) 'n salarisverhoging op die vorm, soos in byvoegsel C voorgeskryf, behoorlik aanbeveel is.

(2) A teacher whose salary is adjusted in terms of sub-regulations (3) and (4) of regulation 49 shall retain his incremental date.

(3) Where a teacher has been granted leave without pay in excess of 360 days, for special study purposes, or leave without pay in excess of 180 days for any other reason, his first increment falling due after the commencement of such leave shall be deferred for a period equal to such leave and the future incremental date shall—

- (a) if such deferred increment was paid during the first half of a calendar year, be the first day of April of any calendar year following upon the calendar year in which such deferred increment was paid; and
- (b) if such deferred increment was paid during the second half of a calendar year, be the first day of October of any calendar year following upon the calendar year in which such deferred increment was paid.

(4) The incremental date of any teacher in the service of the Department on the coming into operation of these regulations, determined in accordance with any regulation repealed by these regulations, shall be deemed to be an incremental date determined under these regulations.

REMUNERATION OF TEACHER SECONDED TO HIGHER GRADE POST.

51. (1) Where a teacher is seconded to a teaching post of principal, for a period of not less than one school quarter, he shall receive an allowance equal to the difference between the salary he was receiving immediately prior to such secondment and the salary he would have received if he were the holder of such post in a permanent capacity if such latter salary is higher than the former; provided that such allowance shall not exceed £50 per annum in the case of men teachers and £40 per annum in the case of women teachers.

METHOD OF PAYMENT OF SALARY.

52. (1) The salary of a teacher, in accordance with the provisions of these regulations, shall be paid monthly; provided that, in respect of a teacher employed in a permanent capacity, the salary for the month of December may be paid together with the salary for the month of November if a school term ends within the month of December.

(2) Where a teacher is on leave on the last day of a calendar month and was on such day on leave for a period in excess of one month, no salary shall be paid to such teacher unless he shall submit to the Department in respect of the last day of any such calendar month a certificate signed by himself to the effect that he was alive on such day.

COMMENCING AND TERMINATING DATE OF SALARY.

53. (1) A teacher who enters or re-enters the service of the Department shall, subject to the provisions of this regulation, be entitled to salary as from the day of assumption of duty until the termination thereof.

(2) When the services of a teacher are terminated either by himself or by the Department other than as a result of any disciplinary action taken against such teacher in terms of the regulations and such termination takes effect—

- (a) at any time during a school quarter, such teacher shall, subject to the provisions of sub-regulation (3) receive salary up to and including the day on which such teacher actually taught;
- (b) upon the first day following upon the last day of a school quarter, such teacher shall receive salary up to and including the last day of the calendar month in which such school quarter ended; provided that if such school quarter ends within the first month of a calendar quarter or the next

(2) 'n Onderwyser wie se salaris aangepas word ingevolge subregulasies (3) en (4) van regulasie 49 behou sy verhogingsdatum.

(3) Waar aan 'n onderwyser meer as 360 dae spesiale studieverlof sonder besoldiging toegestaan is, of meer as 180 dae verlof sonder besoldiging om enige ander rede, word sy eerste verhoging wat betaalbaar word na die aanvang van sodanige verlof, uitgestel vir 'n tydperk gelyk aan sodanige verlof en die toekomstige verhogingsdatum is—

- (a) indien sodanige uitgestelde verhoging gedurende die eerste helfte van 'n kalenderjaar betaal is, die eerste dag van April van enige kalenderjaar wat volg op die kalenderjaar waarin sodanige uitgestelde verhoging betaal is; en
- (b) indien sodanige uitgestelde verhoging gedurende die tweede helfte van 'n kalenderjaar betaal is, die eerste dag van Oktober van enige kalenderjaar wat volg op die kalenderjaar waarin sodanige uitgestelde verhoging betaal is.

(4) Daar word geag dat die verhogingsdatum van enige onderwyser in die diens van die Departement by die inwerkingtreding van hierdie regulasies, bepaal ooreenkomstig enige regulasie by hierdie regulasie herroep. 'n verhogingsdatum is soos ingevolge hierdie regulasies bepaal.

BESOLDIGING VAN ONDERWYSER GESEKONDEER NA 'N HOËR GEGRADDEERDE POS.

51. (1) Waar 'n onderwyser gesecondeer word na 'n onderwyspos van prinsipaal vir 'n tydperk van minstens een skoolkwartaal, ontvang hy 'n toelae gelyk aan die verskil tussen die salaris wat hy ontvang het onmiddellik voordat hy aldus gesecondeer is en die salaris wat hy sou ontvang het indien hy sodanige pos in 'n permanente hoedanigheid beklee het as sodanige laasgenoemde salaris hoër is as die eersgenoemde salaris; met dien verstande dat sodanige toelae nie £50 per jaar mag oorskry nie in die geval van onderwysers en £40 per jaar in die geval van onderwyseresse.

METODE VAN BETALING VAN SALARIS.

52. (1) Die salaris van 'n onderwyser word, ooreenkomstig die bepalings van hierdie regulasies, maandeliks betaal; met dien verstande dat, ten opsigte van 'n onderwyser in 'n permanente hoedanigheid in diens, die salaris vir die maand Desember tesame met die salaris vir die maand November betaal kan word indien 'n skoolkwartaal binne die maand Desember eindig.

(2) Waar 'n onderwyser op die laaste dag van 'n kalendermaand met verlof is en op sodanige dag vir 'n langer tydperk as een maand met verlof was, word geen salaris aan sodanige onderwyser betaal nie tensy hy by die Departement ten opsigte van die laaste dag van enige sodanige kalendermaand 'n sertifikaat indien, deur hom self onderteken, om te verklaar dat hy op sodanige datum in die lewe was.

DATUM WAAROP SALARIS BEGIN EN EINDIG.

53. (1) 'n Onderwyser wat tot die diens van die Departement toetree of opnuut toetree, is, behoudens die bepalings van hierdie regulasie, geregtig tot salaris met ingang van die dag waarop hy diens aanvaar tot op die dag waarop sy diens beëindig word.

(2) Wanneer die dienste van 'n onderwyser deur hom self of deur die Departement beëindig word en nie as gevolg van enige dissiplinêre optrede teen sodanige onderwyser ingevolge hierdie regulasies nie, en sodanige beëindiging tree in werking—

- (a) te eniger tyd gedurende 'n skoolkwartaal, ontvang sodanige onderwyser, behoudens die bepalings van subregulasie (3), salaris tot en met die laaste dag waarop sodanige onderwyser werklik onderwys gegee het;
- (b) op die dag het na die laaste dag van 'n skoolkwartaal, ontvang sodanige onderwyser salaris tot en met die laaste dag van die kalendermaand waarin sodanige skoolkwartaal gesluit het; met dien verstande dat, as sodanige skoolkwartaal binne die eerste maand van 'n kalenderkwartaal sluit of as die eersvolgende skoolkwartaal binne

succeeding school quarter commences within the same calendar month as such aforementioned school quarter ended, such teacher shall receive salary up to and including the last day of the school quarter in which his services are so terminated.

(3) Where a teacher terminates his services with the Department of his own accord during any school vacation period or on the first day following upon any such period such teacher shall, for the purpose of this regulation be deemed to have terminated his services on the first day following upon the last day of the school quarter preceding such school vacation period.

(4) Where a teacher occupying a post in the Department is appointed to another post in the Department and a new salary scale becomes applicable to such teacher, such new salary scale shall become applicable—

- (a) Where such appointment is to be effective from any day other than the first day of a school quarter, from the date of assumption of duty by such teacher; and
- (b) where such appointment is to be effective from the first day of any school quarter, from the first day of the calendar quarter in which such first day falls; provided that—
 - (i) if the preceding school quarter ended within such calendar quarter, salary shall be payable from the first day following upon the closing day of such preceding school quarter; and
 - (ii) if any such teacher assumes duty after the day upon which his appointment was to have taken effect and such late assumption of duty is not approved, salary shall be payable from the day of assumption of duty by such teacher.

(5) Where the service of a teacher in the Department terminates on any date by reason of his having reached the prescribed retiring age, such teacher shall receive salary up to and including the day preceding such date unless the service of such teacher is retained beyond such date, in which event, he shall receive salary up to and including the last day on which he remains in the service of the Department during the period he is so retained.

(6) Notwithstanding anything to the contrary contained in this regulation, a teacher occupying a post in a permanent capacity in the Department who is appointed or transferred to the Department of Education, Arts and Science of the Union or to any education department of any province, shall, if his services with the Department terminate at the end of a school quarter which ends during—

- (a) a calendar quarter, receive salary from the Department up to and including the last day of such calendar quarter or up to and including the date immediately preceding the date of his assumption of duty in his new Department whichever is the earlier; or
- (b) the first calendar month of a calendar quarter, receive salary up to and including the last day of such school quarter or the date immediately preceding the date of his assumption of duty in his new Department whichever is the earlier; provided that if he assumes duty in his new Department before any date mentioned herein he shall receive salary only up to and including the date immediately preceding the date of such assumption of duty.

(7) Notwithstanding anything to the contrary contained in this regulation, a teacher who is appointed in the service of the Department in a permanent capacity and who, immediately prior thereto was on the permanent staff of the Department of Education, Arts and Science of the Union or of the education department of any province shall receive salary from the day immediately succeeding the date up to which he was paid by the Department by which he was previously employed.

dieselfde kalendermaand begin as wat sodanige bovermelde skoolkwartaal geëindig het, sodanige onderwyser salaris ontvang tot en met die laaste dag van die skoolkwartaal waarin sy dienste aldus beëindig word.

(3) Waar 'n onderwyser sy diens met die Departement beëindig uit eie beweging, gedurende enige skoolvakansietydperk of op die eerste dag na enige sodanige tydperk, word daar geag dat sodanige onderwyser, vir die toepassing van hierdie regulasie, sy dienste beëindig het op die eerste dag na die laaste dag van die skoolkwartaal wat sodanige skoolvakansietyd voorafgegaan het.

(4) Waar 'n onderwyser wat 'n pos in die Departement beklee, in 'n ander pos in die Departement aangestel word en 'n nuwe salarisskaal word op sodanige onderwyser van toepassing, word sodanige nuwe salarisskaal van toepassing—

- (a) van die datum van diensaanvaarding deur sodanige onderwyser af waar sodanige aanstelling in werking tree op enige dag wat nie die eerste dag van 'n skoolkwartaal is nie; en
- (b) van die eerste dag van die kalenderkwartaal af waarin sodanige dag val waar sodanige aanstelling van die eerste dag van enige skoolkwartaal af in werking tree; met dien verstande dat—
 - (i) indien die voorafgaande skoolkwartaal binne sodanige kalenderkwartaal geëindig het, salaris betaalbaar is van die eerste dag na die sluitingsdag van sodanige voorafgaande skoolkwartaal af; en
 - (ii) indien enige sodanige onderwyser diens aanvaar na die dag waarop sy aanstelling in werking moes getree het en sodanige laat diensaanvaarding word nie goedgekeur nie, salaris betaalbaar is van die dag waarop sodanige onderwyser diens aanvaar het.

(5) Waar die dienste van 'n onderwyser in die Departement op enige datum ten einde loop omdat hy die voorgeskrewe aftredingsouderdom bereik het, ontvang sodanige onderwyser salaris tot en met die dag net voor sodanige datum, tensy die dienste van sodanige onderwyser behou word, tot na sodanige datum en in dié geval ontvang hy salaris tot en met die laaste dag wat hy in die diens van die Departement bly gedurende die tydperk wat hy aldus in diens gehou word.

(6) Ondanks andersluidende bepalinge in hierdie regulasies vervat, ontvang 'n onderwyser wat 'n pos in 'n permanente hoedanigheid in die Departement beklee en wat in die Departement van Onderwys, Kuns en Wetenskap van die Unie of in enige ander Onderwysdepartement van enige provinsie aangestel of daarheen oorgeplaas word, indien sy dienste met die Departement eindig aan die einde van 'n skoolkwartaal wat eindig gedurende—

- (a) 'n kalenderkwartaal, salaris van die Departement tot en met die laaste dag van sodanige kalenderkwartaal of tot en met die dag onmiddellik voor die datum van sy diensaanvaarding in sy nuwe Departement, naamlik die een wat die vroegste is; of
- (b) die eerste kalendermaand van 'n kalenderkwartaal, salaris tot en met die laaste dag van sodanige skoolkwartaal of die datum onmiddellik voor die datum van sy diensaanvaarding in sy nuwe Departement, naamlik die een wat die vroegste is; met dien verstande dat, as hy diens in sy nuwe Departement aanvaar voor enige datum hierin genoem, hy salaris ontvang slegs tot en met die datum onmiddellik voor die datum van sodanige diensaanvaarding.

(7) Ondanks andersluidende bepalinge in hierdie regulasie vervat, ontvang 'n onderwyser wat in 'n permanente hoedanigheid in diens van die Departement aangestel word en wat, onmiddellik voor sodanige aanstelling in die permanente personeel van die Departement van Onderwys, Kuns en Wetenskap van die Unie of van die onderwysdepartement van enige provinsie was, salaris van die dag af net na die datum tot wanneer hy deur die Departement by wie hy voorheen in diens was, besoldig is.

TEACHERS EMPLOYED IN A TEMPORARY CAPACITY ON A SALARY SCALE NOT TO BE PAID FOR CERTAIN PERIODS OF A SCHOOL VACATION EXCEPT IN CERTAIN CIRCUMSTANCES.

54. Where a teacher who was employed in the service of the Department in a temporary capacity on a salary scale up to and including the last day of a school quarter (whether or not such teacher's service with the Department was terminated after such date or not) is required to assume duty in such service on a day within the first four school days of the next succeeding school quarter, and assumes duty on any such day or who has been granted leave on full or half pay for any period which includes such four days, such teacher shall be entitled to receive salary in respect of the intervening school holidays for which he has not already been paid.

ASSIGNMENT OF EMOLUMENTS.

55. A teacher shall not assign the whole or any portion of his emoluments without the written permission of the Secretary.

PENSION AND RETIREMENT BENEFITS OF TEACHERS.

56. (1) Any teacher, other than a teacher to whom sub-section (5) of section *ten* of the Act or sub-regulation (3) of this regulation applies, and who has been or is appointed on probation or in a permanent capacity to the teaching establishment shall be deemed for pension and retirement purposes to be employed in a post classified in the Public Service.

(2) A teacher to whom sub-section (5) of section *ten* of the Act applies and who has been so appointed may elect within ninety days after he is called upon by the Commissioner of Pensions to do so, to relinquish all the rights retained and to be freed from all the obligations contained in terms of that sub-section and to become a member of and contribute to the Union Pension Fund referred to in section *two* of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), as from the date upon which these regulations are applied to the school at which he is employed and should he so elect the provisions of sub-section (2) and (3) of section *thirteen* of the said Government Service Pensions Act, 1955, shall apply as if he were a person who from the said date had become liable to contribute to that fund.

(3) A teacher who has been or is so appointed, and who, at the date of the application of these regulations to the school at which he is employed is a member of a pension or provident fund conducted by a church shall, with the approval of the Minister, after consultation with the Minister of Finance, retain all the rights and remain subject to all the obligations acquired or incurred by him by reason of his membership of that fund and the Secretary shall at the end of each month pay to the said fund an amount equal to any amount which the church would have paid to the fund on behalf of the said teacher in respect of that month had the Act not been passed.

CLIMATIC ALLOWANCES.

57. The provisions of the regulations governing the payment of climatic allowances to officers of the Union Public Service shall apply, *mutatis mutandis*, to teachers.

NON-PENSIONABLE BONUSES.

58. Any teacher who at the time of the application of these regulations to him had been granted a non-pensionable bonus for a special qualification in terms of regulation No. 31 of Provincial Notice (Natal) No. 524 of 27th November, 1947, shall be deemed to have been granted such bonus under these regulations.

APPLICATION OF THESE REGULATIONS.

59. These regulations shall become effective from a date to be determined by the Minister and shall apply to such Government Bantu schools as the Minister may designate from time to time.

ONDERWYSERS WAT IN 'N TYDELIKE HOEDANIGHEID OP 'N SALARISSKAAL IN DIENS WAS NIE VIR SEKERE TYDPERKE VAN 'N SKOOLVAKANSIE BESOLDIG TE WORD NIE, UITGESONDERD IN SEKERE OMSTANDIGHEDEN.

54. Waar daar van 'n onderwyser wat tot en met die laaste dag van 'n skoolkwartaal in 'n tydelike hoedanigheid op 'n salarisskaal in die diens van die Departement was (of sodanige onderwyser se dienste met die Departement na so 'n datum beëindig is of nie) verwag word om in sodanige diens werksaamhede te aanvaar op 'n dag binne die eerste vier skooldae van die eersvolgende skoolkwartaal, en hy aanvaar diens op enige sodanige dag of as daar aan hom verloff met volle of half besoldiging toegestaan is vir enige tydperk wat sodanige vier dae insluit, is sodanige onderwyser geregtig om salaris te ontvang ten opsigte van die tussenkomende skoolvakansie waarvoor hy nie alreeds besoldig is nie.

OORDRAG VAN EMOLUMENTE.

55. 'n Onderwyser mag nie die hele of enige gedeelte van sy emolumente oordra sonder die skriftelike toestemming van die Sekretaris nie.

56. (1) Enige onderwyser, uitgesonderd 'n onderwyser op wie subartikel (5) van artikel *tien* van die Wet, of sub-regulasie (3) van hierdie regulasie van toepassing is, en wat op proef of in 'n permanente hoedanigheid in die onderwyspersoneel aangestel is of aangestel word, word vir pensioen- en aftredingsdoeleindes beskou asof hy in diens geneem is in 'n geklassifiseerde pos in die Staatsdiens.

(2) 'n Onderwyser op wie subartikel (5) van artikel *tien* van die Wet van toepassing is en wat aldus aangestel is, kan binne negentig dae nadat hy deur die Kommissaris van Pensioene versoek is om dit te doen, kies om afstand te doen van al die regte wat hy het en om vrygestel te word van die voortgesette verpligtings kragtens daardie subartikel en om lid te word van die Unie-pensioenfonds genoem in artikel *twee* van die Regeringsdiens-pensioenwet, 1955 (Wet No. 58 van 1955) vanaf die datum waarop hierdie regulasies van toepassing word op die skool waar hy in diens is, en indien hy aldus kies, is die bepalings van subartikels (2) en (3) van artikel *dertien* van genoemde Regeringsdiens-pensioenwet, 1955, van toepassing asof hy 'n persoon is wat vanaf genoemde datum verplig is om tot daardie fonds by te dra.

(3) 'n Onderwyser wat aldus aangestel is of aangestel word en wat, op die datum waarop hierdie regulasies van toepassing word aan die skool waar hy in diens is, lid is van 'n pensioen- of voorsorgfonds beheer deur 'n kerk, behou met die goedkeuring van die Minister na oorlegpleging met die Minister van Finansies al die regte en bly onderworpe aan al die verpligtinge wat hy op hom geneem of wat hy aangegaan het as gevolg van sy lidmaatskap van daardie fonds en die Sekretaris betaal aan die end van elke maand aan genoemde fonds 'n bedrag gelyk aan die bedrag wat die kerk ten behoeve van genoemde onderwysers ten opsigte van daardie maand sou betaal het indien die Wet nie aangeneem was nie.

KLIMAATSTOELAE.

57. Die bepalings van die regulasies betreffende die betaling van klimaatstoelae aan amptenare van die Unie-Staatsdiens sal *mutatis mutandis* van toepassing wees op onderwysers.

NIE-PENSIOENDRAENDE BONUSSE.

58. 'n Onderwyser aan wie op die tydstip wanneer hierdie regulasies op hom van toepassing word 'n nie-pensioendraende bonus vir 'n spesiale kwalifikasie toegeken is kragtens regulasie No. 31 van Provinsiale Kennisgewing (Natal), No. 524 van 27 November 1947, word beskou asof sodanige bonus onder hierdie regulasies aan hom toegeken is.

TOEPASSING VAN HIERDIE REGULASIES.

59. Hierdie regulasies tree in werking op 'n datum deur die Minister bepaal en is van toepassing op sodanige Staatsbantoeskole as wat die Minister van tyd tot tyd mag bepaal.

APPENDIX A.

DEPARTMENT OF NATIVE AFFAIRS.

DIVISION OF BANTU EDUCATION.

TEACHER'S FORM OF APPLICATION FOR LEAVE.

(This form must be submitted in duplicate.)

Name of applicant in full*
Grade (Assistant or Principal)
School
Postal Address of School

Nature of leave†
Period of leave desired: from to
No. of days
Address during leave

Method of drawing pay during leave.

Teachers proceeding overseas must state if they desire that their salary should be paid through the High Commissioner in London.

Signature of applicant (when obtainable)
Date and Place

Forwarded and recommended* Principal.

Date

Leave approved for the period and on the conditions of pay stated below—

Conditions of pay (to be filled in by the Department):—

days on full pay from to
days on half pay from to
days without pay from to

for Secretary for Native Affairs.

* Please see instructions on back hereof.

† Delete that which is not applicable.

INSTRUCTIONS.*

IMPORTANT.—Before filling in these forms read the following instructions through very carefully.

1. Applications for leave of any description and for whatsoever period must be submitted in duplicate through the Principal.

THIS FORM MUST NOT BE DESPATCHED TO THE DEPARTMENT IN AN "OFFICIAL FREE" FRANKED ENVELOPE.

2. Applications for leave must be submitted in sufficient time to allow the Department to deal with them before the leave, if granted, would commence. Where the matter is of such urgency that it is impossible to obtain the prior sanction of the Department the necessary application and explanation must be submitted at the earliest date possible.

3. When application for leave on urgent private affairs is made, full details of the reasons must be given. If desired, the reason may be stated in a confidential letter addressed direct to the Secretary. When required to give evidence in a court case, the form of subpoena MUST accompany the application for leave.

4. When leave on urgent private affairs is required on account of the illness of a relative the application must be supported by a doctor's certificate to the effect that the teacher's absence from duty is necessary.

NOTE.—Leave to undertake nursing duties when the services of an ordinary nurse would be equally effective will not be granted.

5. Applications for sick leave for a period exceeding three days must be supported by a medical certificate on the prescribed form. In the absence of a medical certificate showing clearly the commencing and terminating dates of the leave required a substitute cannot be appointed.

6. Applications for extension of sick leave must be submitted at least one week before the expiration of the original grant of leave, in order that the question of appointing a substitute, if necessary, may be dealt with.

7. When application is made for vacation leave or for leave for an extended period, the Principal must clearly state whether a substitute is required.

Assistant recommended for appointment as acting Principal

General qualifications desirable for temporary teacher to be appointed

NOTE.—No substitute will be appointed unless information asked for above is given.

BYVOEGSEL A.

DEPARTEMENT VAN NATURELLESAKE.

AFDELING BANTOE-ONDERWYS.

ONDERWYSERSAANSOEKVORM OM VERLOF.
(Blankes.)

(Hierdie vorm moet in duplikaat ingedien word.)

Naam van aplikant voluit*

Rang (Assistent of Prinsipaal)

Skool

Posadres van skool

Aard van verlof†

Tydsperk van verlangde verlof: van tot en met

Aantal dae

Adres gedurende verlof

Wyse waarop salaris gedurende verlof getrek sal word

Onderwysers wat oorsee gaan moet vermeld of hulle verlang dat hul salaris deur die Hoëkommissaris in Londen uitbetaal moet word.

Handtekening van aplikant (wanneer verkrygbaar)

Datum en plek

Aangestuur en aanbeveel* Prinsipaal.

Datum

Verlof goedgekeur vir die tydperk en op die voorwaardes van besoldiging hieronder vermeld—

Voorwaardes van besoldiging (word deur die Departement ingevul):—

dae met vol salaris van tot
dae met half salaris van tot
dae sonder salaris van tot

Sekretaris van Naturellesake.

* Sien asseblief voorskrifte agterop.

† Skrap wat nie van toepassing is nie.

VOORSKRIFTE.*

BELANGRIK.—Lees die hieropvolgende voorskrifte baie versigtig deur voordat u die vorms voltooi.

1. Aansoeke om verlof van enige aard en vir enige tydperk moet in duplo deur die Prinsipaal ingedien word.

HIERDIE VORM MAG NIE IN 'N „OFFISIËLE VRY” GEFRANKEERDE KOEVERT AAN DIE DEPARTEMENT GEPOS WORD NIE.

2. Aansoek om verlof moet sodanig ingedien word dat die Departement genoegsame tyd tot sy beskikking het om die aansoek af te handel voor die datum waarop die verlof, indien toegestaan, 'n aanvang sou neem. Waar die geval van so 'n dringende aard is dat dit onmoontlik is om voor die aanvang van die verlof die nodige toestemming van die Departement te verkry moet die aansoek met 'n verduideliking so spoedig moontlik ingedien word.

3. Wanneer aansoek om verlof vir dringende privaatsake gedoen word, is volledige besonderhede in verband met die oorsake van sodanige verlof noodsaaklik. Hierdie besonderhede kan, indien gewens, in 'n vertrouelike brief regstreeks aan die Sekretaris gerig word. Wanneer verag word om getuieis in 'n hofsak af te lê, MOET die dagvaarding die aansoek om verlof vergesel.

4. Wanneer verlof vir dringende privaatsake verlang word weens die ongesteldheid van 'n familiebetrekking, moet 'n verklaring van 'n geneesheer dat die verlof noodsaaklik is, ingedien word.

LET WEL.—Verlof om as verpleegster op te tree sal nie toegestaan word indien die dienste van 'n gewone verpleegster ewe doeltreffend sou wees nie.

5. As siekteverlof vir 'n tydperk van meer as drie dae verlang word, moet hierdie aansoek deur 'n mediese sertifikaat op die voorgeskrewe vorm gesteun word. By gebreke van 'n mediese sertifikaat waarop die begin- en einddatums van die aangevraagde verlof duidelik aangegee word, kan geen plaasvervanger benoem word nie.

6. Aansoeke om verlenging van siekteverlof moet ten minste een week voor die verstryking van die oorspronklike tydperk van verlof ingedien word sodat die kwessie van die benoeming van 'n plaasvervanger, indien nodig afgehandel kan word.

7. Wanneer aansoek gedoen word om vakansieverlof of om verlof vir 'n uitgestrekte tydperk, moet die prinsipaal duidelik vermeld of 'n plaasvervanger nodig is.

Assistent aanbeveel vir benoeming tot waarnemende Hoof

Algemene kwalifikasies wenslik vir tydelike onderwyser wat benoem moet word

N.B.—Geen plaasvervanger sal benoem word tensy die inligting soos hierbo verlang, verstrek word.

Definite particulars of accommodation available _____

 Railway Station from which school can best be reached _____

 Certified correct _____ Principal.

APPENDIX B.
 MEDICAL CERTIFICATE.

I, _____
 residing at _____
 hereby certify that _____
 has been under my medical treatment from _____
 to _____ 195____, and that he/she is suffering from _____
 and I certify that he/she is incapable of discharging the duties of
 his/her situation, and that it is absolutely necessary and indispensable
 for the recovery of his/her health that he/she should have leave from
 _____ to _____ (inclusive)
 for the purpose of _____

Medical Practitioner.
 Date _____
 Place _____

N.B.—The attention of all concerned is drawn to the following instructions:—

- The Department requires full particulars before sick leave is granted in the case of teachers suffering from certain ill-defined complaints viz:—

Neuritis,	Dyspepsia,	Neurasthenia,
Debility,	Tachycardia,	Nervous debility,
Nervous Dyspepsia,	Neuralgia,	Gastritis.
Insomnia,	Nervous breakdown,	
- When teachers apply for leave on the grounds of one or other of such ill-defined complaints, therefore, they should inform the medical practitioner that full details will be required in support of the medical certificate accompanying the application.

APPENDIX C.
 DEPARTMENT OF NATIVE AFFAIRS.
 DIVISION OF BANTU EDUCATION.
 APPLICATION FOR INCREMENT.

- School _____
- Grade of School _____ e.g. Training or Post-primary.
- Name of applicant in full _____
- Certificates—

(a) Professional e.g. Primary, Higher, Primary Teachers' Cer- tificate, etc.	Training Institution.	Year.
(b) Bilingual	Training Institution.	Year.
(c) Academic e.g. Matriculation, B.A. etc.	Institution.	Year.
(d) Other Certificates	Give details (e.g. Woodwork, etc.).	
- Grade of post occupied by teacher _____
e.g. Organiser of Special
subjects, Principal or Assis-
tant.
- Present salary per annum £ _____
- Date on which the annual increment falls due (an increment should not be applied for until it has actually fallen due) _____
- Place _____
Date _____
Signature of Teacher.

Juiste besonderhede van beskikbare huisvesting _____

 Spoorwegstasie vanwaar die skool die maklikste bereik kan word.

 As korrek verklaar _____ Prinsipaal.

BYVOEGSEL B.
 MEDIESE SERTIFIKAAT.

Ek, _____
 woonagtig te _____
 verklaar hierby dat _____
 onder my mediese behandeling was vanaf _____
 tot _____, dat ek hom/haar laaste
 ondersoek het op _____ 19____, en
 dat hy/sy ly aan _____
 en ek sertifiseer dat hy/sy nie in staat is om sy/haar pligte na te kom nie
 en dat dit volstrek noodsaaklik en onontbeerlik is vir die herstel van
 sy/haar gesondheid dat hy/sy verlof moet neem vanaf _____
 tot en met _____ ten einde _____

Datum _____ 19____
 Plek _____

Geneesheer.

L.W.—Die aandag van alle belanghebbendes word op die volgende instruksies gevestig:—

- Die Departement vereis volle besonderhede alvorens siekteverlof toegestaan word in die geval van onderwysers wat ly aan sekere swak omskrewe kwale, naamlik:—

Neuritis,	Dispepsie,	Neurastenie,
Swakheid,	Tagikardie,	Senuweeswakheid,
Senuweedispepsie,	Neuralgie,	Maagvlies-
Slapeloosheid,	Senuwee-instorting,	ontsteking.
- Wanneer onderwysers dus aansoek doen om verlof op grond van die een of ander van sodanige swak omskrewe kwale, moet hulle die geneesheer meedeel dat volle besonderhede vereis word ter ondersteuning van die mediese sertifikaat wat die aansoek vergesel.

BYVOEGSEL C.
 DEPARTEMENT VAN NATURELLESAKE.
 AFDELING BANTOE-ONDERWYS.
 AANSOEK OM SALARISVERHOOGING.

- Skool _____
- Graad van skool _____ bv. opleiding- of na-primêre skool.
- Naam van applikant voluit _____
- Sertifikaat—

(a) Professionele bv. Primêre, Hoër Primêre Onderwyser- sertifikaat, ens.	Opleidingsinrigting.	Jaar.
(b) Tweetaligheid	Opleidingsinrigting.	Jaar.
(c) Akademiese bv., Matrikulasie, B.A., ens.	Inrigting.	Jaar.
(d) Ander sertifikaat	(Gee besonderhede, bv. houtwerk, ens.)	
- Graad van betrekking wat onderwyser bekleed
bv. Organiseerder van Spesiale Vakke, Prinsipaal of Assistent-
onderwyser.
- Teenswoordige salaris per jaar £ _____
- Datum waarop die jaarlikse salarisverhoging intree
(daar moet nie om 'n verhoging aansoek gedoen word voordat en
aleer die verhoging werklik ingetree het nie.) _____
- Plek _____
Datum _____ Handtekening van leerkrag.

9. I hereby certify that the applicant is discharging in a satisfactory manner his/her functions and obligations.

Place _____ Principal of School (to be signed only when application is made for an assistant teacher's increment).
Date _____

10. Recommended by the Inspector of Bantu Schools.

Place _____
Date _____ Inspector of Bantu Schools.

11. (Space for official use only.)

APPENDIX D.

SUMMONS TO WITNESSES.

To _____ (here insert name of person summoned, his occupation and residence, if known).

You are hereby summoned to appear before the commission appointed by the Secretary for Native Affairs on the _____ to enquire into and report on a charge of misconduct against _____

a teacher in the service of the Department of Native Affairs, at _____

(place) upon the _____ day of _____ 19____
at _____ o'clock, and to give evidence respecting such inquiry.

You are further required to bring with you and produce to the said commission:—

(Specify the book, record, document or thing in the possession or custody of the person summoned, which has to be produced.)
Given under my hand at _____ on this _____ day of _____ 19____

Chairman of the Commission.

9. Hiermee sertifiseer ek dat die applikant steeds sy/haar werk en pligte op bevredigende wyse uitvoer.

Plek _____ Prinsipaal (moet geteken word slegs wanneer om salarisverhoging vir 'n assistent aansoek gedoen word).
Datum _____

10. Aanbeveel deur die Inspekteur van Bantoeskole.

Plek _____ Inspekteur van Bantoeskole.
Datum _____

11. (Slegs vir Amptelike gebruik.)

BYVOEGSEL D.

Aan _____ (vul hier in naam van gedagvaarde, sy beroep en verblyfplek, indien bekend).

U word hierby gedagvaar om te verskyn voor die kommissie benoem deur die Sekretaris van Naturellesake op _____ om ondersoek in te stel na en verslag te doen oor 'n klag van wangedrag teen _____ 'n onderwyser/es in die diens van die Departement van Naturellesake, te _____ (plek) op die _____ dag van _____ 19____, om _____ uur, en om getuienis betreffende sodanige ondersoek af te lê.

Voorts word van u verlang om die volgende met u mee te bring en aan genoemde kommissie voor te lê:—

(Spesifiseer hier die boek, stuk, dokument of ding in die besit of bewaring van die gedagvaarde, wat voorgelê moet word.)

Gegee onder my hand te _____ op hede die _____ dag van _____ 19____

Voorsitter van die Kommissie

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