



UNIE VAN SUID-AFRIKA
UNION OF SOUTH AFRICA

(As 'n Nuusblad by die Poskantoor Geregistreer)

BUITENGEWONE

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GOEWERMENSKENNISGEWING.

DEPARTEMENT VAN GEVANGENISSE.

No. 1352.] [28 Augustus 1959.
REGULASIES TOT SAMEVATTING EN WYSIGING
VAN DIE REGULASIES VIR DIE BEHEER VAN
DIE SUID-AFRIKAANSE DEPARTEMENT VAN
GEVANGENISSE.

Dit het Sy Eksellensie die Goewerneur-generaal behaag om, kragtens die bevoegdheid hom verleen by artikel *vier-en-negentig* van die Wet op Gevangenis, 1959 (Wet No. 8 van 1959), goed te keur dat die regulasies uitgevaardig by Goewermenskennisgewings Nos. 1551 van 1911, soos gewysig, No. 1781 van 1911, soos gewysig, No. 543 van 1913, soos gewysig, en No. 1432 van 1922, geskrap en deur die nuwe regulasies, soos in die Bylae hiervan gemeld, met ingang van 1 September 1959, vervang word.

BYLAE.

Die regulasies vervat in Goewermenskennisgewings Nos. 1551 van 8 September 1911, soos gewysig, No. 1781 van 19 Oktober 1911, soos gewysig, No. 543 van 29 Maart 1913, soos gewysig, en No. 1432 van 30 Augustus 1922, word hierby deur die volgende nuwe regulasies vervang:—

REGULASIES VIR DIE BEHEER VAN DIE SUID-AFRIKAANSE DEPARTEMENT VAN GEVANGENISSE.

INLEIDENDE BEPALINGS.

Woordbepalings.

1. (1) In hierdie regulasies, tensy uit die samehang anders blyk, het 'n uitdrukking wat in die Wet omskryf is dieselfde betekenis en beteken—

„betaling”, die salaris of loon wat gewoonlik aan 'n lid of 'n spesiale bewaarder betaalbaar is en sluit in enige toelae wat nie by salaris of loon inbegrepe is nie, met inagneming van hierdie regulasies en opdragte deur die Tesourie uitgereik in verband met sodanige toelae;

„bevelvoerende offisier”, enige offisier as sodanig benoem met bevel oor al die lede op die getalsterkte van 'n kommandement of kantoor of wat daaraan vir diens of dissipline toegewys is en alle spesiale bewaarders in die kommandement of kantoor;

„buiteland”, 'n land of gebied buite die grense van die Unie en Suidwes-Afrika;

„herberg”, slaapplek, beddegoed, etes, vloeibare versings en was en stryk van wasgoed (uitgesonderd alkoholiese drank en droogskoonmaak) of enige samestelling van hierdie items;

„hoofkwartier”, die stad, dorp of plek waar die ver naamste werk van 'n lid of spesiale bewaarder verrig word of verrig moet word, of wat deur die Kommissaris as sy hoofkwartier aangewys is;

GOVERNMENT NOTICE.

DEPARTMENT OF PRISONS.

No. 1352.] [28 August 1959.
REGULATIONS TO CONSOLIDATE AND AMEND
THE REGULATIONS FOR THE CONTROL OF
THE SOUTH AFRICAN PRISONS DEPART-
MENT.

His Excellency the Governor-General has been pleased to approve, by virtue of the powers in him vested by section *ninety-four* of the Prisons Act, 1959 (Act No. 8 of 1959), of the cancellation of the regulations published under Government Notice No. 1551 of 1911, as amended, No. 1781 of 1911, as amended, No. 543 of 1913, as amended, and No. 1432 of 1922, and the substitution therefor by the new regulations as set out in the Schedule hereto, with effect from the 1st September, 1959.

SCHEDULE.

The regulations contained in Government Notices Nos. 1551 of the 8th September, 1911, as amended, No. 1781 of the 19th October, 1911, as amended, No. 543 of the 29th March, 1913, as amended, and No. 1432 of the 30th August, 1922, are hereby substituted by the following new regulations:—

REGULATIONS FOR THE CONTROL OF THE SOUTH AFRICAN PRISONS DEPARTMENT.

PRELIMINARY PROVISIONS.

Interpretation of Terms.

1. (1) In these regulations, unless inconsistent with the context, an expression defined in the Act has the same meaning and—

“accommodation” means lodging, bedding, board, liquid refreshment and laundering of washing (excluding alcoholic liquor and dry cleaning) or any combination of these items;

“command” means the territory under the command of an officer commanding and which may consist of more than one prison and office;

“cycle” means a period of three years reckoned from the 1st of January, 1959, and every succeeding period of three years;

“day of rest” means—

(a) a Sunday or public holiday mentioned in sub-regulation (5) of regulation 105 in the case of a member or special warder who does not work on such a day;

(b) in the case of a member or special warder who is on duty on a Sunday or public holiday mentioned in sub-regulation (5) of regulation 105, any other day whereon he may be exempted from duty in lieu thereof;

“foreign country” means any country or territory beyond the borders of the Union and South West Africa;

„hoof van 'n gevangenis of kantoor”, 'n lid in bevel van 'n gevangenis of kantoor wat vir die bestuur daarvan direk aan die bevelvoerende offisier verantwoordelik is;

„huishouding”—

(a) die vrou van 'n lid en 'n kind (insluitende 'n aangenome kind) wat permanent by hom inwoon en noodsaaklikerwys van hom afhanklik is;

(b) 'n familielid van 'n lid wat permanent by hom inwoon en noodsaaklikerwys van hom afhanklik is en wie se inkomste nie die maksimum bedrag wat voorgeskryf is kragtens paragraaf (a) in die geval van 'n blanke, of vir 'n nie-blanke, ongeag sy ras, kragtens paragraaf (b) van subartikel (1) van artikel ses van die Ouderdomspensioenwet, 1928 (Wet No. 22 van 1928), soos gewysig, of 'n verhoging daarvan, oorskry nie; en

(c) hoogstens twee bediendes (insluitende kinderoppassers) wat in 'n voltydse hoedanigheid by 'n lid in diens is;

„kommandement”, die gebied onder beheer van 'n bevelvoerende offisier en kan uit meer as een gevangenis en kantoor bestaan;

„lid”, 'n lid van die gevangenisdiens;

„persoonlike besittings”, die roerende goed van 'n lid en van sy huishouding, met inbegrip van voertuie, maar nie lewende hawe, huis- of troeteldiere nie;

„protektorate”, die protektorate Swaziland, Betsjoeanaland en Basoetoland;

„rusdag”—

(a) 'n Sondag of 'n openbare feesdag in subregulasie (5) van regulasie 105 genoem, in die geval van 'n lid of spesiale bewaarder wat nie op so 'n dag werk nie;

(b) in die geval van 'n lid of spesiale bewaarder wat op 'n Sondag of 'n openbare feesdag in subregulasie (5) van regulasie 105 genoem, werk, enige ander dag waarop hy in plaas daarvan van diens vrygestel is;

„salarisskaal”, die salarisskaal met inbegrip van verhogingsgange, wat kragtens die bepalings van artikel een-en-twintig van die Staatsdienswet, 1957 (Wet No. 54 van 1957), op 'n lid of spesiale bewaarder van toepassing is, en sluit ook 'n loonskaal in;

„salarisverhoging”, die goedgekeurde bedrag waarmee 'n salaris volgens die toepaslike skaal verhoog kan word;

„salarisverhogingstydperk”, 'n tydperk van twaalf kalendermaande of 'n ander goedgekeurde tydperk wat met betrekking tot enige lid of spesiale bewaarder moet verstryk voordat sy salaris volgens 'n skaal wat op hom van toepassing is, verhoog kan word;

„sessie-amptenaar”, 'n lid van wie dit vereis word dat hy vir die hele duur van 'n parlamentsitting in Kaapstad teenwoordig moet wees;

„spesiale bewaarder”, iemand as sodanig kragtens artikel nege van die Wet aangestel;

„Tesourie”, die Minister van Finansies of 'n beamppte in die Departement van Finansies of van die Tesourie wat deur bedoelde Minister gemagtig is om die werksaamhede wat by die Wet aan die Tesourie opgedra is, te verrig;

„tydkring”, 'n tydperk van drie jaar gereken vanaf 1 Januarie 1959, en elke daaropvolgende tydperk van drie jaar;

„verblyftoelae”, betaling wat bedoel is om 'n lid of spesiale bewaarder te vergoed vir redelike uitgawes wat hy benewens sy normale bestaansuitgawes by sy tuiste, noodwendig aan herberg moet aangaan wanneer hy in amptelike diens van sy hoofkwartier afwesig is;

„verhogingsmaand”, die maand waarin die salaris van 'n lid of spesiale bewaarder verhoog kan word volgens die skaal wat op hom van toepassing is.

„headquarters” means the city, town or place where the principal duties of a member or a special warder are or have to be performed or which the Commissioner has indicated as his headquarters;

„household” means—

(a) the wife of a member and a child (including an adopted child) who is permanently resident with and of necessity dependent upon him;

(b) a relative of a member who is permanently resident with him and necessarily dependent upon him and whose income does not exceed the maximum amount laid down in terms of paragraph (a) in the case of a white, or for a non-white, irrespective of race, paragraph (b) of sub-section (1) of section six of the Old Age Pensions Act, 1928 (Act No. 22 of 1928), as amended, or any increase thereof; and

(c) not more than two servants (including nursemaids), employed in a whole-time capacity by the member;

„increments” means the approved amount by which a salary may be increased in accordance with the applicable rates of progression;

„incremental month” means the month in which the salary of a member or special warder may be increased in accordance with the salary scale applicable to him;

„incremental period” means a period of twelve calendar months or any other approved period pertaining to a member or special warder that must elapse before his salary may be increased in accordance with the salary scale applicable to him;

„member” means a member of the Prisons Service;

„member in charge of a prison or office” means a member in charge of a prison or office who is directly responsible to the officer commanding for the management thereof;

„officer commanding” means any officer appointed as such with command over all the members on the establishment of a command or office or who have been attached thereto for duty or discipline and all special warders in the command or office;

„pay” means the salary or wages usually payable to a member or special warder and includes any allowances which are not included in salary or wages with due regard to these regulations and instructions issued by Treasury in connection with such allowances;

„personal effects” means the movable property of a member and of his household, including vehicles, but excluding livestock, domestic animals and pets;

„protektorates” means the protektorates of Swaziland, Bechuanaland and Basutoland;

„salary scale” means the salary scale including the rates of progression that is applicable to a member or special warder in terms of section twenty-one of the Public Service Act, 1957 (Act No. 54 of 1957), and also includes a wage scale;

„sessional officer” means a member whose presence is required in Cape Town for the duration of a parliamentary session;

„special warder” means a person appointed as such in terms of section nine of the Act;

„subsistence allowance” means a payment designed to recompense a member or special warder for reasonable expenses necessarily incurred by him on accommodation over and above his normal living expenses at his home whilst absent from his headquarters on official duty;

„Treasury” means the Minister of Finance or an official of the Department of Finance or of the Treasury who has been authorised by the said Minister to perform the duties assigned to the Treasury by the Act.

(2) (a) Enige uitdrukking wat in Afdeling I van hierdie regulasies voorkom en wat nie in hierdie regulasie omskryf is nie, het, tensy dit uit die samehang anders blyk, dieselfde betekenis as wat in die Staatsdienswet, 1957 (Wet No. 54 van 1957), en die Staatsdiensregulasies daaraan toegeskryf is.

(b) Die bepalings van die Staatsdienswet en -regulasies sal van toepassing wees op enige aspek rakende personeel-aangeleenthede wat nie deur Afdeling I van hierdie regulasies gedek word nie.

AFDELING I. PERSONEELBEPALINGS.

DIENSSTAAT.

(A) *Vasstelling van diensstaat.*

Vasstelling van diensstaat

2. (1) Die diensstaat van die Departement van Gevangenis- en Strafbestel word van tyd tot tyd deur die Kommissaris, op aanbeveling van die Staatsdienskommissie en met goedkeuring van die Tesourie, vasgestel.

Bepaling van kommandemente en verdeling van Gevangenisdiens.

(2) Kommandemente word van tyd tot tyd, wanneer nodig, deur die Kommissaris met die goedkeuring van die Minister bepaal en gewysig en die verdeling van die Gevangenisdiens daarin word deur die Kommissaris gedoen.

Lid by enige plek in Unie of Suidwes-Afrika dienspligtig.

(3) 'n Lid is verplig om in enige deel van die Unie of Suidwes-Afrika diens te doen en kan van een gevangenis na 'n ander of van 'n gevangenis na 'n kantoor of van 'n kantoor na 'n gevangenis of van een kantoor na 'n ander of van een afdeling van die Departement van Gevangenis- en Strafbestel na 'n ander oorgeplaas word.

(B) *Range en ampstitels.*

Range en ampstitels volgens voorrang.

3. (1) Die range en ampstitels van die Gevangenisdiens is as volg, en word volgens voorrang aangegee:—

(a) *Blankes—Offisiere.*

Die Kommissaris van Gevangenis- en Strafbestel: Generaal-majoor, nadat die pos wat tans deur 'n beampste in die administratiewe afdeling van die Staatsdiens beklee word in 'n pos wat deur 'n lid beklee word, omgeskep is.

Adjunk-kommissaris: Brigadier.

Assistent-kommissaris: Kolonel of luitenant-kolonel.

Kolonel.

Luitenant-kolonel.

Majoor.

Kaptein.

Luitenant.

(b) *Blankes—Ander range.*

Mans.

Opperbewaarder, graad I.

Opperbewaarder, graad II.

Hoofbewaarder.

Bewaarder: Bewaarder.

Proefbewaarder.

Spesiale bewaarder.

Vrouens.

Matrone, senior graad.

Matrone, graad I.

Matrone, graad II.

Bewaarder: Bewaarder.

Proefbewaarder.

Spesiale bewaarder.

(2) (a) Any expression appearing in Part I of these regulations and which has not been defined in this regulation, has, unless inconsistent with the context, the same meaning as ascribed thereto by the Public Service Act, 1957 (Act No. 54 of 1957), and the Public Service Regulations.

(b) The provisions of the Public Service Act and Regulations shall be applicable to any aspect pertaining to personnel which has not been dealt with by Part I of these regulations.

PART I.

PERSONNEL REGULATIONS.

ESTABLISHMENT.

(A) *Determination of Establishment.*

Determination of Establishment.

2. (1) The establishment of the Prisons Department shall be fixed by the Commissioner from time to time on the recommendation of the Public Service Commission and the approval of the Treasury.

Determination of Commands and Distribution of the Prisons Service.

(2) The Commissioner shall from time to time as may be necessary, with the approval of the Minister, determine and alter commands and the Commissioner shall determine the distribution of the Prisons Service therein.

Member Liable for Service Anywhere in Union or South West Africa.

(3) A member is liable to serve in any part of the Union or South West Africa and may be transferred from one prison to another, or from a prison to an office or from an office to a prison or from one office to another or from one branch of the Prisons Department to another.

(B) *Ranks and Designations.*

Ranks and Designations in Order of Precedence.

3. (1) The ranks and designations of the Prisons Service are as follows and in the order of precedence indicated:—

(a) *Whites—Officers.*

The Commissioner of Prisons: Major-General, after the post, which is at present held by an officer in the administrative division of the Public Service has been converted into a post that is held by a member.

Deputy-Commissioner: Brigadier.

Assistant Commissioner: Colonel or Lieutenant-Colonel.

Kolonel.

Luitenant-Kolonel.

Majoor.

Kaptein.

Luitenant.

(b) *Whites—Other Ranks.*

Males.

Chief Warder, Grade I.

Chief Warder, Grade II.

Head Warder.

Warder: Warder.

Probationary Warder.

Special Warder.

Females.

Matron, Senior Grade.

Matron, Grade I.

Matron, Grade II.

Wardress: Wardress.

Probationary Wardress.

Special Wardress.

(c) *Nie-blankes.**Mans.*

Opperbewaarder, graad I.
 Opperbewaarder, graad II.
 Hoofbewaarder.
 Indiërtolk, graad I.
 Indiërtolk, graad II.
 Bewaarder: Bewaarder.
 Proefbewaarder.
 Spesiale bewaarder.

Vrouens.

Matrone, graad I.
 Matrone, graad II.
 Suster.
 Stafverpleegster.
 Vroedvrou.
 Bewaarster: Bewaarster.
 Proefbewaarder.
 Spesiale bewaarster.

Gebruik van amptitels: Kommissaris, Adjunk- en Assistent-kommissaris.

(2) Die Kommissaris, nadat die pos omgeskep is in 'n pos wat deur 'n lid beklee moet word, 'n Adjunk- of 'n Assistent-kommissaris, kan te eniger tyd een van of albei die amptitels wat vir sy rang bepaal is, gebruik.

Voorrang van lede.

(3) Die voorrang van lede van dieselfde rang hang af van die onderskeie datums van hulle aanstelling op die rang: Met dien verstande dat 'n bevelvoerende offisier of die hoof van 'n gevangenis of kantoor oor alle ander lede en spesiale bewaarders in die bepaalde kommandement of gevangenis of kantoor bevel voer, sonder inagneming van die datum van aanstelling.

Bepaling van voorrang met inagneming van laer range.

(4) Indien twee of meer lede van dieselfde rang op dieselfde datum aangestel is, word hulle voorrang, met inagneming van die voorbehoudsbepaling by die vorige subregulasie, bepaal volgens die datum van hulle aanstelling op die voorgaande laere rang of range.

Blanke voorrang bo nie-blank.

(5) Blanke lede van enige rang het voorrang bo alle nie-blanke lede.

Behoud van rang na uitdienstreding.

(6) By die uitdienstreding of bedanking van 'n offisier wat sy ampspligte deurgaans bevredigend vervul het, kan die Minister goedkeur dat hy sy rang behou en, in 'n besonder verdienstelike geval kan hy aan hom, behoudens die volgende vereistes, 'n hoër rang toeken:—

- Aan 'n luitenant die rang van kaptein, mits hy minstens vyf jaar as offisier gedien het;
- aan 'n kaptein die rang van majoor, mits hy minstens tien jaar as offisier gedien het of minstens vyf jaar kapteinsrang beklee het;
- aan 'n majoor die rang van luitenant-kolonel, mits hy minstens vyftien jaar as offisier gedien het of minstens vyf jaar majoorsrang beklee het;
- aan 'n luitenant-kolonel die rang van kolonel, mits hy minstens twintig jaar as offisier gedien het of minstens vyf jaar die rang van luitenant-kolonel beklee het;
- aan 'n kolonel of 'n offisier met 'n hoër rang die volgende hoër rang, mits hy minstens vyf-en-twintig jaar as offisier gedien het of minstens vyf jaar in die rang wat hy op die datum van sy aftreding of bedanking beklee, gedien het:

Met dien verstande dat die Minister na goeë dunde in 'n buitengewone geval aan so 'n offisier wat besonder voortreflike of voorbeeldige diens gelewer het, die volgende hoër rang kan toeken, hoewel daar nie aan die vereistes onder subparagraawe (a) tot en met (e) voldoen is nie.

(c) *Non-whites.**Males.*

Chief Warder, Grade I.
 Chief Warder, Grade II.
 Head Warder.
 Indian Interpreter, Grade I.
 Indian Interpreter, Grade II.
 Warder: Warder.
 Probationary Warder.
 Special Warder.

Females.

Matron, Grade I.
 Matron, Grade II.
 Sister.
 Staff Nurse.
 Midwife.
 Wardress: Wardress.
 Probationary Wardress.
 Special Wardress.

Use of Designation: Commissioner, Deputy and Assistant Commissioner.

(2) The Commissioner, after the post has been converted into a post to be held by a member, a Deputy or an Assistant Commissioner may at any time use either one or both the designations laid down for his rank.

Precedence of Members.

(3) Members of the same rank shall take precedence according to the respective dates of their appointment to such rank: Provided that an officer commanding or the member in charge of a prison or office shall have command over all other members and special warders in that command or prison or office, irrespective of date of appointment.

Determination of Precedence by Considering Lower Ranks.

(4) If two or more members of the same rank have been appointed on the same date, their precedence shall, subject to the proviso in the preceding sub-regulation, be determined by the date of their appointment to the next lower rank or ranks.

White Precedence.

(5) White members of any rank shall have precedence over all non-white members.

Retention of Rank on Retirement.

(6) On retirement or resignation of a commissioned officer whose official duties have throughout been satisfactorily performed, the Minister may permit him to retain his rank, and in a specially deserving case, may grant him a higher rank subject to the following provisions:—

- A lieutenant the rank of captain, provided he has completed not less than five years' service as a commissioned officer;
- a captain the rank of major, provided he has completed not less than ten years' service as a commissioned officer, or not less than five years in the rank of captain;
- a major the rank of lieutenant-colonel, provided he has completed not less than fifteen years' service as a commissioned officer or not less than five years in the rank of major;
- a lieutenant-colonel the rank of colonel, provided he has completed not less than twenty years of service as a commissioned officer or not less than five years in the rank of lieutenant-colonel;
- a colonel or a commissioned officer with a higher rank the following higher rank, provided he has completed not less than twenty-five years' service as a commissioned officer or not less than five years in the rank he held on the date of his retirement or resignation:

Provided that in exceptional circumstances the Minister may, at his discretion, grant the next higher rank to such a commissioned officer if he has rendered outstanding or exemplary service, although he has not complied with the requirements of sub-paragraphs (a) to (e) inclusive.

PLIGTE.

(A) *Adjunk- en Assistent-kommissaris.**Pligte van Adjunk- en Assistent-kommissaris.*

4. (a) Behoudens die voorskrifte van die Kommissaris moet die Adjunk-kommissaris die pligte uitvoer en die magte en funksies uitoefen wat kragtens artikel drie-en-negentig van die Wet of andersins deur die Kommissaris aan hom gedelegeer of opgedra word.

(b) Die Assistent-kommissaris moet sodanige pligte uitvoer as wat die Kommissaris of die Adjunk-kommissaris aan hom deleger of opdra.

(B) *Rekenmeester.**Pligte van rekenmeester.*

5. Die rekenmeester is vir alle geldelike aangeleenthede van die Departement van Gevangenisregeering direk aan die Kommissaris verantwoordelik en moet sy pligte uitvoer ooreenkomstig die voorskrifte van die finansiële regulasies soos van tyd tot tyd ingevolge artikel een-en-sestig van die Skatkis- en Ouditwet, 1956 (Wet No. 23 van 1956), uitgevaardig.

(C) *Geneeskundige beampte.**Pligte van inwonende geneeskundige beampte.*

6. (1) (a) (i) 'n Inwonende geneeskundige beampte is verantwoordelik vir die algemene behandeling en gesondheid van 'n lid, die in paragraaf (a) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarder en 'n gevangene.

(ii) Hy moet 'n lid, die in subparagraaf (i) van hierdie paragraaf bedoelde spesiale bewaarder en die in regulasie 19 bedoelde vrou en afhanklike kind van 'n blanke lid behandel, onderworpe aan sodanige voorwaardes as wat deur die Kommissaris voorgeskryf word.

(b) Hy moet die bepalings van die Wet, asook die voorskrifte uitgereik deur die Kommissaris, nakom.

Pligte van distriks- of ander geneesheer.

(2) 'n Distriksgeneesheer of ander geneesheer wat deur die Sekretaris van Gesondheid vir dié doel goedgekeur is, moet gedurende die afwesigheid of onvermoë van die inwonende geneeskundige beampte, of indien daar geen inwonende geneeskundige beampte vir 'n gevangenis aangestel is nie, op sodanige tye en so dikwels besoeke aflê of inspeksies hou as wat in die voorwaardes van sy aanstelling bepaal word of deur die Kommissaris van hom verlang of deur omstandighede vereis word, en in die algemeen die pligte van die inwonende geneeskundige beampte in subregulasie (1) omskryf, verrig.

(D) *Lede.*

'n Lid se tyd moet te alle tye tot die beskikking van die Staat wees.

7. (1) (a) Elke lid moet al sy tyd ter beskikking van die Staat stel.

(b) Geen lid mag, sonder skriftelike toestemming van die Minister, besoldigde werk buite sy werk in die Departement van Gevangenisregeering verrig of hom verbind om dit te verrig nie.

Slegs werksaamhede ten behoeve van die Staat moet verrig word.

(2) Geen lid of spesiale bewaarder mag van die dienste van 'n ander lid of iemand anders in die Departement van Gevangenisregeering gebruik maak, vir die verrigting van werk wat nie uitsluitlik ten behoeve van die Staat verrig word nie.

'n Lid en spesiale bewaarder is verplig om werk ten behoeve van die Staat te verrig.

(3) 'n Lid en 'n spesiale bewaarder is verplig om enige werk ten behoeve van die Staat wat hom met goedkeuring van die Kommissaris opgedra word, te verrig.

DUTIES.

(A) *Deputy and Assistant Commissioner.**Duties of Deputy and Assistant Commissioner.*

4. (a) A Deputy-Commissioner shall, subject to the direction of the Commissioner, perform such duties and exercise such powers and functions as are delegated or assigned to him by the Commissioner under section ninety-three of the Act or otherwise.

(b) An Assistant Commissioner shall perform such duties as are delegated or assigned to him by the Commissioner or the Deputy-Commissioner.

(B) *Accountant.**Duties of the Accountant.*

5. The Accountant is directly responsible to the Commissioner for all financial affairs of the Prisons Department, and he shall perform his duties in accordance with the provisions of the financial regulations as published from time to time under section sixty-one of the Exchequer and Audit Act, 1956 (Act No. 23 of 1956).

(C) *Medical Officer.**Duties of a Resident Medical Officer.*

6. (1) (a) (i) A resident medical officer is responsible for the general treatment and health of a member, a special warder as referred to in paragraph (a) of sub-regulation (1) of regulation 9, and a prisoner.

(ii) He shall attend a member, special warder as referred to in sub-paragraph (i) of this paragraph and the wife and dependant child of a white member as described in regulation 19, subject to such conditions as are prescribed by the Commissioner.

(b) He shall comply with the provisions of the Act as well as the instructions issued by the Commissioner.

Duties of District Surgeon or Other Medical Practitioner.

(2) A district surgeon or other medical practitioner, approved of by the Secretary for Health for this purpose, shall in the absence or incapacity of a resident medical officer, or if no resident medical officer has been appointed for a prison, pay such visits and hold such inspections at such times and as often as may be stipulated in his conditions of appointment or as are expected by the Commissioner or as required by circumstances, and he shall generally perform the duties of the resident medical officer as set out in sub-regulation (1).

(D) *Members.**Member's Time at All times at the Disposal of the State.*

7. (1) (a) The whole time of every member shall be at the disposal of the State.

(b) No member shall do remunerative work except his work for the Prisons Department, undertake to do such work without the written permission of the Minister.

Only Duties for the State to be Performed.

(2) No member or special warder shall employ the services of any other member or other person in the Prisons Department on work which is not done exclusively for the State.

A Member or Special Warder Compelled to Work for State.

(3) Any member and special warder is compelled to perform any duties on behalf of the State when ordered, with the approval of the Commissioner, to do so.

AANSTELLING.

(A) *Aanstelling van lede wat nie offisiere is nie.**Kwalifikasies: Blanke applikante.*

8. (1) 'n Blanke applikant moet—
- (a) 'n Suid-Afrikaanse burger wees;
 - (b) minstens sestien en nie ouer nie as vyf-en-dertig jaar by aanstelling wees en bevredigende bewys daarvan lewer;
 - (c) minstens vyf voet ses duim lank wees;
 - (d) vry van enige geestelike of liggaamlike gebreke wees, 'n sterk gestel besit en geskik wees vir die pligte verbonde aan die Departement van Gevangenis- en Bewoering;
 - (e) bewys lewer van goeie gedrag;
 - (f) minstens die agste standerd van onderwys of 'n ekwivalent daarvan bereik het:

Met dien verstande dat die Minister na goeie dinge—

- (i) van enige of al die vereistes van paragrawe (b), (c), (d) en (f) kan afsien;
- (ii) in 'n spesiale geval applikante wat nog nie die ouderdom van agt-en-veertig jaar bereik het nie en wat vorige ondervinding in 'n Departement van Gevangenis- en Bewoering opgedoen het, kan aanneem, mits hy aan al die ander vereistes voldoen.

Kwalifikasies: Nie-blanke applikante.

(2) Die bepalinge van subregulasie (1) is op die aanstelling van 'n nie-blanke applikant van toepassing, behalwe dat 'n nie-blanke applikant minstens 18 jaar en nie ouer nie as 35 jaar moet wees.

Vereistes vóór aanstelling.

- (3) 'n Applikant moet voordat hy aangestel word—
- (a) die voorgeskrywe aansoekvorm invul;
 - (b) onder eed die juistheid van die verklaringe daarin maak, bevestig;
 - (c) die diensvoorwaardes wat op sy aanstelling betrekking het, onderteken; en
 - (d) toelaat dat sy vingerafdrukke geneem word.

Vervoer van applikant.

(4) 'n Applikant in die Unie of Suidwes-Afrika woonagtig wat vir aanstelling gewerk is—

- (a) is op kostelose vervoer geregtig vanaf enige stasie in die Unie of Suidwes-Afrika na 'n opleidingsentrum of enige ander plek waar hy gestasioneer gaan word; en
- (b) kan enige onvoorsiene uitgawes, wat nie die tariewe voorgeskrywe by regulasies 43 tot en met 54 oorskry nie, met inbegrip van koste van padvervoer, wat hy in verband met die reis mag hê en wat die Kommissaris redelik ag, terug eis.

Vervoer van onsuksesvolle applikant.

(5) 'n Applikant wat afgewys word voordat hy aangestel word of gedurende sy proeftydperk, kan na goeie dinge van die Kommissaris vry vervoer toegestaan word na die plek in die Unie of Suidwes-Afrika vanwaar hy gekom het en 'n redelike som geld vir onvoorsiene reisuittgawes, wat nie die tariewe voorgeskrywe by regulasies 43 tot en met 54 oorskry nie, kan aan hom gegee word.

Wyse van aanstelling.

(6) (a) 'n Lid word aangestel vir 'n tydperk wat, behoudens die bepalinge van hierdie subregulasie, van jaar tot jaar loop, gereken vanaf die datum van diensaanvaarding.

(b) Die eerste jaar van 'n lid se diens word as 'n proeftydperk beskou.

(c) Sodanige proeftydperk kan om voldoende rede verleng word.

APPOINTMENT.

(A) *Appointment of Non-Commissioned Members.**Qualifications: White Applicants.*

8. (1) A white applicant must—
- (a) be a South African citizen;
 - (b) be not less than sixteen and not more than thirty-five years of age on appointment, satisfactory proof of which must be produced;
 - (c) be not less than 5 feet 6 inches in height;
 - (d) be free from all mental and physical infirmity, of strong constitution, and equal to the performance of duty in the Prisons Department;
 - (e) produce proof of good character;
 - (f) have attained at least the eighth standard of education or an equivalent thereof:

Provided that the Minister may at his discretion—

- (i) waive any or all of the requirements of paragraphs (b), (c), (d) and (f);
- (ii) in a special case accept applicants who have not reached the age of forty-eight years and who have had previous experience in a Prisons Department, provided that he complies with all other requirements.

Qualifications: Non-white Applicants.

(2) The provisions of sub-regulation (1) are applicable to the appointment of a non-white applicant, except that a non-white applicant shall be not less than 18 years and not more than 35 years of age.

Requirements Before Appointment.

- (3) Before appointment an applicant shall—
- (a) complete the prescribed form of application;
 - (b) by affidavit affirm the correctness of the statements made therein by him;
 - (c) sign the conditions of service pertaining to his appointment; and
 - (d) submit to the taking of his fingerprints.

Transport of Applicant.

(4) An applicant resident in the Union or South West Africa who is enlisted for appointment—

- (a) is entitled to free transport from any station in the Union or South West Africa to a training centre or any other place where he is to be stationed; and
- (b) may claim any unforeseen expenses, including the cost of road transportation incurred by him in connection with the journey, which the Commissioner may consider reasonable.

Transport of Unsuccessful Applicant.

(5) An applicant rejected either before appointment or during his probationary period may, at the discretion of the Commissioner, be given free transport to the place within the Union or South West Africa whence he came and a reasonable amount of money to cover unforeseen expenses on the journey.

Manner of Appointment.

(6) (a) Subject to the provisions of this sub-regulation, a member is appointed for yearly periods reckoned from the date of his assumption of duty.

(b) The first year of a member's service is regarded as a probationary period.

(c) Such probationary period may for sufficient reasons be extended.

(d) Indien dit te eniger tyd gedurende die proeftydperk of verlengde proeftydperk blyk dat die lid op proef onbekwaam of andersins om een of ander rede ongeskik is vir verdere indienshouding in die Departement van Gevangenis, kan die Kommissaris sy dienste met vier-en-twintig uur kennisgewing beëindig: Met dien verstande dat so 'n lid teen sodanige beslissing na die Minister kan appelleer.

(e) By voltooiing van die proeftydperk of verlengde proeftydperk moet die bevelvoerende offisier 'n verslag uitbring aangaande die geskiktheid van die lid op proef en indien die bevelvoerende offisier sertifiseer dat so 'n lid gedurende die proeftydperk of verlengde proeftydperk ywerig en sy gedrag deurgaans bevredigend was en hy in alle opsigte geskik is vir verdere indienshouding in die Departement van Gevangenis, word die aanstelling deur die Kommissaris bekragtig.

(f) Na bekragtiging van die aanstelling ingevolge paragraaf (e) word dit geag dat die aanstelling van so 'n lid jaar na jaar stilswyend hernieu word, tensy die Kommissaris of die betrokke lid een maand voor verstryking van die tweede of enige daaropvolgende tydperke van een jaar skriftelik kennis van diensbeëindiging gee.

Ampseed.

(7) By aanstelling moet die applikant die ampseed aflê in die vorm in Aanhangsel A uiteengesit.

(B) Aanstelling van spesiale bewaarders.

Spesiale bewaarders.

9. (1) Die Kommissaris kan 'n persoon kragtens artikel nege van die Wet as 'n spesiale bewaarder aanstel—

- (a) teen 'n vakante pos op die vaste diensstaat;
- (b) addisioneel tot die vaste diensstaat—
 - (i) onder 'n spesiale kontrak, hetsy in 'n voltydse of 'n deeltydse hoedanigheid;
 - (ii) vir die vervoer van gevangenes; of
 - (iii) vir die veilige bewaring van gevangenes, uitgesonderd die persone in paragraaf (c) genoem;
- (c) addisioneel tot die vaste diensstaat—
 - (i) waar hy die huurder van gevangenisarbeid is en ook as wag optree; of
 - (ii) waar hy 'n werknemer van die huurder van gevangenisarbeid is en as wag optree.

(2) Die voorwaardes vir die aanstelling van spesiale bewaarders ingevolge subregulasie (1) sal in die vorm wees soos in Aanhangsel A uiteengesit.

OPLEIDING, UNIFORM EN BEVORDERING.

(A) Opleidingskursus.

Opleidingskursus by 'n opleidingskollege of 'n depot.

10. Die Kommissaris kan na goeddunke gelas dat—

- (a) 'n lid 'n opleidingskursus by 'n opleidingskollege of depot volg; en
- (b) 'n lid ná so 'n kursus enige verdere kursus of kursusse by 'n opleidingskollege, depot of elders volg.

(B) Uniform.

Uniform by aanstelling.

11. (1) By aanstelling op proef word 'n lid op staatskoste van sodanige uniform en ander uitrusting voorsien as wat die Kommissaris vir sy rang voorskryf.

Uniform.

(2) Alle lede en spesiale bewaarders moet 'n uniform dra van sodanige materiaal en patroon, asook knope en wapens van sodanige ontwerp soos deur die Kommissaris bepaal.

(d) If at any time during the probationary period or extended probationary period it appears that the member on probation is unfit or for any other reason unsuitable for further retention in the service of the Prisons Department, the Commissioner may terminate his services with twenty-four hours notice: Provided that such member may appeal to the Minister against such decision.

(e) At the completion of the probationary period or extended probationary period the officer commanding shall submit a report as to the probationer's suitability, and if the officer commanding certifies that such a member was diligent and his conduct satisfactory throughout the period of his probation or extended probation and that he is in all respects suitable for further retention in the service of the Prisons Department, the appointment shall be confirmed by the Commissioner.

(f) After confirmation of appointment in terms of paragraph (e) the appointment is deemed to be tacitly renewed annually, unless the Commissioner or the member concerned gives written notice of termination of service one month before the expiration of the second or any subsequent period of one year.

Oath of Office.

(7) On appointment the applicant shall take the Oath of Office in the form as set out in Annexure A.

(B) Appointment of Special Warders.

Special Warders.

9. (1) The Commissioner may appoint a person as a special warder in terms of section nine of the Act—

- (a) in a vacancy on the fixed establishment;
- (b) additional to the fixed establishment—
 - (i) under a special contract, either in a full-time or in a part-time capacity;
 - (ii) for the transport of prisoners; or
 - (iii) for the safe custody of prisoners, excluding the persons mentioned in paragraph (c);
- (c) additional to the fixed establishment—
 - (i) where he is the lessee of prison labour and also acts as guard; or
 - (ii) where he is the employee of the lessee of prison labour and acts as guard.

(2) The conditions for the appointment of special warders in terms of sub-section (1) shall be as contained in the form as set out in Annexure A.

TRAINING, UNIFORM AND PROMOTIONS.

(A) Training Course.

Training Course at Training College or a Depot.

10. The Commissioner may at his discretion direct that—

- (a) a member attend a training course at a training college or depot; and
- (b) after such course, a member attend any further course or courses at a training college, depot or any other place.

(B) Uniform.

Uniform on Appointment.

11. (1) On appointment on probation a member is issued, from Public Funds, with such uniform and other equipment as are prescribed for his rank by the Commissioner.

Uniform.

(2) All members and special warders shall wear a uniform of such material and pattern, as well as buttons and badges of such design, as are prescribed by the Commissioner.

Uniformtoelae.

(3) Die Kommissaris, met goedkeuring van Tesourie, bepaal van tyd tot tyd—

- (a) welke bedrag by eerste aanstelling as offisier betaal kan word vir die voorsiening van uniform en persoonlike uitrusting; en
- (b) welke bedrag aan uniformtoelae betaal kan word aan ander lede as offisiere, nadat sodanige lede een jaar diens voltooi het.

Beskadiging of slytasie van uniforms, ens.

(4) Die Kommissaris kan na goeddunke die betaling goedkeur van volle of gedeeltelike vergoeding vir die herstel of vervanging van enige stuk uniform of privaateiendom van 'n lid of spesiale bewaarder wat onvermydelik beskadig of verniel is of verlore geraak het gedurende die verrigting van so 'n lid of spesiale bewaarder se werk, of wat aan buitengewone slytasie onderhewig is wanneer spesiale diens gedoen word.

Addisionele artikels vir werk vereis.

(5) Lede wat as vakmanne, motorbestuurders en dergelyke werksaam is, kan kosteloos van enige addisionele artikels wat vir hulle werk vereis word, soos deur die Kommissaris bepaal, voorsien word.

Dra van uniform ná aftrede.

(6) Offisiere wat by aftrede hulle rang mag behou of aan wie volgens subregulasie (6) van regulasie 3 'n hoër rang toegeken word, mag die uniform wat by hulle rang behoort by staats- en ander paslike geleenthede dra.

*(C) Bevordering.**Vereistes vir bevordering.*

12. (1) Die Kommissaris bevorder bewaarders en onderoffisiere op grond van verdienstelikheid met inagneming van senioriteit en kwalifikasies.

Aflê van eksamens en geneeskundige ondersoek.

(2) Voordat 'n lid wat nie 'n offisier is nie bevorderd word—

- (a) moet hy 'n eksamen aflê wat van tyd tot tyd deur die Kommissaris voorgeskryf word: Met dien verstande dat 'n lid wat tegniese of ander kwalifikasies besit of wat besonder bekwaam in sy werk is of wat andersins besonderlik verdienstelik is, vrygestel kan word van die aflê van 'n eksamen en bevorderd word;
- (b) kan die Kommissaris gelas dat hy hom geneeskundig laat ondersoek.

Wyse van bevordering.

(3) Bevorderings geskied in die afdeling waarin 'n lid werksaam is: Met dien verstande dat indien 'n lid aan die vereistes wat op 'n ander afdeling van toepassing is, voldoen, hy vir bevordering in daardie afdeling oorweeg kan word: Met dien verstande voorts dat die Kommissaris na goeddunke 'n lid van een afdeling na 'n ander kan oorplaas met of sonder bevordering.

*BESOLDIGING.**(A) Salaris.**Salarisskale.*

13. (1) Die salarisskale van toepassing op lede en die in paragrafe (a) en (b) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarders word van tyd tot tyd deur die Staatsdienskommissie aanbeveel.

Salarisverhogings.

(2) (a) Behoudens die bepalinge van paragraaf (b) word die salaris van 'n lid en 'n in paragraaf (a) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarder verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is, na die voltooiing van elke salarisverhogings tydperk en wel met ingang van die eerste dag van sodanige lid of spesiale bewaarder se verhogingsmaand.

Uniform Allowance.

(3) The Commissioner, with approval of the Treasury, from time to time prescribes—

- (a) what amount may be paid a commissioned officer for the provision of uniform and personal equipment on first appointment; and
- (b) what amount shall be paid as uniform allowance to non-commissioned members, after such members have completed service of one year.

Damage or Wear of Uniform, etc.

(4) The Commissioner may at his discretion approve of the payment of compensation in full or in part for the repair or replacement of any article of a member's or special warder's uniform or private property which has been inevitably damaged or lost during the performance of such a member's or special warder's duty, or which has been subjected to exceptional wear due to special service.

Additional Articles Required for Work.

(5) Members employed as tradesmen, chauffeurs and the like may be supplied with a free issue of such additional articles necessitated by their duties as the Commissioner directs.

Wearing of Uniform After Retirement.

(6) Commissioned officers who on retirement are permitted to retain their rank, or who are granted a higher rank in terms of sub-regulation (6) of regulation 3, may wear the uniform of their rank on state and other appropriate occasions.

*(C) Promotion.**Requirements for Promotion.*

12. (1) The Commissioner promotes warders and non-commissioned officers by virtue of merit, having regard to seniority and qualifications.

Passing of Examinations and Medical Examination.

(2) Before being promoted a non-commissioned member—

- (a) shall undergo an examination as may from time to time be prescribed by the Commissioner: Provided that a member with technical or other qualifications or who is highly efficient in his duties or who is otherwise specially deserving of consideration may be exempted from undergoing the examination and be promoted;
- (b) may be required by the Commissioner to submit himself to a medical examination.

Method of Promotion.

(3) Promotion takes place in the branch where the member is employed: Provided that if a member complies with the requirements applicable to another branch, he may be considered for promotion in that branch: Provided further that the Commissioner may at his discretion transfer a member from one branch to another, whether on promotion or not.

*EMOLUMENTS.**(A) Salary.**Salary Scales.*

13. (1) The salary scales applicable to members and the special warders referred to in paragraphs (a) and (b) of sub-regulation (1) of regulation 9 are from time to time recommended by the Public Service Commission.

Increments.

(2) (a) Subject to the provisions of paragraph (b), the salary of a member and a special warder referred to in paragraph (a) of sub-regulation (1) of regulation 9 shall be increased by one increment within the limits of the applicable salary scale after the expiration of each incremental period with effect from the first day of such member's or special warder's incremental month.

(b) As die bevelvoerende offisier 'n sertifikaat uitreik waarin verklaar word dat 'n lid of 'n in paragraaf (a) bedoelde spesiale bewaarder se gedrag met betrekking tot ywer, dissipline, bekwaamheid en matigheid gedurende 'n salarisverhogingstydperk nie deurgaans bevredigend was nie of dat hy sy werk gedurende sodanige salarisverhogingstydperk nie deurgaans op 'n bevredigende wyse verrig het nie, word die salaris van sodanige lid of spesiale bewaarder nie kragtens die bepalings van paragraaf (a) verhoog nie: Met dien verstande dat die Kommissaris na goeëdunke kan goedkeur dat die salaris van 'n lid of spesiale bewaarder kragtens die bepalings van paragraaf (a) verhoog word nieteenstaande dat 'n sertifikaat soos in hierdie paragraaf bedoel, uitgereik is.

(c) Indien die salaris van 'n lid of spesiale bewaarder nie kragtens die bepalings van paragraaf (a) of van die voorbehoudsbepaling by paragraaf (b) verhoog word nie vanweë die uitreiking van 'n in paragraaf (b) bedoelde sertifikaat, word sodanige lid of spesiale bewaarder deur die Kommissaris skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui moet word en wat nie langer as 'n salarisverhogingstydperk is nie, 'n salarisverhoging deur die Kommissaris toegeken kan word op voorwaarde dat 'n sertifikaat deur die bevelvoerende offisier uitgereik word waarin verklaar word dat die lid of spesiale bewaarder se werkverrigting en gedrag met betrekking tot die in paragraaf (b) bedoelde eienskappe gedurende sodanige tydperk bevredigend was.

(d) Indien die in paragraaf (c) bedoelde tydperk korter is as 'n salarisverhogingstydperk, word een salarisverhoging deur die Kommissaris aan die lid of spesiale bewaarder toegeken met ingang van die eerste dag van die maand wat volg op die datum waarop genoemde tydperk verstryk: Met dien verstande dat sodanige salarisverhoging slegs toegeken kan word as die bevelvoerende offisier 'n sertifikaat uitreik waarin verklaar word dat die lid of spesiale bewaarder se werkverrigting en gedrag met betrekking tot die in paragraaf (b) bedoelde eienskappe gedurende sodanige tydperk bevredigend was.

(e) Indien 'n salarisverhoging kragtens paragraaf (d) aan 'n lid of spesiale bewaarder toegeken is, word 'n verdere salarisverhoging deur die Kommissaris aan hom toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens paragraaf (a) verhoog sou gewees het as sodanige verhoging nie kragtens die bepalings van paragraaf (b) teruggehou nie: Met dien verstande dat sodanige salarisverhoging slegs toegeken kan word as die bevelvoerende offisier 'n sertifikaat uitreik waarin verklaar word dat die lid of spesiale bewaarder se werkverrigting en gedrag met betrekking tot die in paragraaf (b) bedoelde eienskappe steeds bevredigend was vanaf die datum van toekenning van die in paragraaf (d) bedoelde salarisverhoging tot die datum voorafgaande dié waarop 'n salarisverhoging kragtens hierdie paragraaf toegeken kan word: Met dien verstande voorts dat die bepalings van hierdie paragraaf nie op 'n lid of spesiale bewaarder van toepassing is nie as sy salaris reeds gelyk is aan die maksimum kerf van die toepaslike skaal.

(f) Indien 'n salarisverhoging kragtens paragraaf (d) nie aan 'n lid of spesiale bewaarder toegeken word nie—

(i) word sodanige lid of spesiale bewaarder weereens deur die Kommissaris skriftelik verwittig van die redes daarvoor asook dat by verstryking van 'n aaneenlopende tydperk wat aangedui moet word en wat gelykstaande moet wees met die verskil tussen die in paragraaf (c) bedoelde tydperk en 'n salarisverhogingstydperk, 'n salarisverhoging deur die Kommissaris toegeken kan word op voorwaarde dat 'n sertifikaat deur die bevelvoerende offisier uitgereik word waarin verklaar word dat die lid of spesiale bewaarder se werkverrigting en gedrag met betrekking tot die in paragraaf (b) bedoelde eienskappe bevredigend was gedurende genoemde aaneenlopende tydperk;

(b) If the officer commanding issues a certificate wherein it is declared that the conduct of a member or special warder referred to in paragraph (a), has not throughout been satisfactory as to industry, discipline, ability and sobriety during an incremental period, or that he has not performed his duties in a satisfactory manner during such incremental period, the salary of such a member or special warder shall not be increased in terms of sub-regulation (a): Provided that the Commissioner may at his discretion approve that a member's or special warder's salary be increased in accordance with the provisions of paragraph (a), notwithstanding that a certificate as described in this paragraph had been issued.

(c) If the salary of a member or special warder is not increased in terms of the provisions of paragraph (a) or by the proviso to paragraph (b), on account of the issue of a certificate as referred to in paragraph (b), such member or special warder is notified in writing by the Commissioner of the reasons therefor, and also that at the expiration of a stipulated continuous period, and which is not longer than an incremental period, an increment may be awarded by the Commissioner on condition that a certificate is issued by the officer commanding certifying that the member's or special warder's performance of duty and conduct as to the qualities enumerated in paragraph (b) have been satisfactory during such period.

(d) If the period stipulated in paragraph (c) is shorter than an incremental period, one increment is awarded the member or special warder by the Commissioner with effect from the first day of the month that follows the date whereon the period mentioned has expired: Provided that such increment shall only be awarded if the officer commanding issues a certificate wherein it is declared that the performance of duty and conduct of the member or special warder were satisfactory in respect of the qualities mentioned in paragraph (b), during such period.

(e) If an increment in terms of paragraph (d) is awarded a member or special warder, the Commissioner awards him a further increment at the expiration of an incremental period calculated from the date when his salary would have been increased in terms of paragraph (a) if such increment had not been withheld in terms of paragraph (b): Provided that such increment shall only be awarded if the officer commanding issues a certificate wherein it is declared that the performance of duty and conduct of the member or special warder in terms of the qualities mentioned in paragraph (b) were throughout satisfactory from the date of the award of the increment referred to in paragraph (d) to the date preceding that on which an increment in terms of this paragraph may be awarded: Provided, further, that the provisions of this paragraph are not applicable to a member or special warder if his salary has reached the maximum notch of the applicable scale.

(f) If an increment in terms of paragraph (d) is not awarded a member or special warder—

(i) such member or special warder is again notified by the Commissioner in writing of the reasons therefore and also that at the expiration of a continuous period, that shall be indicated, and that shall be equal to the difference between the period mentioned in paragraph (c) and an incremental period, an increment may be awarded by the Commissioner on condition that a certificate is issued by the officer commanding wherein it is declared that the performance of duty and conduct of a member or special warder as to the qualities mentioned in paragraph (b) were satisfactory during that continuous period;

(ii) word twee salarisverhogings deur die Kommissaris aan sodanige lid of spesiale bewaarder toegeken na verstryking van 'n salarisverhogingstydperk gereken vanaf die datum waarop sy salaris kragtens paragraaf (a) verhoog sou gewees het as sodanige verhoging nie kragtens die bepalings van paragraaf (b) terughou was nie: Met dien verstande dat sodanige salarisverhogings slegs toegeken kan word as die bevelvoerende offisiere 'n sertifikaat uitreik waarin verklaar word dat die lid of spesiale bewaarder se werkverrigting en gedrag met betrekking tot die in paragraaf (b) bedoelde eienskappe bevredigend was gedurende die in subparagraaf (i) bedoelde aaneenlopende tydperk: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige lid of spesiale bewaarder toegeken kan word as sy salaris reeds gelyk is aan die tweede-laaste kerf van die toepaslike skaal.

(g) Indien die in paragraaf (c) bedoelde tydperk gelyk is aan 'n salarisverhogingstydperk, word twee salarisverhogings deur die Kommissaris aan sodanige lid of spesiale bewaarder toegeken na verstryking van sodanige tydperk: Met dien verstande dat sodanige salarisverhogings slegs toegeken kan word as die bevelvoerende offisiere 'n sertifikaat uitreik waarin verklaar word dat die lid of spesiale bewaarder se werkverrigting en gedrag met betrekking tot die in paragraaf (b) bedoelde eienskappe gedurende sodanige tydperk bevredigend was: Met dien verstande voorts dat slegs een salarisverhoging aan sodanige lid of spesiale bewaarder toegeken kan word as sy salaris reeds gelyk is aan die tweedelaaste kerf van die toepaslike skaal.

(h) Indien 'n salarisverhoging nie kragtens paragraaf (e), subparagraaf (ii) van paragraaf (f) of paragraaf (g) aan 'n lid of spesiale bewaarder toegeken word nie, tree die bepalings van paragrafe (b), (c), (d), (e), (f) en (g) *mutatis mutandis* opnuut in werking.

(i) Behoudens die bepalings van hierdie regulasie, word die salaris van 'n lid of spesiale bewaarder aan wie 'n salarisverhoging kragtens paragraaf (e), subparagraaf (ii) van paragraaf (f) of paragraaf (g) toegeken is, by die verstryking van elke verdere salarisverhogingstydperk verhoog met een salarisverhoging binne die perke van die skaal wat op hom van toepassing is.

Appel teen terughouding van salarisverhoging.

(3) 'n Lid of spesiale bewaarder wie se salarisverhoging teruggehou is, kan binne een maand nadat hy in kennis gestel is dat sy salarisverhoging teruggehou sal word, deur bemiddeling van die Kommissaris by die Minister in appel gaan.

Salarisaanpassing by bevordering.

(4) (a) 'n Lid wat bevorder word se salarisaanpassing geskied teen die minimum van die hoër skaal in daardie gevalle waar die maksimum kerf van die laer skaal nie hoër is as die minimum kerf van die hoër skaal nie, met die jaardag van datum van bevordering as toekomstige salarisverhogingsdatum.

(b) Waar die maksimum kerf van die laer skaal gelyk aan of hoër is as die minimum kerf van die hoër skaal, geld die beginsel dat waar 'n lid se bestaande salaris ooreenstem met 'n kerf op die hoër skaal, aanpassing op daardie kerf bewerkstellig word, en die lid behou sy bestaande salarisverhogingsdatum: Met dien verstande dat waar 'n lid twaalf maande of langer op die maksimum kerf van sy bestaande salariskaal gedien het, hy op die eersvolgende hoër kerf van die hoër skaal geplaas word, met die jaardag van datum van bevordering as toekomstige verhogingsdatum.

(c) Waar die bestaande salaris nie met 'n kerf op die hoër skaal ooreenkom nie, word die lid se salaris by die eersvolgende hoër kerf van sodanige hoër skaal aangepas, met die jaardag van bevordering as toekomstige verhogingsdatum: Met dien verstande dat wanneer die lid daardeur in vergelyking met sy vordering volgens die laer skaal benadeel sal word, hy sy bestaande verhogingsdatum moet behou.

(ii) two increments are awarded such member or special warder by the Commissioner at the expiration of an incremental period calculated from the date whereon his salary would have been increased in terms of paragraph (a) if such increment had not been withheld in terms of the provisions of paragraph (b): Provided that such increments shall only be awarded if the officer commanding issues a certificate wherein it is declared that the performance of duty and conduct of the member or special warder were satisfactory in regard to the qualities mentioned in paragraph (b) for the continuous period referred to in sub-paragraph (i): Provided further, that only one increment shall be awarded to such member or special warder if his salary is already equal to the second last notch of the applicable salary scale.

(g) If the period mentioned in paragraph (c) is equal to an incremental period, two increments are awarded to such member or special warder by the Commissioner at the expiration of such period: Provided that such increments shall only be awarded if the officer commanding issues a certificate wherein it is declared that the performance of duty and conduct of the member or special warder as to the qualities mentioned in paragraph (b) were satisfactory during such period: Provided, further, that only one increment shall be awarded a member or special warder if his salary is equal to the second last notch of the applicable salary scale.

(h) If an increment is not awarded a member or special warder, in terms of paragraph (e), sub-paragraph (ii) of paragraph (f) or paragraph (g), the provisions of paragraphs (b), (c), (d), (e), (f) and (g) are again *mutatis mutandis* applicable.

(i) Subject to the provisions of this regulation, the salary of a member or special warder to whom an increment is awarded in terms of paragraph (e), sub-paragraph (ii) of paragraph (f) or paragraph (g) is increased at the expiration of each further incremental period by one increment within the limits of the scale applicable to him.

Appeal Against Withholding of Increment.

(3) A member or special warder whose increment has been withheld may appeal, through the Commissioner, to the Minister within one month after having been advised of the withholding of such increment.

Salary Adjustment on Promotion.

(4) (a) The salary of a member who is promoted shall be adjusted to the minimum of the higher scale in cases where the maximum notch of the lower scale is not higher than the minimum notch of the higher scale, with the date of promotion as the future annual incremental date.

(b) When the maximum notch of the lower scale is equal to or higher than the minimum notch of the higher scale, the principle applies that where the existing salary of a member corresponds with a notch on the higher scale, adjustment is effected to that notch, and the member retains his existing incremental date: Provided that where a member has served on the maximum notch of his existing salary scale for twelve months or longer, his salary is adjusted to the following higher notch of the higher scale with the date of promotion as future annual incremental date.

(c) Where the existing salary does not correspond with a notch on a higher scale the member's salary is adjusted to the following higher notch of such higher scale with date of promotion as future annual incremental date: Provided that where a member is thereby prejudiced in comparison with his progress on the lower scale, he shall retain his existing incremental date.

Salariskerf by verlagings in rang.

(5) (a) As 'n lid in sy rang verlaag word kan die Kommissaris besluit op watter kerf van die salarisskaal vir die rang waartoe hy verlaag is, hy geplaas moet word: Met dien verstande dat dit nie 'n hoër kerf moet wees as dié waarop hy sou gewees het indien hy nie na die hoër rang bevorder was nie: Met dien verstande voorts dat hy by sy verlagings in rang nie tot 'n hoër salaris as dié wat hy onmiddellik voor sy verlagings ontvang het geregtig is nie.

(b) Die datum waarop die lid in rang verlaag is, word, met inagneming van die bepalings van subregulasie (2), as sy verhogingsdatum beskou terwyl hy die rang waartoe hy verlaag is, beklee.

Salariskerf by vrywillige terugval in rang.

(6) 'n Lid wat vrywillig in rang teruggaan, word op die kerf geplaas van die salarisskaal vir die rang waartoe hy teruggaan wat ooreenstem met die kerf waarop hy sou gewees het indien hy nie na die hoër rang bevorder was nie: Met dien verstande dat hy by sy terugvallings nie tot 'n hoër salaris as dié wat hy onmiddellik voor sy terugvallings getrek het, geregtig is nie.

Salaris en toelae gedurende afwesigheid sonder verlof.

(7) 'n Lid of spesiale bewaarder is nie op enige salaris of toelae geregtig nie vir 'n tydperk waarin hy sonder verlof afwesig was.

Salaris en toelae ná suksesvolle appèl teen ontslag.

(8) Wanneer 'n appèl by die Minister kragtens die bepalings van subartikel (2) van artikel dertien van die Wet teen 'n bevel tot ontslag, of 'n appèl teen 'n veroordeling wat tot ontslag gelei het, slaag, is die appellant geregtig op salaris en toelae vir die tydperk vanaf die datum van ontslag tot die datum waarop hy weer onmiddellik daarna diens aanvaar en sodanige tydperk word vir alle ander doeleindes as diens beskou.

*(B) Toelae.**Pensioengewende toelae.*

14. (1) Onderworpe aan die bepalings van die Regeeringsdienspensioenwet, 1955 (Wet No. 58 van 1955), kan 'n pensioengewende toelae ten opsigte van die Medalje vir Troue Diens in die Departement van Gevangenisbeheer aan bewaarders toegestaan word.

Nie-pensioengewende toelae.

(2) Die volgende nie-pensioengewende toelae kan met goedkeuring van die Kommissaris betaal word:—

(a) Aan 'n lid wat nie 'n offisier is nie en wat as bedrewe vakman werksaam is of wat werk van 'n besonder verantwoordelike aard of wat spesiale kennis vereis, verrig, 'n spesiale dienstoelae van hoogstens 2s. per dag.

(b) Aan 'n blanke lid wat nie 'n offisier is nie of 'n blanke spesiale bewaarder van wie deur 'n bevoegde en deur die Kommissaris goedgekeurde persoon gesertifiseer word—

(i) dat hy in staat is om een of meer Bantoetale te praat, 'n toelae van 6d. per dag; of

(ii) dat hy in staat is om een of meer Bantoetale te praat, lees en skrywe, 'n toelae van 1s. per dag.

(c) Aan 'n lid wat nie 'n offisier is nie en wat vanweë sy besondere kennis in 'n hospitaal werksaam is, 'n toelae van 6d. per dag.

(d) Aan 'n vroulike lid wat nie 'n offisier is nie en spesiale bewaarder wat by 'n bevalling behulpzaam is, 'n toelae van 20s. per bevalling.

Klimaatstoelae.

(3) Klimaatstoelae is betaalbaar teen 'n skaal en onder voorwaardes soos deur die Tesourie op aanbeveling van die Staatsdienskommissie goedgekeur is.

Salary Notch on Reduction in Rank.

(5) (a) If a member be reduced in rank the Commissioner may decide on which notch of the salary scale of the rank to which he has been reduced, his salary shall be placed: Provided that it shall not be a higher notch than that to which he would have progressed if he had not been promoted to the higher rank: Provided, further, that at his reduction in rank he is not entitled to a higher salary than that which he received immediately before his reduction in rank.

(b) The date on which such member is reduced in rank will, with due regard to the provisions of sub-regulation (2), be considered his incremental date, whilst he retains the rank to which he has been reduced.

Notch at Voluntary Reversion in Rank.

(6) A member who voluntarily reverts in rank shall be placed on the notch of the scale of salary of the rank to which he has reverted which corresponds with the notch to which he would have progressed if he had not been promoted to a higher rank: Provided that on reversion he is not entitled to a salary exceeding that drawn immediately prior to reversion.

Salary and Allowances during Absence Without Leave.

(7) A member or special warder is not entitled to any salary or allowances for any period during which he has been absent without leave.

Salary and Allowance after Successful Appeal against Discharge.

(8) When an appeal to the Minister under sub-section (2) of section thirteen of the Act against an order of discharge or an appeal against a conviction which has resulted in discharge, succeeds, the applicant shall be entitled to salary and allowances for the period from the date of discharge to the date immediately thereafter when he resumes duty, and such period shall be regarded as service for all other purposes.

*(B) Allowances.**Pensionable Allowance.*

14. (1) Subject to the provisions of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), a pensionable allowance in respect of the Good Service Medal in the Prisons Department may be awarded to warders.

Non-pensionable Allowances.

(2) With the approval of the Commissioner the following non-pensionable allowances may be paid:—

(a) To a non-commissioned member who is employed as a skilled tradesman or who is performing exceptionally responsible duties or duties requiring specialised knowledge, a special service allowance not exceeding 2s. per day.

(b) To a non-commissioned white member or a white special warder, who is certified by a competent and by the Commissioner approved of person—

(i) to be able to speak one or more of the Bantu languages, an allowance of 6d. per day; or

(ii) to be able to speak, read and write one or more of the Bantu languages, an allowance of 1s. per day.

(c) To a non-commissioned member who is employed in a hospital because of his specialised knowledge, an allowance of 6d. per day.

(d) To a non-commissioned female member or special wardress who assists at a confinement, an allowance of 20s. per confinement.

Climatic Allowance.

(3) Climatic allowance is payable at a scale and on conditions, as recommended by the Public Service Commission and approved of by the Treasury.

Waarnemingstoelae.

(4) (a) Behoudens die bepalinge van paragraaf (b) kan die Kommissaris aan 'n lid wat vir 'n tydperk van langer as drie maande as die hoof van 'n gevangenis of kantoor waarneem en wat, deur aldus waar te neem, met belangrike bykomende verantwoordelikhede belas word, 'n toelaag ten opsigte van sodanige waarnemende diens betaal: Met dien verstande dat hierdie paragraaf nie van toepassing is nie op—

- (i) 'n lid van die aflospersoneel; of
- (ii) 'n lid wat waarneem in die plek van die hoof van 'n gevangenis of kantoor wat met verlof afwesig is.

(b) Die toelae in paragraaf (a) vermeld mag nie meer wees nie as die verskil tussen die waarnemende lid se salaris en—

- (i) die minimum kerf van die salarisskaal wat aan die pos waarin hy waarneem, verbonde is; of
- (ii) die salaris wat aan 'n pos van majoor verbonde is, wat ook al die minste mag wees.

*MEDIES.**(A) Geneeskundige ondersoek.**Geneeskundige ondersoek.*

15. (1) (a) Die Kommissaris kan te eniger tyd eis dat 'n lid—

- (i) wat beweer of van wie vermoed word dat hy ongesteld, ongesond, siek of beseer is, hom onderwerp aan 'n ondersoek deur 'n geneeskundige beampte, of ander geregistreerde geneesheer deur die Kommissaris aangewys, of in 'n militêre of ander hospitaal;
- (ii) 'n in subparagraaf (i) bedoelde ondersoek ondergaan met die doel om 'n verslag omtrent sy gesondheidstoestand te verkry of ten einde hom voor 'n geneeskundige raad te laat verskyn.

(b) Die onkoste verbonde aan so 'n ondersoek word uit staatsfondse betaal.

Verslag.

(2) Wanneer 'n geneeskundige beampte of 'n ander geneesheer verslag doen dat 'n lid volgens sy mening geneeskundig ongeskik is of waarskynlik sal word om in die Departement van Gevangenis te bly, moet die verslag sonder versuim aan die Kommissaris voorgelê word.

*(B) Geneeskundige raad.**Geneeskundige raad.*

16. (1) Die Kommissaris kan 'n geneeskundige raad belê met die doel om 'n lid te laat ondersoek aangaande sy geskiktheid om in die Departement van Gevangenis te bly.

(2) (a) Die verrigtinge van die raad moet aangeteken en deur die geneesheer waaruit die raad bestaan onderteken en daarna aan die Kommissaris gestuur word.

(b) Die Kommissaris moet besluit of—

- (i) die betrokke lid as geneeskundig ongeskik vir verdere diens ontslaan moet word;
- (ii) verlof aan hom toegestaan moet word;
- (iii) hy weer ondersoek moet word;
- (iv) hy gelas moet word om diens te hervat.

*(C) Hospitaalbehandeling.**Geneeskundige en hospitaalbehandeling.*

17. (1) Behoudens die bepalinge van hierdie regulasie en van regulasies 18, 19, 20 en 21—

- (a) is lede geregtig om geneeskundige en hospitaalbehandeling, met inbegrip van medisyne en verbandmiddels, op staatskoste te ontvang; en
- (b) kan die Kommissaris te eniger tyd 'n lid wat beweer of van wie vermoed word dat hy aan 'n ongesteldheid, swak gesondheid, siekte of besering ly, gelas om in enige hospitaal of verpleeginrigting opgeneem te word en daarin sodanige behandeling te ontvang.

Acting Allowance.

(4) (a) Subject to the provisions of paragraph (b) the Commissioner may pay a member who acts as the member in charge of a prison or office for a period exceeding three months and who is thereby charged with important additional responsibility, an allowance in respect of such acting duties: Provided that this paragraph is not applicable to—

- (i) a member of the relieving staff; or
- (ii) a member who acts in the place of a member in charge of a prison or office who is absent on leave.

(b) The allowance mentioned in paragraph (a) shall not exceed the difference between the salary of the member so acting and—

- (i) the minimum notch of the salary scale attached to the post in which he is acting; or
- (ii) the salary attached to the post of a major; whichever be the lesser.

*MEDICAL.**(A) Medical Examination.**Medical Examination.*

15. (1) (a) The Commissioner may at any time require that a member—

- (i) suspected of or claiming to be suffering from indisposition, ill health, disease or injury, shall submit himself to a medical examination by a medical officer or other registered medical practitioner appointed by the Commissioner, or in a military or other hospital;
- (ii) shall submit himself to an examination as set out in sub-paragraph (i) for the purpose of obtaining a report on his state of health, or with a view to placing him before a medical board.

(b) The cost of such an examination shall be met from public funds.

Report.

(2) Whenever a medical officer or other medical practitioner reports that, in his opinion, a member has become or is likely to become medically unfit to remain in the Prisons Department, the report shall be submitted to the Commissioner without delay.

*(B) Medical Board.**Medical Board.*

16. (1) The Commissioner may convene a medical board for the purpose of examining a member regarding his fitness to remain in the Prisons Department.

(2) (a) The proceedings of the board shall be recorded and be signed by the medical practitioners constituting the board and thereafter be transmitted to the Commissioner.

(b) The Commissioner shall decide whether the member concerned shall be—

- (i) discharged as medically unfit for further service;
- (ii) granted leave of absence;
- (iii) re-examined; or
- (iv) instructed to resume duty.

*(C) Hospital Treatment.**Medical and Hospital Treatment.*

17. (1) Subject to the provisions of this regulation and regulations 18, 19, 20 and 21—

- (a) members are entitled to receive medical and hospital treatment, including drugs and dressings, at Public expense; and
- (b) the Commissioner, may at any time order a member suspected of or claiming to be suffering from indisposition, ill-health, disease or injury, to enter any hospital or nursing home to receive such treatment.

Behandeling verlof.

(2) Geneeskundige en hospitaalbehandeling waarvoor daar in hierdie regulasie voorsiening gemaak word, behels—

- (a) geneeskundige ondersoek en behandeling deur 'n geneeskundige beampte, of ander geneesheer in die diens van die Staat of, in geval hulle dienste nie beskikbaar is nie, deur 'n private geneesheer;
- (b) opneming, versorging en verpleging in 'n militêre of openbare hospitaal asook enige geneeskundige of aanvullende geneeskundige diens wat deur so 'n hospitaal aan 'n lid terwyl hy daarin versorg word, gelewer word;
- (c) opneming, versorging en verpleging in 'n private hospitaal of verpleeginrigting in besonder dringende gevalle of indien geskikte akkomodasie nie in 'n openbare hospitaal beskikbaar is nie, asook enige geneeskundige of aanvullende geneeskundige diens wat deur so 'n private hospitaal of verpleeginrigting aan 'n lid terwyl hy daarin versorg word, gelewer word;
- (d) indiensneming van 'n geregistreerde verpleegster indien die geneeskundige beampte, of ander gemagtigde geneesheer wat die geval behandel, van mening is dat so 'n stap noodsaaklik is;
- (e) die verskaffing van geneeskundige geriewe, hulpmiddels en toestelle, waarvan die koste uit staatsfondse onderworpe aan die Kommissaris se goedkeuring, betaal kan word.

Lid moet reëls van hospitaal nakom.

(3) Terwyl 'n lid in 'n militêre of ander hospitaal of verpleeginrigting versorg word, moet hy die regulasies en reëls daarvan nakom.

(D) Voorwaardes van betaling van bykomende geneeskundige behandeling.

Voorwaardes waaronder bykomende geneeskundige behandeling betaal word.

18. (1) Die koste verbonde aan enige bykomende geneeskundige behandeling of hulp (benewens dié wat in regulasie 17 voorgeskryf word) deur enige geneesheer of spesialis of persoon wat aanvullende geneeskundige dienste lewer en wat as sodanig by die Geneeskundige en Tandheelkundige Raad van Suid-Afrika geregistreer is, word slegs uit staatsfondse betaal—

- (a) as die behandeling of hulp geskied op skriftelike aanbeveling van die geneeskundige beampte, of ander geneesheer in die diens van die Staat; en
- (b) vir sover dit nie die bedrag wat vir die bepaalde diens voorgeskryf is in 'n deur die Tesourie goedgekeurde tarieweskaal, oorskry nie: Met dien verstande dat in gevalle waar sodanige bykomende geneeskundige behandeling of hulp genoodsaak word onder omstandighede soos in regulasie 36 omskryf word, al die koste daaraan verbonde uit staatsfondse betaal moet word.

Koste aan tandheelkundige behandeling.

(2) Aan 'n lid wat nie 'n offisier is nie kan uit staatsfondse die helfte van die koste deur hom aangegaan vir tandheelkundige behandeling wat volgens die mening van die Kommissaris nodig was om hom vir verdere doeltreffende diens in die Departement van Gevangenisgeesteskik te maak, terugbetaal word.

Kostelose tandheelkundige behandeling.

(3) 'n Lid is geregtig om tandheelkundige behandeling wat deur die geneeskundige beampte uitgevoer word kosteloos te ontvang.

Tandheelkundige behandeling genoodsaak deur ongeval wat uit diens ontstaan.

(4) Wanneer tandheelkundige behandeling genoodsaak word onder omstandighede soos in regulasie 36 omskryf is, kan die koste daaraan verbonde of 'n gedeelte daarvan na goedgekenke van die Kommissaris uit staatsfondse aan so 'n lid terugbetaal word.

Treatment Provided.

(2) Medical and hospital treatment provided for in this regulation includes—

- (a) medical examination and treatment by a medical officer or other medical practitioner in the service of the State, or in the event of their services not being available, by a private medical practitioner;
- (b) admission to, and care and nursing in, a military or public hospital as well as any medical or supplementary medical service rendered by such hospital to a member whilst being cared for therein;
- (c) admission to, and care and nursing in, a private hospital or nursing home in cases of special urgency or when suitable accommodation is not available in a public hospital, as well as any medical or supplementary medical service rendered by such private hospital or nursing home to a member whilst being cared for therein;
- (d) employment of a registered nurse when, in the opinion of the medical officer or other authorised medical practitioner attending the case, such a course is imperative;
- (e) the provision of medical comforts, aids and appliances, the cost of which may, subject to the approval of the Commissioner, be defrayed from Public Funds.

Member shall Conform to Rules of Hospital.

(3) While being cared for in a military or other hospital or nursing home a member shall conform to the regulations and rules thereof.

*(D) Conditions of Payment of Additional Medical Treatment.**Conditions of Payment of Additional Medical Treatment.*

18. (1) The cost of providing any additional medical treatment or assistance (in addition to that prescribed in regulation 17) by any medical practitioner, specialist or person who renders supplementary medical services, and who is registered as such by the Medical and Dental Council of South Africa, shall only be met from Public Funds—

- (a) when such treatment or assistance is provided on the written recommendation of the medical officer or other medical practitioner in the service of the State; and
- (b) in so far as it does not exceed the amount laid down for the particular service in a scale of fees approved of by the Treasury: Provided that in all cases where such additional medical treatment or assistance is occasioned in the circumstances defined in regulation 36, the whole cost thereof shall be defrayed from Public Funds.

Cost Incurred for Dental Treatment.

(2) A non-commissioned member may be refunded from Public Funds half the cost incurred by him for such dental treatment as, in the opinion of the Commissioner, was necessary to render him fit for further efficient service in the Prisons Department.

Free Dental Treatment.

(3) A member shall be entitled, free of charge, to dental treatment rendered by a medical officer.

Dental Treatment Necessitated by Accident on Duty.

(4) A member may, at the discretion of the Commissioner, be refunded from Public Funds a part or the whole of the cost of dental treatment necessitated by the circumstances defined in regulation 36.

(E) *Geneeskundige behandeling van vroue en kinders.*

Geneeskundige en hospitaalbehandeling: Vroue en kinders van blanke lede.

19. (1) (a) Die vrou en afhanklike kinders van 'n blanke lid is, behoudens die bepalinge van hierdie regulasie en van regulasies 20 en 21, geregtig om geneeskundige en hospitaalbehandeling, met inbegrip van medisyne en verbandmiddels, op staatskoste te ontvang.

(b) Geneeskundige en hospitaalbehandeling waarvoor in hierdie regulasie voorsiening gemaak word, behels—

- (i) geneeskundige ondersoek en behandeling deur 'n geneeskundige beampte, of ander geneesheer in die diens van die Staat of, indien hulle dienste nie beskikbaar is nie, deur 'n private geneesheer;
- (ii) opneming, versorging en verpleging in 'n militêre of openbare hospitaal, wat nie in 'n hospitaal of inrigting vir melaatses of sielsiekes is nie, asook enige geneeskundige of aanvullende geneeskundige diens wat deur so 'n hospitaal aan vroue of kinders van blanke lede terwyl hulle daarin versorg word, gelewer word;
- (iii) opneming, versorging en verpleging in 'n private hospitaal of verpleeginrigting in besonder dringende gevalle, of wanneer geskikte akkommodasie nie in 'n openbare hospitaal beskikbaar is nie, asook enige geneeskundige of aanvullende geneeskundige diens wat deur so 'n private hospitaal of verpleeginrigting aan vroue en kinders van blanke lede terwyl hulle daarin versorg word, gelewer word;
- (iv) indiensneming van 'n geregistreerde verpleegster indien die geneeskundige beampte of ander gemagtigde geneesheer wat die geval behandel van mening is dat so 'n stap noodsaaklik is;
- (v) die verskaffing van geneeskundige geriewe, hulpmiddels en toestelle waarvan die koste uit staatsfondse, onderworpe aan die Kommissaris se goedkeuring, betaal kan word.

Omskrywing van „kind”.

(2) In hierdie regulasie, asook in regulasie 20, beteken „kind” met betrekking tot 'n lid, enige kind, stiefkind of wetlik aangenome kind van daardie lid wat permanent by die lid inwoon en wat—

- (a) jonger as 18 jaar is en nie 'n lonende betrekking beklee nie;
- (b) 18 jaar of ouer is, 'n voltydse skooler of student aan 'n skool, universiteit of ander opvoedkundige inrigting en geheel en al van so 'n lid vir sy onderhoud afhanklik is; of
- (c) ouer as 18 jaar is en geheel en al van so 'n lid vir sy onderhoud afhanklik is vanweë 'n geestelike of liggaamlike gebrek:

Met dien verstande dat 'n kind wat tydelik elders as by die betrokke lid inwoon, hetsy vir die doel om 'n skool, universiteit of ander opvoedkundige inrigting by te woon of omdat die lid weens omstandighede in verband met sy werk nie in staat is om die kind persoonlik te versorg nie, geag word permanent by so 'n lid in te woon: Met dien verstande voorts dat waar onderhoud deur iemand anders as die betrokke lid ten opsigte van 'n kind betaal word of betaalbaar is, of enige verdienste of inkomste van welke aard ook al deur of namens 'n kind ontvang word, volgens die Kommissaris se mening onvoldoende is om daardie kind van genoegsame voedsel, kleding, huisvesting of geneeskundige behandeling te voorsien, so 'n kind geag word geheel en al van so 'n lid vir sy onderhoud afhanklik te wees.

(F) *Bykomende geneeskundige behandeling vir vroue en kinders.*

Bykomende geneeskundige behandeling of hulp: Vroue en kinders van blanke lede.

20. (1) Die koste verbonde aan enige bykomende geneeskundige behandeling of hulp (benewens dié in regulasie 19 voorgeskryf) ten opsigte van die vrou en kinders van 'n blanke lid deur enige geneesheer of spesialis of persoon

(E) *Medical Treatment of Wives and Children.*

Medical and Hospital Treatment: Wives and Children of White Members.

19. (1) (a) The wife and dependent children of a white member shall, subject to the provisions of this regulation and regulations 20 and 21, be entitled to receive medical and hospital treatment, including drugs and dressings, at Public expense.

(b) Medical and hospital treatment provided for under this regulation includes—

- (i) medical examination and treatment by a medical officer or other medical practitioner in the service of the State or, in the event of their services not being available, by a private medical practitioner;
- (ii) admission to, and care and nursing in, a military or public hospital, other than a leper or mental hospital or institution, as well as any medical or supplementary medical service rendered by such hospital to wives or children of white members whilst being cared for therein;
- (iii) admission to, and care and nursing in, a private hospital or nursing home in cases of special urgency or when suitable accommodation is not available in a public hospital, as well as any medical or supplementary medical service rendered by such private hospital or nursing home to wives and children of white members whilst being cared for therein;
- (iv) employment of a registered nurse when, in the opinion of the medical officer or other authorised medical practitioner attending the case, such a course is imperative;
- (v) the provision of medical comforts, aids and appliances, the cost of which may, subject to the approval of the Commissioner, be defrayed from Public Funds.

Definition of “Child”.

(2) In this regulation, as well as in regulation 20, “child” in relation to a member shall mean any child, step-child, or legally adopted child of that member, who is permanently resident with such member and who is—

- (a) under the age of 18 years and not in adequate remunerative employment;
- (b) 18 years of age or over, is a full-time scholar or student at a school, university or other educational institution and is entirely dependent upon such member for his maintenance; or
- (c) over the age of 18 years and entirely dependent upon such member for his maintenance owing to a physical or mental infirmity:

Provided that a child who temporarily resides elsewhere than with the member concerned either for the purpose of attending a school, university or other educational institution or because of the member's inability, owing to circumstances connected with his employment, to care for the child personally, shall be deemed to be permanently resident with such member: Provided further, that where maintenance is paid or is payable in respect of a child by any person other than the member concerned or where any earnings or income of any nature whatsoever received by or on behalf of a child is, in the opinion of the Commissioner, insufficient to provide that child with adequate food, clothing, lodging and medical treatment, such child shall be deemed to be entirely dependent upon such member for his maintenance.

(F) *Additional Medical Treatment for Wives and Children.*

Additional Medical Treatment or Assistance: Wives and Children of White Members.

20. (1) The cost of providing any additional medical treatment or assistance (in addition to that prescribed in regulation 19) in respect of the wife and children of a white member by any medical practitioner, specialist or

wat aanvullende geneeskundige dienste lewer en wat as sodanig deur die Geneeskundige en Tandheelkundige Raad van Suid-Afrika geregistreer is, word slegs uit Staatsfondse betaal—

- (a) as die behandeling of hulp geskied op skriftelike aanbeveling van die geneeskundige beampte of ander geneesheer in die diens van die Staat; en
- (b) vir sover dit nie die bedrag, wat vir die bepaalde diens voorgeskryf is in 'n deur die Tesourie goedgekeurde tariewe skaal, oorskry nie.

Hulptoelaag by miskraam of bevalling.

(2) 'n Blanke lid is geregtig op 'n hulptoelaag van hoogstens £5. 5s. ter bestryding van die koste verbonde aan geneeskundige hulp en vergoeding vir verpleging in geval van swangerskap of miskraam of bevalling van sy vrou: Met dien verstande dat die Kommissaris na goeie geneeskundige en hospitaalbehandeling kragtens die bepaling van regulasie 19 of van subregulasie (1) van hierdie regulasie kan goedkeur in gevalle waar volgens die mening van die Kommissaris, ná raadpleging met die Sekretaris van Gesondheid, latente siektes of swaakheid van die liggaamlik gestel ontstaan het, of vererger word, as gevolg van swangerskap of bevalling, en ook waar siektes of ongesteldhede, volgens die oordeel van die Sekretaris van Gesondheid, daaruit voortspruit.

Tandheelkundige behandeling: Vrou en kinders van blanke lid.

(3) Die vrou en kinders, soos omskryf in regulasie 19, van 'n blanke lid is geregtig om tandheelkundige behandeling wat deur 'n geneeskundige beampte uitgevoer word, kosteloos te ontvang.

(G) Medisyne.

Omskrywing van medisyne.

21. Die woord „medisyne” in paragraaf (a) van subregulasie (1) van regulasie 17 en paragraaf (a) van subregulasie (1) van regulasie 19 beteken enige geneeskundige preparaat wat benodig is vir die behandeling van ongesteldhede, siektes of beserings of om gesondheid te herstel en wat deur 'n geneeskundige beampte of behoorlik gemagtigde geneesheer voorgeskryf word, maar sluit nie die volgende in nie:—

- (a) Virol, geneeskrachtige wynsoorte, suigling- en invalidevoedsels en soortgelyke preparate;
- (b) lipsalf, toiletpoeier, skoonheidsmiddels vir die vel of hare, seep, tandepasta en soortgelyke preparate;
- (c) alkoholiese versterkende middels; en
- (d) medisyne wat nodig is in gevalle van swangerskap, miskrame en bevallings.

(H) Geneeskundige behandeling by afdanking.

Verdere geneeskundige behandeling by afdanking.

22. Met uitsondering van die behandeling en verpleging waarvoor in artikel *agt-en-sestig* van die Regeringsdienspensioenwet, 1955 (Wet No. 58 van 1955), voorsiening gemaak word, kan 'n lid wat hom by sy afdanking, bedanking of ontslag uit die Departement van Gevangenis in 'n hospitaal (nie 'n inrigting vir leproselyers of sielsiekes nie) bevind, verdere geneeskundige en hospitaalbehandeling op Staatskoste ontvang vir 'n tydperk wat deur die Kommissaris vasgestel moet word.

(I) Inenting.

Inenting.

23. 'n Lid moet te eniger tyd wanneer die Kommissaris dit verlang hom laat inent.

(J) Toepaslikheid op spesiale bewaarders.

Toepaslikheid op spesiale bewaarders.

24. Die bepalinge van regulasies 15, 16, 17, 21, 22 en 23 is ook op 'n in paragraaf (a) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarder van toepassing.

person who renders supplementary medical services and who is registered as such by the Medical and Dental Council of South Africa, shall only be met from Public Funds—

- (a) when such treatment or assistance is provided on a written recommendation of the medical officer or other medical practitioner in the service of the State; and
- (b) in so far as it is not in excess of the amount laid down for the particular service in a scale of fees approved of by the Treasury.

Grant-in-Aid in Case of Miscarriage or Confinement.

(2) A white member shall be entitled to a grant-in-aid not exceeding £5. 5s. towards the cost of medical assistance and nursing fees in a case of pregnancy, miscarriage or confinement of his wife: Provided that the Commissioner may at his discretion approve of medical and hospital treatment in terms of regulation 19 or sub-regulation (1) of this regulation in cases where, in the opinion of the Commissioner, after consultation with the Secretary for Health, latent diseases or constitutional weaknesses have developed or are aggravated as a result of pregnancy or childbirth, as well as where diseases or disorders which, in the opinion of the Secretary for Health, have arisen therefrom.

Dental Treatment: Wife and Children of a White Member.

(3) The wife and children, as defined in regulation 19, of a white member shall be entitled to dental treatment rendered by the medical officer, free of charge.

(G) Drugs.

Definition of Drug.

21. In paragraph (a) of sub-regulation (1) of regulation 17 and paragraph (a) of sub-regulation (1) of regulation 19 the term “drug” shall mean any medicinal preparation which is required for the treatment of indisposition, diseases or injuries or the restoration of health and is prescribed by a medical officer or duly authorised medical practitioner but shall not include the following:—

- (a) Virol, medicinal wines, infant or invalid foods, and similar preparations;
- (b) lip salves, toilet powders, cosmetic preparations for the skin or hair, soaps, dental pastes and similar preparations;
- (c) alcoholic stimulants; and
- (d) drugs required in cases of pregnancy, miscarriage or confinement.

(H) Medical Treatment at Discharge.

Further Medical Treatment at Discharge.

22. With the exception of the treatment and nursing provided for in section *sixty-eight* of the Government Service Pensions Act, 1955 (Act No. 58 of 1955), a member who on his dismissal, resignation or discharge from the Prisons Department, is in a hospital, other than a leper or mental institution, shall continue to receive medical attendance and hospital treatment at Public expense for a period to be determined by the Commissioner.

(I) Inoculation and Vaccination.

Inoculation and Vaccination.

23. A members shall at any time when the Commissioner requires, submit himself to inoculation or vaccination.

(J) Applicability to Special Warders.

Applicability to Special Warders.

24. The provisions of regulations 15, 16, 17, 18, 21, 22 and 23 are applicable to a special warder referred to in paragraph (a) of sub-regulation (1) of regulation 9.

STAATSWONINGS EN HUWELIKE.

(A) Staatswonings.

Lid moet staatswoning bewoon indien beskikbaar.

25. (1) Van 'n lid kan vereis word dat hy 'n woning wat deur die Staat besit of gehuur word, of andersins ten dienste van die Staat gestel is, bewoon wanneer sodanige woning beskikbaar is.

Bloedverwante en ander persone mag nie permanent by lid in staatswoning inwoon nie.

(2) Behalwe in gevalle waarvoor in subregulasie (5) voorsiening gemaak is, kan 'n woning wat vir 'n getroude lid bestem is, alleen deur die lid aan wie dit toegewys is en sy vrou en kinders bewoon word. 'n Ander bloedverwant van die lid, of enige ander persoon, mag nie permanent by hom inwoon nie, tensy die toestemming van die bevelvoerende offisier verkry is, en laasgenoemde kan dit slegs gee as hy daarvan oortuig is dat daardie bloedverwant of persoon uitsluitlik van so 'n lid afhanklik is of dat die omstandighede van buitengewone aard is.

Aanspreeklikheid vir huurgeld.

(3) 'n Lid aan wie 'n woning toegewys is, is aanspreeklik vir die huurgeld daarvan totdat dit deur hom ontruim word.

Woning mag nie onderverhuur word nie.

(4) Solank 'n lid 'n woning bewoon mag hy geen gedeelte daarvan sonder die skriftelike toestemming van die Kommissaris aan 'n ander persoon onderverhuur nie.

Aanspreeklikheid vir beskadiging.

(5) (a) 'n Lid word solank hy 'n woning bewoon, aanspreeklik gehou vir alle beskadiging daarvan deur homself of 'n lid van sy gesin of sy bediendes, asook vir die verlies van sleutels of ander artikels en hy moet toesien dat die perseel skoon gehou word.

(b) Hy mag geen verandering in die woning aanbring, dit nie vir 'n ander doel gebruik as waarvoor dit bestemd is of enige staatseigendom daaruit verwyder nie.

(c) Die koste van herstelwerk en die skoonmaak van 'n woning wat hy ontruiming beskadig of vuil agtergelaat word, kan na goedgeken van die Kommissaris op die betrokke lid verhaal word.

Huurgeld van staatswonings deur ongetroude lede bewoon.

(6) Die huurgeld vir staatswonings vir ongetroude lede sluit in die voorsiening van lig in sodanige wonings, in gemeenskaplike menasies, biblioteke en ontspanningsale en ook gewone meubels en beddegoed volgens goedgeken van die Kommissaris.

Water en sanitêre dienste.

(7) Die koste vir water, vullisverwydering en ander sanitêre dienste wat gelewer word aan staatswoning wat deur getroude en ongetroude lede bewoon word, is by die huurgeld wat deur hulle betaal word ingesluit.

Voorsiening van kostelose gevangenisarbeid.

(8) Die Kommissaris kan goedkeur dat gevangenisarbeid kosteloos voorsien word—

- (a) om die staatswonings van ongetroude lede en gemeenskaplike menasies, skoon te maak;
- (b) vir die kook en bediening van voedsel aan lede wat hulle maaltje in 'n menasie nuttig;
- (c) vir die was van beddegoed, handdoeke en ander artikels wat aan die Staat behoort.

Betekenis van „kind”.

(9) Waar na „kind” in hierdie regulasies verwys word, word dit geag 'n in subregulasie (2) van regulasie 19 bedoelde kind te wees.

(B) Huwelike.

Kennisgewing van datum van huwelik.

26. (1) Voordat 'n lid in die huwelik tree moet hy aan die Kommissaris skriftelik kennis gee van die datum waarop hy voornemens is om te trou.

QUARTERS AND MARRIAGE.

(A) Official Quarters.

Member shall Occupy Official Quarters when Available.

25. (1) A member may be compelled to occupy quarters in possession of the State or which are hired by the State or which have otherwise been placed at the disposal of the State, when such quarters are available.

Relatives and Other Persons may not Permanently Reside with a Member Occupying Official Quarters.

(2) Except in cases which have been provided for in sub-regulation (5), the quarters assigned to a married member may only be occupied by himself, his wife and children. Another relative of the member or any other person, shall not permanently reside with him unless permission has been obtained from the officer commanding, and he shall only grant such permission if he is convinced that that relative or person is wholly dependent on such member, or that the circumstances are of an exceptional nature.

Liability for Rent.

(3) A member to whom quarters have been assigned, is liable for the rent thereof until he has vacated it.

Sub-letting Prohibited.

(4) While a member occupies quarters he shall sub-let no part thereof to another person without the written consent of the Commissioner.

Liability for Damage.

(5) (a) While occupying quarters, a member is liable for all damage caused by himself or a member of his family or his servants and also for the loss of keys or other articles and he must ensure that the premises are kept clean.

(b) He shall not make any alteration to the quarters nor utilise them for any other purpose than that for which they are intended nor remove from them any property of the State.

(c) The cost of repairing and cleaning the quarters that have been vacated and left damaged or dirty, may at the discretion of the Commissioner be recovered from the member concerned.

Rent for Official Quarters Occupied by Single Members.

(6) The rent charged for official quarters for single members includes the supply of light in such quarters, communal mess-rooms, libraries and recreation halls, as well as ordinary furniture and bedding at the discretion of the Commissioner.

Water and Sanitary Services.

(7) Charges for water, rubbish removal and other sanitary services supplied and rendered to official quarters occupied by married and single members are covered by the rents charged.

Supply of Free Prison Labour.

(8) The Commissioner may approve of the supply of prison labour for—

- (a) cleaning of official quarters for single members, and communal messes;
- (b) the cooking and serving of food to members having their meals in a mess;
- (c) the laundering of bedding, towels and other articles belonging to the State.

Meaning of “Child”.

(9) Where a “child” is referred to in this regulation, it means a child as defined in sub-regulation (2) of regulation 19.

(B) Marriage.

Notice of Date of Marriage.

26. (1) Before a member marries, he shall notify the Commissioner in writing of the date on which he intends to marry.

Eggenote en gesin van lid moet binne Unie of Suidwes-Afrika woon.

(2) Vir die doeleindes van toelaes en voorregte word 'n lid nie geag getroud te wees nie, tensy sy eggenote en gesin binne die Unie of Suidwes-Afrika woonagtig is. As die eggenote en gesin van 'n getroude lid die Unie of Suidwes-Afrika verlaat en in die buiteland gaan woon eindig die toelaes en voorregte wat normaalweg op sodanige lid van toepassing is ses maande nadat bedoelde eggenote en afhanklikes die Unie of Suidwes-Afrika verlaat het, behalwe in omstandighede wat volgens die mening van die Kommissaris buitengewoon is.

VERLOF.

(A) *Toepaslikheid van Regulasies.*

Toepaslikheid van verlofregulasies.

27. (1) (a) Die bepalings van die regulasies met betrekking tot afwesigheidsverlof is op alle lede en die in paragraaf (a) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarders van toepassing.

(b) Die bepalings van die verlof regulasies opgestel kragtens die Staatsdienswet, 1957 (Wet No. 54 van 1957), is vir sover dit afwesigheidsverlof betref, op werknemers van hierdie Departement vir wie geen ander verlofvoorsiening in hierdie of enige ander regulasies gemaak is nie, van toepassing.

Afwesigheidsverlof 'n vergunning.

(2) (a) Afwesigheidsverlof waarvoor in hierdie regulasies voorsiening gemaak word, is 'n vergunning en word toegestaan slegs met inagneming van die behoeftes van die diens.

(b) Verlof kan nie as 'n reg geëis word nie en wanneer 'n lid die Departement van Gevangenisse verlaat, om watter rede ook al, kan sy nie eis dat die geldwaarde van ongebruikte verlof aan hom uitbetaal word nie.

(c) Die bepalings van hierdie regulasies verhoed nie die betaling van verlofgratifikasies onder voorwaardes deur die Staatsdienskommissie aanbeveel en deur die Tesourie goedgekeur nie.

Toestaan en intrekking van verlof en verlofaansoekvorms.

(3) (a) (i) Die toestaan van alle afwesigheidsverlof is onderworpe aan die goedkeuring van die Kommissaris: Met dien verstande dat die toestaan van afwesigheidsverlof aan die Kommissaris onderworpe is aan sodanige goedkeuring as wat die Minister mag bepaal.

(ii) Toegestane verlof kan te eniger tyd deur die Kommissaris, of, in die geval van die Kommissaris, die Minister, ingetrek word.

(b) Behalwe in die geval waar 'n lid in sy diens geskors is of waar hy weens sy skielike siekte of weens ander omstandighede wat vir die Kommissaris aanneemlik is, verhinder word om in sy werk aan te bly of hom vir diens aan te meld, mag hy nie sy werk verlaat of van diens wegbly voordat hy skriftelik om verlof aansoek gedoen het en hy in kennis gestel is dat die verlofaansoek goedgekeur is nie.

(c) (i) 'n Aansoek om verlof moet skriftelik gedoen word.

(ii) 'n Aansoek om siekteverlof moet deur 'n geneeskundige sertifikaat gestaaf word.

Verval van verlof.

(4) (a) Sodra 'n lid kennis gee van bedanking of sodra 'n vroulike lid kennis gee van haar voorneme om in die huwelik te tree, verval enige toegestane verlof met betaling met ingang van die datum van sodanige kennisgewing, of indien die kennisgewing nie gedateer is nie, vanaf die datum van ontvangs daarvan deur die hoof van die gevangenis of kantoor en enige verlof aangevra of afwesigheid van diens na daardie datum word geag vakansieverlof sonder betaling te wees: Met dien verstande dat die bepalings van hierdie paragraaf—

(i) slegs van toepassing is ten opsigte van afwesigheid gedurende die laaste dertig dae van 'n lid se diens; en

Wife and Family of a Member shall Reside in the Union or South West Africa.

(2) For the purpose of allowances and privileges, a member is not deemed to be married, unless his wife and family reside within the Union or South West Africa. Should the wife and family of a married member leave the Union or South West Africa and reside in a foreign country, the allowances and privileges ordinarily applicable to such a member shall cease six months after the said wife and dependants have left the Union or South West Africa, save in circumstances which the Commissioner considers exceptional.

LEAVE.

(A) *Applicability of Regulations.*

Applicability of Leave Regulations.

27. (1) (a) The provisions of the regulations in respect of leave of absence are applicable to all members as well as to the special warders referred to in paragraph (a) of sub-regulation (1) of regulation 9.

(b) The provisions of the leave regulations framed in terms of the Public Service Act, 1957 (Act No. 54 of 1957); are applicable to employees of this Department for whom no other leave provision has been made in these or any other regulations.

Leave of Absence a Privilege.

(2) (a) Leave of absence provided for in these regulations is a privilege and is granted only with due regard to the exigencies of the service.

(b) Leave cannot be claimed as of right, and when a member leaves the Prisons Department for any reason whatsoever, he cannot claim payment in respect of the cash value of leave not utilised.

(c) The provisions of these regulations do not preclude the payment of leave gratuities on conditions recommended by the Public Service Commission and approved of by the Treasury.

Granting and Withdrawal of Leave and Leave Application Forms.

(3) (a) (i) The granting of all leave of absence is subject to the approval of the Commissioner: Provided that the granting of leave of absence to the Commissioner is subject to such approval as the Minister may direct.

(ii) Leave already granted may at any time be withdrawn by the Commissioner, or in the case of the Commissioner, by the Minister.

(b) Except in the case where a member is suspended from duty or where a member is prevented by sudden illness, or by other circumstances which are acceptable to the Commissioner, from remaining at his work or reporting for duty, he may not leave his work or stay away from duty until he has applied for leave in writing and has been advised that the leave application has been approved.

(c) (i) An application for leave shall be made in writing.

(ii) An application for sick leave must be supported by a medical certificate.

Lapse of Leave.

(4) (a) Immediately a member gives notice of resignation or a female member gives notice of her contemplation of marriage, any leave with pay granted shall lapse with effect from the date of such notice, or if the notice is undated, from the date the notification is received by the member in charge of the prison or office, and any leave applied for or absence from duty subsequent to that date shall be regarded as vacation leave without pay: Provided that the provisions of this paragraph shall—

(i) apply only in respect of absence during the last thirty days of service of a member; and

(ii) nie van toepassing is nie op—

(aa) siekteverlof;

(bb) spesiale verlof wat kragtens paragrafe (b) of (c) van subregulasie (1) van regulasie 37 toegestaan word; en

(cc) vakansieverlof wat kragtens subregulasie (5) van regulasie 34 toegestaan word.

(b) (i) As 'n lid uit diens tree, verval enige toegestane afwesigheidsverlof op die dag wat die datum onmiddellik voorafgaan waarop sodanige uitdienstreding van krag word of op die datum wat kragtens paragraaf (a) bepaal word indien gemelde paragraaf op hom van toepassing is.

(ii) 'n Lid se dienstydsperk mag nie verleng word ten einde hom in staat te stel om gebruik te maak van verlof wat aan hom toegestaan mag gewees het nie.

Betaling van toelae, ens. tydens verlof.

(5) Die voortsetting of staking van die betaling aan 'n lid van toelae of ander besoldiging as sy salaris en die aanspreeklikheid van 'n lid vir die betaling aan die Staat van gelde vir goedere of dienste deur die Staat gelewer gedurende tydperke van verlof is onderworpe aan die bepalinge van die regulasies wat daarop van toepassing is en opdragte wat deur die Staatsdienskommissie of deur die Tesourie, of deur die Tesourie op aanbeveling van die Staatsdienskommissie, daaromtrent uitgereik is.

(B) Indeling van verlof.

Indeling van afwesigheidsverlof.

28. (1) Alle afwesigheid van diens met verlof word onder een of meer van die volgende hoofde ingedeel:—

(a) Vakansieverlof (oplopend) met volle betaling.

(b) Vakansieverlof sonder betaling.

(c) Siekteverlof met volle betaling.

(d) Siekteverlof met halwe betaling.

(e) Siekteverlof sonder betaling.

(f) Spesiale siekteverlof met volle of verminderde betaling.

(g) Spesiale verlof met volle betaling.

(h) Spesiale verlof met betalingsvoorwaardes soos deur die Staatsdienskommissie aanbeveel.

(2) Die bestaan van verlof onder enige een van die hoofde in subregulasie (1) genoem beïnvloed nie die bestaan van verlof onder enige van die ander genoemde hoofde nie, behalwe soos elders in hierdie regulasies uitdruklik bepaal word.

Ongemagtigde afwesigheid geag vakansieverlof sonder betaling te wees.

(3) (a) Behalwe soos in paragraaf (c) van subregulasie (1) van regulasie 37 bepaal, word alle ongemagtigde afwesighede van diens, ongeag enige tugmaatreëls wat teen 'n lid geneem mag word, geag vakansieverlof sonder betaling te wees, tensy die Staatsdienskommissie andersins aanbeveel.

(b) Die indiening van 'n skriftelike verlofaansoek waarna in subparagraaf (i) van paragraaf (c) van subregulasie (3) van regulasie 27 verwys word is nie 'n vereiste in die geval van ongemagtigde afwesighede nie.

(C) Verlofvoorsiening.

Verlofvoorsiening.

29. (1) Met inagneming van die bepalinge van regulasie 27 kan verlof volgens onderstaande skale toegestaan word:—

(a) Aan 'n lid wat—

(i) vyftien jaar of langer diens voltooi het:—

Vakansieverlof (oplopend)—38 dae per jaar met volle betaling.

Siekteverlof—120 dae met volle betaling en 120 dae met halwe betaling in elke tydkring;

(ii) not apply to—

(aa) sick leave;

(bb) special leave granted in terms of paragraph (b) or (c) of sub-regulation (1) of regulation 37; and

(cc) vacation leave granted in terms of sub-regulation (5) of regulation 34.

(b) (i) When a member leaves the service, any leave of absence granted to him shall lapse on the day immediately preceding that on which such retirement becomes effective or on the date determined in terms of paragraph (a) if that paragraph is applicable to him.

(ii) The period of service of a member shall not be extended in order to enable him to utilise leave which may have been granted to him.

Payment of Allowances, etc., during Leave.

(5) The continuance or cessation of the payment to a member of allowances or remuneration other than salary and the liability of a member for payments due to the State in respect of goods or services rendered by the State during periods of leave are subject to the provisions of the regulations applicable thereto and directions issued by the Public Service Commission or the Treasury, by the Treasury on the recommendation of the Public Service Commission in connection therewith.

(B) Classification of Leave.

Classification of Leave of Absence.

28. (1) All absences from duty with leave are classified under one or more of the following headings:—

(a) Vacation leave (accumulative) with full pay.

(b) Vacation leave without pay.

(c) Sick leave with full pay.

(d) Sick leave with half pay.

(e) Sick leave without pay.

(f) Special sick leave with full or reduced pay.

(g) Special leave with full pay.

(h) Special leave with pay conditions as recommended by the Public Service Commission.

(2) The granting of leave under any one of the headings mentioned in sub-regulation (1) shall not affect the granting of leave under any of the other headings mentioned, except in so far as is specifically provided elsewhere in these regulations.

Unauthorised Absences are Regarded as Vacation Leave Without Pay.

(3) (a) Except as provided in paragraph (c) of sub-regulation (1) of regulation 37, all unauthorised absences from duty shall, apart from any disciplinary steps which may be taken against a member, be regarded as being vacation leave without pay unless the Public Service Commission recommends otherwise.

(b) The submission of a written application for leave, referred to in sub-paragraph (i) of paragraph (c) of sub-regulation (3) of regulation 27, is not a requirement in the case of unauthorised absences.

(C) Leave Provision.

Leave Provision.

29. (1) Having regard to the provisions of regulation 27, leave may be granted according to the following scale:—

(a) To a member who has—

(i) completed fifteen years' service or longer:—

Vacation leave (accumulative)—38 days per annum with full pay.

Sick leave—120 days with full pay and 120 days with half pay in each cycle;

- (ii) tien jaar of langer, maar minder as vyftien jaar diens voltooi het:—
 Vakansieverlof (oplopend)—34 dae per jaar met volle betaling.
 Siekteverlof—120 dae met volle betaling en 120 dae met halwe betaling in elke tydkring;
- (iii) minder as tien jaar diens voltooi het:—
 Vakansieverlof (oplopend)—30 dae per jaar met volle betaling.
 Siekteverlof—120 dae met volle betaling en 120 dae met halwe betaling in elke tydkring.
- (b) Aan blanke spesiale bewaarders wat—
- (i) vyftien jaar of langer diens voltooi het:—
 Vakansieverlof (oplopend)—34 dae per jaar met volle betaling.
 Siekteverlof—90 dae met volle betaling en 90 dae met halwe betaling in elke tydkring;
- (ii) tien jaar of langer maar minder as vyftien jaar diens voltooi het:—
 Vakansieverlof (oplopend)—30 dae per jaar met volle betaling.
 Siekteverlof—70 dae met volle betaling en 70 dae met halwe betaling in elke tydkring;
- (iii) vyf jaar of langer maar minder as tien jaar diens voltooi het:—
 Vakansieverlof (oplopend)—26 dae per jaar met volle betaling.
 Siekteverlof—50 dae met volle betaling en 50 dae met halwe betaling in elke tydkring;
- (iv) minder as vyf jaar diens voltooi het:—
 Vakansieverlof (oplopend)—22 dae per jaar met volle betaling.
 Siekteverlof—30 dae met volle betaling en 30 dae met halwe betaling in elke tydkring.
- (c) Aan nie-blanke spesiale bewaarders wat—
- (i) twintig jaar of langer diens voltooi het:—
 Vakansieverlof (oplopend)—30 dae per jaar met volle betaling.
 Siekteverlof—80 dae met volle betaling en 80 dae met halwe betaling in elke tydkring;
- (ii) vyftien jaar of langer maar minder as twintig jaar diens voltooi het:—
 Vakansieverlof (oplopend)—26 dae per jaar met volle betaling.
 Siekteverlof—60 dae met volle betaling en 60 dae met halwe betaling in elke tydkring;
- (iii) tien jaar of langer maar minder as vyftien jaar diens voltooi het:—
 Vakansieverlof (oplopend)—22 dae per jaar met volle betaling.
 Siekteverlof—40 dae met volle betaling en 40 dae met halwe betaling in elke tydkring;
- (iv) vyf jaar of langer maar minder as tien jaar diens voltooi het:—
 Vakansieverlof (oplopend)—18 dae per jaar met volle betaling.
 Siekteverlof—30 dae met volle betaling en 30 dae met halwe betaling in elke tydkring;
- (v) minder as vyf jaar diens voltooi het:—
 Vakansieverlof (oplopend)—14 dae per jaar met volle betaling.
 Siekteverlof—15 dae met volle betaling en 15 dae met halwe betaling in elke tydkring.
- (ii) completed ten years or longer, but less than fifteen years' service:—
 Vacation leave (accumulative)—34 days per annum with full pay.
 Sick leave—120 days with full pay and 120 days with half pay in each cycle;
- (iii) completed less than ten years' service:—
 Vacation leave (accumulative)—30 days per annum with full pay.
 Sick leave—120 days with full pay and 120 days with half pay in each cycle.
- (b) To a white special warder who has—
- (i) completed fifteen years' service or longer:—
 Vacation leave (accumulative)—34 days per annum with full pay.
 Sick leave—90 days with full pay and 90 days with half pay in each cycle;
- (ii) completed ten years or longer, but less than fifteen years' service:—
 Vacation leave (accumulative)—30 days per annum with full pay.
 Sick leave—70 days with full pay and 70 days with half pay in each cycle;
- (iii) completed five years or longer but less than ten years' service:—
 Vacation leave (accumulative)—26 days per annum with full pay.
 Sick leave—50 days with full pay and 50 days with half pay in each cycle;
- (iv) completed less than five years' service:—
 Vacation leave (accumulative)—22 days per annum with full pay.
 Sick leave—30 days with full pay and 30 days with half pay in each cycle;
- (c) To a non-white special warder who has—
- (i) completed twenty years' service or longer:—
 Vacation leave (accumulative)—30 days per annum with full pay.
 Sick leave—80 days with full pay and 80 days with half pay in each cycle;
- (ii) completed fifteen years or longer, but less than twenty years' service:—
 Vacation leave (accumulative)—26 days per annum with full pay.
 Sick leave—60 days with full pay and 60 days with half pay in each cycle;
- (iii) completed ten years or longer but less than fifteen years' service:—
 Vacation leave (accumulative)—22 days per annum with full pay.
 Sick leave—40 days with full pay and 40 days with half pay in each cycle;
- (iv) completed five years or longer but less than ten years' service:—
 Vacation leave (accumulative)—18 days per annum with full pay.
 Sick leave—30 days with full pay and 30 days with half pay in each cycle;
- (v) completed less than five years' service:—
 Vacation leave (accumulative)—14 days per annum with full pay.
 Sick leave—15 days with full pay and 15 days with half pay in each cycle.

Verlof by heraanstelling in tydelike hoedanigheid ná neerlegging van permanente pos.

(2) As 'n lid wat afgetree het uit 'n permanente pos of wat 'n permanente betrekking neergelê het om watter rede ook al, met of sonder onderbreking van diens heraanstelling word in 'n tydelike hoedanigheid, word so 'n heraanstelling vir alle doeleindes van hierdie regulasies as 'n nuwe aanstelling beskou en die vorige permanente diens tel nie as diens vir verlofdoeleindes nie en verlof wat opgehoop het, verval by beëindiging van die permanente aanstelling.

Verlof by aanstelling van spesiale bewaarder as lid.

(3) As 'n spesiale bewaarder as 'n lid aangestel word sonder onderbreking in diens bly opgehoopde vakansieverlof tot sy krediet staan.

Oortoeëning van verlof.

(4) As aan 'n lid meer vakansieverlof met volle betaling toegestaan is as waarvoor in hierdie regulasies voorsiening gemaak word, kan so 'n oortoeëning afgetrek word van vakansieverlof wat later aan hom toeval, mits die Kommissaris tevrede is dat die oortoeëning te goedertrou gedoen is: Met dien verstande dat, as die lid bedank of sy dienste beëindig word voordat voldoende vakansieverlof vir die doel van so 'n afreëking aan hom toegeval het, daardie gedeelte van die oortoeëning wat sy vakansieverlof aanwas op die laaste dag van sy diens oorskry, as 'n oorbetalings van salaris geag word wat of teruggevorder of met bevoegde magtiging afgeskryf moet word.

(D) Rusdae.

Rusdae.

30. (1) 'n Lid wat op 'n rusdag diens verrig, kan—

- (a) op 'n later geskikte datum binne een maand daarna vir een dag van diens vrygestel word; of
- (b) indien die rusdag waarop hy diens verrig 'n Sondag is, op later geskikte datums binne een maand in plaas van een dag 'n halwe dag van diens eenmaal per week vir twee agtereenvolgende weke van diens vrygestel word.

Vergunning van rusdag alleen indien doeltreffendheid nie benadeel word nie.

(2) Die toestaan van die vergunning waarvoor in hierdie regulasie voorsiening gemaak word berus by die hoof van die gevangenis, maar die behoeftes van die diens moet altyd in ag geneem word en in geen geval mag die vergunning toegestaan word as doeltreffendheid daaronder sal ly nie.

Rusdag nie geag verlof te wees nie.

(3) 'n Rusdag word nie geag verlof te wees nie en word nie in die verlofstaat as sodanig aangeteken nie: Met dien verstande dat—

- (a) 'n rusdag, of twee of meer opeenvolgende rusdae, wat binne 'n tydperk van verlof val, geag word verlof te wees wat onder dieselfde hoof van subregulasie (1) van regulasie 28 val as die verlof wat sodanige rusdag of rusdae voorafgaan en daarop volg;
- (b) 'n rusdag, of twee of meer opeenvolgende rusdae wat tussen 'n tydperk van vakansieverlof en 'n tydperk van siekteverlof (of omgekeerd) val, geag word vakansieverlof te wees, tensy die betrokke lid bewys lewer dat hy werklik op sodanige rusdag of rusdae siek was;
- (c) in die geval waar 'n lid aangesê word om hom op 'n rusdag vir diens aan te meld en hy in gebreke bly om dit te doen, sodanige rusdag geag word vakansieverlof sonder betaling te wees, tensy hy weens omstandighede wat vir die Kommissaris aanneemlik is, verhinder word om hom vir diens aan te meld.

Geen salaris ten opsigte van rusdae binne tydperk van verlof sonder betaling.

(4) 'n Lid word nie salaris betaal ten opsigte van rusdae wat binne 'n tydperk van verlof sonder betaling val nie.

Leave at Reappointment in Temporary Capacity after Relinquishment of Permanent Post.

(2) Where a member who has retired from a permanent post or who has relinquished a permanent post for any reason whatsoever, is reappointed in a temporary capacity, with or without a break in service, such reappointment shall be regarded as a new appointment for all purposes of these regulations and previous permanent service does not count as service for leave purposes and accumulated leave shall lapse when the permanent appointment terminates.

Leave at Appointment of Special Warder as Member.

(3) When a special warder is appointed as a member without any break in service, accumulative vacation leave shall remain to his credit.

Overgrant of Leave.

(4) In the event of a member being granted leave with full pay in excess of that provided for in these regulations, such overgrant may be deducted from leave which subsequently accrues to him, should the Commissioner be satisfied that the overgrant was made in good faith: Provided that, in the event of a member resigning or his services being terminated before sufficient leave has accrued to him for the purpose of such deduction, the portion of the overgrant which has not yet been set off against his leave accrual on his last day of service shall be regarded as an overpayment of salary which shall be either recovered or written off under competent authority.

(D) Days of Rest.

Days of Rest.

30. (1) A member who renders service on a day of rest, may—

- (a) on a later suitable date within one month thereafter, be exempted from duty for one day;
- (b) if the day of rest on which he rendered services is a Sunday, on later suitable dates within one month thereafter be exempted from duty for a half a day once per week for two consecutive weeks, instead of one day.

Concession Only to be Granted if the Efficiency is not Jeopardised.

(2) The granting of the concession provided for in this regulation rests with the member in charge of the prison but the exigencies of the service shall always be considered and in no case shall the concession be granted if efficiency is jeopardised.

Days of Rest Not Deemed to be Leave.

(3) A day of rest shall not be regarded as leave and shall not be recorded as such in the leave register: Provided that—

- (a) a day of rest, or two more consecutive days of rest, falling within a period of leave shall be regarded as leave falling under the same heading of subregulation (1) of regulation 28 as the leave which precedes and succeeds such day or days of rest;
- (b) a day of rest, or two or more consecutive days of rest, falling between a period of vacation leave and a period of sick leave (or vice versa) shall be regarded as vacation leave unless the member concerned produces proof that he was actually ill on such day or days of rest;
- (c) in the case of a member who is called upon to report for duty on a day of rest and who fails to do so, such day of rest shall be regarded as vacation leave without pay, unless he is prevented from reporting for duty by circumstances which are acceptable to the Commissioner.

No Salary in Respect of Days of Rest within Period of Leave Without Pay.

(4) A member shall not be paid salary in respect of days of rest which fall in a period of leave without pay.

(E) Verlof kragtens herroepe regulasies.***Vakansieverlof kragtens die regulasies wat herroep is.***

31. (1) Die uitvaardiging van hierdie regulasies en die intrekking van die regulasies wat onmiddellik voor sodanige uitvaardiging van krag was, raak in geen opsig die aanenlopendheid van die oplopende vakansieverlof-voorregte van 'n lid wat onmiddellik voor die datum van inwerkingtreding van hierdie regulasie in diens was nie, en opgeloopte vakansieverlof bly staan tot die krediet van sodanige lid behoudens die bepalings van subregulasie (3).

Behoud van oplopende vakansieverlof by oorpasing van een Departement na 'n ander.

(2) 'n Persoon wat voltyds in diens is in die Suid-Afrikaanse Spoorweë, 'n onderwysinrigting onder beheer van die Departement van Onderwys, Kuns en Wetenskap, die Staatsdelwerye, 'n provinsiale onderwysdepartement, of 'n erkende universiteit binne die Unie, 'n persoon wat in diens van 'n provinsiale administrasie kragtens 'n provinsiale ordonnansie aangestel is en wat sonder 'n onderbreking van diens oorgeplaas word na, of aangestel word in 'n pos of betrekking waarin hierdie verlofregulasies op hom van toepassing word, behou die oplopende vakansieverlof wat tot sy krediet gestaan het op die dag voor sy oorpasing of aanstelling behoudens die bepalings van subregulasie (3), en die vorige diens ten opsigte waarvan die verlofkrediet oorgedra word, tel as diens vir verlofdoeleindes. As sodanige verlof eers na voltooiing van 'n vasgestelde dienstdynerk vir benutting beskikbaar sou geword het, en sodanige dienstdynerk op die datum waarop hierdie regulasie op 'n lid van toepassing word, nog nie voltooi is nie, kan die krediet na verhouding tot die gedeelte van bedoelde dienstdynerk wat hy op laasgenoemde datum voltooi het, bereken word en kan die betrokke verlof onmiddellik toegestaan word.

Toepassing van regulasie by berekenings van opgeloopte vakansieverlof.

(3) By die toepassing van die bepalings van hierdie regulasies word enige gedeelte van 'n dag as een dag gereken wanneer die opgeloopte vakansieverlof tot 'n lid se krediet geplaas word op die datum waarop hierdie regulasies in werking tree of op hom van toepassing word.

(F) Verlofstate.***Verlofstate.***

32. (1) Die Departement moet ten opsigte van elke lid 'n verlofstaat hou waarin alle afwesigheid van diens aangeteken word volgens die indeling vervat in subregulasie (1) van regulasie 28.

Verlofaansoek moet bewaar word.

(2) Alle verlofaansoeke moet vir audit- en ander doeleindes bewaar word in die kantoor waar die verlofstaat gehou word, en wel vir sodanige tydperk as wat die Staatsdienskommissie gelas.

(G) Vakansieverlof.—Algemene bepalings.***Algemene bepalings.—Vakansieverlof—Wyse van aanwas van vakansieverlof.***

33. (1) Oplopende vakansieverlof was aan ten opsigte van elke voltooide maand van diens en wel teen een-twaalfde van die voorsiening wat kragtens subregulasie (1) van regulasie 29 op 'n lid van toepassing is.

Vakansieverlof by oorgang van een na ander vakansieverlofskaal.

(2) As 'n lid van die een na die ander vakansieverlofskaal oorgaan—

- (a) behou hy die oplopende vakansieverlofkrediet wat gedurende sy vorige dienstdynerk aangewas het; en
- (b) word die nuwe skaal met oplopende vakansieverlof op hom van toepassing vanaf die eerste dag van die maand waarin sodanige oorgang van krag word, tensy die bepalings van subregulasie (2) van regulasie 29 op hom van toepassing is.

(E) Leave in Terms of Repealed Regulations.***Vacation Leave in Terms of Repealed Regulations.***

31. (1) The promulgation of these regulations and the repeal of the regulations which were in force immediately prior to such promulgation in no way affect the continuity of the accumulative vacation leave privileges of a member who was in the service immediately prior to the coming into force of these regulations, and accumulated vacation leave shall remain to the credit of such member subject to the provisions of sub-regulation (3).

Retention of Accumulative Vacation Leave on Transfer from one Department to Another.

(2) A person in the full-time employment of the South African Railways, an educational institution under the control of the Department of Education, Arts and Science, the State Diggings, a provincial education department or a recognised university within the Union, a person appointed under a provincial ordinance in the service of a provincial administration and who is transferred without a break in service or appointed, in a post or position in which these leave regulations become applicable to him, shall retain the accumulative vacation leave standing to his credit on the day before his transfer or appointment, subject to the provisions of sub-regulation (3), and the previous service in respect of which the leave credit is carried forward shall count as service for leave purposes. If such leave would have become available for utilisation only after the completion of a specified period of service and such period of service is uncompleted on the date these regulations become applicable to the member, the credit may be calculated in proportion to the portion of the relative period of service which he has completed on the last-mentioned date, and the leave concerned may be granted forthwith.

Application of Regulations in the Calculation of Accumulated Vacation Leave.

(3) In the application of the provisions of these regulations any portion of a day shall be regarded as one day when the accumulated vacation leave is placed to the credit of a member on the date these regulations become effective or become applicable to him.

(F) Leave Registers.***Leave Registers.***

32. (1) The Department shall keep a leave register in respect of each member in which all absences from duty shall be recorded in accordance with the classification contained in sub-regulation (1) of regulation 28.

Leave Application shall be Filed.

(2) All applications for leave shall be filed for audit and other purposes in the office where the leave register is kept for such period as the Public Service Commission may direct.

(G) Vacation Leave.—General Provisions.***General Provisions: Vacation Leave: Manner of Accruing.***

33. (1) Accumulative vacation leave shall accrue in respect of each completed month of service at the rate of one-twelfth of the provisions applicable to a member in terms of sub-regulation (1) of regulation 29.

Vacation Leave: Passing from One Scale to Another.

(2) If a member passes from one vacation leave scale to another—

- (a) he retains the accumulative vacation leave credit which accrued during his previous period of service; and
- (b) the new accumulative vacation leave scale shall become applicable to him from the first day of the month during which such transfer becomes effective, unless the provisions of sub-regulation (2) of regulation 29 are applicable to him.

Kommissaris kan eis dat vakansieverlof geneem word.

(3) Die Kommissaris kan te eniger tyd van 'n lid vereis dat hy 'n gedeelte of die geheel van die vakansieverlof wat hom toekom, neem: Met dien verstande dat die maksimum tydperk van verlof wat in subregulasie (4) voorgeskryf word, nie oorskry word nie.

Maksimum vakansieverlof wat geneem kan word.

(4) Behalwe op aanbeveling van die Staatsdienskommissie kan aan 'n lid vakansieverlof van altesaam nie meer as 184 dae toegestaan word nie in enige tydperk van agtien maande en word enige afwesigheid van diens bo hierdie beperking gedek deur die toestaan van vakansieverlof sonder betaling met inagneming van die bepalings van regulasie 38. Vir die toepassing van hierdie subregulasie word vakansieverlof wat kragtens subregulasie (5) van regulasie 34 toegestaan word, buite rekening gelaat.

Aantekening van oplopende vakansieverlof.

(5) Die oplopende vakansieverlof wat 'n lid op 1 Januarie van elke jaar tot sy krediet het, word in die verlofstaat aangeteken, en by die aantekening van sodanige krediet word enige gedeelte van 'n dag as een dag gereken.

*(H) Siekteverlof.—Algemene bepalings.**Algemene bepalings t.o.v. siekteverlof.—Toestaan van siekteverlof.*

34. (1) Siekteverlof val toe aan 'n lid op die eerste dag van 'n tydkring, en met ingang van daardie dag kan die volle voorsiening vir die betrokke tydkring aan hom toegestaan word, mits aan die ander bepalings van hierdie regulasie voldoen word: Met dien verstande dat aan geen lid siekteverlof met volle of halwe betaling toegestaan mag word voordat hy 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.

Toestaan van siekteverlof by oorgang na ander skaal.

(2) As 'n lid gedurende 'n tydkring sonder onderbreking van diens—

- (a) oorgaan na 'n skaal waarin die siekteverlof vergunning minder gunstig is as dié wat voorheen op hom van toepassing was, behou hy vir die duur van die betrokke tydkring die siekteverlofvergunning wat voorheen op hom van toepassing was; of
- (b) oorgaan na 'n skaal waar die siekteverlofvergunning gunstiger is as voorheen, verwerf hy onmiddellik die siekteverlofvergunning van die nuwe skaal min enige betaalde siekteverlof wat hy reeds gedurende die betrokke tydkring gebruik het.

Verval van ongebruikte siekteverlof.

(3) Ongebruikte siekteverlof wat vir 'n bepaalde tydkring voorgeskryf is, verval aan die einde van die betrokke tydkring en kan nie na die volgende tydkring oorgedra word nie.

Toestaan van meer siekteverlof as maksimum toekenning.

(4) As aan 'n lid die maksimum hoeveelheid siekteverlof waarvoor in regulasie 29 voorsiening gemaak is, toegestaan is, en hy weens gesondheidsredes nog nie in staat is om sy pligte te hervat nie, kan die Kommissaris—

- (a) by die voorlegging aan hom van 'n bevredigende sertifikaat van 'n geneeskundige beampte of ander geregistreerde geneesheer; en
- (b) as hy tevrede is dat die lid op die betrokke tydstop nie permanent ongeskik is vir die hervatting van sy normale pligte nie; en
- (c) as die lid geen vakansieverlof tot sy krediet het nie; na goeddunke verdere siekteverlof met halwe betaling toeken vir hoogstens 92 dae in enige besondere tydkring. Hierdie toekenning kan gedoen word ten opsigte van afsonderlike tydperke van afwesigheid en ten opsigte van ongesteldhede van verskillende aard.

Commissioner may Require Member to Take Leave.

(3) The Commissioner may at any time require a member to take the whole or a portion of the vacation leave due to him: Provided that the maximum period of leave prescribed in sub-regulation (4) of this regulation is not exceeded.

Maximum Vacation Leave which may be Taken.

(4) Except on the recommendation of the Public Service Commission a member shall not be granted vacation leave in excess of 184 days in any period of eighteen months and any absence from duty above this limit shall be covered by the grant of vacation leave without pay with due regard to the provisions of regulation 38. For the purpose of this sub-regulation no account shall be taken of vacation leave granted in terms of sub-regulation (5) of regulation 34.

Recording of Accumulative Vacation Leave.

(5) The accumulative vacation leave standing to the credit on the 1st January of each year shall be recorded in the leave register, and in recording such credit any portion of a day shall be regarded as one day.

*(H) Sick Leave.—General Provisions.**General Provisions in respect of Sick Leave: Granting of Sick Leave.*

34. (1) Sick leave accrues to a member on the first day of a cycle and with effect from that day the full provisions of the relative cycle may be granted to him if the other provisions of this regulation are complied with: Provided that no member shall be granted sick leave with full 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.

Granting of Sick Leave: Passing from one Scale to Another.

(2) If a member during a cycle and without a break in service—

- (a) passes to a scale in which the sick leave provision is less favourable than that formerly applicable to him he shall, for the duration of the relative cycle, retain the sick leave provision formerly applicable to him; or
- (b) passes to a scale in which the sick leave provision is more favourable than previously he shall immediately acquire the sick leave provision of the new scale less any paid sick leave already used by him during the relative cycle.

Lapse of Unused Sick Leave.

(3) Unused sick leave prescribed for a particular cycle shall lapse at the end of that cycle and may not be carried forward to the next cycle.

Grant of Sick Leave More than Maximum.

(4) If a member, who has been granted the maximum amount of sick leave provided for in regulation 29, is not yet able, for health reasons, to resume his duties, the Commissioner—

- (a) on the presentation to him of a satisfactory certificate by a medical officer or other registered medical practitioner; and
- (b) if he is satisfied that the member at that particular time is not permanently unfit to resume his normal duties; and
- (c) if the member has no vacation leave to his credit; may, at his discretion, grant the member further sick leave with half pay not exceeding 92 days in any particular cycle. This grant may be made in respect of separate periods of absence and in respect of different kinds of illnesses.

Vakansieverlof in plaas van siekteverlof met halwe betaling of sonder betaling.

(5) (a) Aan 'n lid kan, op sy skriftelike aansoek, enige vakansieverlof, wat hy tot sy krediet het, toegestaan word in plaas van siekteverlof met halwe betaling of siekteverlof sonder betaling, mits sodanige aansoek nie later nie as dertig dae nadat hy diens hervat het, ingedien word.

(b) As bedoelde vakansieverlof aan 'n lid toegestaan is en hy ten opsigte daarvan betaling ontvang het, mag dit nie weer in siekteverlof met halwe betaling of sonder betaling omsesit word nie.

Omskepping van vakansie- in siekteverlof.

(6) (a) As 'n lid aan wie vakansieverlof toegestaan is, siek word nadat hy reeds sy diens verlaat het om met vakansieverlof te gaan, kan daardie gedeelte van bedoelde vakansieverlof waartydens hy siek was in siekteverlof omskep word as—

(i) die lid by die Kommissaris 'n sertifikaat van 'n geneeskundige beamppte of ander geregistreerde geneesheer [of 'n geregistreerde tandarts as paragraaf (a) van subregulasie (4) van regulasie 35 op hom van toepassing is] indien wat aan die vereistes voorgeskryf in subregulasie (3) van regulasie 35 voldoen; en

(ii) die nodige siekteverlof kragtens regulasie beskikbaar is.

(b) Vakansieverlof sonder betaling mag nie in siekteverlof omskep word nie.

(I) Toestaan van siekteverlof.**Toestaan van siekteverlof.**

35. (1) Siekteverlof word slegs toegestaan in verband met 'n lid se afwesigheid van diens weens 'n siekte, ongesteldheid of besering wat nie aan sy wangedrag of gebrek aan behoorlike voorsorg te wyte is nie.

Voorwaardes waarop as gevolg van sekere spesifieke ongesteldhede siekteverlof toegestaan word.

(2) In verband met senuwee-aandoenings, slapeloosheid, swakte en dergelike minder goed omskrewe siektes of ongesteldhede word siekteverlof slegs toegestaan as die Kommissaris oortuig is dat die applikant se gesondheidstoestand—

(a) hom ongeskik maak vir sy werk; en

(b) nie voortvloei uit sy versuim om van vakansieverlof gebruik te maak nie.

Siekteverlof slegs op indiening van geneeskundige sertifikaat toegestaan.

(3) (a) As 'n lid weens siekte van diens afwesig is kan siekteverlof aan hom toegeken word slegs as hy 'n sertifikaat van 'n geneeskundige beamppte of 'n ander geregistreerde geneesheer [of 'n geregistreerde tandarts as paragraaf (a) van subregulasie (4) op hom van toepassing is] wat duidelik die aard van die siekte omskryf, wat verklaar dat hy nie in staat is om sy amppligte waar te neem nie en wat aantoon watter tydperk nodig is vir sy herstel, by die Kommissaris indien.

(b) Indien die Kommissaris daarvan oortuig is dat die lid se afwesigheid *bona fide* te wyte is aan siekte en dat daar goeie redes bestaan waarom 'n geneeskundige sertifikaat nie ingedien is nie, kan hy afsien van die indiening van die sertifikaat deur die lid ten opsigte van 'n aaneenlopende tydperk van siekteverlof van nie langer as 14 dae nie.

Sodanige vrystelling moet op die verlofaansoek geëndosseer word.

Sertifikaat van geregistreerde tandarts.

(4) (a) As 'n lid se afwesigheid te wyte is aan 'n tandverswering, 'n kakebeenbreuk, akute Vincentbesmetting van die mond of komplikasies wat voortvloei uit die trek van tande soos beenmurgontsteking, beenontsteking en sekondêre bloeiing, kan 'n sertifikaat soos in paragraaf (a) van subregulasie (3) omskryf en uitgereik deur 'n geregistreerde tandarts vir die doel van daardie paragraaf aanvaar word.

Vacation Leave in lieu of Sick Leave with Half-pay or Without Pay.

(5) (a) A member may, on his written application, be granted any vacation leave which he may have to his credit in lieu of sick leave with half-pay or without pay, provided such application is submitted not later than thirty days after he has resumed duty.

(b) Once the vacation leave referred to has been granted to a member and he has received payment in respect thereof, such leave shall not be reconverted into sick leave with half-pay or without pay.

Conversion of Vacation Leave into Sick Leave.

(6) (a) In the event of a member, to whom vacation leave has been granted, becoming ill after he has left his duties to proceed on vacation leave, that portion of vacation leave during which he was indisposed, may be converted into sick leave if—

(i) the member presents to the Commissioner a certificate by a medical officer or other registered medical practitioner [or a registered dentist if paragraph (a) of sub-regulation (4) of regulation 35 is applicable to him] which complies with the requirements stipulated in sub-regulation (3) of regulation 35; and

(ii) in terms of the regulations the necessary sick leave is available.

(b) Vacation leave without pay may not be converted into sick leave.

(I) Granting of Sick Leave.**Granting of Sick Leave.**

35. (1) Sick leave shall be granted only in respect of the absence from duty of a member owing to an illness, indisposition or injury not due to his misconduct or failure to take reasonable precautions.

Conditions of Granting of Sick Leave for Certain Specific Indispositions.

(2) Sick leave may be granted in respect of nervous complaints, insomnia, debility and similar ill-defined illnesses or indispositions only if the Commissioner is convinced that the applicant's health condition—

(a) incapacitates him for duty; and

(b) does not arise from his failure to take vacation leave.

Sick Leave only Granted on Production of Medical Certificate.

(3) (a) If a member is absent from duty owing to illness, he shall be granted sick leave only if he furnishes the Commissioner with a certificate by a medical officer or other registered medical practitioner [or a registered dentist if paragraph (a) of sub-regulation (4) is applicable to him] which clearly describes the nature of the illness, which states that he is not capable of performing his official duties, and in which is indicated the period necessary for his recuperation.

(b) If the Commissioner is convinced that the absence of the member is *bona fide* due to illness, and that there are good reasons for the non-presentation of a medical certificate he may waive the presentation of a medical certificate by the member in respect of sick leave for a continuous period not exceeding 14 days. Such exemption shall be endorsed on the leave application.

Certificate by Registered Dentist.

(4) (a) If a member's absence is attributable to a dental abscess, a fracture of the jaw, acute Vincent infection of the mouth or complications following dental extractions, such as osteomyelitis, osteitis and secondary haemorrhage, a certificate as defined in paragraph (a) of sub-regulation (3) and issued by a registered dentist may be accepted for the purpose of that paragraph.

(b) 'n Dergelike sertifikaat deur 'n geregistreerde tandarts uitgereik ten opsigte van ander ongesteldhede kan slegs met die instemming van die Sekretaris van Gesondheid aanvaar word.

(c) Ongeag die bepalinge van hierdie subregulasie kan die Kommissaris vereis dat 'n sertifikaat van 'n geneeskundige beampte of ander geregistreerde geneesheer ingedien word aler hy siekteverlof toestaan.

Kommissaris kan siekteverlof met betaling weier.

(5) Ondanks die indiening van 'n sertifikaat soos in paragraaf (a) van subregulasie (3) en paragraaf (a) van subregulasie (4) omskryf, kan die Kommissaris na goeddunke weier om siekteverlof met betaling toe te staan ten opsigte van enige afwesigheid van diens waarop die sertifikaat betrekking het, en in so 'n geval word die afwesigheid as ongemagtig beskou en is die bepalinge van subregulasie (3) van regulasie 28 ten opsigte daarvan van toepassing.

(J) *Spesiale siekteverlof.*

Spesiale siekteverlof weens besering of ongeval in loop van diens.

36. (1) Aan 'n lid wat van diens afwesig is weens 'n besering wat voortspruit uit 'n ongeval wat uit sy diens ontstaan en in die loop daarvan plaasvind of weens 'n siekte wat in die loop van en as gevolg van sy diens opgedoen is, kan spesiale siekteverlof met volle betaling toegestaan word vir die tydperk wat hy nie geskik is om sy gewone pligte uit te voer nie, of, indien die geval binne die bestek van die Ongevalwet, 1941 (Wet No. 30 van 1941), soos gewysig, val, spesiale siekteverlof met besoldiging gelykstaande aan die verskil tussen volle betaling en die skadeloosstelling wat aan hom kragtens daardie Wet by wyse van periodieke uitkerings van sy maandelikse verdienste betaalbaar is.

Geen spesiale siekteverlof vir ongeval as gevolg van wan-gedrag nie.

(2) Spesiale siekteverlof kragtens hierdie subregulasie word nie toegestaan as die Kommissaris van mening is dat die ongeval aan die ernstige en opsetlike wangedrag van die lid toe te skryf is nie.

Indiening van sertifikate.

(3) Die bepalinge van subregulasie (3) en (4) van regulasie 35 is *mutatis mutandis* van toepassing op die toestaan van spesiale siekteverlof.

(K) *Spesiale verlof met volle betaling.*

Spesiale verlof met volle betaling.

37. (1) Spesiale verlof met volle betaling kan aan 'n lid toegestaan word—

(a) wanneer hy enige eksamen voorgeskryf deur die Staatsdienswet, 1957 (Wet No. 54 van 1957), 'n eksamen van 'n erkende universiteit binne die Unie, enige regseksamen van die Staatsdiens en enige ander eksamen wat die Staatsdienskommissie mag aanwys, aflê;

(b) wanneer hy van diens afwesig is as gevolg van afsondering of isolasie kragtens geneeskundige instruksies waar hy in aanraking was met 'n persoon wat 'n besmetlike of aansteeklike siekte opgedoen of vermoedelik opgedoen het: Die toestaan van spesiale verlof kragtens hierdie paragraaf is onderworpe aan die indiening van 'n sertifikaat van 'n geneeskundige beampte of ander geregistreerde geneesheer wat die tydperk en oorsaak van afsondering aandui; of

(c) wanneer hy gevangene geneem is of voor die hof moet verskyn op 'n aanklag van misdaad en later vrygespreek of die aanklag teruggetrek word.

Spesiale verlof kan reise insluit.

(2) Spesiale verlof wat kragtens subregulasie (1) toegestaan word, kan enige tydperk werklik en noodsaaklikerwys deurgebring met reise vir doeleindes waarvoor die verlof toegestaan word, insluit.

(b) A similar certificate issued by a registered dentist in respect of other conditions may be accepted only with the concurrence of the Secretary for Health.

(c) Notwithstanding the provisions of this sub-regulation, the Commissioner may require that a certificate by a registered medical practitioner be presented before sick leave is granted by him.

Commissioner may Refuse Sick Leave With Pay.

(5) Notwithstanding the presentation of a certificate as defined in paragraph (a) of sub-regulation (3) and paragraph (a) of sub-regulation (4) the Commissioner may, at his discretion, refuse to grant sick leave with pay in respect of any absence from duty to which the certificate relates, and in such case the absence shall be regarded as unauthorised and the provisions of sub-regulation (3) of regulation 28 shall apply.

(J) *Special Sick Leave.*

Special Sick Leave Owing to Injury or Accident in the Course of Duty.

36. (1) A member who is absent from duty owing to an injury resulting from an accident sustained during 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 unfit to perform his normal duties, or, if the case falls within the scope of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), as amended, special sick leave with remuneration equal to the difference between full pay and the compensation payable to him in terms of that Act, in periodic payments of his monthly earnings.

No Special Sick Leave for Accident Due to Misconduct.

(2) Special sick leave in terms of this sub-regulation is not granted if the Commissioner is of opinion that the accident is attributable to the serious and wilful misconduct of the member.

Presentation of Certificate.

(3) The provisions of sub-regulations (3) and (4) of regulation 35 are *mutatis mutandis* applicable to the granting of special sick leave.

(K) *Special Leave with Full Pay.*

Special Leave with Full Pay.

37. (1) Special leave with full pay may be granted to a member—

(a) when he participates in any examination prescribed by the Public Service Act, 1957 (Act No. 54 of 1957), an examination of a recognised university within the Union, any law examination of the Public Service, and any other examination which the Public Service Commission may indicate;

(b) when he is absent from duty as a result of segregation or isolation on medical instructions where he was in contact with a person who has contracted or is suspected of having contracted an infectious or contagious disease: The granting of special leave under this paragraph is subject to the presentation of a certificate by a medical officer or other registered medical practitioner indicating the period of and reason for isolation; or

(c) when he is arrested or appears before court on a criminal charge and he is subsequently acquitted or the charge withdrawn.

Special Leave May Include Journeys.

(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.

(L) Vakansieverlof sonder betaling.**Vakansieverlof sonder betaling.**

38. As daar gegronde redes daarvoor bestaan, kan die Kommissaris na goeddunke, maar onderworpe aan die beperkings wat deur paragraaf (c) van subregulasie (1) van regulasie 39 opgelê word, aan 'n lid wat geen vakansieverlof met betaling tot sy krediet het nie, vakansieverlof sonder betaling toestaan, maar vir nie langer as altesaam 184 dae in enige tydperk van agtien maande nie. In uitsonderlike gevalle kan van die beperking opgelê deur hierdie regulasie afgesien word op aanbeveling van die Staatsdienskommissie.

(M) Siekteverlof sonder betaling.**Siekteverlof sonder betaling.**

39. (1) (a) Aan 'n lid wat sy betaalde siekteverlof waarvoor in subregulasie (1) van regulasie 29 voorsiening gemaak is, opgebruik het, kan, ondanks die bepalinge van subregulasie (5) van regulasie 34 siekteverlof sonder betaling toegestaan word vir hoogstens 365 dae in enige besondere tydkring.

(b) Die toekenning kragtens paragraaf (a) kan gedoen word ongeag of addisionele siekteverlof met halwe betaling kragtens subregulasie (4) van regulasie 34 aan die lid toegestaan is.

(c) As die siekteverlof sonder betaling waarvoor in hierdie subregulasie voorsiening gemaak word, aan 'n lid toegestaan is, mag geen verdere verlof, van watter aard ook al, gedurende die betrokke tydkring aan hom toegestaan word om sy afwesigheid van diens weens siekte te dek nie, behalwe op aanbeveling van die Staatsdienskommissie.

Geneeskundige sertifikaat ten opsigte van elke afwesigheid.

(2) Die toekenning aan 'n lid van siekteverlof sonder betaling kragtens subregulasie (1) is onderworpe aan die voorlegging deur hom aan die Kommissaris van 'n bevestigende geneeskundige sertifikaat ten opsigte van elke afwesigheid.

(H) Verlof wat vir verlof- en salarisdoeleindes tel.**Verlof wat vir verlofdoeleindes tel.**

40. (1) Alle verlof, van watter aard ook al, met volle of gedeeltelike betaling, en vakansie- en siekteverlof sonder betaling van altesaam 15 dae in 'n maand, tel vir die doel van verlofaanwas. As die verlof sonder betaling die hierin gemelde getal dae oorskry, word—

(a) sodanige oorskryding nie as diens vir die doeleindes van subregulasie (1) van regulasie 33 gereken nie; en

(b) die voorsiening ten opsigte van siekteverlof met volle betaling en siekteverlof met halwe betaling wat kragtens paragraaf (b) van subregulasie (1) van regulasie 29 op 'n lid van toepassing is, met een ses-en-dertigste ten opsigte van elke sodanige oorskryding verminder en hierdie vermindering word aangebring aan die voorsiening van die tydkring waarin die oorskryding voorkom, of as die beskikbare siekteverlof van die betrokke tydkring reeds gebruik is, aan die voorsiening vir die eersvolgende tydkring.

Verlof wat as diens tel vir vasstelling van verlofskaal.

(2) Vakansieverlof sonder betaling en siekteverlof sonder betaling tel as diens vir die vasstelling van die indeling van 'n lid by 'n verlofskaal kragtens subregulasie (1) van regulasie 29.

Verlof ingevolge subregulasie (1) slegs toegeken na dienshervatting en nie van terugwerkende krag nie.

(3) Vakansieverlof wat kragtens subregulasie (1) aanwas gedurende 'n tydperk van vakansieverlof sonder betaling of siekteverlof sonder betaling mag nie aan 'n lid toegestaan word voordat hy, na sy afwesigheid met vakansie- of siekteverlof sonder betaling, weer sy dienste hervat het nie en mag ook nie met terugwerkende krag toegestaan word nie.

(L) Vacation Leave Without Pay.**Vacation Leave Without Pay.**

38. If sound reasons exist, the Commissioner may, at his discretion, but subject to the limits imposed by paragraph (c) of sub-regulation (1) of regulation 39, grant a member, who has no vacation leave with pay to his credit, vacation leave without pay but not exceeding 184 days in the aggregate in any period of eighteen months. In exceptional cases the limitation prescribed by this regulation may be waived on the recommendation of the Public Service Commission.

(M) Sick Leave Without Pay.**Sick Leave Without Pay.**

39. (1) (a) A member who has utilised all his sick leave with pay, provided for in sub-regulation (1) of regulation 29, may, notwithstanding the provisions of sub-regulation (5) of regulation 34, be granted sick leave without pay not exceeding 365 days in any particular cycle.

(b) The grant in terms of paragraph (a) may be made irrespective of whether additional sick leave with half pay in terms of sub-regulation (4) of regulation 34 has been granted the member.

(c) If a member has been granted the sick leave without pay provided for in this sub-regulation, he shall not, during that particular cycle, be granted any further leave, of whatever nature, to cover his absence from duty owing to illness, except on the recommendation of the Public Service Commission.

Medical Certificate in Respect of each Absence.

(2) The granting of sick leave without pay in terms of sub-regulation (1) to a member is subject to the presentation by him to the Commissioner of a satisfactory medical certificate in respect of each absence.

(N) Leave Which Counts for Leave and Salary Purposes.**Leave Which Counts for Leave Purposes.**

40. (1) All leave, of whatever nature, with full or part pay, and vacation and sick leave without pay not exceeding 15 days in the aggregate in a month, shall count for the purpose of leave accrual. If the leave without pay exceeds the number of days mentioned herein—

(a) such excess shall not be regarded as service for the purposes of sub-regulation (1) of regulation 33; and

(b) the provision in respect of sick leave with full pay and sick leave with half pay which is applicable to a member in terms of paragraph (b) of sub-regulation (1) of regulation 29, shall be reduced by one thirty-sixth in respect of each such excess, and such reduction shall be made from the provision of the cycle in which the excess occurs, or, if the available sick leave for the relative cycle has already been taken, from the provision for the next succeeding cycle.

Leave that Counts as Service for Purpose of Determining Leave Scale.

(2) Vacation leave without pay and sick leave without pay shall count as service for the purpose of determining a member's leave scale in terms of sub-regulation (1) of regulation 29.

Leave in Terms of Sub-regulation (1) Granted Only After Duties are Resumed and is not Retrospective.

(3) Vacation leave which in terms of sub-regulation (1) accrues during a period of vacation leave without pay or sick leave without pay shall not be granted to a member until he has resumed his duties after his absence with vacation or sick leave without pay, and shall also not be granted with retrospective effect.

Verlof tel vir salarisverhogingsdoeleindes.

41. Alle verlof, van watter aard ook al, hetsy met of sonder betaling, tel vir salarisverhogingsdoeleindes.

(O) *Buitengewone gevalle.*

Buitengewone gevalle.

42. As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie regulasies regverdig, mag die Kommissaris aan 'n lid of klas lede verlof toestaan op sodanige voorwaardes as wat die Staatsdienskommissie aanbeveel. Die Staatsdienskommissie kan ook na goed-dunke spesiale verlofvoorregte vir 'n lid of klas lede voorskryf, asook aanbevelings doen in verband met verlofaangeleenthede wat nie deur hierdie regulasies gedek word nie of wat 'n afwyking van die bepalings van die regulasies meebring.

VERBLYFTOELAE.

(A) *Tariewe.*

Tariewe van verblyftoelae.

43. (1) Behoudens die bepalings van regulasie 44 en behalwe waar ander spesiale voorsiening in hierdie regulasies gemaak word, of tensy herberg of verblyftoelae van staatsweë op 'n ander manier verskaf of betaal word, of waar 'n lid tydens sy afwesigheid van sy hoofkwartier by sy huis tuisgaan, kan die Kommissaris aan 'n lid wat vir 'n tydperk van 24 uur of langer noodwendig van sy hoofkwartier in amptelike diens in die Unie, Suidwes-Afrika, Suid-Rhodesië of in die protektorate afwesig is, insluitende die deistyd, verblyftoelae teen die onderstaande tariewe betaal:—

(a) In die geval van 'n blanke lid as sy jaarlikse salaris, insluitende pensioengewende toelaes en die kontantwaarde van pensioengewende voorregte wat *in natura* verskaf word—

- (i) hoër is as die salarisskaal verbonde aan 'n pos van majoor: Hoogstens 35s. per dag;
- (ii) gelyk aan of hoër is as die minimum kerf van die salarisskaal verbonde aan 'n pos van luitenant maar nie hoër is nie as die salarisskaal verbonde aan 'n pos van majoor: Hoogstens 31s. per dag;
- (iii) gelyk aan of hoër is as die minimum kerf van die salarisskaal verbonde aan 'n pos van hoofbewaarder, maar nie hoër is nie as die minimum kerf verbonde aan 'n pos van luitenant: Hoogstens 27s. per dag;
- (iv) laer is as die minimum kerf van die salarisskaal verbonde aan 'n pos van hoofbewaarder: Hoogstens 23s. per dag.

(b) In die geval van 'n nie-blanke lid: Hoogstens 14s. per dag.

Tariewe vir tydperke van minder as 24 uur.

(2) Behalwe waar ander spesiale voorsiening in hierdie regulasies gemaak word, of tensy herberg of verblyftoelae van staatsweë op 'n ander manier verskaf of betaal word, kan die Kommissaris—

(a) aan 'n lid wat vir 'n tydperk van minder as 24 uur in die Unie, Suidwes-Afrika, Suid-Rhodesië of in die protektorate noodwendig van sy hoofkwartier in amptelike diens afwesig is, redelike uitgawes terugbetaal wat hy werklik en noodwendig aan herberg aangaan; en

(b) aan 'n blanke lid wat noodwendig in amptelike diens van sy gewone werkplek in die Unie of Suidwes-Afrika afwesig is en in verband daarmee verder as drie myl van sodanige werkplek en van sy tuiste gedurende die etenstyd vertoef, 'n bedrag van hoogstens 3s. 6d. per dag betaal, ter bestryding van uitgawes wat hy aan herberg aangaan: Met dien verstande dat die Kommissaris tevrede is dat die lid werklik en noodwendig sodanige uitgawes aangegaan het.

Leave Counts for Purpose of Salary Increments.

41. All leave, of whatever nature, whether with or without pay, shall count for the purpose of salary increments.

(O) *Exceptional Cases.*

Exceptional Cases.

42. In the event of circumstances arising which justify a departure from the provisions of these regulations, the Commissioner may grant leave to a member or class of members on such conditions as the Public Service Commission recommends. The Public Service Commission may also, at its discretion, prescribe special leave privileges for a member or class of members and also make recommendations in connection with leave matters which are not covered by these regulations or which result in a departure from the provisions of the regulations.

SUBSISTENCE ALLOWANCE.

(A) *Rates.*

Rates of Subsistence Allowance.

43. (1) Subject to the provisions of regulation 44 and save where other special provision is made in these regulations or unless accommodation or subsistence allowance is otherwise provided or paid for by the State, or where a member during his absence from his headquarters, stays in his quarters, the Commissioner may pay a member who is necessarily absent from his headquarters for a period of 24 hours or longer, on official duty in the Union, South West Africa, Southern Rhodesia or in the protectorates, including travelling time, subsistence allowance at the following rates:—

(a) In the case of a white member, if his annual salary, including pensionable allowances and the cash value of pensionable privileges that are supplied *in natura*—

- (i) is higher than the salary scale attached to a post of major: Not exceeding 35s. per day;
- (ii) is equal to or higher than the minimum notch of the salary scale attached to a post of lieutenant but not higher than the salary scale applicable to a post of major: Not exceeding 31s. per day;
- (iii) is equal to or higher than the minimum notch of the salary scale attached to a post of head warder but not higher than the salary scale attached to a post of lieutenant: Not exceeding 27s. per day;
- (iv) is lower than the minimum notch of the salary scale attached to a post of head warder: Not exceeding 23s. per day.

(b) In the case of a non-white member: Not exceeding 14s. per day.

Rates for Periods Less than 24 Hours.

(2) Save where other special provision is made in these regulations or except where accommodation or subsistence allowance is otherwise provided or paid for by the State, the Commissioner may—

(a) reimburse a member who is necessarily absent from his headquarters for a period of less than 24 hours on official duty in the Union, South West Africa, Southern Rhodesia or the protectorates for reasonable expenditure actually and necessarily incurred by him on accommodation; and

(b) pay a white member who is necessarily absent on official duty from his ordinary place of work in the Union or South West Africa, and in connection therewith remains more than 3 miles away from such place of work or his home during the meal hour, an amount not exceeding 3s. 6d. per day to defray expenses incurred for accommodation: Provided that the Commissioner is satisfied that the member actually and necessarily incurred such expenses.

Verblyftoelae gedurende amptelike diens buite die Unie, ens.

(3) Die Kommissaris kan aan 'n lid wat in amptelike diens van sy hoofkwartier afwesig is en in verband daarmee buite die Unie, Suidwes-Afrika, Suid-Rhodesië en die protektorate vertoef, verblyftoelae betaal of uitgawes aan herberg terugbetaal teen tariewe en volgens voorskrifte wat deur die Tesourie op aanbeveling van die Staatsdiens-kommissie goedgekeur is.

*(B) Betaling van verblyftoelae.**Betaling van verblyftoelae.*

44. (1) Behalwe in omstandighede waar ander spesiale voorsiening in hierdie regulasies gemaak word, kan die in regulasie 43 bedoelde verblyftoelae aan 'n lid betaal word gedurende tydperke van afwesigheid van sy hoofkwartier dog vir 'n deurlopende tydperk van hoogstens ses maande in dieselfde dorp of plek. Die tydsduur van 'n lid se reis na en van sy bestemming word nie by die berekening van die tydperk van ses maande in aanmerking geneem nie en vir die doeleindes van hierdie subregulasie word dit nie beskou dat die deurlopendheid van 'n tydperk van verblyf in dieselfde dorp of plek deur 'n afwesigheid, om watter rede ook al, van minder as een maand onderbreek word nie.

Tariewe vir ure bo 24 uur of veelvoude daarvan.

(2) Vir elke volle uur bo 24 uur, of 'n veelvoud van 24 uur kan die Kommissaris aan 'n lid—

(a) die in regulasie 43 bedoelde verblyftoelae teen die onderstaande tariewe betaal:—

- (i) As die daaglikse tarief van verblyftoelae hoogstens 35s. is: Hoogstens 1s. 6d. per uur;
- (ii) as die daaglikse tarief van verblyftoelae hoogstens 31s. is: Hoogstens 1s. 4d. per uur;
- (iii) as die daaglikse tarief van verblyftoelae hoogstens 27s. is: Hoogstens 1s. 2d. per uur;
- (iv) as die daaglikse tarief van verblyftoelae hoogstens 23s. is: Hoogstens 1s. per uur;
- (v) as die daaglikse tarief van verblyftoelae hoogstens 14s. is: Hoogstens 7d. per uur;

(b) die verblyf-, kamp- of spesiale toelae wat by of kragtens die bepalinge van hierdie regulasies voorgeskryf is, uitgesonderd die in paragraaf (a) bedoelde verblyftoelae, teen die koers van een-vieren-twintigste van die daaglikse tarief van sodanige toelae betaal.

*(C) Lugreise.**Lugreise.*

45. (1) Die Kommissaris kan aan 'n lid wat in die gebied beslaan deur die Unie, Suidwes-Afrika, Suid-Rhodesië en die protektorate of binne die gebied of land waarin hy in die buiteland gestasioneer is, in amptelike diens per lug reis, verblyftoelae vir die duur van sodanige lugreis betaal soos kragtens hierdie regulasies voorgeskryf is.

Verblyftoelae nie ten opsigte van ander lugreise betaalbaar nie.

(2) Ten opsigte van ander lugreise as die in subregulasie (1) bedoel is verblyftoelae nie betaalbaar nie, dog die Kommissaris kan redelike uitgawes wat werklik en noodwendig aan herberg gedurende sodanige reise aangegaan word, aan 'n lid terugbetaal.

*(D) Skeepsreise.**Skeepsreise: Geen verblyftoelae.*

46. (1) Behoudens die bepalinge van subregulasie (2) word, ten opsigte van 'n tydperk wat 'n lid aan boord skip deurbring, verblyftoelae nie betaal en uitgawes vir ekstras of drank nie terugbetaal nie.

Subsistence Allowance on Official Duties Outside the Union, etc.

(3) The Commissioner may pay a member who is absent from his headquarters on official duty and in connection therewith has to sojourn outside the Union, South West Africa, Southern Rhodesia and the protectorates, subsistence allowance or reimburse him for expenditure on accommodation at rates and according to directions approved by the Treasury on the recommendation of the Public Service Commission.

*(B) Payment of Subsistence Allowance.**Payment of Subsistence Allowance.*

44. (1) Except in circumstances where other special provision is made in these regulations, the subsistence allowance prescribed in regulation 43, may be paid to a member during periods of absence from his headquarters but for a continuous period not exceeding six months at the same town or place. The time occupied by a member's journey to and from his destination shall be disregarded for the purpose of the calculation of the period of six months and for the purposes of this sub-regulation, the continuity of any period of sojourn at the same town or place shall not be regarded as having been interrupted by an absence, for any reason whatsoever, of less than one month.

Rates for Hours in Excess of 24 Hours or Multiples thereof.

(2) For every full hour in excess of 24 hours, or a multiple of 24 hours, the Commissioner may pay a member—

(a) the subsistence allowance referred to in regulation 43 at the following rates:—

- (i) If the daily rate of subsistence allowance is not in excess of 35s.: Not exceeding 1s. 6d. per hour;
- (ii) if the daily rate of subsistence allowance is not in excess of 31s.: Not exceeding 1s. 4d. per hour;
- (iii) if the daily rate of subsistence allowance is not in excess of 27s.: Not exceeding 1s. 2d. per hour;
- (iv) if the daily rate of subsistence allowance is not in excess of 23s.: Not exceeding 1s. per hour;
- (v) if the daily rate of subsistence allowance is not in excess of 14s.: Not exceeding 7d. per hour;

(b) the subsistence, camp or special allowance is prescribed by or in terms of these regulations excluding the subsistence allowance referred to in paragraph (a), at the rate of one twenty-fourth of the daily rate of such allowance.

*(C) Air Journeys.**Air Journeys.*

45. (1) The Commissioner may pay a member who travels by air on official duty in the area embracing the Union, South West Africa and the protectorates, or within the territory or country in which he is stationed in a foreign country, may be paid subsistence allowance as prescribed in terms of these regulations, for the time occupied by such air journey.

Subsistence Allowance not Payable in Respect of Other Air Journeys.

(2) Subsistence allowance is not payable in respect of air journeys other than those referred to in sub-regulation (1), but the Commissioner may reimburse the member reasonable expenses which are actually and necessarily incurred on accommodation during such journey.

*(D) Voyages.**Voyages: No Subsistence Allowance.*

46. (1) Subject to the provisions of sub-regulation (2), subsistence allowance shall not be paid in respect of a period spent on board ship, and expenditure in respect of extras or liquor not be refunded.

Redelike uitgawes kan terugbetaal word.

(2) Ondanks die bepalinge van subregulasie (1) kan die Kommissaris aan 'n lid wat in amptelike diens 'n skeepsreis onderneem, die redelike uitgawes terugbetaal—

- (a) wat hy werklik aan herberg en hofmeestersfooie aangaan, uitgesonderd fooie aan drankkelnere, ten opsigte van 'n skeepsreis—
 - (i) op 'n waterweg van 'n vasteland;
 - (ii) tussen die vasteland van Europa en die Verenigde Koninkryk of Ierland; of
 - (iii) tussen die Verenigde Koninkryk en Ierland;
- (b) wat hy werklik aan hofmeestersfooie aangaan uitgesonderd fooie aan drankkelnere, ten opsigte van 'n ander as 'n in paragraaf (a) bedoelde skeepsreis, mits die onderstaande bedrae nie oorskry word nie:—
 - (i) Ten opsigte van die lid: £7. 10s. per seereis.
 - (ii) Ten opsigte van die lid en lede van sy huishouding wat op staatskoste saam met hom reis: £10 per seereis.
 - (iii) Ten opsigte van die lid en lede van sy huishouding wat op staatskoste reis maar weens omstandighede buite hulle beheer nie met hom saamreis nie: £15 per seereis.
 - (iv) Ten opsigte van die lid en lede van sy huishouding wat op staatskoste reis maar uit vrye beweging nie met hom saamreis nie: £10 per seereis: Met dien verstande dat waar lede van die huishouding van 'n lid nie met hom saamreis nie, sodanige aparte reis vir die doeleinde van subparagrafe (iii) en (iv) as een gesamentlike reis geag moet word.

*(E) Kamptoeleae.**Kamptoeleae.*

47. Wanneer volledige kampuitrusting van staatsweë aan 'n lid verskaf word, mag verblyftoeleae nie aan hom ten opsigte van 'n tydperk wat hy in 'n kamp woon, betaal word nie, maar in plaas daarvan kan die Kommissaris kamptoeleae teen die onderstaande tariewe betaal:—

- (a) Aan 'n blanke lid: Hoogstens 7s. per dag.
- (b) Aan 'n nie-blanke lid: Hoogstens 3s. per dag.

*(F) Verblyf by staatsinrigtings.**Verblyf by staatsinrigtings.*

48. (1) As 'n lid gedurende 'n tydperk van afwesigheid van sy hoofkwartier in amptelike diens by 'n staatsinrigting tuisgaan, mag verblyftoeleae nie ten opsigte van die tydsduur van sy verblyf aldaar aan hom betaal word nie; in plaas daarvan kan—

- (a) die Kommissaris die gelde wat normaalweg ten opsigte van besoekers deur die inrigting vir herberg gehef word—
 - (i) aan die lid terugbetaal indien hy sodanige gelde betaal het; of
 - (ii) aan die inrigting betaal indien die lid sodanige gelde nie betaal het nie; en
- (b) die Kommissaris 'n spesiale toelae van 2s. 6d. per dag aan die lid betaal om bykomende uitgawes te dek:

Met dien verstande dat, indien herberg gedeeltelik deur 'n private persoon of 'n personeelid van die inrigting verskaf word, die gelde wat deur die gasheer gehef word, ook deur die Kommissaris aan die lid terugbetaal kan word.

(2) Die bepalinge van subregulasie (1) is nie van toepassing nie op 'n lid wat—

- (a) by 'n Staatsinrigting tuisgaan maar vir 'n korter tydperk as 24 uur van sy hoofkwartier afwesig is; of
 - (b) 'n Staatsinrigting besoek maar geen herberg of gedeeltelike herberg van die inrigting ontvang nie,
- in welke geval die bepalinge van regulasie 43 van toepassing is.

Reasonable Expenses may be Refunded.

(2) Notwithstanding the provisions of sub-regulation (1), the Commissioner may reimburse a member who undertakes a voyage on official duty, the reasonable expenses—

- (a) which he actually incurred for accommodation and stewards' fees, excluding fees to wine stewards, in respect of a voyage—
 - (i) on a waterway of a continent;
 - (ii) between the continent of Europe and the United Kingdom or Ireland; or
 - (iii) between the United Kingdom and Ireland;
- (b) which he actually incurred for stewards' fees, excluding fees for wine stewards, in respect of voyages other than that referred to in paragraph (a), if the following amounts are not exceeded:—
 - (i) In respect of the member: £7. 10s. per voyage;
 - (ii) in respect of the member and members of his household who travel with him at State cost: £10 per voyage;
 - (iii) in respect of the member and members of his household who travel at State cost but because of circumstances beyond their control do not travel with him: £15 per voyage;
 - (iv) in respect of the member and members of his household who travel at State cost but by free choice do not travel with him: £10 per voyage: Provided that where members of the household do not travel with him such separate voyage for the purposes of sub-paragraphs (iii) and (iv) is deemed a joint voyage.

*(E) Camp Allowance.**Camp Allowance.*

47. Where a member is provided with complete camping equipment by the State, subsistence allowance shall not be paid to him in respect of the period during which he stays in a camp, but in lieu thereof the Commissioner may pay camp allowance at the following rates:—

- (a) To a white member: Not exceeding 7s. per day.
- (b) To a Non-white member: Not exceeding 3s. per day.

*(F) Sojourn at a State Institution.**Sojourn at a State Institution.*

48. (1) If a member stays at a State institution during a period of absence on official duty from his headquarters, subsistence allowance shall not be paid to him in respect of the period of his sojourn there; instead thereof—

- (a) the fees generally levied in respect of visitors by the institution may, by the Commissioner—
 - (i) be refunded the member if he has paid such fees; or
 - (ii) be paid to the institution if the member has not paid such fees; and
- (b) the Commissioner may pay a special allowance of 2s. 6d. per day to the member to cover further expenses:

Provided that if accommodation is partly provided by a private person or by a member of the staff of the institution, the fees levied by the host may also be refunded the member by the Commissioner.

(2) The provisions of sub-regulation (1) are not applicable to a member who—

- (a) stays at a State institution, but is absent from his headquarters for a period less than 24 hours; or
 - (b) visits a State institution but receives no accommodation or part accommodation from the institution;
- in which case the provisions of regulation 43 are applicable.

(G) *Ontoereikende toelae.**Ontoereikende verblyftoelae.*

49. As die verblyf- of spesiale toelae wat kragtens die bepalings van hierdie regulasies voorgeskryf is, ontoereikend is om die uitgawes te dek wat 'n lid benewens sy normale bestaansuitgawes moet aangaan wanneer hy in amptelike diens van sy hoofkwartier afwesig is, kan die Kommissaris die verskil tussen die bedrag wat aan verblyf- of spesiale toelae betaalbaar is ten opsigte van die hele deurlopende tydperk van sodanige lid se afwesigheid van sy hoofkwartier en die redelike uitgawes wat hy werklik en noodwendig aan herberg ten opsigte van sodanige tydperk aangaan, aan hom terugbetaal, op voorwaarde dat—

- (a) die Kommissaris oortuig is dat die herberg waarvan die lid gebruik gemaak het, by sy status as Staats-amptenaar pas;
- (b) die betrokke eis deur kwitansies of ander bewysstukke of, in gevalle waar sodanige bewyse nie beskikbaar is nie, 'n skriftelike verklaring gestaaf word;
- (c) items wat nie deur die omskrywing van „herberg” in regulasie 1 gedek word nie, uitgesluit word by die berekening van die bedrag wat terugbetaal kan word; en
- (d) bedrae wat toegelaat word ten opsigte van die huur van beddegoed op 'n trein beperk word tot die koste van beddegoedkaartjie wat by kaartjies- en plekbesprekingskantore verkrygbaar is—die koste van luukse-beddegoed en spesiale matras is nie toelaatbaar nie:

Met dien verstande dat bedrae wat kragtens die bepalings van hierdie regulasie terugbetaal kan word aan 'n lid wat gedurende een reis meer as een oorsese land besoek, bereken kan word ten opsigte van die tydsduur van sy verblyf in elke afsonderlike land in plaas van die hele tydsduur van sy afwesigheid van sy hoofkwartier: Met dien verstande voorts dat die bepalings van hierdie regulasie nie op kamp- of vaste verblyftoelae en ook nie op sessie-amptenare van toepassing is nie.

(H) *Betaling gedurende tydperk van verlof.**Betaling van verblyf- en kamptoelae gedurende tydperke van verlof.*

50. (1) Behoudens die bepalings van subregulasie (2) mag die verblyf-, kamp- of spesiale toelae wat kragtens die bepalings van hierdie regulasie betaal kan word, nie aan 'n lid gedurende 'n tydperk van verlof betaal word nie, tensy die Tesourie sodanige betaling op aanbeveling van die Staatsdienskommissie goedkeur.

Betaling van verblyf- en kamptoelae gedurende tydperke van siekteverlof en aan sessie-amptenare en vaste verblyftoelae.

- (2) Ondanks die bepalings van subregulasie (1) kan—
- (a) die verblyf-, kamp- of spesiale toelae aan 'n lid betaal word ten opsigte van 'n aaneenlopende tydperk van siekteverlof van hoogstens veertien dae, insluitende spesiale siekteverlof wat kragtens paragraaf (a) van subregulasie (1) van regulasie 36 toegestaan is, mits die lid nie na sy hoofkwartier terugkeer nie;
- (b) aan 'n sessie-amptenaar verblyftoelae betaal word ten opsigte van afwesigheid met vakansieverlof van altesaam hoogstens ses dae gedurende 'n bepaalde parlamentsitting, mits die lid nie ten opsigte van bedoelde verloftydperk na sy hoofkwartier terugkeer nie; en
- (c) vaste verblyftoelae betaal word ten opsigte van altesaam hoogstens twaalf dae verlof, uitgesonderd siekteverlof, gedurende 'n jaar eindigende op 31 Desember.

(I) *Betaling by aanstelling.**Betaling van verblyftoelae by aanstelling.*

51. Verblyftoelae word nie aan 'n persoon by sy eerste aanstelling in die Departement van Gevangenisse ten opsigte van sy reis na die plek waar hy moet diens aanvaar, betaal nie.

(G) *Insufficient Allowance.**Insufficient Allowance.*

49. If the subsistence or other allowance which is payable in terms of this regulation is insufficient to cover the expenses that a member incurs in addition to his normal cost of living, when he is absent from his headquarters on official duty, the Commissioner may refund the member the difference between the amount that is payable as subsistence or special allowance in respect of the whole continuous period of such member's absence from his headquarters and the reasonable expenses he actually and necessarily incurred on accommodation during such period, on condition that—

- (a) the Commissioner is convinced that the accommodation that the member utilised was in keeping with his status as a public servant;
- (b) the claim concerned is substantiated by receipts or other documents, or in the case where such proof is not available, by a written declaration;
- (c) items not covered by the definition of “accommodation” in regulation 1, are excluded from the calculation of the amount that may be refunded; and
- (d) the amounts that are allowed in respect of the hire of bedding on a train is limited to the cost of bedding tickets obtainable from ticket and booking offices—the cost of luxury bedding and special mattress is not allowed:

Provided that in terms of the provisions of this regulation the amounts refunded a member who visits different overseas countries during one journey, may be calculated in respect of the period of his sojourn in each different country instead of for the whole period of his absence from his headquarters: Provided further, that the provisions of this regulation are not applicable to camp or permanent allowance or to sessional officers.

(H) *Payment During Period of Leave.**Payment of Subsistence and Camp Allowance During Periods of Leave.*

50. (1) Subject to the provisions of sub-regulation (2) a member shall not be paid subsistence, camp or special allowance which may be paid in terms of these regulations, during a period of leave, unless the Treasury approves such payment on the recommendation of the Public Service Commission.

Payment of Subsistence and Camp Allowance During Periods of Sick Leave and to Sessional Officers and fixed Subsistence Allowance.

- (2) Notwithstanding the provisions of sub-regulation (1)—
- (a) the subsistence, camp or special allowance may be paid to a member in respect of a continuous period of sick leave not exceeding fourteen days, including sick leave granted in terms of paragraph (a) of sub-regulation (1) of regulation 36, if the member does not return to his headquarters;
- (b) subsistence allowance may be paid to a sessional officer in respect of absence with vacation leave of altogether not exceeding six days during a specific parliamentary session, if the member does not return to his headquarters in respect of the period of vacation referred to; and
- (c) fixed subsistence allowance may be paid in respect of altogether not exceeding twelve days leave, excluding sick leave, during a year ending 31st December.

(I) *Payment on Appointment.**Payment of Subsistence Allowance on Appointment.*

51. Subsistence allowance is not paid to a person on his first appointment in the Prisons Department in respect of his journey to the place where he is to assume duty.

(J) *Vaste verblyftoelae.**Vaste verblyftoelae.*

52. Ondanks andersluidende bepalings van hierdie regulasies kan die Tesourie, op aanbeveling van die Staatsdienskommissie, goedkeur dat die Kommissaris verblyftoelae op 'n vaste grondslag aan 'n lid betaal.

(K) *Vorm vir indiening van eise.**Vorm vir die indiening van eise.*

53. Aansoeke om die betaling van die verblyf-, kamp- of spesiale toelae wat kragtens die bepalings van hierdie regulasies voorgeskryf is, uitgeslote vaste verblyftoelae, moet gedoen word in 'n vorm wat deur die Staatsdienskommissie goedgekeur is.

(L) *Spesiale bewaarders en buitengewone gevalle.**Spesiale bewaarders en buitengewone gevalle.*

54. (1) Die bepalings van die regulasies met betrekking tot verblyf-, kamp- en spesiale toelae is *mutatis mutandis* op die in paragraaf (a) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarders van toepassing.

(2) As daar omstandighede ontstaan wat 'n afwyking van die bepalings van hierdie regulasies regverdig, kan die Kommissaris aan 'n lid of klas lede sodanige verblyf-, kamp- of spesiale toelae betaal as wat die Tesourie op aanbeveling van die Staatsdienskommissie goedkeur.

AMPTELIKE REISE EN VERVOER.

(A) *Besuiniging.**Besuiniging en beheer.*

55. (1) Alle amptelike reise moet deur die Kommissaris goedgekeur word wat sorg moet dra dat hulle noodsaaklik en in die belang van die Departement is.

Reis op mees ekonomiese wyse langs kortste roete.

(2) (a) 'n Lid moet met die mees ekonomiese middels, met so min versuim as wat omstandighede toelaat en, behoudens die bepalings van regulasie 57, langs die kortste roete reis.

(b) Die rede vir nie-nakoming van die bepalings van paragraaf (a) moet skriftelik deur die lid vestrek word en die uitleg moet aan die in regulasie 62 vermelde vorm geheg word.

(c) Indien 'n lid op 'n wyse gereis het wat groter vervoeruitgawes meegebring het as wat nodig was, moet die Kommissaris die bedrag wat ter vereffening van sy reiskoste aan hom betaal kan word beperk tot wat dit sou gekos het as hy die bepalings van paragraaf (a) nagekom het en as die lid aldus op 'n staatsorder of met 'n staatsvervoermiddel gereis het, moet hy die uitgawes wat onnodig aangegaan is, terugbetaal.

(B) *Uitgawes.**Vervoeruitgawes.*

56. Behoudens die bepalings van hierdie regulasies kan die Kommissaris aan 'n lid van wie dit vereis word dat hy in amptelike diens moet reis, die onkoste verbonde aan die vervoer van hom en sy noodsaaklike persoonlike bagasie, asook redelike uitgawes wat in verband met huurmotors (as staats- of kontrakvervoer nie beskikbaar is nie), kruier, inskeping en ontskeping en ander bykomende dienste aangegaan is, terugbetaal.

(C) *Vervoermiddels.**Vervoermiddels wat gebruik moet word.*

57. (1) 'n Lid wat in die Unie of Suidwes-Afrika in amptelike diens moet reis, moet sy reis per trein of spoorwegbus (insluitende 'n luukse-spoorwegbus as 'n goedkoper vervoerdiens nie beskikbaar is nie) aflê. Indien die reis nie per trein of spoorwegbus afgelê kan word nie

(J) *Fixed Subsistence Allowance.**Fixed Subsistence Allowance.*

52. Notwithstanding any provisions to the contrary in these regulations the Treasury may, on the recommendation of the Public Service Commission, approve of the payment by the Commissioner to a member of subsistence allowance on a fixed basis.

(K) *Form of Submission of Claims.**Form of Submission of Claims.*

53. Applications for the payment of the subsistence, camp or special allowance prescribed in terms of these regulations, excluding fixed subsistence allowance, shall be done in a form approved of by the Public Service Commission.

(L) *Special Warders and Exceptional Cases.**Special Warders and Exceptional Cases.*

54. (1) The provisions of the regulations regarding subsistence, camp and special allowances are *mutatis mutandis* applicable to the special warders referred to in paragraph (a) of sub-regulation (1) of regulation 9.

(2) If circumstances arise which justify a departure from the provisions of these regulations such subsistence, camp or special allowance may be paid by the Commissioner to a member or class of members as the Treasury approves of on recommendation of the Public Service Commission.

OFFICIAL JOURNEYS AND TRANSPORT.

(A) *Economy.**Economy and Control.*

55. (1) All official journeys shall be approved of by the Commissioner who shall ensure that they are essential and in the interests of the Department.

Travel by Most Economical Means by Shortest Route.

(2) (a) A member shall travel by the most economical means, as expeditiously as circumstances permit and, subject to the provisions of regulation 17, by the shortest route.

(b) The reason for any non-observance of the requirements of paragraph (a) shall be explained by the member in writing and the explanation attached to the form referred to in regulation 62.

(c) If a member has travelled in a manner involving greater expenditure on transport than was necessary, the Commissioner shall limit the amount payable to him in reimbursement of his travelling costs, to what it would have been had he observed the requirements of paragraph (a); and if he has so travelled on a State order or by means of State transport, he shall refund the expenditure unnecessarily incurred.

(B) *Expenses.**Travel Expenses.*

56. Subject to the provisions of these regulations a member required to travel on official duty shall be reimbursed the cost of conveying himself and his necessary personal luggage, and all reasonable expenditure incurred in connection with taxis (where State or contract transport is not available), porters, shipping or landing and other incidental services.

(C) *Means of Transport.**Means of Transport to be Used.*

57. (1) A member required to travel on official duty in the Union or South West Africa shall perform his journey by train or railway bus (including luxury railway bus where more economical transport service is not available). If the journey cannot be performed by train or railway bus, the member shall travel by means of the

moet die lid met die goedkoopste beskikbare openbare vervoermiddels reis. Geen amptelike reis mag per vliegtuig afgelê word nie tensy die goedkeuring van die Tesourie verkry is: Met dien verstande dat die Kommissaris self na eie goeddunke per vliegtuig kan reis as die openbare belang beter daardeur bevorder sal word.

Amptelike reise na, van, tussen en in plekke buite die Unie en Suidwes-Afrika.

(2) Behoudens die bepalings van subregulasie (1) van regulasie 55 moet amptelike reise na, van, tussen en in plekke buite die Unie en Suidwes-Afrika met die goedkoopste beskikbare openbare vervoermiddels, insluitende vervoer per vliegtuig, onderneem word.

Amptelike reise met vervoermiddel van staatsgarage of kontrakteur.

(3) Indien 'n lid in amptelike diens moet reis en 'n openbare vervoermiddel nie beskikbaar of die gebruik daarvan nie prakties is nie, moet hy by 'n staatsgarage of 'n persoon wat 'n vervoerkontrak met die Staat het, 'n bestelling plaas vir sodanige vervoermiddel as wat vir die aflê van die reis nodig mag wees of, as geen van hierdie metodes van vervoer beskikbaar is nie, moet hy die beste en goedkoopste reëlings vir die huur van die nodige vervoer tref.

Amptelike reise met private vervoer.

(4) In 'n buitengewone geval kan die Kommissaris 'n lid magtig om 'n amptelike reis met private vervoer af te lê as die Kommissaris oortuig is dat die openbare belang beter daardeur bevorder sal word, ongeag of dit moontlik is om die reis met staats-, openbare of kontrakvervoer af te lê: Met dien verstande dat waar dikwels en gereeld gereis moet word, 'n aanbeveling vooraf van die Sekretaris van Vervoer verkry moet word.

Uitsonderings.

(5) Ondanks andersluidende bepalings van hierdie regulasies kan—

- (a) die Kommissaris, as hy in staat is om te sertifiseer dat die openbare belang beter daardeur bevorder sal word, 'n bestelling vir sodanige vervoer as wat hy vir die aflê van 'n amptelike reis nodig mag hê, by 'n staatsgarage of 'n persoon wat 'n vervoerkontrak met die Staat het, plaas, of anders sy private vervoer gebruik; en
- (b) 'n lid of spesiale bewaarder na eie goeddunke sy private of gesubsidieerde motorvervoer gebruik om 'n amptelike reis af te lê: Met dien verstande dat hy met sodanige motorvervoer op sy eie risiko reis vir sover hierdie bepalings nie strydig met die bepalings van die Ongevallewet, 1941 (Wet No. 30 van 1941), soos gewysig, is nie.

(D) Klas waarin per boot of trein gereis word.

Klas waarin per trein of boot gereis moet word.

58. 'n Lid of spesiale bewaarder wat in amptelike diens per trein of boot moet reis, kan in die hieronder aangeduide klasse reis:—

Per trein in Unie, Suidwes-Afrika, Protektorate, Noord- en Suid-Rhodesië en Mosambiek.

(1) Per trein in die Unie, Suidwes-Afrika, die Protektorate, Noord- en Suid-Rhodesië en Mosambiek:—

- (a) 'n Blanke lid: Eerste klas.
- (b) 'n Blanke spesiale bewaarder, as sy jaarlikse salaris, insluitende pensioengewende toelae en die kontantwaarde van pensioengewende voorregte wat *in natura* verskaf word:—
 - (i) gelyk aan of hoër is as die minimum kerf van die salarisskaal verbonde aan 'n pos van hoofbewaarder: Eerste klas;
 - (ii) laer is as die minimum kerf van die salarisskaal verbonde aan 'n pos van hoofbewaarder: Tweede klas, indien beskikbaar, anders eerste klas;

cheapest public transport available. No official journey shall be performed by aeroplane unless the approval of the Treasury has been obtained: Provided that the Commissioner himself may at his own discretion travel by aeroplane if the public interest will be better served thereby.

Official Journeys To, From, Between and In Places Outside the Union and South West Africa.

(2) Subject to the provisions of sub-regulation (1) of regulation 55 official journeys to, from, between and in places outside the Union and South West Africa shall be undertaken by the cheapest means of public transport available, including transport by aeroplane.

Official Journeys with Transport from Government Garage or Contractor.

(3) If a member is required to travel on duty, and public transport is not available or its use impracticable he shall requisition on the Government Garage or person having a transport contract with the State, for such transport as may be necessary for the performance of the journey, or where neither of these means of transport is available, make the best and most economical arrangements for the hire of the necessary transport.

Official Journeys with Private Transport.

(4) In an exceptional case the Commissioner may authorise a member to perform an official journey by means of private transport if the Commissioner is satisfied that the public interest will be better served, whether or not it is possible to perform the journey by means of State, public or contract transport: Provided that in the case of frequent and regular travelling, the prior recommendation of the Secretary for Transport shall be obtained.

Exceptions.

(5) Notwithstanding any provisions to the contrary contained in these regulations—

- (a) the Commissioner may, whenever he is able to certify that the public interest is better served, requisition for such transport as he may need for an official journey on the Government Garage or a person having a transport contract with the State, or, alternatively, use his privately-owned transport; and
- (b) a member or special warder, may at his own discretion, use his private or subsidised motor transport to perform an official journey: Provided that he travels at his own risk with such motor transport in so far as these provisions are not contrary to the provisions of the Workmen's Compensation Act, 1941 (Act No. 30 of 1941), as amended.

(D) Class Utilised when Travelling by Boat or Train.

Class Wherein shall be Travelled by Train or Boat.

58. A member or special warder who travels by train or boat on official duty, may travel in the classes indicated hereunder:—

By Train in the Union, South West Africa, Protectorates, Northern and Southern Rhodesia and Mozambique.

(1) By train in the Union, South West Africa, the protectorates, Northern and Southern Rhodesia and Mozambique:—

- (a) A white member: First class;
- (b) a white special warder, if his annual salary, including pensionable allowance and the cash value of pensionable privileges provided *in natura*:—
 - (i) is equal to or higher than the minimum notch of the salary scale attached to a post of head warder: First class;
 - (ii) is lower than the minimum notch of the salary scale attached to a post of head warder: Second class, if available, otherwise first class:

Met dien verstande dat—

- (aa) die Kommissaris na goeddunke kan goedkeur dat 'n blanke spesiale bewaarder eerste klas reis nieëntaande haar salaris laer is as die minimum kerf van die salarisskaal verbonde aan 'n pos van hoofbewaarder;
 - (bb) 'n persoon wat onder kontrak dien in die klas kan reis wat voorgeskryf is vir 'n vergelykbare lid, tensy sy dienskontrak anders bepaal; en
 - (cc) die Kommissaris, na eie goeddunke, gebruik kan maak van enige treindiens wat deur die Suid-Afrikaanse Spoorweë verskaf word. Wanneer hy in amptelike diens reis en hy geregtig is om sy gesin op staatskoste saam met hom te neem, kan sy vrou en afhanklike kinders (insluitende aangenome kinders) maar geen ander lede van sy huishouding nie, van dieselfde treindiens as hy gebruik maak ongeag of sy vrou en kinders deur hom vergesel word, maar as die kinders deur geeneen van die ouers vergesel word nie moet die koste wat uit staatsgelde ten opsigte van die kinders betaal kan word, beperk word tot wat dit sou gekos het as hulle eerste klas gereis het.
- (c) 'n Kleurling- of Indiërlid of -spesiale bewaarder as sy jaarlikse salaris, insluitende pensioengewende toelae en die kontantwaarde van pensioengewende voorregte wat *in natura* verskaf word—
- (i) gelyk aan of hoër is as die minimum kerf van die salarisskaal verbonde aan 'n pos van Kleurling- of Indiëropperbewaarder, graad II: Eerste klas;
 - (ii) laer is as die minimum kerf van die salarisskaal verbonde aan 'n pos van Kleurling- of Indiëropperbewaarder, graad II: Tweede klas, indien beskikbaar, anders eerste klas.
- (d) 'n Bantoelid of -spesiale bewaarder: Derde klas, indien beskikbaar, anders tweede klas: Met dien verstande dat die Kommissaris kan goedkeur dat 'n Bantoelid tweede klas reis as hy oortuig is dat die status van die betrokke lid 'n reis in daardie klas regverdig, nieëntaande derdeklasakkommodasie beskikbaar is.

Per trein in ander gebiede.

(2) Per trein in ander lande of gebiede as wat in sub-regulasie (1) vermeld word: In die klas wat volgens die mening van die Kommissaris by die lid se status pas, met inagneming van die klas waarin persone met vergelykbare status in die betrokke land of gebied reis.

Per boot.

(3) Per boot: 'n Blanke lid as sy jaarlikse salaris, insluitende pensioengewende toelae en die kontantwaarde van pensioengewende voorregte wat *in natura* verskaf word—

- (a) gelyk aan of hoër is as die minimum kerf van die salarisskaal verbonde aan 'n pos van hoofbewaarder: Eerste klas.
- (b) laer is as die minimum kerf van die salarisskaal verbonde aan 'n pos van hoofbewaarder: Tweede klas:

Met dien verstande dat—

- (i) indien akkommodasie in 'n klas op 'n boot in verskeie grade verdeel is, die lid van die goedkoopste akkommodasie in die voorgeskrewe klas gebruik moet maak: Met dien verstande voorts dat as die omstandighede van 'n geval dit regverdig, die Kommissaris die lid kan magtig om in 'n duurder graad te reis: Met dien verstande voorts dat die Kommissaris, na eie goeddunke, in enige graad kan reis;

Provided that—

- (aa) the Commissioner, at his discretion, may approve that a white special wardress travel first class, notwithstanding that her salary is lower than the minimum notch of the salary scale attached to a post of head warder;
 - (bb) a person who serves under contract may, unless his service contract provides otherwise, travel in the class prescribed for a comparable member; and
 - (cc) the Commissioner may, at his own discretion, use any train service provided by the South African Railways. When travelling on official duty, and he is entitled to take his family with him at State expense, his wife and dependent children (including adopted children), but no other members of his household, may use the same train service whether or not the wife and children are accompanied by him, but if the children travel unaccompanied by either of the parents the expenditure, in respect of the children, which may be met from public funds shall be limited to that which would have been incurred had they travelled first class.
- (c) A Coloured or Indian member or special warder, if his annual salary including pensionable allowance and the cash value of pensionable allowance provided *in natura*—
- (i) is equal to or higher than the minimum notch of the salary scale attached to a post of Coloured or Indian chief warder, Grade II: First class;
 - (ii) is lower than the minimum notch of the salary scale attached to a post of Coloured or Indian chief warder, Grade II: Second class, if available, otherwise first class.
- (d) A Bantu member or special warder: Third class, if available, otherwise second class: Provided that the Commissioner may approve of the second class travelling by a Bantu member if he is convinced that the status of the member concerned justifies a journey in that class, notwithstanding that third class accommodation is available.

By Train in Other Territories.

(2) By train in countries or territories other than those mentioned in sub-regulation (1): In the class that, in the opinion of the Commissioner, is in keeping with the status of the member, due regard being had to the class in which persons with a comparable status travel in the country or territory concerned.

By Boat.

(3) By boat: A white member, if his annual salary including pensionable allowance and the cash value of pensionable privileges which are provided *in natura*—

- (a) is equal to or higher than the minimum notch of the salary scale attached to a post of head warder: First class.
- (b) is lower than the minimum notch of the salary scale attached to a post of head warder: Second class:

Provided that—

- (i) if accommodation in a class on a boat is divided into various grades the member shall travel in the cheapest accommodation in the class prescribed: Provided, further, that if the circumstances of a case so warrants, the Commissioner may authorise the member to travel in a more expensive grade: Provided, further, that the Commissioner may, at his own discretion, travel in any grade;

- (ii) indien van 'n lid vir wie daar voorgeskryf is dat hy in die tweede klas per boot moet reis, vereis word dat hy met 'n boot moet reis wat slegs eerste-klas- en kajuitklas- of eerste-klas- en toeristeklasakkommodasie beskikbaar het, so 'n lid in die kajuitklas of toeristeklas, na gelang van die geval, moet reis: Met dien verstande voorts dat indien slegs eerste-klasakkommodasie beskikbaar is, die lid in die eerste klas kan reis.

Amptelike reis saam met hoërrangsbeampte of hooggeplaaste persoon.

(4) 'n Lid wat saam met 'n mede-lid, of enige ander beampte, met hoër rang of 'n hooggeplaaste persoon in amptelike diens reis, kan na goeddunke van die Kommissaris, toegelaat word om in dieselfde klas as die hoërrangsbeampte of hooggeplaaste persoon te reis.

Klas waarin op geleide diens gereis word.

(5) 'n Lid, uitgesonderd 'n blanke vroulike lid, wat gevangenes begelei, reis in die spoorwa wat vir die gevangenes aangewys word. Blanke vroulike lede wat nie-blanke vroulike gevangenes begelei, reis in gereserveerde tweedeklasakkommodasie.

(E) Gesubsidieerde en Staatsvervoer.

Gesubsidieerde en Staatsvervoer.

59. (1) As die Kommissaris oortuig is dat dit in Staatsbelang is, kan hy op aanbeveling van die Sekretaris van Vervoer van 'n lid wie se dienste dit noodsaaklik maak dat hy dikwels of gereeld reis, vereis dat—

- (a) hy van sodanige Staatsmotorvervoer as wat vir die doeltreffende verrigting van sy pligte nodig geag word, gebruik moet maak; of
- (b) hy gesubsidieerde motorvervoer vir amptelike doeleindes moet aanhou as die gebruik van Staatsvervoer na die mening van die Sekretaris van Vervoer onprakties of onwenslik is.

Voorwaardes waarop gesubsidieerde vervoer aangeskaf en aangehou word.

(2) Die voorwaardes waarop gesubsidieerde vervoer aangeskaf en aangehou moet word en die toelae wat in verband met die gebruik van sodanige vervoer betaal kan word, word op aanbeveling van die Sekretaris van Vervoer deur die Tesourie goedgekeur.

Motorbestuurder op Staatskoste word nie verskaf nie.

(3) 'n Lid van wie daar kragtens die bepalings van subregulasie (1) vereis word dat hy van Staats- of gesubsidieerde motorvervoer gebruik moet maak of dat hy sodanige vervoer moet aanhou, word nie op Staatskoste van 'n motorbestuurder voorsien nie.

Verkryging van bestuurderslisensie vir bestuur van Staatsmotorvervoer.

(4) As 'n lid van wie daar kragtens paragraaf (a) van subregulasie (1) vereis word dat hy 'n Staatsvoertuig moet bestuur, nie 'n gepaste bestuurderslisensie besit nie, kan die Kommissaris hom op Staatskoste van die nodige onderliggende voorsien en alle eksamen- of bestuurderslisensiegelde, die koste van portrette wat aan die lisensie geheg moet word en die gelde vir enige vereiste geneeskundige ondersoek, uit Staatsfondse betaal.

Oplossing van geskil oor toepassing van subregulasie (2).

(5) 'n Geskil wat tussen die Kommissaris en die Sekretaris van Vervoer uit die toepassing van die bepalings van subregulasie (2) van hierdie regulasie voortspruit, moet na die Tesourie verwys word wat, na oorlegpleging met die Staatsdienskommissie, 'n beslissing gee.

- (ii) if a member for whom second-class travel by boat is prescribed, is required to travel on a boat which has only first-class and cabin-class or first-class and tourist-class accommodation available, such member shall travel cabin-class or tourist-class as the case may be: Provided, further, that if only first-class accommodation is available, the member may travel first-class.

Official Journey with Senior Member or High-ranking Personage.

(4) A member travelling on official duty with a fellow member, or any other official, with a higher rank or a high-ranking personage may be permitted at the discretion of the Commissioner to travel in the same class as the senior member or high-ranking personage.

Class to be Travelled in on Escort Duty.

(5) A member, excluding a white female member, who escorts prisoners, travels in the carriage indicated for the prisoners. White female members who escort non-white female prisoners, travel in reserved second-class accommodation.

(E) Subsidised and State Transport.

Subsidised and State Transport.

59. (1) If he is satisfied that the interests of the State will be best served thereby, the Commissioner may, on the recommendation of the Secretary for Transport, require a member whose duties necessitate frequent or regular travelling—

- (a) to utilise such State motor transport as may be deemed necessary for the efficient performance of his duties; or
- (b) to maintain subsidised motor transport for official purposes if, in the opinion of the Secretary for Transport, the use of State transport is impracticable or undesirable.

Conditions Under Which Subsidised Transport Shall be Acquired and Maintained.

(2) The conditions under which subsidised transport shall be acquired and maintained and the allowances which may be paid in respect of the use of such transport, are approved of by the Treasury on the recommendation of the Secretary for Transport.

Drivers at State Expense not Provided.

(3) A member who is required to utilise or maintain State or subsidised motor transport in terms of sub-regulation (1) shall not be provided at State expense with a driver.

Obtaining of Drivers Licence for Operating of State Motor Transport.

(4) If a member required to operate State transport in terms of paragraph (a) of sub-regulation (1), is not a holder of an appropriate drivers' licence, the Commissioner may provide him with the necessary tuition at State expense and the fees for any examination or for the licence and for any medical examination required and the cost of photos to be attached to the licence, may be met from public funds.

Solution of Dispute Arising Out of Application of Sub-regulation (2).

(5) Any dispute arising out of the application of the provisions of sub-regulation (2) of this regulation between the Commissioner and the Secretary for Transport shall be referred to the Treasury, which, after consultation with the Public Service Commission, shall decide the question at issue.

(F) *Toelae vir private vervoer.**Toelae vir die gebruik van private vervoer.*

60. (1) Die Kommissaris kan aan 'n lid wat private vervoer kragtens die bepalings van subregulasie (4) of (5) van regulasie 57 gebruik om 'n amptelike reis af te lê, die volgende betaal:—

- (a) In die geval van motorvervoer wat kragtens die bepalings van subregulasie (4) of paragraaf (a) van subregulasie (5) van regulasie 57 gebruik word: Sodanige myl- en passasierstoelae as wat deur die Tesourie op aanbeveling van die Sekretaris van Vervoer vir die gebruik van sodanige vervoer voorgeskryf is.
- (b) In die geval van motorvervoer wat kragtens die bepalings van paragraaf (b) van subregulasie (5) van regulasie 57 gebruik word: 'n Bedrag gelyk aan wat dit sou gekos het, teen Staatstarief, as die lid en enige amptelike passasiers wat hom vergesel oor die goedkoopste roete—
 - (i) van spoorwegörders voorsien was; en
 - (ii) van ander openbare vervoermiddels gebruik gemaak het:

Met dien verstande dat uitgawes aan kruiersloon by spoorwegstasies en ander toevallige vervoerdienste buite rekening gelaat moet word vir doeleindes van hierdie paragraaf.

- (c) In die geval van ander as motorvervoermiddels: Sodanige toelae as wat die Tesourie op aanbeveling van die Staatsdienskommissie goedkeur.

Vaste vervoertoelae.

(2) Ondanks andersluidende bepalings van hierdie regulasies kan die Tesourie, op aanbeveling van die Staatsdienskommissie, goedkeur dat die Kommissaris vervoertoelae op 'n vaste grondslag aan 'n lid betaal.

Betaling van vaste vervoertoelae gedurende tydperke van verlof en wanneer die lid pligte verrig waarby die gebruik van vervoer nie noodsaaklik is nie.

(3) Die betaling aan 'n lid van 'n vaste vervoertoelae kragtens die bepalings van subregulasie (2), word voortgesit gedurende die tydperke hieronder aangedui, terwyl hy met verlof is of pligte verrig waarby die gebruik van vervoer nie noodsaaklik is nie:—

- (a) In die geval van motorvervoer: 'n Totaal van veertien dae gedurende 'n jaar eindigende op 31 Desember.
- (b) In die geval van ander vervoer as dié in subparagraaf (a) vermeld: Enige tydperk ten opsigte waarvan die vervoer tot die beskikking van die Staat gestel word, ongeag of dit vir amptelike diens gebruik word al dan nie.

(G) *Vervoer na kamp.**Vervoer van persoonlike benodigdhede na 'n kamp.*

61. Die Kommissaris kan aan 'n lid van wie dit vir die uitvoering van sy amptelike pligte vereis word dat hy in 'n kamp moet woon, kostelose vervoer heen-en-weer van die naaste spoorwegstasie of winkel na die kamp vir sy persoonlike benodigdhede, insluitende voedselvoorrade, toestaan, mits die goedkoopste vervoerreëlings getref word.

(H) *Eise.**Vorm vir die indiening van eise.*

62. Aansoeke om die vergoeding of vervoeruitgawes wat kragtens die bepalings van hierdie regulasies betaal kan word, uitgeslote vaste vervoertoelae, moet gedoen word in 'n vorm wat deur die Staatsdienskommissie goedkeur is.

(F) *Allowance for Private Transport.**Allowance for Use of Privately Owned Transport.*

60. (1) The Commissioner may pay a member who utilises private transport for the performance of an official journey in terms of the provisions of sub-regulation (4) or (5) of regulation 57, the following:—

- (a) In the case of motor transport which is utilised in terms of sub-regulation (4) or paragraph (a) of sub-regulation (5) of regulation 57. Such mileage and passenger allowance as are prescribed by the Treasury on the recommendation of the Secretary for Transport for the use of such Transport.
- (b) In the case of motor transport which is utilised in terms of the provisions of paragraph (b) of sub-regulation (5) of regulation 57: An amount equal to what it would have cost at State rates if the member and any official passengers who accompanied him over the most economic route—
 - (i) had been provided with rail warrants; and
 - (ii) had utilised other means of public transport:

Provided that the expenses for porters' fees at railway stations and other incidental means of transport are excluded for the purposes of this paragraph.

- (c) In the case of other than motor transport: Such allowance as is approved of by the Treasury on the recommendation of the Public Service Commission.

Fixed Transport Allowance.

(2) Notwithstanding any provisions to the contrary in these regulations, the Treasury may approve, on the recommendation of the Public Service Commission, that the Commissioner pay a member a transport allowance on a fixed basis.

Payment of Fixed Transport Allowance during Periods of Leave and when the Member Performs Duties Not Requiring Transport.

(3) A member in receipt of a fixed transport allowance in terms of sub-regulation (2), shall continue to be paid the allowance during the periods indicated hereunder whilst he is on leave or employed on duties where the use of transport is not essential:—

- (a) In the case of motor transport: Fourteen days in the aggregate during a year ending the 31st of December.
- (b) In the case of transport other than that referred to in sub-paragraph (a): Any period during which the transport is placed at the disposal of the State whether or not it is used for official purposes.

(G) *Transport to Camp.**Transport of Personal Requirements to Camp.*

61. The Commissioner may grant a member who, for the purpose of carrying out his official duties is required to live in a camp, free conveyance for his personal requirements, including provisions, between the nearest railway station or trading store and the camp: Provided that the most economical transport arrangements are made.

(H) *Claims.**Form for Submission of Claims.*

62. All claims for reimbursement of transport expenses that may be payable in terms of the provisions of these regulations, excluding fixed transport allowance, shall be submitted in a form approved of by the Public Service Commission.

(I) *Spesiale bewaarders.**Spesiale bewaarders en buitengewone gevalle.*

63. (1) Die bepalings van die regulasies met betrekking tot amptelike reise en vervoer is, behalwe waar uitdruklik ander vermeld, *mutatis mutandis* slegs op die in paragraaf (a) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarders van toepassing.

(2) As daar omstandighede ontslaan wat 'n afwyking van die bepalings van hierdie regulasies regverdig, kan die Tesourie amptelike reise goedkeur op sodanige wyse om met sodanige vervoermiddels of die betaling van sodanige vergoeding, uitgawes of toelae as wat die Staatsdiens-kommissie of die Sekretaris van Vervoer, na gelang van die geval, mag aanbeveel.

OORPLASINGS.

(A) *Oorplasing binne Unie en Suidwes-Afrika.**Oorplasing van lede binne die Unie en Suidwes-Afrika.*

64. (1) (a) Behoudens die bepalings van hierdie regulasies kan 'n lid oorgeplaas en hy en sy huishouding en persoonlike besittings op staatskoste vervoer word van enige hoofkwartier na 'n ander binne die Unie en Suidwes-Afrika.

(b) As 'n lid op eie versoek oorgeplaas word, mag geen uitgawe in verband daarmee uit staatsfondse gedek word nie en enige afwesigheid van diens as gevolg van sodanige oorplasing moet deur die toestaan van verlof kragtens regulasies 27 tot en met 42 gedek word: Met dien verstande dat die bepalings van hierdie subparagraaf nie op 'n lid wat op eie versoek oorgeplaas word van toepassing is nie as die Kommissaris oortuig is dat sodanige oorplasing noodsaaklik is in die belang van die Departement van Gevangenisse of van die gesondheid van die lid of van sy vrou of kind (insluitende 'n aangenome kind).

Voorregte en verblyftoelae.

(2) As 'n lid kragtens die bepalings van paragraaf (a) van subregulasie (1) oorgeplaas word, word geag dat hy in amptelike diens reis en kan aan hom—

(a) die voorregte voorgeskryf in hierdie regulasies en in regulasies 55 tot en met 63 toegestaan word: Met dien verstande dat lede van die huishouding van sodanige lede geag kan word amptelike passasiers te wees vir die doeleindes van paragraaf (b) van subregulasie (1) van regulasie 60; en

(b) verblyftoelae kragtens die bepalings van regulasies 43 tot en met 54 betaal word.

Voorwaardes van toepassing by vervoer van een hoofkwartier na 'n ander.

(3) Die onderstaande voorwaardes is van toepassing op die vervoer van een hoofkwartier na 'n ander van die huishouding en persoonlike besittings van 'n lid wat kragtens die bepalings van paragraaf (a) van subregulasie (1) oorgeplaas word:—

(a) Die Kommissaris kan aan die lid verblyftoelae teen die volle tarief wat op hom van toepassing is, betaal ten opsigte van elke lid van sy huishouding wat twaalf jaar oud of ouer is, en teen die helfte van sodanige tarief ten opsigte van elke ander lid vir die tydperke wat die reise van een hoofkwartier na 'n ander noodwendig in beslag neem, maar uitgesonderd die geval van 'n bediende ten opsigte van wie die Kommissaris redelike bestaansuitgawes wat werklik en noodwendig aangegaan is, kan terugbetaal.

(b) (i) 'n Lid van die huishouding, uitgesonderd 'n bediende, kan in dieselfde klas op die Spoorweë reis as dié waarin die lid reis.

(ii) 'n Blanke, Indiër- of Kleurlingbediende kan tweede klas, indien beskikbaar, anders eerste klas en 'n Bantoebediende derde klas, indien beskikbaar, anders tweede klas op die spoorweë reis: Met dien verstande dat 'n kinderoppasser wat toesig oor 'n suigeling moet hou, in dieselfde klas as die lid se huishouding kan reis.

(I) *Special Warders.**Special Warders and Exceptional Cases.*

63. (1) The provisions of the regulations in connection with official journeys and transport are, except where specifically otherwise indicated, *mutatis mutandis* applicable to the special warders referred to in paragraph (a) of sub-regulation (1) of regulation 9.

(2) If circumstances arise which justify a departure from the provisions of these regulations, the Treasury may authorise official travelling in such manner or by such means of transport or the payment of such compensation, expenses or allowance as the Public Service Commission or the Secretary for Transport, as the case may be, may recommend.

TRANSFERS.

(A) *Transfers within the Union and South West Africa.**Transfer of Members Within the Union and South West Africa.*

64. (1) (a) Subject to the provisions of these regulations a member may be transferred and he and his household and personal effects moved at State expense from any headquarters to another, within the Union and South West Africa.

(b) If a member is transferred at his own request no expenditure in connection therewith shall be met from public funds, and any absence from duty as a result of such transfer shall be covered by the grant of leave in terms of regulation 27 up to and including 42: Provided that the provisions of this sub-paragraph are not applicable to a member who is transferred at his own request if the Commissioner is convinced that such transfer is essential in the interest of the Prisons Department or of the health of the member or of his wife or child (including an adopted child).

Privileges and Subsistence.

(2) If a member is transferred in terms of the provisions of paragraph (a) of sub-regulation (1) he shall be regarded as travelling on official duty and may be—

(a) granted the privileges provided for in these regulations and in regulations 55 to 63 inclusive: Provided that members of the household of such members may be regarded as official passengers for the purpose of paragraph (b) of sub-regulation (1) of regulation 60; and

(b) paid subsistence allowance in accordance with the provisions of regulations 43 to 54 inclusive.

Conditions Applicable on Removal from One Headquarter to Another.

(3) The following provisions are applicable to the removal from one headquarter to another of the household and personal effects of a member transferred in terms of the provisions of paragraph (a) of sub-regulation (1):—

(a) The Commissioner may pay a member subsistence allowance at the full rate applicable to him in respect of each member of his household of 12 years of age or older and at half that rate for each other member for the periods necessarily spent in travelling from one headquarters to another, except in regard to a servant in respect of whom the Commissioner may refund reasonable expenses actually and necessarily incurred on subsistence.

(b) (i) A member of the household, other than a servant, may travel in the same class on the railways as that in which the member is travelling.

(ii) On the railways a white, Indian or Coloured servant may travel in the second class, if available, otherwise first class, and a Bantu servant third class, if available, otherwise second class: Provided that a nursemaid in charge of an infant may travel in the same class as the household of the member.

- (c) (i) Oorgewigbagasie tot hoogstens 450 lb. bruto gewig kan per passasierstrein vervoer word.
- (ii) Persoonlike besittings tot hoogstens 14,000 lb. bruto gewig kan met 'n goederetrein of die padmotordiens van die Suid-Afrikaanse Spoorweë of 'n ander openbare vervoermiddel of staatsvervoermiddel, van een hoofkwartier na 'n ander en van die woning na die spoorwegstasie, en omgekeerd, en na en van 'n pakhuis as opberging van die persoonlike besittings kragtens die bepalings van paragraaf (e) gemagtig is, vervoer word: Met dien verstande dat as vervoer met een van gemelde vervoermiddels nie moontlik of doenlik is nie of duurder is, die Kommissaris na goeddunke kan goedkeur dat 'n ander vervoermiddel gebruik word. Die voorgeskrewe gewig sluit die gewig van voertuie in.
- (d) Die verpakkingskoste (insluitende die koste van verpakkingsmateriaal) en uitpakkingskoste van persoonlike besittings binne die voorgeskrewe gewigsbeperking kan uit staatsfondse bestry word.
- (e) In 'n uitsonderlike geval kan die Kommissaris goedkeur dat 'n lid se persoonlike besittings binne die voorgeskrewe gewigsbeperking, vir 'n tydperk van hoogstens ses maande of by sy ou of nuwe hoofkwartier op staatskoste opgeberg word.
- (f) Behoudens sodanige beperkings en voorwaardes as wat deur die Tesourie op aanbeveling van die Staatsdienskommissie goedgekeur word, kan die volgende uitgawes uit staatsgelde bestry word:—
- Die koste van herstelling of vervanging van persoonlike besittings wat *in transit*o beskadig is.
 - Die koste van ontkoppeling en aankoppeling en verandering van elektriese huishoudelike benodigdhede.
 - Die koste verbonde aan die aankoop van noodsaaklike skoolboeke vir 'n kind of ander afhanklike.
- (g) As 'n blanke lid wat 'n huis of woonstel wat hyself ten volle of gedeeltelik gemeubileer het, by of in die omgewing van die hoofkwartier waarvandaan hy oorgeplaas word, bewoon het, sy persoonlike besittings insluitende sy meubels, laat opberg of na 'n huis of woonstel by of in die omgewing van die hoofkwartier waarheen hy oorgeplaas word, verskuif, kan die Kommissaris aan hom 'n bedrag van twintig pond betaal ten opsigte van waardevermindering van persoonlike besittings en ter dekking van uitgawes wat uit sy oorplasing voortspruit, uitgesonderd dié waarvoor elders in hierdie regulasies voorsiening gemaak word: Met dien verstande dat die Kommissaris na goeddunke 'n kleinere bedrag kan betaal indien die omstandighede na sy mening nie die betaling van 'n bedrag van twintig pond regverdig nie.

Terugbetaling van bepaalde uitgawes.

(4) Die Kommissaris kan die volgende aan 'n lid wat kragtens die bepalings van paragraaf (a) van subregulasie (1) oorgeplaas is, terugbetaal:—

- Die bedrag wat werklik en noodwendig aan huur- of losiesgeld en bediendeloon by die ou hoofkwartier uitgegee en verbeur is weens kort kennisgewing van oorplasing, mits daar ook uitgawes aan huur- of losiesgeld en bediendeloon by die hoofkwartier waarheen die lid oorgeplaas is, gelyktydig aangegaan word.
- Die bedrag wat werklik en noodwendig aan losies of hotelakkommodasie by die ou hoofkwartier vir hoogstens sewe dae uitgegee is deurdat die lid verplig is om in 'n losieshuis of hotel tuis te gaan terwyl sy meubels en besittings ingepak of na die nuwe hoofkwartier vervoer word.
- Die bedrag wat werklik en noodwendig aan losies of hotelakkommodasie by die nuwe hoofkwartier vir hoogstens sewe dae uitgegee is deurdat die lid verplig is om in 'n losieshuis of hotel tuis te gaan

- Excess luggage not exceeding 450 lb. gross weight, may be transported by passenger train.
- Personal effects not exceeding 14,000 lb., gross weight, may be conveyed by goods train or South African Railways Road Motor Service or other public conveyance or State transport from one headquarters to another and from the dwelling to the railway station and *vice versa* and to and from a warehouse if warehousing of the personal effects has been authorised in terms of paragraph (e): Provided that if transport by any of the aforementioned conveyances is not possible or feasible or is more expensive, the Commissioner may at his discretion, approve the use of another conveyance. The weight stipulated includes the weight of vehicles.
- The cost of packing (including the cost of packing material) and unpacking of personal effects within the weight limit specified may be met from public funds.
- In an exceptional instance the Commissioner may authorise that the personal effects of a member, within the specified weight limit, be warehoused at either the old or the new headquarters at State expense for a period not exceeding six months.
- Subject to such limitations and conditions as approved by the Treasury, on the recommendation of the Public Service Commission the following expenditure may be met from public funds:—
 - The cost of repairs to or replacement of personal effects damaged in transit.
 - The cost of disconnecting and connecting and altering electrical domestic appliances.
 - The cost involved in purchasing essential school books for a child or other dependent.
- Where a white member who has personally occupied a house or a flat at or in the vicinity of the headquarters from where he is transferred, wholly or partly furnished by himself, removes his personal effects, inclusive of furniture to a place of storage or to a house or a flat at or in the vicinity of the headquarters to which he is transferred, the Commissioner may pay him an amount of twenty pounds in respect of depreciation of personal effects and to meet expenses arising from his transfer except those provided for elsewhere in these regulations: Provided that the Commissioner may, at his discretion, pay a lesser amount, if he considers that circumstances do not justify payment of an amount of twenty pounds.

Refund of Specific Expenses.

(4) The Commissioner may refund a member, transferred in terms of paragraph (a) of sub-paragraph (1), the following:—

- The amount actually and necessarily expended on rent or lodging and servants' wages at his old headquarters and forfeited in consequence of short notice of transfer, provided expenditure for rent or lodging and servants' wages is concurrently incurred at the headquarters to which the member is transferred.
- The amount actually and necessarily expended by a member at his old headquarters for not exceeding seven days, through being compelled to reside in a hotel or boarding-house while his furniture and effects are being packed or are in the course of transit to the new headquarters.
- The amount actually and necessarily expended for lodging or hotel accommodation at the new headquarters for not exceeding seven days, through the member being compelled to reside in a boarding-

terwyl sy meubels en besittings uitgepak of van die ou hoofkwartier vervoer word, of terwyl hy op soek na 'n huis of woonstel is.

- (d) (i) Die verskil tussen die normale bestaansuitgawes bestaande uit huurgeld, belasting, uitgawes aan water, ligte, brandstof, voedsel en bediendeloon en die abnormale uitgawes werklik en noodwendig deur 'n lid by sy nuwe hoofkwartier aangegaan deurdat hy verplig is om vir 'n tydperk van langer as sewe dae in 'n losieshuis of hotel tuis te gaan terwyl sy meubels en besittings uitgepak of van die ou hoofkwartier vervoer word, of terwyl hy op soek na 'n huis of woonstel is: Met dien verstande dat geen eis vir abnormale bestaansuitgawes ten opsigte van 'n tydperk van langer as twee maande oorweeg kan word nie.

(ii) Eise om die terugbetaling van abnormale bestaansuitgawes moet skriftelik in 'n vorm wat deur die Staatsdienskommissie goedgekeur is, ingedien word.

(e) Uitgawes wat noodwendig as gevolg van sy oorpasing aangegaan is in verband met die herregistrasie van een private en een gesubsidieerde motorvoertuig.

(f) Uitgawes wat noodwendig as gevolg van sy oorpasing aangegaan is in verband met die vervanging van nommerplate ten opsigte van een private en een gesubsidieerde motorvoertuig: Met dien verstande dat die maksimum bedrag een pond per stel nommerplate is.

(g) Telefoonhuurgeld op 'n *pro rata* grondslag ten opsigte van die tydperk waarvoor hy, as gevolg van sy oorpasing, nie die telefoon kan gebruik nie: Met dien verstande dat telefoonhuur wat op die Departement van Pos-en-Telegraafwese verhaalbaar is nie aldus terugbetaal kan word nie.

Tenders vir verpakking van persoonlike besittings, beskikking oor verpakkingsmateriaal en vervoer van motorvoertuig.

(5) (a) Skriftelike tenders moet verkry word vir die verpakking en uitpakking en laai en aflaai van persoonlike besittings, en die laagste tender moet aangeneem word: Met dien verstande dat die Kommissaris die aanname van 'n hoër tender kan magtig as hy oortuig is dat daar voldoende redes vir die verwerping van die laagste tender is.

(b) Verpakkingsmateriaal waarvoor uit staatsfondse betaal is, moet by die betrokke gevangenis bewaar word in afwagting van opdrag vanaf Departementele Hoofkwartier.

(c) Die vervoer van 'n motorvoertuig op staatskoste is onderworpe aan die voorwaardes dat—

- (i) die Staat geen aanspreeklikheid aanvaar vir die verlies van of skade aan die motorvoertuig tydens die vervoer daarvan nie; en
- (ii) dit per goederetrein vervoer word teen 'n koers wat deur die Tesourie op aanbeveling van die Staatsdienskommissie goedgekeur is en dat alle bykomende uitgawes verbonde aan die laai en aflaai van die voertuig deur die lid gedra word.

Tydperk waarbinne voorgeskrewe voordele van toepassing is.

(6) Die voordele voorgeskryf in subregulasies (3) en (4) is slegs van toepassing as die lid sy huishouding en persoonlike besittings binne een maand vanaf die datum waarop sy oorpasing van krag word, oorplaas, tensy hy voor die verstryking van hierdie tydperk toestemming vir die uitstel van oorpasing van sy huishouding of persoonlike besittings verkry het, welke toestemming deur die Kommissaris verleen kan word.

(B) Eerste aanstelling.

Vervoer by eerste aanstelling.

65. (1) Op voorwaardes betreffende vervoermiddels en reisklasse in ooreenstemming met dié wat vir 'n lid in regulasies 55 tot en met 63 voorgeskryf is, kan die Kommissaris goedkeur dat aan 'n persoon wat in die Unie of

house or hotel while his furniture and effects are being unpacked, in transit from his old headquarters or while he is in search of a house or flat.

- (d) (i) The difference between normal living expenses comprising rent, rates, cost of water, light, fuel, food and servants' wages and the abnormal expenses actually and necessarily incurred by a member at his new headquarters through being compelled to reside in a boarding-house or hotel for a period exceeding seven days while his furniture and effects are being unpacked, in transit from the old headquarters or while he is in search of a house or flat: Provided that no claim for abnormal living expenses may be considered for a period exceeding two months.

(ii) Claims for a refund of abnormal living expenses shall be submitted in writing in a form approved by the Public Service Commission.

(e) Expenditure necessarily incurred as a result of his transfer in connection with the re-registration of one private and one subsidised motor-vehicle.

(f) Expenditure necessarily incurred as a result of his transfer in connection with the replacement of number plates in respect of one private and one subsidised motor-vehicle: Provided that the maximum amount is one pound per set of number plates.

(g) Telephone rental on a *pro rata* basis in respect of the period during which he is unable to use the telephone as a result of his transfer: Provided that telephone rental which is recoverable from the Department of Posts and Telegraphs cannot thus be refunded.

Tenders for Packing of Personal Effects, Disposal of Packing Material and Transport of Motor Vehicle.

(5) (a) Written tenders shall be obtained for the packing and unpacking and loading and unloading of personal effects and the lowest tender shall be accepted: Provided that the Commissioner may authorise the acceptance of a higher tender if he is convinced that there are adequate reasons for the non-acceptance of the lowest tender.

(b) Packing material paid for from public funds shall be stored at the prison concerned pending instructions from Departmental Headquarters.

(c) The conveyance of a motor-vehicle at State expense is subject to the conditions that—

- (i) no liability shall devolve upon the State for loss of or damage to a motor-vehicle in transit; and
- (ii) it be transported by goods train at a rate which has been approved by the Treasury on the recommendation of the Public Service Commission and that all incidental expenses connected with loading and off-loading of the vehicle be met by the member.

Period During Which Prescribed Privileges are Applicable.

(6) The benefits prescribed in sub-regulations (3) and (4) are only applicable if the member transfers his household and personal effects within one month from the date on which his transfer takes effect unless prior to the expiry of this period, he shall have obtained permission to defer the removal of his household or his personal effects, which permission may be granted by the Commissioner.

(B) First Appointment.

Conveyance on First Appointment.

65. (1) The Commissioner may approve that a person resident in the Union or South West Africa and who is appointed to a post on the fixed establishment, be granted free conveyance for himself from the place where he was

Suidwes-Afrika woonagtig is en wat in 'n pos op die vaste diensstaat aangestel word, kosteloos vervoer vir homself toegestaan word vanaf die plek waar hy gewerf is tot by die plek waar hy aangesê is om diens te aanvaar (vervoer sluit in vervoer per staatsgarage- of kontrakvervoermiddels by sowel die plek van werwing as die plek van aanstelling, of, as sodanige vervoer nie beskikbaar is nie, vervoer per huurmotor tussen die woning en die op- of afklimpunt van die openbare vervoermiddel waarmee die reis onderneem word).

Vervoer by werwing.

(2) (a) Behoudens die bepalings van paragraaf (b) kan die huishouding en persoonlike besittings van 'n in subregulasie (1) bedoelde persoon, met die goedkeuring van die Kommissaris, op staatskoste vervoer word vanaf die plek waar die persoon gewerf is tot by die plek waar hy aangesê is om diens te aanvaar op die grondslag vir 'n oorgeplaaste lid neergelê in paragraaf (a) van subregulasie (1), paragrafe (b), (c) en (d) van subregulasie (3) en subregulasies (5) en (6), van regulasie 64.

(b) As 'n persoon wie se huishouding en persoonlike besittings kragtens die bepalings van paragraaf (a) vervoer is, bedank of as sy dienste as gevolg van onbevredigende diens beëindig word binne ses maande vanaf die datum van sy diensaanvaarding, moet hy die koste wat ten opsigte van die vervoer van sy huishouding en persoonlike besittings aangegaan is, terugbetaal.

(C) Sessie-amptenare.

Vervoervoorregte vir sessie-amptenare.

66. (1) Behoudens die bepalings van subregulasie (2), kan aan 'n sessie-amptenaar vervoer per spoor op staatskoste verskaf word vir hom, sy huishouding en oorgewigbagasie op die grondslag wat vir 'n oorgeplaaste lid voorgeskryf is. 'n Sessie-amptenaar kan ook toegelaat word om een private motorkar of motorfiets en fiets (insluitende driewiele) na en van Kaapstad per spoor op staatskoste te vervoer op sodanige voorwaardes as wat die Tesourie op aanbeveling van die Staatsdienskommissie goedkeur.

Toepaslikheid van regulasie.

(2) Die bepalings van paragraaf (b) van subregulasie (5) van regulasie 57 is *mutatis mutandis* op 'n in subregulasie (1) bedoelde sessie-amptenaar van toepassing, mits sowel die heen- as die terugreis per motor afgelê word: Met dien verstande dat lede van die huishouding van sodanige lid geag kan word amptelike passasiers te wees vir die doeleindes van paragraaf (b) van subregulasie (1) van regulasie 60.

(D) Vervoer by diensbeëindiging en dood.

Vervoervoorregte by diensbeëindiging en die dood.

67. (1) (a) Behoudens die bepalings van subregulasie (2) kan die Kommissaris goedkeur dat—

- (i) aan 'n lid wat weens die bereiking van die pensioenleeftyd afgedank word; en
- (ii) aan 'n lid wie se dienste eindig op gronde wat vir die doeleindes van hierdie regulasie deur die Tesourie op aanbeveling van die Staatsdienskommissie goedgekeur is;

en wat minstens tien jaar diens voltooi het, vervoer vir hom, sy huishouding en persoonlike besittings na 'n plek in die Unie of Suidwes-Afrika waar hy begerig is om te woon, op staatskoste toegestaan word behoudens sodanige beperkings en voorwaardes as wat die Tesourie op aanbeveling van die Staatsdienskommissie goedkeur.

(b) Die huishouding en persoonlike besittings van 'n lid wat minstens tien jaar diens voltooi het en wat te sterwe kom terwyl hy in staatsdiens is, kan op staatskoste na enige plek in die Unie of Suidwes-Afrika vervoer word behoudens die bepalings van paragraaf (a) wat *mutatis mutandis* op sodanige vervoer van toepassing is.

recruited to the place where he has been instructed to assume duty, on the conditions concerning methods of conveyance and classes of travel corresponding with those prescribed for a member in regulations 55 to 63 inclusive (conveyance includes transport by Government Garage or contract conveyance at the place where he was recruited as well as the place of appointment, or, if such transport is not available, transport by taxi from and to the residence at boarding or descending points of the public conveyance used for the journey).

Conveyance on Recruitment.

(2) (a) Subject to the provisions of paragraph (b) the household and personal effects of a person referred to in sub-regulation (1) may, with the approval of the Commissioner, be conveyed from the place where the person was recruited to the place where he has been instructed to assume duty at State cost on the basis laid down for a member on transfer in paragraphs (a) of sub-regulation (1), paragraphs (b), (c) and (d) of sub-regulation (3) and sub-regulations (5) and (6) of regulation 64.

(b) When a person whose household and personal effects have been conveyed in terms of the provisions of paragraph (a), resigns, or if his services are terminated as a result of unsatisfactory service within six months of the date of his assumption of duty, he shall refund the costs incurred in respect of the conveyance of his household and personal effects.

(C) Sessional Officers.

Transport Privileges for Sessional Officers.

66. (1) Subject to the provisions of sub-regulation (2) a sessional officer may be granted conveyance by rail at State expense for himself, his household and excess luggage on the basis laid down for a transferred member. A sessional officer may further be allowed to rail one private motor-car or motor-cycle and bicycle (including three-wheelers) to and from Cape Town at State expense on such conditions as the Treasury may approve on the recommendation of the Public Service Commission.

Applicability of Regulation.

(2) The provisions of paragraph (b) of sub-regulation (5) of regulation 57 are *mutatis mutandis* applicable to a sessional officer referred to in sub-regulation (1): Provided that the forward and return journey is performed by motor-car: Provided that the members of the household of such member may be deemed official passengers for the purposes of paragraph (b) of sub-regulation (1) of regulation 60.

(D) Transport on Termination of Service and Death.

Transport Privileges on Termination of Service and Death.

67. (1) (a) Subject to the provisions of sub-regulation (2) the Commissioner may approve that—

- (i) a member who is retired on account of superannuation; and
- (ii) a member whose services terminate on grounds approved for the purpose of this regulation by the Treasury on the recommendation of the Public Service Commission;

and who has completed not less than ten years' service be granted conveyance at State expense for himself, his household and his personal effects to the place in the Union or South West Africa where he wishes to reside, subject to such limitations and conditions as may be approved by the Treasury on the recommendation of the Public Service Commission.

(b) The household and personal effects of a member who has completed not less than ten years' service and who dies whilst in State employment, may be conveyed to any place within the Union and South West Africa at State expense, subject to the provisions of paragraph (a) which will apply *mutatis mutandis* to such conveyance.

Toepaslikheid van regulasie.

(2) Die bepalinge van paragraaf (b) van subregulasie (5) van regulasie 57 is *mutatis mutandis* van toepassing op 'n in subregulasie (1) bedoelde lid of sy huishouding: Met dien verstande dat lede van die huishouding van sodanige lid geag kan word amptelike passasiers te wees vir die doeleindes van paragraaf (b) van subregulasie (1) van regulasie 60.

*(E) Buitengewone gevalle.**Buitengewone gevalle.*

68. As daar omstandighede ontstaan wat 'n afwyking van die bepalinge van hierdie regulasies regverdig, kan die Tesourie sodanige voorwaardes betreffende oorsplasinge en vervoerregte by eerste aanstelling, vir sessie-amptenare en by diensbeëindiging en die dood goedkeur as wat die Staatsdienskommissie aanbeveel.

SKULD EN DROS.*(A) Skuld.**Voorlegging van uiteensetting van bates en laste kan geëis word.*

69. (1) Indien vermoed word dat 'n lid of 'n in paragraaf (a) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarder, met inagneming van sy salaris en ander omstandighede, in 'n onredelike mate in die skuld is, of as 'n prosesstuk weens skuld of gyseling of weens vonnis of insolvensiegedinge waarby die lid of spesiale bewaarder die verweerder is, uitgereik is, kan die Kommissaris gelas dat so 'n lid of spesiale bewaarder 'n uitvoerige uiteensetting van sy bates en laste aan hom moet voorleë.

Kennis van diening van prosesstuk moet gegee word.

(2) Die betrokke lid of spesiale bewaarder moet die Kommissaris onverwyld in kennis stel as 'n in subregulasie (1) bedoelde prosesstuk op hom gedien is.

Stappe wat teen lid en spesiale bewaarder gedoen kan word.

(3) As dit by verdere ondersoek wat raadsaam geag mag word, blyk dat die betrokke lid of spesiale bewaarder weens die skulde of weens sommige daarvan in die behoorlike vervulling van sy pligte gestrem sal word, kan die Kommissaris—

- (a) in die geval van 'n offisier sodanige stappe doen as wat hy goeddink;
- (b) in die geval van 'n lid wat nie 'n offisier is nie, gelas dat 'n ondersoek ingevolge regulasie 77 gehou word; en
- (c) in die geval van 'n spesiale bewaarder, hom summier ontslaan.

*(B) Dros.**Beskikking oor private eiendom, persoonlike besittings en verskuldigde salaris van droster.*

70. (1) Ingeval 'n lid of spesiale bewaarder dros en hy na alle waarskynlikheid nie onmiddellik gearresteer sal word nie, kan sy bevelvoerende offisier na verloop van een maand na die datum waarop hy gedros het alle private eiendom of persoonlike besittings wat deur die droster agtergelaat is, verkoop. Die opbrengs van so 'n verkoping tesame met die salaris wat tot op die dag waarop die lid of spesiale bewaarder gedros het verskuldig was, kan gebruik word vir die vereffening van amptelike vorderings, skulde aan die menasie, klub en sodanige ander skulde as wat die Kommissaris mag bepaal.

Beskikking oor saldo van gelde nadat skulde vereffen is.

(2) Nadat alle in subregulasie (1) bedoelde vorderings en skulde vereffen is, moet die oorskot, as daar is, aan die Meester van die betrokke afdeling van die Hooggeregshof, of in die geval van 'n Bantolied of -spesiale bewaarder aan die betrokke Bantoesakekommissaris oorhandig word.

Applicability of Regulation.

(2) The provisions of paragraph (b) of sub-regulation (5) of regulation 57 are *mutatis mutandis* applicable to a member referred to in sub-regulation (1), or his household: Provided that the members of the household of such member may be deemed official passengers for the purposes of paragraph (b) of sub-regulation (1) of regulation 60.

*(E) Exceptional Cases.**Exceptional Cases.*

68. If circumstances arise which justify a departure from the provisions of these regulations, the Treasury may approve of such conditions regarding transfer costs and transport privileges on first appointment, for sessional officers and on termination of service and death, as the Public Service Commission recommends.

DEBT AND DESERTION.*(A) Debt.**Submission of a Statement of Assets and Liabilities may be Demanded.*

69. (1) If it is suspected that a member or special warder referred to in paragraph (a) of sub-regulation (1) of regulation 9, having regard to his salary and other circumstances, is in debt to an unreasonable extent, or if a process for debt or for civil imprisonment or for judgment or insolvency proceedings in which the member or special warder is the respondent, has been issued, the Commissioner may direct that such a member or special warder submit to him a detailed statement of his assets and liabilities.

Notice of Service of Process shall be Given.

(2) The member or special warder concerned shall inform the Commissioner without delay when a process as referred to in sub-regulation (1) has been served on him.

Action which may be Taken Against Member and Special Warder.

(3) If on further investigation which may be considered expedient, it appears that the proper performance of the duties of the member or special warder concerned may be impaired due to the debt or part thereof, the Commissioner may—

- (a) in the case of a commissioned officer take such action as he may deem fit;
- (b) in the case of a non-commissioned member direct that an inquiry be held in terms of regulation 77; and
- (c) in the case of a special warder discharge him summarily.

*(B) Desertion.**Disposal of Private Effects, Personal Property and Outstanding Salary of a Deserter.*

70. (1) If a member or special warder deserts and there be no likelihood of his immediate arrest, his officer commanding may, on the expiration of one month after the date of desertion, sell all private effects or personal property left by the deserter. The proceeds of such sale, together with the salary due to the member or special warder up to the date of desertion, may be utilised for the liquidation of official claims, mess debts, club and such other debts as the Commissioner may determine.

Disposal of Balance of Moneys after Liquidation of Debts.

(2) After all claims and debts referred to in sub-regulation (1) have been liquidated, the balance, if any, shall be paid over to the Master of the Division of the Supreme Court concerned, or in the case of a Bantu member or Bantu special warder, to the Bantu Affairs Commissioner concerned.

OORTREDINGS EN WANGEDRAG.

(A) Lede en spesiale bewaarders.

Oortredings.

71. (1) 'n Lid en spesiale bewaarder maak hom skuldig aan 'n oortreding indien hy—

- (a) sy verloftyd oorskry of sonder verlof afwesig is;
- (b) onder die invloed van bedwelmende drank is, hetsy hy op diens is of nie;
- (c) terwyl hy op diens is bedwelmende drank of verdowingsmiddels gebruik;
- (d) homself ongeskik vir diens maak deur te veel bedwelmende drank of verdowingsmiddels te gebruik;
- (e) 'n gewoonte daarvan maak om 'n plek waar bedwelmende drank verkoop word, te besoek;
- (f) vloek of onbehoorlike taal te eniger tyd of op enige plek gebruik;
- (g) opsetlik of op 'n onwettige wyse 'n vuurwapen op iemand rig of dit weens nalatigheid afvuur;
- (h) opsetlik of weens nalatigheid valse of onjuiste inligting verstrek of aanbied;
- (i) op diens slaap;
- (j) sy plig versuim of dit nie behoorlik uitvoer nie;
- (k) deur nalatigheid 'n gevangene laat ontvlug;
- (l) 'n kommissieloon, geskenk, fooi of vergoeding om hom te beweeg om sy pligte te versuim of enigiets te doen wat met sy plig teenstrydig is of uit hoofde daarvan dat hy 'n bepaalde pos in die Departement van Gevangenisbeheer beklee, vra of dit aanneem, of versuim om skriftelik aan sy bevelvoerende offisier of hoof van die gevangenis of kantoor die aanbod van so 'n kommissieloon, geskenk, fooi of vergoeding te rapporteer;
- (m) sonder die skriftelike toestemming van die Kommissaris ten opsigte van die uitvoering van sy pligte, kommissieloon, 'n fooi, vergoeding of beloning (behalwe die besoldiging wat hom vir sy werk toekom) aanneem of vra of versuim om die aanbod van die kommissieloon, fooi, vergoeding of beloning skriftelik te rapporteer;
- (n) direk of indirek geld leen van of deur bemiddeling van 'n lid van 'n laer rang of spesiale bewaarder, of homself onder geldelike verpligting teenoor 'n mindere in rang stel;
- (o) sonder toestemming van die Kommissaris briefwisseling en gemeenskap hou met die vriende of bloedverwante van 'n gevangene of met 'n oudgevangene;
- (p) sonder toestemming van die Kommissaris ongemagtigde persone in 'n gevangenis toelaat;
- (q) as gevolg van sy nalatigheid die oorsaak is dat 'n gevangene wat onder sy bewaking is, onder die invloed van bedwelmende drank of verdowingsmiddels kom;
- (r) 'n gevangene onder sy toesig direk of indirek dienste laat verrig waarby hyself of 'n ander voordeel of belang het op 'n wyse wat in stryd met die reëls en regulasies van die gevangenis is;
- (s) enigiets aan 'n gevangene leen of verkoop of van 'n gevangene leen of koop of van 'n gevangene of sy bloedverwante of vriende onder watter voorwendsel ook al, geskenke ontvang of beloftes aanneem;
- (t) sonder toestemming van die Kommissaris 'n oudgevangene in sy diens neem;
- (u) sonder toestemming van die Kommissaris gevangenisarbeid vir homself of enige ander lid of spesiale bewaarder aanwend hetsy met of sonder betaling daarvoor;
- (v) sonder toestemming van die Kommissaris 'n ambag, besigheid of enige handels- of landboubedryf beoefen of diere, behalwe troeteldiere, aanhou;
- (w) vergaderings hou of handelinge verrig wat uit die aard daarvan 'n samespanning is of 'n samespanning beoog in verband met die pligte of posisie van 'n lid of 'n beskuldiging teen 'n meerdere in rang;

OFFENCES AND MISCONDUCT.

(A) Members and Special Warders.

Offences.

71. (1) A member and special warder shall be guilty of an offence if he—

- (a) exceeds his period of leave or absents himself without leave;
- (b) is under the influence of intoxicating liquor, whether on or off duty;
- (c) while on duty partakes of any intoxicating liquor or drugs;
- (d) unfits himself for duty by excessive use of intoxicating liquor or drugs;
- (e) habitually frequents any place at which intoxicating liquor is sold;
- (f) swears or uses improper language at any time or place;
- (g) wilfully or unlawfully points a fire-arm at any person, or discharges it through negligence;
- (h) wilfully or negligently furnishes or presents false or incorrect information;
- (i) sleeps on duty;
- (j) neglects or fails to perform his duty properly;
- (k) through negligence allows a prisoner to escape;
- (l) requests or accepts a commission, gift, fee or consideration to induce him to omit to carry out his duty or to do anything in conflict with his duty or by virtue of his holding a certain post in the Prisons Department, or fails to report, in writing, to his officer commanding or member in charge of the prison or office the offer to such commission, gift, fee or consideration;
- (m) without the written permission of the Commissioner accepts or requests in respect of the performance of his duties, a commission, fee, consideration or reward (not being the emoluments payable to him in respect of his duties), or fails to report, in writing, the offer of the commission, fee, consideration or reward;
- (n) directly or indirectly borrows money from or through a member of lower rank or special warder or places himself under a pecuniary obligation to a junior in rank;
- (o) corresponds and associates with the friends or relatives of a prisoner or with an ex-prisoner without permission of the Commissioner;
- (p) admits unauthorised persons into a prison without permission of the Commissioner;
- (q) as a result of his negligence is the cause that a prisoner under his supervision becomes under the influence of intoxicating liquor or drugs;
- (r) directly or indirectly causes a prisoner under his supervision to perform services by which he or another benefits or has an interest, in a manner contrary to the rules and regulations of the prison;
- (s) lends or sells anything to a prisoner or borrows or buys anything from a prisoner, or receives gifts or accepts promises from a prisoner or his relatives or friends under any pretext whatsoever;
- (t) employs an ex-prisoner without permission of the Commissioner;
- (u) applies prison labour for himself or any other member or special warder without permission of the Commissioner, whether with or without paying therefor;
- (v) engages in a trade, business or any commercial or agricultural undertaking or keeps animals, other than pets, without permission of the Commissioner;
- (w) holds meetings or commits acts which in the nature thereof is a conspiracy or aims to be a conspiracy in connection with the duties or position of a member or a charge against a superior;

- (x) politieke invloed of ander weë as die voorgeskrewe amptelike weë gebruik of laat gebruik om griewe kenbaar te maak of sy rang of posisie te verbeter of om voorregte, voordele of 'n oorpasing te verkry;
- (y) aktief deelneem aan die politiek of die kandidatuur van 'n persoon of die belange van 'n politieke party bevorder;
- (z) siekte veins of weens siekte van diens afwesig is en nalaat om so spoedig moontlik aan die hoof van 'n gevangenis of kantoor kennis te gee dat hy siek is;
- (aa) staatseigendom of eiendom van 'n ander lid, menasie, kantien, biblioteek, fonds, klub, of ander gevangenisinstelling of eiendom wat aan 'n gevangene behoort, terughou, verkeerd aanwend, onwettiglik gebruik, deur nalatigheid verloor of moedswillig beskadig;
- (bb) in gebreke bly om enige Diensorder of ander order wat op gesag van die Kommissaris of ander offisier uitgevaardig is, na te kom;
- (cc) 'n wettige bevel wat deur sy meerdere in rang gegee is, nie gehoorsaam nie;
- (dd) hom op 'n manier gedra wat nie vir 'n lid van sy rang betaamlik is nie;
- (ee) enige ander daad begaan of skuldig is aan 'n gedrag of versuim, of dit in 'n ander deel van hierdie regulasies beskryf word of nie, wat die goeie orde en dissipline van 'n gevangenis of die Departement van Gevangenisbeheer benadeel of kan benadeel of die behoorlike vervulling van sy plig raak.

Vonnis.

(2) By skuldigbevinding aan 'n in subregulasie (1) bedoelde oortreding is 'n lid en spesiale bewaarder strafbaar met die straffe wat in artikels vyftig en drie-en-vyftig van die Wet bepaal word.

(B) Skorsing.

Skorsing as voorlopige maatregel.

72. (1) Skorsing vir beweerde of vermoedelike ernstige wangedrag kan as 'n voorlopige maatregel—

- (a) in die geval van 'n offisier deur die Kommissaris gedoen word hangende die uitslag van 'n verwysing na die Minister; en
- (b) in die geval van 'n lid wat nie 'n offisier is nie deur 'n bevelvoerende offisier gedoen word hangende die uitslag van 'n verwysing na die Kommissaris.

Duur van skorsing.

(2) Tensy die Minister in die geval van 'n offisier, of die Kommissaris in die geval van 'n lid wat nie 'n offisier is nie anders gelas, bly die skorsing van 'n lid van krag totdat hy ontslaan word, of indien dit besluit word om hom nie te ontslaan nie, totdat hy diens hervat nadat hy daartoe aangesê is.

(C) Beweerde wangedrag van offisiere.

Ondersoek by beweerde wangedrag.

73. (1) Wanneer beweer word dat 'n offisier 'n bepaling van die Wet oortree het of versuim het om daaraan te voldoen, of enige ander misdryf gepleeg het of wanneer hy daarvan verdink word, moet die Kommissaris 'n voorlopige ondersoek laat instel deur 'n offisier van dieselfde of 'n hoër rang as die offisier oor wie se gedrag die voorgename ondersoek gaan (hierna die verweerder genoem).

Regte van verweerder by ondersoek.

(2) Die verweerder moet van die datum en tyd wat vir die ondersoek bepaal is in kennis gestel word en as hy dit verlang moet alle geleentheid aan hom verleen word om by die ondersoek teenwoordig te wees, getuies teen hom onder kruisverhoor te neem, enige verklaring wat hy wil maak, af te lê en getuies vir sy verdediging op te roep.

- (x) employs political influence or any other than the prescribed official channels or causes such to be employed for representing grievances or to improve his rank or position or to obtain privileges, benefits or a transfer;
- (y) takes an active part in politics or promotes the candidature of a person or the interests of a political party;
- (z) malingers or is absent from duty owing to illness and fails to inform the member in charge of a prison or office, as soon as possible that he is ill;
- (aa) withholds, misapplies, unlawfully uses, loses by neglect or wilfully damages State property or property of another member, mess, canteen, library, fund, club or other prison management or property belonging to a prisoner;
- (bb) fails to comply with any Service order or other order issued by authority of the Commissioner or other commissioned officer;
- (cc) disobeys a lawful order given by his superior in rank;
- (dd) conducts himself in a manner unbecoming a member of his rank;
- (ee) commits any other act or is guilty of conduct or omission, whether or not described in any other part of these regulations, which impairs or may impair the good order and discipline of a prison or the Prisons Department or affecting the due performance of his duty.

Penalties.

(2) A member and special warder is on conviction of an offence referred to in sub-regulation (1), liable to the penalties prescribed in sections fifty and fifty-three of the Act.

(B) Suspension.

Suspension as a Provisional Measure.

72. (1) Suspension for alleged or suspected serious misconduct may as a provisional measure—

- (a) in the case of a commissioned officer, be ordered by the Commissioner, pending the result of a reference to the Minister; and
- (b) in the case of a non-commissioned member, be ordered by the officer commanding, pending the result of a reference to the Commissioner.

Duration of Suspension.

(2) Unless otherwise directed by the Minister in the case of a commissioned officer, or the Commissioner in the case of a non-commissioned member, the suspension of a member continues until he is discharged or if it is decided not to discharge him, until he resumes duty after having been ordered to do so.

(C) Alleged Misconduct of Commissioned Officers.

Investigation at Alleged Misconduct.

73. (1) When it is alleged that a commissioned officer has contravened a provision of the Act, or has omitted to comply therewith, or has committed any other offence, or is suspected thereof, the Commissioner shall cause a preliminary investigation to be made by a commissioned officer of equal rank or a higher rank than the commissioned officer whose conduct it is intended to investigate (hereinafter called the defendant).

Defendant's Rights at Investigation.

(2) The defendant shall be advised of the date and time fixed for the conducting of the investigation and shall, if he desires, be afforded every opportunity of being present at the investigation, of cross-examining any witnesses against him, of making any statement he may wish to make, and of producing any witnesses in his defence.

Pligte van offisier belas met ondersoek.

(3) Die offisier wat met die ondersoek belas is, moet die getuie wat voor hom afgelê word skriftelik afneem en dit deur die getuie laat onderteken nadat hy dit aan die getuie voorgelees het: Met dien verstande dat, indien die teenwoordigheid van 'n getuie weens buitensporige onkoste of tydverlies of 'n ander geldige rede volgens die mening van die offisier wat met die ondersoek belas is, nie geredelik verkry kan word nie, 'n verklaring wat deur so 'n getuie heet onderteken te wees, aangeneem kan word deur bedoeelde offisier wat dit aan die verweerder moet voorlees.

Vrae deur offisier belas met ondersoek.

(4) Die offisier wat met die ondersoek belas is, kan aan 'n getuie wat by die ondersoek ondervra word, enige vrae stel wat hy wenslik ag om die waarheid of juistheid van enigiets wat die getuie beweer het, te toets en andersins om vas te stel wat die waarheid is, maar die verweerder mag nie onder kruisverhoor geneem word oor enige verklaring wat hy wens te maak nie.

Waarskuwing indien verweerder verklaring wil aflê.

(5) As die verweerder 'n verklaring wil aflê, moet hy vooraf gewaarsku word dat enigiets wat hy sê as getuie-gebruik kan word ingeval sy saak later deur 'n raad van ondersoek kragtens artikel vyf-en-vyftig van die Wet of andersins behandel word.

Verrigtinge as vertroulik beskou.

(6) Die verrigtinge word as vertroulik beskou en nadat dit afgehandel is, moet die notule daarvan aan die Kommissaris voorgeleë word.

Stappe indien prima facie saak bestaan.

(7) As die Kommissaris van mening is dat daar 'n *prima facie* saak teen die verweerder bestaan, kan hy hom laat aankla weens enige oortreding van die Wet of die regulasies wat deur die ondersoek aan die lig gebring is en kan hy van die verweerder eis dat hy skuld moet beken of ontken.

Verslag aan Minister.

(8) (a) By ontvangs van die verweerder se skuldbekening of -ontkenning moet die Kommissaris 'n verslag by die Minister indien.

(b) As die verweerder skuld ontken het en die Minister van mening is dat daar voldoende rede is om met die saak voort te gaan, kan hy die geval aan die Goewerneur-generaal voorlê met die oog op die aanstelling, kragtens die bepalinge van artikel vyf-en-vyftig van die Wet, van 'n raad van ondersoek, om ondersoek in te stel na die waarheid van die beskuldiging; of die Minister kan gelas dat die stukke na die Prokureur-generaal verwys word met die oog op 'n verhoor voor 'n geregshof weens 'n aanklag van 'n oortreding wat by die voorlopige ondersoek aan die lig gekom het.

(c) As die verweerder skuld beken het, lê die Minister die stukke aan die Goewerneur-generaal voor om te besluit watter stappe gedoen moet word kragtens artikel vyf-en-vyftig van die Wet.

(D) Raad van ondersoek kragtens artikel vyf-en-vyftig van die Wet aangestel.

Voorsitter van raad van ondersoek.

74. (1) Een van die lede van die raad van ondersoek kragtens artikel vyf-en-vyftig van die Wet aangestel, moet as voorsitter aangewys word en moet by al die vergaderings van die raad voorsit.

Aanstelling van aanklaer.

(2) Wanneer so 'n raad aangestel is, moet die Kommissaris 'n offisier van dieselfde of 'n hoër rang as die beskuldigde aanwys om as aanklaer op te tree en as dit nodig blyk dat hy by die ondersoek wat deur die raad ingestel word ook getuie is wat nie van 'n suiwer formele aard is nie, moet aflê, moet hy dit sover doenlik doen voordat enige ander getuie opgeroep word.

Duties of Commissioned Officer Conducting Investigation.

(3) The evidence adduced before the commissioned officer conducting the investigation shall be taken down by him in writing, and be signed by the witness after having been read over to him: Provided that if, owing to the excessive expense or loss of time involved or other valid reason, in the opinion of the officer conducting the investigation, the attendance of any witness cannot be readily procured, a statement purporting to be signed by such witness may be accepted by the commissioned officer referred to, who shall read it over to the defendant.

Questions by Commissioned Officer Conducting the Investigation.

(4) The commissioned officer conducting the investigation may put any questions to a witness examined at the investigation as he may deem desirable for the purpose of testing the truth or accuracy of anything the witness has alleged and otherwise to establish the truth; but the defendant may not be cross-examined on any statement he may elect to make.

Warning if Defendant Elects to Make a Statement.

(5) Should the defendant elect to make a statement, he shall be given prior warning that anything he says may be used as evidence in the event of his case being subsequently dealt with by a board of inquiry in terms of section fifty-five of the Act, or otherwise.

Proceedings Treated as Confidential.

(6) The proceedings shall be treated as confidential and when completed, the minutes thereof shall be submitted to the Commissioner.

Action if Prima Facie Case is Established.

(7) If the Commissioner considers that a *prima facie* case against the defendant has been established he may cause the defendant to be charged with any offense against the Act or the regulations disclosed by the investigation and call upon the defendant to admit or deny his guilt.

Report to Minister.

(8) (a) On receipt of the defendant's admission or denial of guilt the Commissioner shall submit a report to the Minister.

(b) If the defendant has denied guilt and the Minister is of opinion that there is sufficient reason to proceed with the case, he may submit the matter to the Governor-General with a view to the appointment, in terms of the provisions of section fifty-five of the Act, of a board of inquiry to inquire into the truth of the charge; or the Minister may direct that the documents be submitted to the Attorney-General with a view to a hearing by a court of law on a charge of an offence disclosed at the preliminary investigation.

(c) If the defendant has admitted guilt, the Minister submits the documents to the Governor-General to decide which action shall be taken in terms of section fifty-five of the Act.

(D) Board of Inquiry Constituted in Terms of Section fifty-five of the Act.

Chairman of Board of Inquiry.

74. (1) One of the members of a board of inquiry appointed in terms of section fifty-five of the Act, shall be designated as chairman and shall preside at all meetings of the Board.

Appointment of Prosecutor.

(2) When such a Board has been appointed the Commissioner shall detail a commissioned officer of equal rank or a higher rank than the accused to act as prosecutor, and if it should be necessary for him to give evidence at the inquiry held by the board, other than evidence of a merely formal nature, he shall as far as practicable, give it before calling any other witnesses.

Plek van ondersoek.

(3) Die ondersoek moet gehou word by enige gevangenis of op enige ander plek wat deur die Kommissaris vir dié doel aangewys is en wat deur die voorsitter as die gerieflikste geag word.

Kennisgewing van besonderhede van ondersoek aan lede van raad en betekening van afskrif van brief aan beskuldigde.

(4) Die voorsitter van die raad moet sowel die aanklaer as die ander lede van die raad van die plek waar, en die datum en tyd waarop die ondersoek sal plaasvind in kennis stel, en hy moet aan die aanklaer 'n afskrif van die brief waarvolgens die raad aangestel word, stuur om aan die beskuldigde beteken te word.

Pligte van aanklaer.

(5) (a) Die aanklaer moet minstens een week voor die ondersoek 'n aanvang neem, sorg dat vermelde afskrif aan die beskuldigde oorhandig word en hom in kennis stel van die plek waar en die datum en tyd waarop die ondersoek sal plaasvind.

(b) Die aanklaer moet sorg dat alle lede wat as getuies by die ondersoek nodig is, teenwoordig is, hetsy vir die vervolging of vir die verdediging en, indien nodig, moet hy dagvaardings van die voorsitter van die raad verkry om die aanwesigheid van getuies wat nie lede is nie, te verseker.

Uitreiking en betekening van dagvaardings.

(6) Dagvaardings moet in die voorgeskrewe vorms uitgereik word en moet op dieselfde manier en binne dieselfde tyd as wat vir die betekening van dagvaardings in 'n landdroshof bepaal is, beteken word.

Uniform by ondersoek.

(7) Die beskuldigde moet in uniform by die ondersoek verskyn.

Wie by ondersoek teenwoordig mag wees.

(8) Tensy die toestemming van die voorsitter verkry is, mag niemand anders as die aanklaer, die beskuldigde en sy regsverteenvoorder, 'n getuie, terwyl hy ondervra word, en 'n tolk, indien een nodig is, by die ondersoek teenwoordig wees nie.

Bevinding en verslag aan Kommissaris.

(9) Nadat alle beskikbare getuienis aangehoor is, moet die raad sy bevinding notuleer en die verslag saam met sy aanbeveling aan die Kommissaris stuur om deur bemiddeling van die Minister aan die Goewerneur-generaal deurgestuur te word.

*(E) Verhore kragtens artikel drie-en-veertig van die Wet.**Prosedure by verhoor.*

75. (1) 'n Verhoor kragtens artikel drie-en-veertig van die Wet moet ingevolge die bepalings van artikels agt-en-veertig en nege-en-veertig van die Wet gehou word en die bepalings wat betrekking het op getuienis en getuies in kriminele vervolgings in 'n landdroshof word ook op so verhoor toegepas.

Aanstelling van aanklaer.

(2) 'n Lid van dieselfde of 'n hoër rang as dié van die beskuldigde moet deur die offisier wat die saak verhoor, aangestel word om as aanklaer op te tree en as dit vir hom nodig is om getuienis wat nie slegs van formele aard is nie vir die vervolging af te lê, moet hy dit sover moontlik doen voordat ander getuies opgeroep word.

Reëlins wat deur aanklaer getref moet word en verkryging van dagvaardings.

(3) (a) Die aanklaer moet reëlins tref vir die verskyning van die beskuldigde en dat besonderhede van die aanklag 'n redelike tyd voor die uur wat vir die verhoor bepaal is aan hom verstrek word.

Place of Investigation.

(3) The inquiry shall be held at any prison or at any other place indicated for this purpose by the Commissioner and considered by the chairman to be the most convenient.

Notification of Particulars of the Inquiry to Members of the Board and Service of Copy of Letter on Accused.

(4) The chairman of the board shall notify the prosecutor as well as the other members of the board of the place where and the date and time when, the inquiry will be held, and shall forward to the prosecutor a copy of the letter appointing the board, for service on the accused.

Duties of Prosecutor.

(5) (a) The prosecutor shall at least one week before the inquiry commences, ensure that the said copy is handed to the accused and notify him of the place where, and the date and time when the inquiry will be held.

(b) The prosecutor shall ensure that all members who are required as witnesses, whether for the prosecution or the defence, are present at the inquiry and, if necessary, he shall obtain from the chairman of the board subpoenas to secure the attendance of any witnesses who are not members.

Issue and Service of Subpoenas.

(6) Subpoenas shall be issued in the prescribed form and service thereof shall be effected in the same manner and within the same period as required for the service of subpoenas in a magistrates court.

Uniform at Inquiry.

(7) At the inquiry the accused shall attend in uniform.

Who may be Present at Inquiry.

(8) Except with the consent of the chairman, no person other than the prosecutor, the accused and his legal representative, a witness while under examination and an interpreter, if one is required, shall be present during the inquiry.

Finding and Report to Commissioner.

(9) When all the available evidence has been heard, the board shall record its finding and forward the proceedings with the Board's recommendation to the Commissioner for transmission, through the Minister, to the Governor-General.

*(E) Trials in Terms of Section fifty-three of the Act.**Procedure at Trials.*

75. (1) A trial under section fifty-three of the Act shall be held in terms of the provisions of sections fifty-eight and fifty-nine of the Act and the provisions relating to evidence and to witnesses as applicable in connection with criminal proceedings in a Magistrates court, shall also be observed in connection with such trial.

Appointment of Prosecutor.

(2) A member of equal or higher rank than the accused shall be detailed by the presiding commissioned officer to act as prosecutor and if it should be necessary for him to give evidence for the prosecution other than of a merely formal nature, he shall as far as practicable, give it before calling any other witnesses.

Arrangements to be Made by Prosecutor and Securing of Subpoenas.

(3) (a) The prosecutor shall arrange for the attendance of the accused and that he be furnished with particulars of the charge a reasonable time before the hour fixed for the trial.

(b) Die aanklaer moet ook sorg dat lede en spesiale bewaarders wat getuienis in 'n saak moet aflê, teenwoordig is, en indien nodig moet hy van die offisier wat die saak verhoor dagvaardings kry om te verseker dat getuies wat nie lede is nie, aanwesig is.

Betekening van dagvaardings.

(4) Die betekening van dagvaardings moet op dieselfde wyse en binne dieselfde tydperk geskied soos vereis vir die betekening van dagvaardings in 'n landdroshof.

Insae in notule van verhoor.

(5) Die beskuldigde of sy regsvertegenwoordiger mag onder toesig insae in die notule van die verhoor hê en 'n afskrif daarvan maak en is geregtig om van 'n afskrif daarvan voorsien te word teen betaling van die gelde wat vir 'n afskrif van die notule van 'n summere verhoor in 'n landdroshof betaalbaar is.

Stappe wat deur bevelvoerende offisier geneem kan word en hoe met vonnis van „berisping” gehandel moet word.

(6) (a) Ondanks andersluidende bepalings in hierdie regulasie vervat, kan die bevelvoerende offisier, as die oortreding volgens sy oordeel van geringe aard is en die betrokke lid of spesiale bewaarder nadat besonderhede van die aanklag aan hom verstrekkend is, skuld erken, sonder om getuienis af te neem die betrokke lid of spesiale bewaarder op sy skuldbekentenis skuldig bevind en hom vonnis tot 'n berisping.

(b) 'n Vonnis kragtens paragraaf (a) opgelê word nie op die betrokke lid of spesiale bewaarder se staat van oortredings aangeteken nie en word ook nie by enige latere vervolging in verband met die dissipline as 'n vorige veroordeling geag nie.

(c) Die Kommissaris kan gelas dat 'n berisping wat vir enige oortreding as 'n vonnis opgelê word, nie op die staat van oortredings van 'n lid of spesiale bewaarder aangeteken word nie. So 'n veroordeling sal nie by enige latere vervolging in verband met die dissipline as 'n vorige veroordeling geag word nie.

(F) Staat van oortredings.

Aantekening van veroordelings.

76. (1) (a) Onderworpe aan die bepalings van subregulasie (6) van regulasie 75 moet alle oortredings ten opsigte waarvan 'n lid wat nie 'n offisier is nie of 'n spesiale bewaarder veroordeel word, hetsy deur 'n hooggeregshof of 'n landdroshof of ingevolge artikel drie-en-veertig van die Wet, in 'n staat van oortredings aangeteken word.

(b) Indien 'n lid of spesiale bewaarder vir 'n tydperk van vyf jaar sedert die datum van sy laaste veroordeling nie weens 'n verdere oortreding veroordeel word nie, word alle vorige veroordelings van daardie lid of spesiale bewaarder van bedoelde staat van oortredings geskrap.

(c) 'n Inskrywing ten opsigte van 'n opgeskorte of uitgestelde vonnis opgelê kragtens paragrafe (a), (a) *bis* en (b) van subartikel (1) van artikel driehonderd twee-en-veertig van die Strafproseswet, 1955 (Wet No. 56 van 1955), saamgelees met subartikels (4), (4) *bis* en (5) van dieselfde artikel word geskrap sodra al die voorwaardes in sodanige vonnis nagekom is, ongeag die bepalings van subparagraaf (b) van hierdie regulasie.

Vorige veroordelings en Medalje vir Troue Diens in die Departement van Gevangenis.

(2) Ondanks die feit dat hulle geskrap is, word geskrapte vorige veroordelings nogtans in aanmerking geneem wanneer die toekenning van die Medalje vir Troue Diens in die Departement van Gevangenis waarvoor in regulasie 81 voorsiening gemaak word, oorweeg word.

(b) The prosecutor shall also ensure the attendance of members and special warders who must give evidence in the case, and if necessary, obtain from the presiding commissioned officer subpoenas to ensure the attendance of any witnesses who are not members.

Service of Subpoenas.

(4) The service of subpoenas shall be effected in the same manner and within the same period as is required for the service of subpoenas in a magistrates court.

Inspection of Proceedings of Trial.

(5) The accused or his legal representative may, under supervision, inspect and make a copy of the record of proceedings of the trial and is entitled to be supplied with a copy thereof on payment of the fees chargeable for a copy of the record of a summary trial in a magistrates court.

Action to be Taken by Officer Commanding and the Manner in which a Sentence of a "Reprimand" shall be Dealt with.

(6) (a) Notwithstanding any provisions to the contrary contained in this regulation, the officer commanding may without recording evidence, if he is of opinion that the offence is of a trivial nature and the member or special warder concerned admits guilt after having been furnished with particulars of the charge, find the member or special warder concerned guilty on his admission of guilt, and sentence him to a reprimand.

(b) Any punishment imposed under paragraph (a) shall not be entered on the record of offences of the member or special warder concerned, nor will it be deemed a previous conviction in any subsequent prosecution in connection with discipline.

(c) The Commissioner may direct that a reprimand imposed as a sentence for any offence, not be entered on the record of offences of a member or special warder. Such a conviction shall not be deemed a previous conviction in any subsequent prosecution in connection with discipline.

(F) Record of Offences.

Recording of Offences.

76. (1) (a) Subject to the provisions of sub-regulation (6) of regulation 75, all offences of which a non-commissioned member or special warder is convicted, whether by a supreme court or a magistrate's court, or under section fifty-three of the Act, shall be entered on a record of offences.

(b) When a member or a special warder has not been convicted of a further offence for a period of five years with effect from the date of his last conviction, all previous convictions of that member or special warder shall be expunged from his record of offences.

(c) An entry in respect of a suspended or postponed sentence imposed in terms of paragraphs (a), (a) *bis*, and (b) of sub-section (1) of section three hundred and fifty-two of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), read with sub-section (4), (4) *bis* and (5) of the same section, is expunged immediately all the conditions in such sentence have been observed irrespective of the provisions of sub-paragraph (b) of this regulation.

Previous Convictions and Faithful Service Medal in the Prisons Department.

(2) Notwithstanding their expunction, all expunged previous convictions shall nevertheless be taken into account when the award of a Faithful Service Medal in the Prisons Department, provided for in regulation 81, is being considered.

(G) *Ondersoek ingevolge subartikel (1) van artikel dertien van die Wet.**Ondersoek na vraag of lid geskik is om in diens te bly of rang te behou.*

77. (1) (a) Voordat 'n lid wat nie 'n offisier is nie, ingevolge paragraaf (d) of (e) van subartikel (4) van artikel twaalf van die Wet weens ongeskiktheid vir sy pligte of onvermoë om hulle op bekwame wyse uit te voer, of wangedrag, uit die diens van die Departement van Gevangenis- en strafbetering, of, behoudens die voorbehoudsbepaling van subartikel (1) van artikel dertien van die Wet, ingevolge genoemde subartikel ontslaan of in rang of in rangsenioriteit verlaag word, moet die Kommissaris 'n offisier aanstel om 'n ondersoek in te stel na die vraag of so 'n lid geskik is om in die Departement van Gevangenis- en strafbetering te bly of om sy rang te behou.

(b) Die aard van die ondersoek, die tyd wanneer en die plek waar dit gehou sal word, moet 'n redelike tyd voor so 'n ondersoek skriftelik aan die betrokke lid verstrekkend word.

Regte van lid ten opsigte van wie ondersoek gehou word.

(2) Die betrokke lid kan die geleentheid gegee word om—

- (a) teenwoordig te wees;
- (b) enige verklaring wat hy wil maak, af te lê;
- (c) getuies wie se getuienis volgens sy mening nie ten gunste van hom is nie te kruisvra;
- (d) self getuies te roep;
- (e) enige bewys vir sy verdediging te lewer; en
- (f) deur sy regsvertegenwoordiger bygestaan te word.

Met dien verstande dat versuim van die betrokke lid of sy regsvertegenwoordiger om die ondersoek by te woon nie die verrigtinge ongeldig maak nie.

Afneem van voldoende getuienis en dagvaarding van getuies.

(3) Ten einde volledige besonderhede te verkry, moet voldoende getuienis deur die offisier wat die ondersoek instel, genotuleer word. Indien hy van oordeel is dat die getuienis van 'n besondere persoon van wesenlike belang is by die ondersoek wat hy instel en die teenwoordigheid van so 'n persoon andersins nie verkry kan word nie, kan sy so 'n persoon dagvaar. Indien hy van oordeel is dat dit onredelik sou wees om te verlang dat sekere getuies moet verskyn weens te hoë onkoste of tydverlies of om enige ander afdoende rede, kan hy 'n beëdigde of gewone verklaring of ander dokumentêre getuienis aanneem.

Notule van verrigtinge.

(4) Die offisier wat die ondersoek instel, moet die notule saam met enige opmerking wat hy wens te maak en sy aanbevelings aan die Kommissaris stuur.

Omskrywing van „wangedrag”.

(5) By die toepassing van hierdie regulasie beteken „wangedrag”—

- (a) 'n oortreding van of versuim om te voldoen aan 'n bepaling van die Wet; of
- (b) die pleeg van enige ander misdryf.

(H) *Appel by die Minister.**Prosedure by appel.*

78. (1) (a) 'n Lid wat verlang om ingevolge die bepalinge van subartikel (2) van artikel dertien van die Wet by die Minister teen 'n bevel waarby hy ontslaan of in rang of in rangsenioriteit verlaag word, te appelleer, moet binne veertien dae nadat hy van die uitvaardiging van so 'n bevel in kennis gestel is 'n skriftelike kennisgewing van appel by die bevelvoerende offisier vir deursending aan die Kommissaris indien, waarin hy duidelik en in besonderhede die gronde vir die appel uiteensit. Die Kommissaris moet die appel saam met die notule van die saak en die dokumente in verband daarmee aan die Minister stuur.

(b) Die appel by die Minister bring nie 'n opskorting van die bevel van die Kommissaris mee nie.

(G) *Inquiries in Terms of sub-section (1) of section thirteen of the Act.**Inquiry into the Question whether a Member is Suitable for Retention in Service, or Retention of Rank.*

77. (1) (a) Before a non-commissioned member is dismissed from the service of the Prisons Department in terms of paragraph (d) or (e) of sub-section (4) of section twelve of the Act, on account of his unsuitability or incapacity to discharge his duties in a satisfactory manner, or subject to the provisions of sub-section (1) of section thirteen of the Act, is dismissed or degraded in rank or in seniority in rank, in terms of the said sub-section, the Commissioner shall appoint a commissioned officer to conduct an inquiry as to the question of the suitability of such member to remain in the service of the Prisons Department, or to retain his rank.

(b) The member concerned shall within a reasonable time before the inquiry be informed in writing of the time, place and nature thereof.

Rights of Members in Respect of Whom an Inquiry is Held.

(2) The member concerned may be given the opportunity to—

- (a) be present;
- (b) make any statement he wishes to make;
- (c) cross-examine any witness whose evidence in his opinion, is unfavourable to him;
- (d) call witnesses;
- (e) produce any evidence in his defence; and
- (f) be represented by his legal adviser:

Provided that the failure on the part of the member or his legal adviser to be present at the inquiry will not nullify the proceedings.

Adduction of Sufficient Evidence and Subpoenaing of Witnesses.

(3) In order to obtain full particulars the commissioned officer conducting the inquiry shall record sufficient evidence. If he is of the opinion that the evidence of a particular person is essential at the inquiry and his presence cannot otherwise be effected he may subpoena such a person. If he is of the opinion that it would be unreasonable to require the attendance of any witnesses, owing to the expense or loss of time involved, or for any other good and sufficient reason, he may accept an affidavit or statement or other documentary evidence.

Record of Proceedings.

(4) The commissioned officer conducting the inquiry shall submit the proceedings, together with any comments he wishes to make, and his recommendations to the Commissioner.

Definition of “Misconduct”.

(5) For the purpose of this regulation “misconduct” means—

- (a) a contravention of or any failure to comply with any provision of the Act; or
- (b) the commission of any other offence.

(H) *Appeal to the Minister.**Procedure of Appeal.*

78. (1) (a) A member who desires, in terms of sub-section (2) of section thirteen of the Act, to appeal to the Minister against an order whereby he was dismissed or degraded in rank or seniority in rank, must, within fourteen days of the date on which he was notified of such order, notify the officer commanding in writing for transmission to the Commissioner, of such an appeal, and should therein clearly set out the grounds for the appeal. The Commissioner shall submit the appeal together with the minutes of the case and the documents in connection therewith to the Minister.

(b) The appeal to the Minister does not suspend the operation of the order of the Commissioner.

Beslissing van Minister.

(2) Die Minister moet ingevolge die bepalings van sub-artikel (2) van artikel *dertien* van die Wet 'n beslissing oor die appèl gee na oorweging van die saak, die dokumente wat daarop betrekking het en enige skriftelike argumente wat deur die appellant of sy regsverteenvoerder aan hom gerig is. Die Minister hoor geen mondelinge argumente aan nie.

*(I) Appèl by die Kommissaris.**Prosedure by appèl.*

79. (1) (a) 'n Lid of spesiale bewaarder wat verlang om ingevolge die bepalings van subartikel (5) van artikel *drie-en-veertig* van die Wet by die Kommissaris teen 'n veroordeling en vonnis te appelleer, moet binne veertien dae na die datum van die betrokke veroordeling of vonnis by sy bevelvoerende offisier 'n skriftelike kennisgewing van appèl indien waarin hy duidelik en in besonderhede die gronde waarop die appèl gegrond word, uiteensit.

(b) Die offisier wat met die verhoor belas was, moet by ontvangs van die kennisgewing van appèl 'n skriftelike verklaring verstrek waarin aangegee word—

- (i) die redes vir 'n beslissing aangaande feite waarteen blykens aangifte in die appellant se verklaring geappelleer word;
- (ii) die feite wat hy bevind het, bewys te wees; en
- (iii) sy redes vir 'n beslissing betreffende die toelating of verwerping van getuienis waarteen blykens sodanige aangifte geappelleer word.

(c) Indien die offisier wat met die verhoor belas was, nie die bevelvoerende offisier was nie, moet hy die in paragraaf (b) bedoelde verklaring binne sewe dae na ontvangs van die kennisgewing van appèl van die bevelvoerende offisier, by laasgenoemde indien.

(d) Die bevelvoerende offisier moet binne veertien dae na ontvangs van kennisgewing van appèl die verklaring ingevolge paragraaf (c) ontvang, of indien die bevelvoerende offisier self die saak verhoor het, die in paragraaf (b) bedoelde verklaring verstrek en tesame met die notule van die saak en alle dokumente in verband daarmee en enige opmerkings wat hy wens om daarby te voeg, aan die Kommissaris stuur.

Beslissing van Kommissaris.

(2) Die Kommissaris moet ingevolge die bepalings van subartikel (5) van artikel *drie-en-veertig* van die Wet, 'n beslissing oor die appèl gee na oorweging van die notule van die saak en verwante dokumente, sonder om enige mondelinge argumente van die appellant, sy regsverteenvoerder, die aanklaer of van die offisiere wat die saak verhoor het, aan te hoor.

*ONTSLAG, MEDALJE EN DOOD.**(A) Ontslag.**Ontslagsertifikaat by ontslag.*

80. (1) Aan elke lid wat nie 'n offisier is nie en aan dié in paragraaf (a) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarders wat nie minder as drie maande diens voltooi het nie, moet by ontslag 'n ontslagsertifikaat op die voorgeskrewe vorm verstrek word wat behoorlik ingevul en deur of namens die Kommissaris medeonderteken is.

Sertifikaat moet feite weergee.

(2) Geen ontslagsertifikaat waarop 'n verklaring omtrent sy gedrag gegee word wat nie deur sy gedrag, ywer en vlyt gedurende sy diens tyd in die Departement van Gevangenisre geregverdig is nie, mag aan sodanige lid of spesiale bewaarder uitgereik word nie.

Afskrif van sertifikaat.

(3) Vir 'n ontslagsertifikaat wat verniel of verlore is, mag alleen in buitengewone omstandighede met magtiging van die Kommissaris 'n afskrif uitgereik word.

Decision of Minister.

(2) The Minister shall, in terms of the provisions of sub-section (2) of section *thirteen* of the Act, decide on the appeal after consideration of the case, the relevant documents and any written arguments addressed to him by the appellant or his legal adviser. The Minister shall not hear *viva voce* arguments.

*(I) Appeal to the Commissioner.**Procedure of Appeal.*

79. (1) (a) A member or special warder who desires, in terms of sub-section (5) of section *fifty-three* of the Act to appeal to the Commissioner against a conviction and sentence shall give notice in writing of the appeal to his officer commanding within fourteen days of the date of such conviction or sentence, wherein he clearly and in detail sets out the grounds on which the appeal is based.

(b) The commissioned officer presiding at the trial shall upon receipt of the notice of appeal furnish a written statement containing—

- (i) the reasons for decision regarding the facts against which are appealed, according to the declarations in the statement of the appellant;
- (ii) the facts he found to have been proved; and
- (iii) his reasons for a decision regarding the admission or rejection of evidence, which, according to the declarations are appealed against.

(c) If the commissioned officer who has presided at the trial is not the officer commanding, he shall, within seven days after receipt of notice of appeal from the officer commanding, submit the statement referred to in paragraph (b) to him.

(d) The officer commanding shall within fourteen days of receipt of the notice of appeal submit the statement received in terms of paragraph (c), or if the officer commanding himself presided at the trial, furnish the statement referred to in paragraph (b) and submit it together with the proceedings of trial and all relevant documents as well as any comments he wishes to add to the Commissioner.

Commissioner's Decision.

(2) The Commissioner shall in terms of sub-section (5) of section *fifty-three* of the Act, decide the appeal after consideration of the proceedings of trial and relevant documents, without hearing any *viva voce* arguments from either the appellant, his legal adviser, the prosecutor or the presiding officers.

*DISCHARGE, MEDAL AND DEATH.**(A) Discharge.**Discharge Certificate on Discharge.*

80. (1) Every non-commissioned member, and the special warders referred to in paragraph (a) of sub-regulation (1) of regulation 9, who have completed not less than three months' service, shall on discharge be given a certificate of discharge on the prescribed form, duly completed and countersigned by or on behalf of the Commissioner.

Certificate Must Reflect Facts.

(2) No certificate of discharge containing a statement regarding his character, which is not justified by his conduct, diligence and zeal during the period of his service with the Prisons Department, shall be issued to such a member or special warder.

Copy of Certificate.

(3) A copy of a certificate of discharge which has been destroyed or lost shall only in exceptional circumstances be issued with the approval of the Commissioner.

(B) Medalje vir Troue Diens in die Departement van Gevangenisse.

Waarvoor medalje toegeken kan word.

81. (1) (a) Op aanbeveling van die Kommissaris kan 'n medalje wat die „Medalje vir Troue Diens” genoem word, deur die Minister toegeken word aan 'n lid wat—

- (i) minstens agtien jaar diens voltooi het en hom gedurende daardie tyd onberispelik gedra het; of
- (ii) besonder voortreflike of dappere diens verrig het.

(b) As 'n toekenning ingevolge subparagraaf (ii) gemaak word, word 'n balk met die woorde „Verdiens-
telik-Meritorius” daarop bygevoeg en op dieselfde manier kan balke aan enige medalje wat alreeds toegeken is, weens verdere voortreflike gedrag of dapperheid bygevoeg word.

Vorm van en inskripsie op medalje.

(2) Die medalje is rond, van silwer en een-en-sewese-
stende duim in deursnee en het die wapen van die Unie en die woorde „Departement van Gevangenis-
Prisons Department” op die een kant, en die woorde „Vir Troue Diens—For Faithful Service” op die keersy. Die medalje moet aan 'n groen-wit-blou-wit-groen gekleurde lint wat een en 'n kwart duim breed en een duim lank is, hang en moet twee duim bo die sak op die linkerbors aangeheg word.

Dienstyd in ander erkende gevangensdiens kan by diens in S.A. Departement van Gevangenisse getel word.

(3) Die Minister kan sy toestemming verleen dat die totale lengte van diens in 'n ander erkende gevangens-
diens behalwe die in die Suid-Afrikaanse Departement van Gevangenis-
se, vir die verwerping van die medalje saam-
getel kan word.

Voorwaardes vir toekenning van medalje.

(4) Die toekenning van 'n medalje aan 'n lid mag deur die Kommissaris by die Minister aanbeveel word alleenlik indien hy kan sertifiseer dat so 'n lid se gedrag voorbeel-
dig was en hy hom die onderskeiding in elke opsig waar-
dig ag. Vir hierdie doel kan aangeneem word dat eervolle vermeldings in 'n lid se diensregister aangeteken, die aantal aantekeninge teen hom verminder en dat 'n lid wat weens 'n ernstige oortreding of skandelijke gedrag ver-
oordeel is, nie vir die toekenning in aanmerking kan kom nie.

Aanbieding van medalje.

(5) Die medalje moet op 'n parade of by 'n byeenkoms wat spesiaal vir daardie doel belê is, aangebied word en moet deur die ontvanger gedra word as 'n eervolle hulde-
blyk.

Aantekening van naam van ontvanger.

(6) Die name van die ontvangers moet in die diens-
orders afgekondig en in 'n register wat in die Departementele Hoofkwartier gehou word, opgeteken word. In hierdie register word die nommer, rang en naam van die betrokke lid vermeld, asook besonderhede omtrent die redes vir die toekenning van die medalje.

Verbeuring van reeds ontvangte medalje weens wangedrag of dros.

(7) (a) 'n Ontvanger wat later skuldig bevind word aan dros of enige ander oortreding van 'n bedrieglike of skandelijke aard, of wat weens wangedrag ontslaan word, verbeur sy medalje.

(b) Sodanige verbeurde medalje moet aan die Kommissaris teruggestuur word en sodanige lid se naam moet uit die register in subregulasie (6) vermeld, geskrap word.

(c) Die Minister kan 'n verbeurde medalje op aanbeveling van die Kommissaris weer teruggee.

Vervanging van verlore of vernietigde medalje.

(8) (a) Wanneer die medalje verlore raak of vernietig word, kan die besitter (as hy nog in diens is) deur bemid-
deling van sy bevelvoerende offisier, 'n nuwe medalje by die Kommissaris aanvra.

(B) Faithful Service Medal in the Prisons Department.

Reasons for the Awarding of Medal.

81. (1) (a) On the recommendation of the Commissioner, the Minister may award a medal which shall be named the “Faithful Service Medal”, to a member, who has—

- (i) completed not less than eighteen years' service and conducted himself irreproachably during that period; or
- (ii) performed service of a particularly distinguished or gallant nature.

(b) When an award under sub-paragraph (ii) is made a bar bearing the words “Verdiens-
telik—Meritorious” shall be added and, similarly bars may be added to any medal already granted, on account of further distinguished service or gallantry.

Shape of and Inscription on Medal.

(2) The medal is circular, of silver, and one and seven-
sixteenths of an inch in diameter, and shall have on one side the coat of arms of the Union and the words “Departement van Gevangenis-
Prisons Department” and on the reverse side the words “Vir Troue Diens—
For Faithful Service”. The medal shall be suspended from a riband of the colours green-white-blue-white-green and one inch and a quarter in width and one inch in length, affixed two inches above the pocket on the left breast.

Service with Other Recognised Prisons Service may be Added to Service with the S.A. Prisons Department.

(3) The Minister may permit the whole service in any recognized prisons service, other than the South African Prisons Service, to count towards earning the medal.

Conditions on Which a Medal is Awarded.

(4) The recommendation for award of a medal to a member shall only be made to the Minister by the Commissioner if he can certify that the behaviour of such member was exemplary and that he considers him in every way worthy of such distinction. For this purpose it may be accepted that commendations recorded on the record of service of the member, diminishes the member of entries against him and that a member who has been convicted of a serious offence or disgraceful behaviour is not considered for the award.

Presentation of Medal.

(5) The medal shall be presented on a parade or at a gathering specially convened for the purpose, and shall be worn by the recipient as an honourable testimonial.

Entry of Name of Recipient.

(6) The names of the recipients shall be published in the Service orders and be entered in a register to be kept at the Departmental Headquarters. In this register the number, rank, and name of the member concerned and particulars regarding the reasons for the award of the medal, shall be recorded.

Forfeiture of Medal Already Received on Account of Misconduct or Desertion.

(7) (a) A recipient who is subsequently found guilty of desertion, or of any offence of a fraudulent or disgraceful nature or who is dismissed on account of misconduct, forfeits his medal.

(b) Such forfeited medal shall be returned to the Commissioner and such member's name shall be struck off the register mentioned in sub-regulation (6).

(c) The Minister may restore a forfeited medal on the recommendation of the Commissioner.

Replacement of a Lost or Destroyed Medal.

(8) (a) When the medal is lost or destroyed the owner may (if still in the service) apply through the medium of his officer commanding to the Commissioner for a new medal.

(b) Aanvrae om nuwe medaljes in die plek van die wat verlore geraak het of vernietig is, moet vergesel gaan van 'n beëdigde verklaring aangaande die omstandighede waaronder die verlies of vernietiging plaasgevind het. Indien die Minister tevrede is met die redes wat aangevoer is, kan hy gelas dat 'n nuwe medalje in die plek van die een wat verlore geraak het of vernietig is, uitgereik word, of op koste van die ontvanger of op Staatskoste.

Toepaslikheid op spesiale bewaarders.

(9) Die bepalings van hierdie regulasie is *mutatis mutandis* van toepassing op 'n spesiale bewaarder.

Vorm waarop aanbevelings gemaak moet word.

(10) Alle aanbevelings vir die toekenning van die medalje moet op die voorgeskrewe vorm gedoen word.

(C) Dood van 'n lid.

Kennisgewing aan Kommissaris van dood van 'n lid of spesiale bewaarder.

82. (1) Die dood van 'n lid en van 'n in paragrafe (a) en (b) van subregulasie (1) van regulasie 9 bedoelde spesiale bewaarder moet sonder versuim deur die bevelvoerende offisier aan die Kommissaris gerapporteer word.

Onkoste in verband met begrafnis van lid en spesiale bewaarder.

(2) Redelike onkoste in verband met die begrafnis van so 'n lid en spesiale bewaarder wat sterf terwyl hy in diens is, kan, na goeddunke van die Kommissaris, deur die Staat betaal word.

Hulptoelae by afsterwe van eggenote of kind.

(3) 'n Hulptoelae vir die bestryding van die koste in verband met die begrafnis van die eggenote of 'n kind van 'n lid word uit Staatsfondse betaal volgens onderstaande skaal:—

Vir 'n vrou: £5.

Vir 'n in subregulasie (2) van regulasie 19 bedoelde kind: £2. 10s.

ALGEMEEN.

(A) Getuiegeld.

Getuiegeld.

83. Aan 'n getuie wat opgeroep word om kragtens die bepalings van die Wet by enige verhoor of enige ondersoek te verskyn kan—

(a) as hy 'n lid of spesiale bewaarder is, verblyftoelae betaal word volgens die bepalings van regulasies 43 en 44;

(b) as hy nie 'n lid of spesiale bewaarder is nie, uit Staatsfondse getuiegeld en reisonkoste betaal word volgens die tarief wat op getuies in strafsake in 'n landdroshof van toepassing is;

Met dien verstande dat die Kommissaris die betaling van getuiegeld aan 'n getuie wie se getuienis volgens die mening van die voorsittende beampte onnodig en nie van belang was nie kan weier en dit van die lid of spesiale bewaarder wat vir die oproeping van so 'n getuie verantwoordelik is, kan verhaal.

(B) Beskadiging van Staatseiendom.

Beskadiging, ensovoorts, van Staatseiendom.

84. As dit blyk dat daar 'n tekort, verlies, besering of beskadiging voorgekom het ten opsigte van Staatseiendom of eiendom waarvoor die Staat aanspreeklik is, of dat onkoste aan die Staat veroorsaak is weens 'n onwettige handeling, nalatigheid of sorgeloosheid en geen bevredigende uitleg by ondersoek gegee kan word nie, kan die lid of spesiale bewaarder wat daarvoor aanspreeklik is, gelas word om die waarde van die tekort, verlies, besering of beskadiging of die koste wat veroorsaak is, te vergoed.

(b) Applications for new medals to replace those which have been lost or destroyed shall be accompanied by a sworn declaration as to the circumstances under which the loss or destruction took place. If the Minister is satisfied as to the reasons put forward, he may instruct that a new medal be issued in the place of the one that was lost or destroyed, either at the expense of the recipient or at Public expense.

Applicability to Special Warders.

(9) The provisions of this regulation are *mutatis mutandis* applicable to a special warder.

Forms on which Recommendations shall be Made.

(10) All recommendations for the award of the medal shall be made on the prescribed form.

(C) Death of a Member.

Notice to the Commissioner of the Death of a Member or Special Warder.

82. (1) The death of a member or a special warder referred to in paragraphs (a) and (b) of sub-regulation (1) of regulation 9 shall, without delay be reported to the Commissioner by the officer commanding.

Expenses in Connection with Funeral of a Member and Special Warder.

(2) Reasonable expenses in connection with the funeral of such a member and special warder who dies while in the Service, may, at the discretion of the Commissioner, be defrayed by the State.

Grant-in-aid at Death of Wife or Child.

(3) A grant-in-aid for the defrayal of expenses in connection with the funeral of the wife or child of a member is made from Public Funds at the undermentioned rates:—

For a wife: £5.

For a child referred to in sub-regulation (2) of regulation 19: £2. 10s.

GENERAL.

(A) Witness Fees.

Witness Fees.

83. A witness who is summoned to appear at any trial or any inquiry in terms of the provisions of the Act, may—

(a) be reimbursed with subsistence allowance in accordance with the provisions of regulations 43 and 44 if he is a member or special warder;

(b) be paid witness fees and travelling expenses from Public Funds according to the tariffs applicable to witnesses in criminal cases in a magistrate's court, if he is not a member or special warder;

Provided that the Commissioner may refuse the payment of witness fees to a witness whose evidence, in the opinion of the presiding officer, was unnecessary and of no importance and may recover such fees from the member or special warder responsible for the summoning of such witness.

(B) Damage to State Property.

Damage, etc., to State Property.

84. If it appears that a deficiency, loss, injury, or damage has occurred with respect to State property or property for which the State is responsible, or that expense has been occasioned to the State by an unlawful act, negligence, or carelessness, and on inquiry, no satisfactory explanation is produced, the member or special warder responsible, may be ordered to make good the value of the deficiency, loss, injury or damage, or the expenses involved.

*(C) Nominasie vir Parlement, ens.**Aanneem van nominasie vir Parlement, provinsiale raad, ens.*

85. (1) As 'n lid 'n nominasie of rekwisities aanvaar as kandidaat vir verkiesing tot lid van die Parlement, van enige provinsiale raad, afdelingsraad, stadsraad, munisipale raad, dorpsbestuur, gesondheidskomitee, plaaslike bestuur of skoolraad, word hy geag vrywillig uit die Departement van Gevangenis te getree het met ingang van die datum waarop hy sodanige nominasie of rekwisities aanvaar het.

Toestemming van Minister.

(2) Ondanks die bepalings van subregulasie (1) kan 'n lid—

(a) wat onmiddellik voor die datum van inwerking-treding van hierdie regulasie 'n lid was van 'n afdelingsraad, stadsraad, munisipale raad, dorpsbestuur, gesondheidskomitee, plaaslike bestuur of skoolraad, lid van sodanige raad, komitee of bestuur bly vir die onverstreke gedeelte van die termyn waarvoor hy verkies was;

(b) met die toestemming van die Minister aanstelling aanvaar en diens doen as lid van 'n afdelingsraad, stadsraad, munisipale raad, dorpsbestuur, gesondheidskomitee, plaaslike bestuur of skoolraad, mits sodanige aanstelling nie as gevolg van die aanvaarding van 'n nominasie of rekwisities as kandidaat vir verkiesing plaasvind nie en mits die Minister tevrede is dat dit nie inbreuk op so 'n lid se ampspligte maak nie.

Nie-deelname deur lid by geskilpunt.

(3) As 'n geskil ontstaan tussen die Staat en 'n in sub-regulasie (2) bedoelde raad, komitee of bestuur, mag 'n lid wat lid is van sodanige raad, komitee of bestuur nie aan die bespreking of stemming oor daardie geskilpunt deelneem nie.

*(D) Ongunstige Opmerkings.**Ongunstige opmerkings.*

86. (1) (a) Enige ongunstige opmerking in 'n verslag vervat, moet deur die bevelvoerende offisier skriftelik en in sy volledige samehang, onder die aandag van die lid oor wie gerapporteer word, gebring word. Laasgenoemde moet die skriftelike mededeling onderteken en dit tesame met enige skriftelike verhoë wat hy wil voorlê aan die bevelvoerende offisier terugbesorg wat dit met sy opmerkings en aanbevelings aan die Kommissaris moet stuur.

(b) Voorafgaande bepalings is ook van toepassing op ongunstige opmerkings wat ten opsigte van 'n lid gemaak word in ander skriftelike mededelings.

Ongunstige opmerkings wat nie onder lid se aandag gebring word nie.

(2) Ondanks die bepalings van subregulasie (1) kan die bevelvoerende offisier besluit dat ongunstige opmerkings nie onder die aandag van 'n lid gebring moet word nie indien hy van mening is dat dit nie in die belang van die Departement van Gevangenis of die betrokke lid is nie: Met dien verstande dat 'n ongunstige opmerking wat nie onder die aandag van 'n lid gebring is nie, sonder vertraging vir oorweging na die Kommissaris gestuur moet word en die Kommissaris kan gelas dat enige ongunstige opmerking skriftelik of mondelings onder die aandag van die betrokke lid gebring word.

Skrapping van ongunstige opmerkings.

(3) Indien die Kommissaris bevind dat daar geen regverdiging bestaan vir 'n ongunstige opmerking wat in 'n verslag of ander skriftelike mededeling voorkom nie, moet daardie ongunstige opmerking uit die verslag geskrap en die betrokke lid skriftelik van die skrapping verwittig word indien die ongunstige opmerking reeds onder sy aandag gebring was. Sodanige verwittiging van skrapping moet dan 'n deel van die verslag uitmaak.

*(C) Nomination for Parliament, etc.**Acceptance of Nomination for Parliament, Provincial Council, etc.*

85. (1) If a member accepts a nomination or requisition as candidate for election to Member of Parliament, of any Provincial Council, Divisional Council, Town Council, Municipal Council, Township Board, Health Committee, Local Authority or School Board, he will be regarded as having voluntarily retired from the Prisons Department with effect from the date on which he has accepted such nomination or requisition.

Consent of Minister.

(2) Notwithstanding the provisions of sub-regulation (1) a member—

(a) who was a member of a Divisional Council, Town Council, Municipal Council, Township Board, Health Committee, Local Authority or School Board immediately prior to the date of the coming into force of this regulation, may remain a member of such council, committee, board or authority for the unexpired portion of the term for which he was elected;

(b) may, with the consent of the Minister, accept appointment and serve as member of a Divisional Council, Town Council, Municipal Council, Township Board, Health Committee, Local Authority or School Board, provided such appointment is not as a result of the acceptance of a nomination or requisition as candidate for election, and provided the Minister is satisfied that it will not encroach on the official duties of such a member.

Non-participation of a Member in a Dispute.

(3) If a dispute arises between the State and a council, board, committee or authority referred to in sub-regulation (2), a member who is a member of such council, board, committee or authority, shall not participate in the discussions or vote in connection with such dispute.

*(D) Unfavourable Remarks.**Unfavourable Remarks.*

86. (1) (a) The officer commanding shall bring any unfavourable remark contained in a report in its full context, in writing, to the notice of the member on whom is being reported. The latter shall sign such written communication and return it, together with any written petition he wishes to submit, to the officer commanding who shall forward it to the Commissioner with his remarks and recommendations.

(b) The foregoing provisions are also applicable to unfavourable remarks made in respect of a member in other written communications.

Unfavourable Remarks which are not Brought to the Notice of member.

(2) Notwithstanding the provisions of sub-regulation (1) the officer commanding may decide that unfavourable remarks should not be brought to the notice of the member if he is of the opinion that it is not in the interests of the Prisons Department or the member concerned: Provided that an unfavourable remark which has not been brought to the notice of the member, shall be forwarded to the Commissioner for consideration without delay and the Commissioner may instruct that any unfavourable remark, written or verbal, be brought to the notice of the member concerned.

Expunction of Unfavourable Remarks.

(3) If the Commissioner finds that there is no justification for an unfavourable remark which appears in a report or other written communication, that unfavourable remark shall be expunged from the report and the member concerned shall be advised, in writing, of the expunction, if such unfavourable remark was previously brought to his notice. Such notification of expunction shall then form part of the report.

(E) *Amptelike kommunikasie.**Amptelike kommunikasiekanale.*

87. (1) 'n Vesoeek, mededeling of klagte wat betrekking het op die verrigting van die werksaamhede of die uitvoering van die pligte van die Departement van Gevangenis en wat van 'n lid of spesiale bewaarder afkomstig is, moet aan 'n bevelvoerende offisier gerig word. So 'n lid of spesiale bewaarder kan eis dat sodanige versoek, mededeling of klagte aan die Kommissaris voorgelê word en 'n bevelvoerende offisier kan ook na goeie dinge enige versoek, mededeling of klagte aan die Kommissaris stuur.

Bevelvoerende offisier rig versoeke regstreeks aan Kommissaris.

(2) 'n Bevelvoerende offisier moet sy versoeke of mededelings regstreeks aan die Kommissaris rig.

AFDELING II.

GEVANGENES.—ALGEMENE BEPALINGS.

Toepaslikheid van regulasies.

88. Die regulasies in hierdie afdeling vervat, is op alle gevangenes van toepassing, tensy dit teenstrydig is met die spesiale regulasies wat op die verskillende kategorieë van gevangenes van toepassing is.

OPNEMING, OORPLASING, AFSTERWE EN ONTVLUGTING.

(A) *Opneming.**Visentering.*

89. (1) Elke gevangene moet gevisenteer word by opneming in 'n gevangenis, wanneer hy van 'n werkplek na 'n gevangenis terugkeer en so dikwels as wat nodig geag word.

Ontneming van ongeoorloofde artikels.

(2) Alle artikels wat 'n gevangene in sy besit het wat nie deur die Staat aan hom uitgereik is nie, of wat hom nie by regulasie of order vergun word om in sy besit te hê nie, moet hom ontnem word.

Wyse en doel van visentering.

(3) Visentering moet op betaamlike wyse geskied en sover moontlik sonder om skade aan selfrespek te berokken, en moet uitsluitlik ten doel hê en deeglik genoeg wees om enige ongeoorloofde artikel op te spoor.

Ontkleiding.

(4) 'n Gevangene moet sover moontlik nie in teenwoordigheid en binne gesig van ander gevangenes ontklee en gevisenteer word nie.

Wie mag visenteer.

(5) 'n Blanke gevangene moet slegs deur 'n blanke lid of blanke spesiale bewaarder en 'n nie-blanke gevangene deur 'n nie-blanke lid of nie-blanke spesiale bewaarder van dieselfde geslag as die gevangene gevisenteer word: Met dien verstande dat 'n nie-blanke gevangene deur 'n blanke lid of blanke spesiale bewaarder van dieselfde geslag as die gevangene gevisenteer kan word.

Bewaring van private besittings.

90. (1) Die hoof van 'n gevangenis moet alle geld, kledingstukke, en ander eiendom wat 'n gevangene by opneming in sy besit het en wat hy nie by hom mag hou nie, in veilige bewaring neem en van alle sodanige geld, kledingstukke en artikels 'n inventaris opstel wat deur die gevangene as korrek gesertifiseer moet word.

Beskikking oor private besittings.

(2) Behoudens die bepalinge van subregulasies (3) en (4) van regulasie 96, bepaal die Kommissaris hoe daar oor die private eiendom van 'n gevangene beskik moet word: Met dien verstande dat kledingstukke wat weens die toestand daarvan of om enige ander geldige rede onwenslik is om te bewaar, vernietig kan word en van sodanige vernietiging en die rede daarvoor moet behoorlike aantekening gehou word.

(E) *Official Communication.**Official Channel for Communications.*

87. (1) A request, communication or complaint in connection with the performance of the activities or the duties of the Prisons Department, emanating from a member or special warder, shall be addressed to an officer commanding. Such a member or special warder may demand that such request, communication or complaint be submitted to the Commissioner and an officer commanding may also, at his discretion, submit any request, communication or complaint to the Commissioner.

Officers Commanding shall Address Requests direct to the Commissioner.

(2) An officer commanding shall address his requests or communications to the Commissioner direct.

PART II.

PRISONERS.—GENERAL PROVISIONS.

Applicability of Regulations.

88. The regulations contained in this Part apply to all prisoners, unless inconsistent with the special regulations applicable to the various categories of prisoners.

RECEPTION, REMOVAL, DEATH AND ESCAPE.

(A) *Reception.**Searching.*

89. (1) Every prisoner shall be searched on reception into a prison, when he returns from a place of work to a prison and as often as is considered necessary.

Taking Away of Unauthorised Articles.

(2) All articles in possession of a prisoner and not issued to him by the State or which he is not allowed by regulation or order to have in his possession, shall be taken from him.

Manner and Purpose of Search.

(3) Searching shall be conducted in a seemly manner and as far as possible without injury to self-respect and shall only serve the object of and be sufficiently thorough for, detecting any unauthorised articles.

Stripping.

(4) A prisoner shall as far as possible not be stripped and searched in the presence and in the sight of other prisoners.

Who May Search.

(5) A white prisoner shall be searched by a white member or white special warder only and a non-white prisoner by a non-white member or non-white special warder of the same sex as the prisoner. Provided that a non-white prisoner may be searched by a white member or white special warder of the same sex as the prisoner.

Storage of Private Effects.

90. (1) All money, clothing and other property in the possession of a prisoner on reception which he is not allowed to retain shall be taken into safekeeping by the member in charge of the prison who shall make an inventory of all such money, clothing and articles, the correctness of which shall be certified by the prisoner.

Disposal of Private Effects.

(2) Subject to the provisions of sub-regulations (3) and (4) of regulation 96, the Commissioner shall determine how the private property of a prisoner shall be dealt with: Provided that clothing which it is undesirable to keep owing to its condition or for any other valid reason, may be destroyed, a proper record being kept of such destruction and the reason therefor.

Beskikking oor privaatgeld.

(3) Die Kommissaris bepaal onder welke omstandighede 'n gevangene van sy privaatgeld kan gebruik of hoe daarmee anders gehandel kan word.

Aantekening van besonderhede.

91. (1) Die naam, ouderdom, lengte, gewig, die volledige adres, kenmerke en sodanige ander besonderhede as wat van tyd tot tyd nodig mag wees moet ten aansien van elke gevangene op so 'n wyse as wat die Kommissaris bepaal, aangeteken word.

Neem van vingerafdrukke en foto's.

(2) Die vingerafdrukke en foto's van elke gevangene van wie dit verlang word, moet by opneming geneem word en daarna so dikwels as wat nodig is. Hierdie dokumente of afdrukke daarvan mag nie aan 'n persoon wat nie amptelik daartoe gemagtig is, getoon of gegee word nie en geen inligting wat uit sodanige dokumente voortspruit, mag aan so 'n persoon verstrekkend word nie.

Bad by opneming.

92. Elke gevangene moet so spoedig moontlik na opneming in 'n gevangenis bad tensy die geneeskundige beampte anders bepaal, en daarna so dikwels as wat nodig is.

Geneeskundige ondersoek by opneming.

93. Elke gevangene moet so spoedig moontlik na opneming deur die geneeskundige beampte ondersoek word en die geneeskundige beampte moet volledig verslag doen oor die liggaamlike en geestestoestand van elke gevangene asook oor sodanige ander besonderhede as wat die Kommissaris bepaal.

Suigelinge.

94. (1) Onderworpe aan sodanige voorwaardes as wat die Kommissaris bepaal, kan 'n vrouegevangene haar kind gedurende die suigelingstydperk, en langer indien nodig, by hare in die gevangenis hou.

(2) Terwyl so 'n kind in die gevangenis verkeer, kan die nodige klere, voedsel en geneeskundige behandeling uit Staatsfondse verskaf word.

(B) Oorplasing.**Bewaring tydens oorplasing.**

95. (1) 'n Gevangene wat in opdrag van die Kommissaris oorgeplaas word, moet in bewaring van 'n lid of spesiale bewaarder wees: Met dien verstande dat 'n gevangene wat voor 'n hof, wat nie binne 'n gevangenis sitting hou nie, moet verskyn, in bewaring van 'n polisie-beampte kan wees.

Beskerming teen publiek.

(2) Wanneer 'n gevangene van of na 'n gevangenis verwyder word, moet hy so min moontlik aan die publiek blootgestel wees en die nodige maatreëls moet getref word om hom teen belediging en nuuskierigheid van die publiek te beskerm.

Onderhoud deur die hoof van 'n gevangenis.

(3) Die hoof van 'n gevangenis moet elke gevangene voor oorplasing na 'n ander gevangenis te woord staan.

Geneeskundige sertifikaat by oorplasing.

(4) Elke gevangene moet so kort moontlik voor oorplasing na 'n ander gevangenis deur die geneeskundige beampte ondersoek word en geen gevangene mag oorgeplaas word nie tensy die geneeskundige beampte skriftelik sertifiseer dat hy vir oorplasing geskik is.

(C) Afsterwe en ontvlugting.**Rekord van afsterwe.**

96. (1) By afsterwe van 'n gevangene moet die geneeskundige beampte aantekeninge maak van alle besonderhede betreffende die afsterwe wat onder andere die volgende insluit:—

- (a) Wanneer die gevangene siek geword het;
- (b) wanneer die siekte die eerste keer tot die kennis van die geneeskundige beampte gekom het;

Disposal of Private Money.

(3) The Commissioner shall determine under what circumstances a prisoner may use his private money or how it may otherwise be dealt with.

Recording of Particulars.

91. (1) The name, age, height, weight, full address, distinctive marks and such other particulars as may be required from time to time shall be recorded in respect of every prisoner in such manner as the Commissioner may determine.

Taking of Fingerprints and Photographs.

(2) The fingerprints and photographs of every prisoner of whom they are required shall be taken on reception and thereafter as often as necessary. These documents or copies thereof shall not be shown or given to a person who is not officially authorised thereto and no information emanating from such documents shall be furnished to such person.

Bath on Reception.

92. Every prisoner shall, unless the medical officer otherwise determines, bath as soon as possible after reception into a prison and thereafter as often as is necessary.

Medical Examination on Reception.

93. Every prisoner shall as soon as possible after reception be examined by the medical officer and the medical officer shall report in detail on the physical and mental condition of every prisoner as well as on such other particulars as may be determined by the Commissioner.

Babies.

94. (1) Subject to such conditions as the Commissioner may determine, a female prisoner may have her baby with her in prison during the period of lactation and longer, if necessary.

(2) Whilst such baby remains in the prison, the necessary clothing, food and medical treatment may be supplied from Public Funds.

(B) Removal.**Custody During Removal.**

95. (1) A prisoner transferred on instructions of the Commissioner shall be in custody of a member or special warder: Provided that a prisoner who has to appear before a court in session outside the precincts of a prison may be in the custody of a member of the Police Force.

Protection from Public.

(2) A prisoner shall be subjected to a minimum of exposure to the public when removed to or from a prison and the necessary precautions shall be taken to protect him from public insult or curiosity.

Interview with Member in Charge of the Prison.

(3) Every prisoner shall be interviewed by the member in charge of a prison before removal to another prison.

Medical Certificate on Removal.

(4) Every prisoner shall be examined by the medical officer as short a time as is possible prior to being removed to another prison, and no prisoner shall be removed unless the medical officer has certified, in writing, that he is fit for removal.

(C) Death and Escape.**Record of Death.**

96. (1) Upon the death of a prisoner the medical officer shall record all the particulars regarding the death, which shall include *inter alia* the following:—

- (a) When the prisoner took ill;
- (b) when the illness first came to the notice of the medical officer;

- (c) die aard van die siekte;
- (d) die datum van afsterwe;
- (e) die oorsake van afsterwe; en
- (f) indien 'n lykskouing gehou is, die bevinding daarvan.

Kennis aan naasbestaandes, ens.

(2) By afsterwe van 'n gevangene moet die hoof van 'n gevangenis onmiddellik daarvan kennis gee aan die naasbestaandes van die afgestorwene, die Kommissaris, die landdros van die distrik waarin die gevangenis geleë is en die Registrateur van Geboortes, Huwelike en Sterfgevälle.

Beskikking oor private besittings van afgestorwene.

(3) (a) Die private besittings van 'n gevangene wat gedurende sy aanhouding, hetsy weens natuurlike oorsake of nie, of as gevolg van 'n geregtelike teregstelling, te sterwe kom, ongeag of daar 'n eksekuteur vir sy boedel aangestel is of nie, kan aan sy naasbestaandes oorhandig word.

(b) Indien oor die private besittings van sodanige gevangene nie ooreenkomstig die bepalings van paragraaf (a) beskik word nie, moet daarmee ooreenkomstig die bepalings van subregulasie (5) gehandel word.

Begrawe van afgestorwe gevangene.

(4) Wanneer 'n gevangene te sterwe kom anders as by voltrekking van 'n doodvonnis, word die liggaam van so 'n afgestorwene deur die owerhede van die gevangenis waar hy gesterf het begrawe, indien dit nie deur die familiebetrekkings of vriende op hulle eie koste begrawe word nie.

Beskikking oor private besittings van ontvlugte.

(5) Die private besittings van 'n gevangene wat ontvlug en nie weer in hegtenis geneem word nie moet na ses maande van datum van ontvlugting by veiling verkoop word. Die opbrengs van die verkoping tesame met enige geld wat hy in die gevangenis gehad het, moet bestee word ter vereffening van enige eise van die Staat en die saldo, as daar is, moet aan die Meester van die betrokke afdeling van die Hooggeregshof of aan die Bantoesakekommissaris, na gelang van omstandighede, oorhandig word.

Beskikking oor private besittings wat nie opgeëis word nie.

(6) Met die private besittings van 'n gevangene wat dit nie opeis nie moet na ses maande ooreenkomstig die bepalings van subregulasie (3) gehandel word.

AKKOMMODASIE.

Slaapakkommodasie.

97. (1) Geen slaaplokaal of sel mag vir slaapdoeleindes gebruik word nie tensy dit voldoen aan die vereistes van vloerspasie, kubieke ruimte, beligting, ventilasie en algemene gesondheidstoestande soos deur die Kommissaris bepaal. Sodanige slaaplokaal of sel moet, indien dit gesluit word, van 'n verbindingstelsel voorsien wees ten einde 'n gevangene in staat te stel om ten alle tye met 'n lid of spesiale bewaarder in verbinding te tree.

Enkelselle.

(2) Waar enkelselle beskikbaar is, word slegs een gevangene in 'n sel gehuisves: Met dien verstande dat indien dit nodig sou wees om meer as een gevangene in 'n sel te huisves, sover moontlik nie twee gevangene saam in een sel gehuisves moet word nie.

Beddens en beddegoed.

(3) Elke gevangene moet van 'n aparte bed soos deur die Kommissaris bepaal en aparte beddegoed wat voldoende vir warmte en gesondheid is, voorsien word.

Akkommodasie in gekombineerde gevangenis.

(4) (a) (i) In 'n gevangenis vir beide mans en vroue, moet die afdeling vir vroue heeltemal apart wees van die mansafdeling.

- (c) the nature of the illness;
- (d) the date of death;
- (e) the cause of death; and
- (f) if a post mortem examination was held, the result thereof.

Notification of Next-of-kin.

(2) Upon the death of a prisoner the member in charge of a prison shall immediately notify the next-of-kin of the deceased, the Commissioner, the magistrate of the district in which the prison is situated, and the Registrar of Births, Marriages and Deaths.

Disposal of Private Effects of a Deceased Prisoner.

(3) (a) The private property of a prisoner who has died during his detention, whether from natural causes or not, or as a result of judicial execution, may be handed over to his next-of-kin whether an executor has been appointed in his estate or not.

(b) If the private property of such prisoner is not disposed of in terms of the provisions of paragraph (a), it shall be dealt with in accordance with the provisions of sub-regulation (5).

Burial of Deceased Prisoners.

(4) When a prisoner dies, other than by judicial execution, the body of such deceased shall be buried by the authorities of the prison where he died, if such body is not being buried by relatives or friends at their own expense.

Disposal of Private Effects of Escapee.

(5) The private property of a prisoner who has escaped and has not been recaptured shall, after six months from date of escape, be sold by auction. The proceeds of the sale, together with any money he had in prison, shall be utilised for the settlement of any claims by the State, and the balance, if any, shall be handed over to the Master of the Division of the Supreme Court concerned or to the Bantu Affairs Commissioner as the case may be.

Disposal of Unclaimed Private Effects.

(6) The private property of a prisoner that has not been claimed shall after a lapse of six months be disposed of in accordance with the provisions of sub-regulation (3).

ACCOMMODATION.

Sleeping Accommodation.

97. (1) No dormitory or cell shall be used for sleeping purposes unless it complies with the required floor-space, cubic capacity, lighting, ventilation and general health conditions determined by the Commissioner. Such dormitory or cell, if locked, shall be furnished with a communication system to enable the prisoner to communicate with a member or special warder at all times.

Single Cells.

(2) Where single cells are available only one prisoner shall be accommodated in a cell: Provided that should it be necessary to accommodate more than one prisoner in a cell, two prisoners shall, as far as possible, not be accommodated in one cell.

Beds and Bedding.

(3) Every prisoner shall be provided with a separate bed, as determined by the Commissioner, and separate bedding, adequate for warmth and health.

Accommodation in Combined Prisons.

(4) (a) (i) In a prison for both males and females the section for females shall be entirely separate from the section for males.

(ii) Die slotte aan die deure en hekke van die mansafdeling moet sodanig wees dat die sleutels van die deure en hekke van die vrouefdeling nie daarop pas nie, en omgekeerd.

(b) Die sleutels van die vrouefdeling moet onder die sorg van 'n vroulike lid of spesiale bewaarder wees.

(c) Wanneer 'n manlike persoon in die vrouefdeling toegelaat word, moet 'n vroulike lid of spesiale bewaarder hom vergesel.

TUG EN BEHEER.

(A) Algemeen.

Algemene beginsels.

98. (1) Die regulasies in hierdie onderafdeling word met inagneming van die verskille in karakter en reaksie op behandeling en dissipline by die verskillende tipes gevangenes, in ooreenstemming met die volgende beginsels toegepas:—

- (a) Dissipline en order word met beslistheid gehandhaaf tot geen groter mate dan wat nodig is vir veilige bewaring en goed beheerde gemeenskapslewe.
- (b) In die beheer van 'n gevangene moet 'n lid of spesiale bewaarder deur persoonlik 'n voorbeeld te stel en deur gesonde leierskap te beoefen, poog om 'n gevangene gunstig te beïnvloed.
- (c) Die behandeling van 'n gevangene moet ten alle tye ten doel hê om by hom selfrespek aan te wakker en 'n verantwoordelike sin aan te kweek.

Pligte van 'n hoof van 'n gevangenis.

- (2) Die hoof van 'n gevangenis moet—
- (a) toesien dat die bepalinge van die Wet streng nagekom word en dat die doel wat dit beoog verwesenlik word;
- (b) voortdurend noukeurige en persoonlike toesig oor die hele gevangenis hou, daaglik alle dele van die gevangenis waar 'n gevangene hom bevind besoek, en besondere aandag skenk aan 'n gevangene in die hospitaal en diegene wat straf ondergaan of enige afwyking toon; en
- (c) die gevangenis minstens twee keer per week op ongereelde tye gedurende die nag besoek en homself tevrede stel dat alles in orde is.

Aanwending van geweld.

(3) (a) 'n Lid of spesiale bewaarder mag 'n gevangene nie slaan of aanrand nie, behalwe in selfverdediging, of ter verdediging van 'n ander lid of spesiale bewaarder, 'n ander gevangene of enige ander persoon.

(b) Wanneer die aanwending van geweld nodig is, mag nie meer geweld gebruik word as wat noodsaaklik is nie.

(c) 'n Lid of spesiale bewaarder mag nie deur woord of daad opsetlik so handel dat 'n gevangene hom daarvoor erger nie.

'n Gevangene mag nie tugdienste verrig nie.

(4) 'n Gevangene mag nie in 'n dissiplinêre hoedanigheid in 'n gevangenis geëmplojeer word nie, maar aan 'n spesiaal gekeurde gevangene kan 'n posisie van verantwoordelikheid en leierskap binne sodanige perke as wat die Kommissaris bepaal, toegeken word.

Sel-arbeid.

(5) Indien dit te eniger tyd blyk dat dit in belang van die goeie orde en tug van 'n gevangenis is dat 'n bepaalde gevangene alleen moet werk, kan die Kommissaris magtig dat so 'n gevangene alleen-arbeid in sy sel verrig, mits sodanige alleen-arbeid nie vir sy liggaamlike en geesteswelsyn skadelik is of sal wees nie.

(B) Tugoortredings.

Tugoortredings.

99. (1) 'n Gevangene is aan 'n tugoortreding skuldig indien hy—

- (a) moedswillig onware antwoorde gee op vrae gestel deur 'n lid of ander persoon werksaam in 'n gevangenis;

(ii) The locks of the doors and gates of the male section shall be such that the keys to the doors and gates of the female section do not fit them and *vice versa*.

(b) The keys of the female section shall be in the care of a female member or special wardress.

(c) When a male person is admitted to the female section, a female member or special wardress shall accompany him.

DISCIPLINE AND CONTROL.

(A) General Principles.

General Principles.

98. (1) With due regard to the differences in character and reaction to treatment and discipline of the various types of prisoners, the regulations in this sub-division shall be applied in accordance with the following principles:—

- (a) Discipline and order shall be maintained with firmness, but with no more restriction than is necessary for safe custody and well-ordered community life.
- (b) In controlling a prisoner, a member or special warder shall by personal example and sound leadership endeavour to influence a prisoner favourably.
- (c) The aim in the treatment of a prisoner shall at all times be to foster his self-respect and to inculcate a sense of responsibility.

Duties of a Member in Charge of a Prison.

- (2) The member in charge of a prison shall—
- (a) ensure that the provisions of the Act are strictly complied with and that the object in view is achieved;
- (b) exercise continuous, careful and personal supervision over the whole prison, daily visit all parts of the prison where a prisoner is confined and pay particular attention to a prisoner in hospital and those undergoing punishment or displaying any deviation; and
- (c) visit the prison at least twice per week at irregular times during the night and satisfy himself that everything is in order.

Use of Force.

(3) (a) A member or special warder shall not strike or assault a prisoner except in self-defence or in the defence of another member or special warder, another prisoner or any other person.

(b) When it is necessary to use force, no more force than is essential shall be used.

(c) A member or special warder shall not by word or deed deliberately act in such a manner as to annoy a prisoner.

A Prisoner shall not Perform Disciplinary Duties.

(4) A prisoner shall not be employed in a disciplinary capacity in a prison, but a specially selected prisoner may be granted a position of responsibility and leadership within such limits as the Commissioner may determine.

Cell-labour.

(5) Should it at any time appear to be in the interests of good order and discipline of a prison, that a particular prisoner should work alone, the Commissioner may authorise that such prisoner perform secluded labour in his cell, provided that such secluded labour is not or will not be detrimental to his physical and mental well-being.

(B) Disciplinary Offences.

Disciplinary Offences.

99. (1) A prisoner is guilty of a disciplinary offence if he—

- (a) wilfully furnishes false replies to questions put to him by a member or other person employed in a prison;

- (b) 'n wettige bevel of voorskrif van 'n lid of spesiale bewaarder nie gehoorsaam nie of enige regulasie of order verontagsaam;
- (c) oneerbiedig is teenoor 'n lid of enige ander persoon werksaam in 'n gevangenis of teenoor 'n amptelike of nie-amptelike besoeker;
- (d) lui, sorgeloos of nalatig is in sy werk of weier om te werk;
- (e) lasterlike, beledigende, dreigende of enige ander onwettige taal gebruik;
- (f) onbetaamlik is in woorde, dade of gebare;
- (g) enige ligte aanranding pleeg;
- (h) sonder die nodige toestemming met 'n gevangene of enige ander persoon gesels of op enige ander wyse met hom gemeenskap hou;
- (i) sing, fluit of onnodige geraas maak of onnodige moeite veroorsaak of 'n oorlas is;
- (j) sonder toestemming sy sel of ander aangewese plek of sy werkplek verlaat;
- (k) op enige wyse 'n gedeelte van die gevangenis of enige voorwerp daarin of enige ander staatseigendom skend of beskadig;
- (l) 'n ongeoorloofde artikel in sy sel of besit het of poog om so 'n artikel te bekom of 'n geringe diefstal pleeg;
- (m) sonder toestemming enige artikel van enige persoon neem of dit aan 'n persoon gee of dit op enige ander wyse verkry;
- (n) ontevredenheid, opwinding of weerspanning onder sy mede-gevangenes veroorsaak of aan 'n ongeoorloofde samespanning deelneem;
- (o) onjuiste, ligsinnige of kwaadwillige klagtes indien;
- (p) valse en kwaadwillige aantygings teen 'n lid, 'n mede-gevangene of ander persoon inbring;
- (q) op enige wyse werk ontdruk;
- (r) moedswillig 'n identiteitskaart, dokument of enige ander artikel wat aan hom gegee is verloor, vernietig, verander, skend of verruil;
- (s) 'n daad begaan met die oogmerk om sy lewe in gevaar te stel, sy gesondheid te benadeel of sy arbeid te belemmer of hom anders teenstrydig met die goeie orde en tug gedra;
- (t) op enige wyse teenstrydig met die goeie orde en tug handel;
- (u) wanneer aan 'n werkgewer verhuur of aan enige persoon of liggaam vir arbeidsdoeleindes toegewys is, weier om te werk of die diens van sodanige werkgewer, persoon of liggaam of die werkplek sonder die nodige toestemming verlaat;
- (v) poog om een van die voormelde oortredings te pleeg.

Verhoor van 'n gevangene en vonnisse vir tugoortredings.

(2) Die prosedure van verhoor van enige beweerde oortreding soos in subregulasie (1) gemeld, moet ingevolge die bepalings van artikel *agt-en-veertig* van die Wet geskied. By skuldigbevinding deur 'n landdros is die bepalings van subartikel (2) van artikel *een-en-veertig* van die Wet en by skuldigbevinding deur 'n offiser die bepalings van subartikel (2) van artikel *vier-en-veertig* van die Wet van toepassing.

Saak vir hersiening na Kommissaris.

(3) (a) Wanneer enige van die in artikel *vier-en-veertig* van die Wet voorgeskrewe vonnisse opgelê is, kan die Kommissaris, as hy dit goedvind, gelas dat die notule van die verrigtinge in die saak aan hom vir hersiening voorgelê word en daarop kan hy die skuldigbevinding en vonnis bekragtig of ter syde stel of die skuldigbevinding bekragtig of wysig en die vonnis ter syde stel, verhoog, versag of dit andersins wysig soos hy in belang van die geregtigheid nodig mag ag.

(b) Die Kommissaris kan enige van die in artikel *vier-en-veertig* van die Wet voorgeskrewe vonnisse wat 'n gevangene opgelê is en wat om enige wettige rede nie uitgevoer kan word nie, ter syde stel, versag of dit andersins wysig.

- (b) disobeys a lawful command or order by a member or special warder or ignores any regulation or order;
- (c) is disrespectful towards a member or any other person employed in a prison or towards an official or non-official visitor;
- (d) is idle, careless or negligent in his work or refuses to work;
- (e) uses blasphemous, insolent, threatening, or any other improper language;
- (f) is indecent in language, acts or gesture;
- (g) commits any minor assault;
- (h) without the necessary permission converses with a prisoner or any other person or in any other way holds intercourse with him;
- (i) sings, whistles or makes unnecessary noise or causes unnecessary trouble or is a nuisance;
- (j) leaves his cell or other appointed location or place of work without permission;
- (k) in any way disfigures or damages any part of the prison or any article therein or any other State property;
- (l) has in his cell or possession an unauthorised article or attempts to obtain such an article or commits a petty theft;
- (m) without permission receives from or gives to any person any article, or obtains it in any other way;
- (n) causes discontent, excitement or insubordination among his fellow-prisoners or participates in an unauthorised conspiracy;
- (o) lodges false, frivolous or malicious complaints;
- (p) lodges false and malicious accusations against a member, a fellow-prisoner or other person;
- (q) evades work by any means;
- (r) wilfully loses, destroys, alters, defaces or barter an identification card, document or other article issued to him;
- (s) commits an act with the intention of endangering his life, injuring his health or hampering his work or otherwise conducts himself to the prejudice of good order and discipline;
- (t) in any way acts contrary to good order and discipline;
- (u) having been hired to an employer or assigned for the purpose of labour to any person or body, refuses to work or leaves the service of such employer, person or body or place of work without permission;
- (v) attempts to commit one of the aforementioned offences.

Trial of a Prisoner and Sentences for Disciplinary Offences.

(2) The proceedings of trial of any alleged contravention mentioned in sub-regulation (1) shall take place in terms of the provisions of section *fifty-eight* of the Act. On conviction by a magistrate, the provisions of subsection (2) of section *fifty-one* of the Act, and on conviction by a commissioned officer the provisions of subsection (2) of section *fifty-four* of the Act, are applicable.

Case for Review to Commissioner.

(3) (a) When any of the sentences prescribed in section *fifty-four* of the Act are imposed, the Commissioner may, if he thinks fit, direct that the record of the proceedings in the case be submitted to him for review and may thereupon confirm or quash the conviction and sentence or confirm or alter the conviction and set aside, increase, reduce or otherwise reduce or alter the sentence, as he deems necessary in the interests of justice.

(b) The Commissioner may set aside, reduce or otherwise alter any of the sentences prescribed in section *fifty-four* of the Act which have been imposed upon a prisoner and which for any just reason cannot be enforced.

Verbeurdverklaring van geld.

(4) Geld of ander kosbaarhede wat in die wederregtelike besit van 'n gevangene gevind word of wat wederregtelik in 'n gevangenis ingebring is, kan deur die Kommissaris ten behoeve van die Staat verbeurd verklaar word.

*(C) Lyfstraf.**Toediening van lyfstraf deur laer en hoër hofe opgelê*

100. (1) Behoudens die bepalings van artikel ses-en-dertig van die Wet en onderworpe aan die bepalings en reëls van die Landdroshoewet, 1944 (Wet No. 32 van 1944), soos gewysig, en van die Strafproseduurewet, 1955 (Wet No. 56 van 1955), soos gewysig, betreffende appell in straf-sake moet lyfstraf—

(a) deur 'n laer hof opgelê of 'n vonnis van lyfstraf vir 'n tugoortreding deur 'n offisier of landdros opgelê, so spoedig moontlik ná bekragtiging daarvan toegedien word;

(b) deur 'n hoër hof en streekshof opgelê so spoedig moontlik ná oplegging daarvan toegedien word.

Nakoming van voorskrifte.

(2) Die hof van 'n gevangenis moet by die toediening van lyfstraf teenwoordig wees en moet die datum van toediening op die betrokke lasbrief aanbring, sodanige voorskrifte as wat die geneeskundige beampte mag uitreik ten einde benadeling van gesondheid te voorkom, uitvoer en enige verdere voorskrifte wat die Kommissaris in verband met die aangeleentheid mag voorskryf, nakom.

Kats en rottang.

(3) (a) Houe met 'n kats word toegedien met 'n instrument en op 'n wyse soos deur die Kommissaris bepaal.

(b) Houe met 'n rottang moet op die wyse soos deur die Kommissaris voorgeskryf oor die sitvlak toegedien word.

(c) Indien 'n hof lyfstraf as vonnis oplê maar nie aandui waarmee die houe toegedien moet word nie, moet sodanige lyfstraf met 'n rottang toegedien word.

Mate van rottang.

(4) 'n Rottang waarmee lyfstraf toegedien word op—

(a) 'n volwassene, moet so na moontlik vier voet lank en 'n halfduim in deursnee wees; en

(b) 'n jeugdige, moet so na moontlik drie voet lank en drie-agste duim in deursnee wees.

*(D) Eensame opsluiting, skraalrantsoen en verminderde rantsoen.**Eensame opsluiting.*

101. (1) (a) „Eensame opsluiting”, beteken alleen-opsluiting in 'n isolasiesel soos omskryf in artikel nege-en-sewentig van die Wet.

(b) „Skraalrantsoen”, bestaan uit 'n daelikse rantsoen van—

(i) 8 onse rys of mieliegrys gekook in 4 pinte water, sonder sout, vir mans; en

(ii) 6 onse rys of mieliegrys gekook in 3 pinte water, sonder sout, vir vrouens.

Verminderde rantsoen.

(c) „Verminderde rantsoen” bestaan uit die helfte van die voorgeskrewe daaglikse rantsoen en sluit nie in artikels soos konfyt, stroop of kerrie nie.

Geneeskundige ondersoek.

(2) Eensame opsluiting, skraalrantsoen en verminderde rantsoen word nie op 'n gevangene toegepas nie indien die geneeskundige beampte sertifiseer dat sodanige eensame opsluiting, skraalrantsoen of verminderde rantsoen nadelig is of sal wees vir so 'n gevangene se liggaamlike of verstandelike gesondheid.

Confiscation of Money.

(4) Money or other valuables found in the unlawful possession of a prisoner or unlawfully brought into a prison may be declared by the Commissioner to be forfeited to the State.

*(C) Corporal Punishment.**Infliction of Corporal Punishment Imposed by Inferior and Superior Courts.*

100. (1) Subject to the provisions of section thirty-six of the Act and subject to the provisions and rules of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), as amended, and of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), as amended, regarding appeal in criminal cases, corporal punishment—

(a) imposed by an inferior court, or a sentence of corporal punishment for a disciplinary offence imposed by an officer or magistrate, shall be inflicted as soon as possible after confirmation thereof;

(b) imposed by a superior court and regional court shall be inflicted as soon as possible after imposition thereof.

Observance of Instructions.

(2) The member in charge of a prison shall be present at the infliction of corporal punishment and shall endorse the date of infliction on the warrant concerned, execute such instructions as the medical officer may issue in order to prevent injury to health, and comply with any such further directions as the Commissioner may prescribe in respect of this matter.

Cat-o'-nine-tails and Cane.

(3) (a) Lashes with a cat-o'-nine-tails shall be inflicted with such instrument and in such manner as may be determined by the Commissioner.

(b) Lashes with a cane shall be inflicted across the buttocks in such manner as may be determined by the Commissioner.

(c) When a court imposes corporal punishment as a sentence but does not indicate with what the strokes are to be inflicted, such corporal punishment shall be inflicted with a cane.

Measurements of Cane.

(4) A cane with which corporal punishment is inflicted on—

(a) an adult, shall, as nearly as possible, be four feet long and a half-inch in diameter; and

(b) a juvenile, shall, as nearly as possible, be three feet long and three-eighths of an inch in diameter.

*(D) Solitary Confinement, Spare Diet and Reduced Diet.**Solitary Confinement.*

101. (1) (a) “Solitary confinement” means locking up alone in an isolation cell as defined in section seventy-nine of the Act.

(b) “Spare diet” consists of a daily ration of—

(i) 8 ounces of rice or mealie rice boiled in 4 pints of water, without salt, for males; and

(ii) 6 ounces of rice or mealie rice boiled in 3 pints of water, without salt, for females.

(c) “Reduced diet” consists of half the prescribed daily ration but does not include articles such as jam, treacle or curry.

Medical Examination.

(2) Solitary confinement, spare diet and reduced diet shall not be imposed upon a prisoner if the medical officer certifies that such solitary confinement, spare diet or reduced diet is or will be detrimental to a prisoner's physical or mental health.

Amptelike besoeke.

(3) 'n Gevangene wat eensame opsluiting of dieetstraf ondergaan moet daaglik deur die hoof van die gevangenis besoek word, en so dikwels doenlik deur die geneeskundige beampte.

Oefening gedurende eensame opsluiting.

(4) Indien 'n gevangene tot meer as drie dae eensame opsluiting gevonnis is, moet hy vir die duur van die vonnis vir 'n halfuur elke oggend en 'n halfuur elke middag in die opelug sodanige oefening as wat die Kommissaris bepaal, neem.

Arbeid gedurende 'n straf van skraalrantsoen.

(5) 'n Gevangene wat 'n vonnis van skraalrantsoen ondergaan, verrig geen arbeid nie.

Vol rantsoen tussen periodes van skraal- en verminderde rantsoen.

(6) Na elke drie dae op skraalrantsoen moet 24 uur op volle rantsoen deurgebring word voordat verdere skraalrantsoen toegepas word. Tussen 'n vonnis van skraalrantsoen en verminderde rantsoen moet ook 24 uur op volle rantsoen deurgebring word.

Geen dieetstraf op dag vóór vrylating of verskyning voor hof.

(7) 'n Gevangene mag nie aan 'n dieetstraf onderwerp word nie binne 24 uur voor vrylating, wanneer die datum van vrylating bepaal is, en indien moontlik ook nie op die dag vóór sy verskyning voor 'n hof buite die gevangenis nie.

Eensame opsluiting op enige dag van week.

(8) Behoudens die bepalings van subregulasies (6) en (7) kan dieetstrawwe op enige dag van die week, en moet dit so spoedig moontlik na oplegging uitgevoer word.

Eensame opsluiting en skraalrantsoen as vonnis 2 dae weekliks.

(9) (a) (i) 'n Gevangene wat ingevolge artikel *driehonderd vier-en-dertig* van die Strafproseswet, 1955 (Wet No. 56 van 1955), soos gewysig, tot 'n vonnis van gevangenisstraf en 'n vonnis van eensame opsluiting en skraalrantsoen gevonnis is, dien sodanige vonnis van eensame opsluiting en skraalrantsoen twee dae weekliks.

(ii) 'n Gevangene verrig geen arbeid nie gedurende dae wat hy in eensame opsluiting en skraalrantsoen, bedoel in subparagraaf (1), deurgebring.

(b) As 'n vonnis, soos in paragraaf (a) vermeld, opgelê word, kan die hoof van die gevangenis, na goeddunke die dae waarop sodanige vonnis uitgevoer moet word, vasstel, behoudens die bepalings van subregulasies (2) tot (7).

*(E) Dwangmiddels.**Dwangmiddels nie as straf.*

102. (1) Dwangmiddels word nooit as 'n straf aangewend nie, maar slegs vir die doeleindes soos in artikel *tagtig* van die Wet bepaal.

Soort en gebruik van dwangmiddels.

(2) Alle meganiese dwangmiddels moet van sodanige soort wees en op sodanige wyse gebruik word as wat die Kommissaris goedkeur: Met dien verstande egter dat kettings van swaarder as tien pond nie gebruik mag word nie.

*(F) Klagtes en versoeke.**Klagtes en versoeke van gevangenes moet ondersoek word.*

103. (1) Die hoof van 'n gevangenis moet daaglik elke gevangene sien, elke klag en versoek, deur 'n gevangene ingedien, ondersoek en sover moontlik afhandel.

Verdere afhandeling deur bevelvoerende offisier.

(2) Klagtes en versoeke wat hy nie kan afhandel nie, moet hy sonder versuim aan die bevelvoerende offisier stuur vir verdere afhandeling.

Official Visits.

(3) A prisoner undergoing solitary confinement or dietary punishment shall be visited daily by the member in charge of the prison and as often as practicable by the medical officer.

Exercise during Solitary Confinement.

(4) When a prisoner is sentenced to more than three days' solitary confinement, he shall for the duration of the sentence take such exercise in the open air for half an hour every morning and half an hour every afternoon as the Commissioner directs.

Work during a Sentence of Spare Diet.

(5) A prisoner who is undergoing a sentence of spare diet shall perform no work.

Full Ration between Periods of Spare Diet and Reduced Diet.

(6) After every three days on spare diet, 24 hours shall be passed on full diet, before further spare diet is applied. Between a sentence of spare diet and reduced diet, 24 hours on full diet shall also be passed.

No Dietary Punishment on any Day prior to Release or Appearance in Court.

(7) A prisoner shall not be subjected to dietary punishment within 24 hours of release, when the date of release is determined, and where practicable also not on the day prior to his appearance in a court outside the prison.

Solitary Confinement on any Day of the Week.

(8) Subject to the provisions of sub-regulations (6) and (7) dietary punishments may be applied on any day of the week and shall be enforced as soon as possible after imposition.

Solitary Confinement and Spare Diet as Sentence Two Days per Week.

(9) (a) (i) If a prisoner has been sentenced to a sentence of imprisonment and a sentence of solitary confinement and spare diet in terms of section *three hundred and thirty-four* of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), as amended, such sentence of solitary confinement on spare diet shall operate on two days weekly.

(ii) A prisoner shall perform no labour during the days spent in solitary confinement and spare diet as referred to in sub-paragraph (1).

(b) If a sentence as referred to in paragraph (a) is imposed, the member in charge of the prison may, at his discretion, determine the days on which such sentence shall be carried out, subject to the provisions of sub-regulations (2) to (7).

*(E) Restraints.**Restraints not as Punishment.*

102. (1) Restraints are never used as a punishment but merely for the purposes prescribed in section *eighty* of the Act.

Nature and Use of Restraints.

(2) All mechanical restraints shall be of such nature and be used in such manner as may be approved by the Commissioner: Provided, however, that chains exceeding ten pounds in weight shall not be used.

*(F) Complaints and Requests.**Complaints and Requests of Prisoners to be Investigated.*

103. (1) The member in charge of a prison shall see every prisoner daily, investigate every complaint and request submitted by a prisoner and as far as possible dispose thereof.

Further Attention by Officer Commanding.

(2) He shall, without delay, forward complaints and requests which he cannot dispose of to the officer commanding for further attention.

versoek om Kommissaris, ens., te spreek.

(3) Indien 'n gevangene gegronde redes het om die Kommissaris, die Adjunk-kommissaris, 'n Assistent-kommissaris of die Voorsitter van die Gevangenisraad te spreek, moet hy die versoek onverwyld aan die bevelvoerende offisier deurstuur en die bevelvoerende offisier moet die Kommissaris, Adjunk-kommissaris, Assistent-kommissaris of Voorsitter van die Gevangenisraad met sy volgende besoek verwittig van die versoek van 'n gevangene om hom te spreek.

*(G) Toegang tot 'n gevangenis.**Vry toegang tot gevangenis deur balju, ens.*

104. (1) Die balju, adjunk-balju en die bode van die hof het in die uitoefening van hul pligte vry toegang tot elke gevangenis.

Vry toegang tot gevangenis deur regter en landdros.

(2) (a) 'n Regter kan te eniger tyd enige gevangenis besoek, onderhoude met die gevangenes daarin voer en 'n verslag aan die Kommissaris stuur.

(b) 'n Landdros kan te eniger tyd die gevangenis binne sy regsgebied besoek, onderhoude met die gevangenes daarin voer en hy moet verslag oor sy bevindings aan die Kommissaris stuur.

(c) Die in paragrawe (a) en (b) bedoelde persone se handtekening in die besoekersboek is voldoende magtiging vir hul toelating tot 'n gevangenis.

Kommissaris kan ander besoeke goedkeur.

(3) Die Kommissaris kan na goedgekeurde goedkeur dat ander persone as dié in subregulasies (1) en (2) gemeld, 'n gevangenis besoek.

Ondervraging van persone en visentering van voertuie ens.

(4) (a) Enige persoon wat 'n gevangenis binnegaan of verlaat kan deur 'n lid of spesiale bewaarder ondervra en gevisenteer word.

(b) 'n Voertuig wat 'n gevangenis in- of uitgaan of enige voorwerp of artikel wat in 'n gevangenis gebring of daaruit geneem word, kan deursoek word.

Ondervraging en visentering van verdagte persone binne die gevangenis.

(5) Enige persoon wat daarvan verdink word dat hy enige verbode artikel in 'n gevangenis inbring of sodanige artikel of eiendom wat aan die gevangenis behoort daaruit neem, of wat terwyl hy in die gevangenis is in besit is van enige verbode artikel of onwettiglik in besit is van eiendom wat aan die gevangenis behoort, kan in opdrag van die hoof van die gevangenis ondervra en gevisenteer word.

Toegang tot gevangenis kan geweier word.

(6) Die hoof van 'n gevangenis kan toelating tot 'n gevangenis weier indien 'n persoon nie bevredigende antwoorde op vrae in verband met sy besoek verstrek nie of indien hy weier om hom te laat visenteer as dit nodig blyk.

Uitsetting uit gevangenis weens onbehoorlike gedrag.

(7) As 'n persoon homself onbehoorlik gedra terwyl hy in 'n gevangenis verkeer kan die hoof van die gevangenis sy uitsetting daaruit gelas en indien nodig hom laat visenteer.

*(H) Arbeid.**Algemene vereistes ten opsigte van arbeid.*

105. (1) Elke gevonniste gevangene moet arbeid verrig vir nie langer nie as tien uur per dag.

Geneeskundige beampte sertifiseer of gevangene geskik is vir werk.

(2) (a) 'n Gevangene verrig geen arbeid nie tensy die geneeskundige beampte sertifiseer dat hy daarvoor geskik is.

(b) Die geneeskundige beampte kan aanbeveel dat 'n gevangene om geneeskundige redes van werk vrygestel word.

Request to see the Commissioner, etc.

(3) If a prisoner has valid reasons for interviewing the Commissioner, the Deputy Commissioner, an Assistant Commissioner or the Chairman of the Prison Board he shall forthwith forward the request to the officer commanding and the officer commanding shall inform the Commissioner, the Deputy Commissioner and Assistant Commissioner or the Chairman of the Prison Board at his next visit of the request of a prisoner to interview him.

*(G) Access to a Prison.**Free Access to Prison by Sheriff, etc.*

104. (1) The sheriff, deputy-sheriff and messenger of the court shall have free access to every prison in the execution of their duties.

Free Access to Prison by Judge and Magistrate.

(2) (a) A judge may at any time visit any prison, interview the prisoners therein and forward a report to the Commissioner.

(b) A magistrate may at any time visit the prison situated within his jurisdiction and interview the prisoners therein, and he shall report his findings to the Commissioner.

(c) The signature in the visitors' book of the persons referred to in paragraphs (a) and (b) is sufficient authority for their admission to a prison.

Commissioner may Approve other Visits.

(3) The Commissioner may, at his discretion, approve that persons, other than those mentioned in sub-regulations (1) and (2), may visit a prison.

Interrogation of Persons and Searching of Vehicles.

(4) (a) Any person entering or leaving a prison may be interrogated and searched by a member or special warder.

(b) A vehicle entering or leaving a prison or any object or article taken into or out of a prison may be searched.

Interrogation and Searching of Suspected Persons in Prison.

(5) Any person suspected of bringing any prohibited article into a prison or of taking out such article or property belonging to the prison, or who, while in the prison, is in possession of any prohibited article or in unlawful possession of property belonging to the prison, may on the instructions of the member in charge of the prison be interrogated and searched.

Access to Prison may be Refused.

(6) The member in charge of a prison may refuse admission to a prison if a person does not furnish satisfactory replies to questions with regard to his visit or if he refuses to be searched if it appears necessary.

Ejection from Prison on Account of Improper Conduct.

(7) If a person conducts himself improperly whilst in the prison, the member in charge of the prison may order his ejection therefrom and if necessary have him searched.

*(H) Work.**General Requirements in Respect of Work.*

105. (1) Every sentenced prisoner shall perform work for not more than ten hours per day.

Medical Officer to Certify if Prisoner is Fit for Work.

(2) (a) A prisoner shall perform no work unless the medical officer certifies that he is fit to do so.

(b) The medical officer may recommend that a prisoner be exempted from work on medical grounds.

Kommissaris keur arbeid goed.

(3) 'n Gevangene mag nie arbeid verrig wat nie deur die Kommissaris goedgekeur is nie.

Gevangene mag nie arbeid vir lid verrig nie.

(4) 'n Gevangene mag nie sonder die uitdruklike goedkeuring van die Kommissaris arbeid vir 'n ander gevangene, 'n lid, 'n spesiale bewaarder of 'n private persoon of liggaam verrig nie.

Arbeid op Sondag en vakansiedae.

(5) 'n Gevangene verrig op Sondag, Nuwejaarsdag, Goeie Vrydag, Hemelvaartdag, Krugerdag, Geloftedag en Kersdag asook enige ander openbare vakansiedag deur die Minister aangedui, slegs sodanige arbeid as wat volstrek noodsaaklik is vir die higiëne en administrasie van die gevangenis.

*(I) Gratifikasie.**Gratifikasieverdiensle en beheer.*

106. Behoudens die bepalinge van artikel ses-en-sewentig van die Wet bepaal die Kommissaris die voorwaardes waaronder gratifikasie aan 'n gevangene betaal word, asook die wyse waarop verdiende gratifikasie beheer en deur 'n gevangene bestee word.

*(J) Ex-gratia vergoeding.**Vermindering van verdienvermoë deur ongeluk of letsel.*

107. Indien die verdienvermoë van 'n gevangene ten gevolge van 'n ongeval of letsel wat hy in die gevangenis opgedoen het verminder is, kan die Kommissaris in oorleg met die Sekretaris van die Tesourie aan die gevangene 'n redelike geldelike skadevergoeding uitkeer.

*(K) Godsdiens.**Notering van kerkverband.*

108. (1) By opneming moet die kerkverband van elke gevangene genoteer word en moet hy as 'n lid van daardie godsdiens, denominasie of sekte behandel word en gereeld alle dienste van daardie godsdiens, denominasie of sekte bywoon, tensy die hoof van die gevangenis oortuig is dat daar goeie redes bestaan waarom so 'n gevangene se kerkverband gewysig sal word, hy anders behandel moet word, of waarom hy nie sodanige kerkdienste sal bywoon nie.

Aanstelling van predikante en godsdienstige werkers.

(2) Indien die daaglikse gemiddelde getal gevonniste gevangenes wat tot 'n bepaalde godsdiens, denominasie of sekte behoort, in 'n gevangenis of groep gevangenis—

- (a) meer as twintig is, kan 'n geordende predikant van so 'n godsdiens, denominasie of sekte vir die geestelike bearbeiding van daardie gevangenes aangestel word, en bepaal die Kommissaris in oorleg met die Sekretaris van die Tesourie die toelaes, indien wel, wat aan so 'n predikant betaal kan word;
- (b) meer as twintig is en geen predikant soos in paragraaf (a) bedoel aangestel is nie, kan 'n lid van so 'n godsdiens, denominasie of sekte as godsdienstige werker vir die geestelike bearbeiding van sodanige gevangenes aangestel word, om sover moontlik die pligte van die predikant te vervul;
- (c) minder as twintig is en 'n predikant van so 'n godsdiens, denominasie of sekte beskikbaar is kan hy vir die geestelike bearbeiding van daardie gevangenes aangestel word;
- (d) minder as twintig is, en geen predikant beskikbaar is nie, kan 'n lid van so 'n godsdiens, denominasie of sekte as godsdienstige werker vir die geestelike bearbeiding van daardie gevangenes aangestel word:

Met dien verstande dat iemand wat as godsdienstige werker aangestel word nie toegelaat word nie, tensy daar vir sy goeie gedrag deur een of ander verantwoordelike persoon van daardie godsdiens, denominasie of sekte ingestaan word: Met dien verstande voorts dat 'n nie-blanke predikant of godsdienstige werker nie toegelaat word om blanke gevangenes te bearbei nie.

Commissioner to Approve Work.

(3) A prisoner shall perform no work which has not been approved by the Commissioner.

Prisoner shall not Perform Work for Member.

(4) A prisoner shall not perform work for another prisoner, a member, a special warder or a private person or body, without the explicit approval of the Commissioner.

Work on Sundays and Holidays.

(5) On Sunday, New Year's Day, Good Friday, Ascension Day, Kruger Day, Day of the Covenant and Christmas Day, as well as any other public holiday indicated by the Minister, a prisoner shall perform only such work as is absolutely essential for the hygiene and administration of the prison.

*(I) Gratuity.**Gratuity Earnings and Control.*

106. Subject to the provisions of section seventy-six of the Act the Commissioner shall determine the conditions under which a gratuity is paid to a prisoner, as well as the manner of control of any earned gratuity and the manner utilization by a prisoner.

*(J) Ex-gratia Rewards.**Reduction of Earning Capacity Through Accident or Injury.*

107. When, as a result of an accident or injury received in prison, a prisoner's earning capacity is reduced, the Commissioner, in consultation with the Secretary to the Treasury, may pay such prisoner a reasonable monetary compensation.

*(K) Religion.**Recording of Denomination.*

108. (1) The religious denomination of every prisoner shall be recorded on reception and he shall be treated as a member of such religion, denomination or sect and shall regularly attend all services of such religion, denomination or sect unless the member in charge of the prison is convinced that good reasons exist why the religious denomination of such prisoner should be changed, why he should be treated differently or why he should not attend such church services.

Appointment of Ministers of Religion and Religious Workers.

(2) When the daily average of sentenced prisoners belonging to a particular religion, denomination or sect in a prison or group of prisons—

- (a) exceeds twenty, an ordained minister of religion of such religion, denomination or sect may be appointed for the religious ministrations of such prisoners and the Commissioner, in consultation with the Secretary to the Treasury, shall determine the allowances, if any, which may be paid to such minister of religion;
- (b) exceeds twenty but no minister of religion as referred to in paragraph (a) has been appointed, a member of such religion, denomination or sect may be appointed as religious worker for the religious ministrations of such prisoners and to perform, as far as possible, the duties of minister of religion;
- (c) if less than twenty and a minister of religion of such religion, denomination or sect is available, he may be appointed for the religious ministrations of those prisoners;
- (d) is less than twenty and no minister of religion is available, a member of such religion, denomination or sect may be appointed as religious worker for the religious ministrations of those prisoners:

Provided that a person appointed as religious worker shall not be admitted unless his character be vouched for by some responsible person of that religion, denomination or sect: Provided, further, that a non-white minister of religion or religious worker shall not be allowed to minister to white prisoners.

Bybels en godsdienstige lektuur.

(3) Bybels en Christelike lektuur moet, sover prakties moontlik, in die taal van die betrokke gevangene, aan hom beskikbaar gestel word.

Arbeid op Godsdienstige vakansiedae.

(4) Terwyl 'n gevangene van die Christelike geloofsbelydenis op Sondae en sodanige ander dae as wat in subregulasie (5) van regulasie 107 bepaal word, slegs daardie arbeid verrig wat vir die higiëne en administrasie van die inrigting noodsaaklik is, moet die godsdienstige vakansiedae van 'n gevangene met 'n ander geloofsbelydenis op dieselfde wyse eerbiedig word. Met dien verstande dat daardie gevangene op Christelike godsdienstige vakansiedae gewone arbeid kan verrig.

(L) Onderwys en biblioteek.**Studies.**

109. (1) Met inagneming van sy straftermyn en persoonlike aanleg, moet elke gevangene aangemoedig word om in sy vrye tyd te studeer.

Verpligte studies.

(2) Die Kommissaris kan in bepaalde gevalle verpligte studies aan sekere kategorieë van gevangenes voorskryf en ook bepaal welke reëlings vir sodanige verpligte studie getref moet word.

Biblioteekgeriewe.

(3) Sover moontlik moet by elke gevangenis 'n behoorlik georganiseerde biblioteek wees, bevattende lektuur van opbouende en opvoedende aard wat tot die beskikking van elke gevangene is.

Boeke en tydskrifte van buite.

(4) 'n Gevangene kan boeke en tydskrifte van buite ontvang, onderworpe egter aan sodanige voorwaardes en reëls as wat die Kommissaris bepaal.

(M) Sosiale verhoudings.**Familieverhoudings.**

110. (1) Spesiale aandag moet geskenk word aan die behoud van die goeie verhouding tussen 'n gevangene en sy familie in die beste belang van beide partye.

Oordra van belangrike inligting aan gevangene.

(2) Benewens enige voorregte en gunste aan 'n gevangene vergun, kan 'n hoof van 'n gevangenis na goeddunke te eniger tyd belangrike inligting ten opsigte van die familie en vriende van die gevangene aan hom oordra.

Kennisgewing van opneming en oorplasing.

(3) By opneming in 'n gevangenis of by oorplasing moet die naasbestaandes van 'n gevangene deur homself of deur die hoof van die gevangenis daarvan verwittig word, tensy so 'n gevangene skriftelik versoek dat dit nie gedoen word nie.

Kennisgewing van dood, ens.

(4) In geval van ernstige siekte of dood, of indien 'n gevangene geestesgekreuk verklaar word of in enige ongeluk betrokke raak, moet sy naasbestaandes daarvan verwittig word.

(N) Geneeskundige dienste.**Hospitaalakkommodasie.**

111. (1) (a) Elke gevangenis moet van 'n hospitaal voorsien wees vir die geneeskundige behandeling van 'n siek gevangene.

(b) Opgeleide personeel moet die nodige hospitaaldienste verrig.

Besoeke, ondersoeke en verslae deur geneeskundige beampte.

(2) (a) Elke siek gevangene moet so dikwels as wat nodig is deur die geneeskundige beampte besoek word en elke gevangene wat kla dat hy siek is, en elke gevangene op wie sy aandag spesiaal gevestig is, moet deur hom ondersoek word.

Bibles and Religious Literature.

(3) As far as practicable, bibles and religious literature shall be made available in the language of the prisoner concerned.

Work on Religious Holidays.

(4) Whereas a prisoner of the Christian faith performs only such work as is essential to the hygiene and administration of the institution on Sundays and such other days as are provided for by sub-regulation (5) of regulation 107, the religious holidays of a prisoner of another faith shall be respected in the same manner: Provided that such prisoner may perform normal work on holidays of the Christian faith.

(L) Education and Library.**Studies.**

109. (1) With due regard to his period of sentence and his personal ability, each prisoner shall be encouraged to study in his free time.

Compulsory Studies.

(2) In specified cases the Commissioner may prescribe compulsory studies for certain categories of prisoners and also determine what arrangements shall be made for such compulsory study.

Library Facilities.

(3) At each prison there shall be, as far as possible, a properly organised library, containing literature of a constructive and educational nature, which shall be at the disposal of every prisoner.

Books and Periodicals from Outside.

(4) A prisoner may receive books and periodicals from outside subject, however, to such conditions and rules as the Commissioner may determine.

(M) Social Relationships.**Family Relationships.**

110. (1) Special attention shall be accorded to the preservation of the good relationship between a prisoner and his relatives in the best interests of both parties.

Transmission of Important Information to Prisoners.

(2) In addition to any privileges and indulgences granted a prisoner, a member in charge of a prison may at his discretion at any time transmit important information in respect of the relatives and friends of the prisoner to him.

Notice of Reception and Removal.

(3) On reception in a prison or an removal, the next of kin of a prisoner shall be notified thereof by himself or by the member in charge of the prison, unless such prisoner requests in writing that it shall not be done.

Notice of Death, etc.

(4) In the event of serious illness or death, or if a prisoner has been declared mentally defective or if involved in any accident, his next of kin shall be notified thereof.

(N) Medical Services.**Hospital Accommodation.**

111. (1) (a) Each prison shall be provided with a hospital for the medical treatment of a sick prisoner.

(b) Trained staff shall perform the necessary hospital services.

Visits, Examinations and Reports by Medical Officer.

(2) (a) Every prisoner who is ill shall be visited by the medical officer as often as necessary and every prisoner who complains of illness, and every prisoner to whom his attention is specially drawn, shall be examined by him.

(b) Die geneeskundige beampte moet die gevangenis minstens een keer per week inspekteer.

(c) Die geneeskundige beampte moet verslag doen oor enige aangeleentheid rakende geneeskundige en gesondheidsaspekte wat hy van mening is onder die aandag van die Kommissaris behoort gebring te word.

Konsultasie met ander geneeskundige praktisyne.

(3) (a) Indien hy dit nodig ag, kan die geneeskundige beampte 'n ander geneeskundige praktisyne konsulteer en moet hy dit in alle gevalle doen voordat 'n ernstige operasie op 'n gevangene uitgevoer word, tensy hy van mening is dat dit noodsaaklik is dat die operasie onmiddellik uitgevoer word.

(b) Geen operasie mag sonder die toestemming van 'n gevangene, indien hy in staat is om sy toestemming te verleen, op hom uitgevoer word nie.

(O) Higiëne.

Was- en badgeriewe en toiletbenodigdhede.

112. (1) Was- en badgeriewe en toiletbenodigdhede moet te alle tye aan 'n gevangene beskikbaar gestel word.

Baardskeer en kap van hare.

(2) Aan 'n manlike gevangene moet skeergeriewe en fasiliteite vir haarskeer beskikbaar wees en baard moet geskeer en hare gekap word so dikwels as wat vir sinde-likheid nodig is, tensy die geneeskundige beampte skriftelik anders gelas.

(P) Oefening.

Gereelde oefening.

113. (1) 'n Gevangene wat nie buitemuurs werk verrig nie moet een uur per dag in die buitlug oefening neem indien die weer dit toelaat, maar die Kommissaris kan in spesiale gevalle goedkeur dat slegs 'n halfuur oefening per dag geneem word.

Liggaamsoefening onder toesig.

(2) Waar prakties moontlik moet 'n gevangene van geskikte ouderdom liggaamsoefening onder toesig van 'n opgeleide instrukteur neem.

Geneeskundige voorskrif ten opsigte van liggaamsoefening.

(3) Die geneeskundige beampte moet aandui of 'n gevangene liggaamlik geskik is om liggaamsoefeninge te neem, of die oefeninge gewysig moet word en of hy ongeskik is vir enige liggaamsoefening.

(Q) Voedsel.

Kwaliteit van voedsel.

114. (1) Voedsel van voldoende voedingswaarde, bestaande uit 'n redelike verskeidenheid, goed voorberei en opgedis, moet behoudens die bepalinge van subregulasies (3) en (4) ooreenkomstig 'n dieetskaal deur die Kommissaris bepaal, aan 'n gevangene verskaf word.

Inspeksie van voedsel en water.

(2) Die geneeskundige beampte moet die voedsel, rou en voorberei, wat aan 'n gevangene voorsien word, gereeld inspekteer en aan die bevelvoerende offisier verslag doen oor die kwaliteit en kwantiteit daarvan, asook oor die kwantiteit en toestand van die water.

Geen voedsel behalwe gevangensdieet.

(3) Behoudens die bepalinge van artikel twee-en-tagtig van die Wet en tensy die Kommissaris dit goedkeur of tensy die geneeskundige beampte anders voorskryf, mag geen gevangene ander voedsel as die voorgeskrewe dieet ontvang nie.

Kwantiteit van voedsel.

(4) Geen gevangene mag minder voedsel as wat in die gevangensdieetskaal voorgeskryf word, ontvang nie, behalwe waar hy 'n dieetvonnis opgelê is, of waar die geneeskundige beampte 'n verminderde of gewysigde dieet voorskryf.

(b) The medical officer shall inspect the prison at least once a week.

(c) The medical officer shall report on any matter concerning medical and health aspects which he considers should be brought to the attention of the Commissioner.

Consultation with Other Medical Practitioners.

(3) (a) If he deems it necessary, the medical officer may consult another medical practitioner and he shall do so in all instances before a serious operation is performed on a prisoner, unless he considers that it is essential that the operation be performed immediately.

(b) No operation shall be performed on a prisoner without his consent, if he is able to furnish his consent.

(O) Hygiene.

Washing and Bathing Facilities and Toilet Requisites.

112. (1) Washing and bathing facilities and toilet requisites shall be made available to a prisoner at all times.

Shaving and Cutting of Hair.

(2) Shaving amenities and facilities for haircuts shall be available to a male prisoner, and beards shall be shaved and hair cut as often as is necessary for cleanliness, unless the medical officer otherwise orders in writing.

(P) Exercise.

Regular Exercise.

113. (1) A prisoner not employed on outdoor work shall take exercise for one hour per day in the open air, weather permitting, but in special cases the Commissioner may approve that exercise be taken for only half an hour per day.

Physical Exercise under Supervision.

(2) Where practicable a prisoner of suitable age shall take physical exercise under the supervision of a trained instructor.

Medical Direction Regarding Physical Exercise.

(3) The medical officer shall indicate whether a prisoner is physically fit to do physical exercise whether the exercises shall be modified, or whether he is unfit for any physical exercise.

(Q) Food.

Quality of Food.

114. (1) Food of adequate nutritional value, consisting of a reasonable variety, well prepared and served, shall, subject to the provisions of sub-regulations (3) and (4), be supplied to a prisoner according to a diet scale as determined by the Commissioner.

Inspection of Food and Water.

(2) The medical officer shall regularly inspect the food, uncooked and cooked, provided for prisoners, and shall report to the officer commanding on the quality and quantity thereof, and also on the quantity and condition of the water.

No Food Except Prison Diet.

(3) Subject to the provisions of section eighty-two of the Act and unless the Commissioner approves or unless the medical officer otherwise prescribes, no prisoner shall receive no food other than the prescribed diet.

Quantity of Food.

(4) No prisoner shall receive less food than prescribed in the prison diet scale, except where a dietary sentence has been imposed or when the medical officer prescribes a reduced or an amended diet.

(R) *Kleding.*

Gevonnisde gevangenes mag geen privaat klere dra nie.

115. Elke gevonnisde gevangene moet by opneming van 'n volledige stel klere, soos deur die Kommissaris bepaal, voorsien word wat aan gesondheidsvereistes voldoen en die nodige hitte verskaf, en slegs daardie klere word gedurende sy aanhouding gedra, tensy die Kommissaris anders bepaal.

(S) *Klassifisering van gevangenes.**Klassifisering.*

116. Behoudens die bepalings van artikel twee-en-twintig en artikel drie-en-twintig van die Wet en by ooreweging van persoonlike en alle ander tersaaklike faktore—

- (a) word elke gevangene geklassifiseer vir aanhouding in 'n deur die Minister bepaalde gevangenis;
- (b) kan so 'n gevangene op grondslag van trapsgewyse vordering na 'n ander soort gevangenis oorgeplaas word; en
- (c) kan so 'n gevangene na enige ander soort gevangenis teruggeplaas word.

(T) *Opleiding en behandeling.**Doel van opleiding.*

117. (1) Die doel van opleiding en behandeling van 'n gevangene gevonnisd tot gevangenisstraf is, sover die duur van sy vonnis dit toelaat, om—

- (a) by hom die wil aan te kweek om 'n eerbare en vlytige lewe na vrylating te ly;
- (b) hom toe te rus om so 'n eerbare en vlytige lewe na vrylating te kan ly;
- (c) sy selfrespek te ontwikkel; en
- (d) by hom 'n verantwoordelikeheidsin te ontwikkel.

Uitvoering.

(2) Ten einde die doelstellings in subregulasie (1) te verwesenlik, word, met inagneming van die veilige bewaring van elke gevangene, en sonder onnodige familiariteit tussen 'n lid of spesiale bewaarder en 'n gevangene—

- (a) opleiding toegepas;
- (b) voorligting en persoonlike leiding deur die personeel gegee;
- (c) sosiale omgang toegelaat;
- (d) studies aangemoedig; en
- (e) godsdienstige onderrig aangewend.

Oprigting van werkwinkels.

(3) Die Kommissaris kan by gevangenissoe sodanige werkwinkels en ander werkplekke oprig en inrig as wat hy, in oorleg met die Tesourie, nodig ag.

Faktore by bepaling van opleidingsprogram.

(4) (a) By die bepaling van die opleiding van 'n gevangene moet alle individuele faktore in ag geneem word en in die besonder moet aandag geskenk word aan—

- (i) vorige ondervinding;
- (ii) aanleg; en
- (iii) straftermyn.

(b) Indien dit blyk dat 'n gevangene nie in die opleiding waaraan hy toegewys is belangstel of geen vordering maak nie, of om enige ander rede, kan die Kommissaris opleiding in 'n ander rigting beveel, of sodanige ander stappe doen as wat nodig geag word.

(U) *Afsondering.**Afsondering van gevangenes wat slegte invloed uitoefen.*

118. (1) Indien die hoof van 'n gevangenis sertifiseer dat 'n gevangene 'n slegte invloed op 'n ander gevangene uitoefen, of poog of beplan om te ontvlug, na ontvlugting weer in hegtenis geneem is, geweld pleeg of Departementele beleid ondermyn, kan die Kommissaris die afsondering van sodanige gevangene ingevolge subartikel (2) van artikel agt-en-sewentig van die Wet gelas.

(R) *Clothing.**Sentenced Prisoners shall Wear no Private Clothing.*

115. Every sentenced prisoner shall on reception be provided with a complete outfit of clothing, as determined by the Commissioner, which complies with the requirements of health and which furnishes the necessary warmth and only such clothing shall be worn during his detention, unless the Commissioner otherwise determines.

(S) *Classification of Prisoners.**Classification.*

116. Subject to the provisions of section twenty-two and section twenty-three of the Act and on consideration of personal and all other relevant factors—

- (a) every prisoner is classified for detention in a prison determined by the Minister;
- (b) such a prisoner may, on a basis of progressive stage system, be removed to another type of prison; and
- (c) such a prisoner may be degraded to any other type of prison.

(T) *Training and Treatment.**Purpose of Training.*

117. (1) The purpose of training and treatment of a prisoner sentenced to imprisonment is, as far as the duration of his sentence permits, to—

- (a) establish in him the will to lead a virtuous and industrious life after release;
- (b) fit him to be able to lead such a virtuous and industrious life after release;
- (c) develop his self-respect; and
- (d) develop in him a sense of responsibility.

Execution.

(2) For the realisation of the aims contained in sub-regulation (1), with due regard to the safe custody of each prisoner and without undue familiarity between a member or special warder and a prisoner—

- (a) training is applied;
- (b) advice and personal guidance is given by the staff;
- (c) social intercourse is allowed;
- (d) studies are encouraged; and
- (e) religious tuition is given.

Establishment of Workshops.

(3) The Commissioner may establish and arrange such workshops and other working places at prisons as he, in consultation with the Treasury, may deem necessary.

Factors in Determining Programme of Training.

(4) (a) In determining the training of a prisoner all individual factors shall be taken into consideration and in particular, attention shall be given to—

- (i) previous experience;
- (ii) aptitude; and
- (iii) period of sentence.

(b) Should it appear that a prisoner is not interested or progressing in the training to which he is assigned, or for any other reason, the Commissioner may order training in another direction, or may take such other action as is deemed necessary.

(U) *Segregation.**Segregation of Prisoners Exercising Pernicious Influence.*

118. (1) Should a member in charge of a prison certify that a prisoner exercises a pernicious influence over another prisoner, or attempts or plans to escape, is recaptured after escaping, displays violence or undermines Departmental policy, the Commissioner may order the segregation of such prisoner, in terms of sub-section (2) of section seventy-eight of the Act.

Kommissaris kan bevel tot afsondering herroep.

(2) Die Kommissaris kan die bevel tot afsondering te eniger tyd herroep.

(V) *Strafvermindering.*

Basis van strafvermindering.

119. (1) Die Kommissaris kan aan 'n gevangene wat 'n vonnis of gesamentlike vonnis van minder as twee jaar gevangenisstraf met of sonder die keuse van 'n boete uitdien, strafvermindering van hoogstens een-derde van so 'n vonnis toeken.

Strafvermindering toegeken by opneming.

(2) Strafvermindering soos deur die Kommissaris ingevolge subregulasie (1) bepaal, word toegeken onmiddellik ná opneming van 'n gevangene en indien die gevangene hom nie goed gedra nie geskied verbeurings van sodanige strafvermindering ingevolge die bepalinge van subregulasie (4).

Goeie gedrag.

(3) Die Kommissaris bepaal wat goeie gedrag is.

Verbeuring van strafvermindering.

(4) Strafvermindering word verbeur—

(a) vir elke oortreding gepleeg ingevolge, of versuim om te voldoen aan, die bepalinge van die Wet, die Gemeenereg of enige ander statutêre bepaling terwyl die gevangene in bewaring is en waarvoor 'n skuldigbevinding op 'n formele aanklag volg, op die volgende basis:—

- (i) Geen strafvermindering vir 'n berisping;
- (ii) drie dae as die vonnis die ontneming van alle voorregte, gratifikasies, vergunnings of maaltye is; en
- (iii) ses dae in die geval van 'n skuldigbevinding waarvoor enige ander vonnis opgelê is;

(b) in enige ander geval soos deur die Kommissaris bepaal.

Vonnisse ten opsigte waarvan strafvermindering nie toegeken word nie.

(5) Geen strafvermindering word toegeken nie ten opsigte van 'n vonnis van gevangenisstraf opgelê vir 'n oortreding gepleeg ingevolge of versuim om te voldoen aan, die bepalinge van die Wet, die Gemeenereg of enige ander statutêre bepaling terwyl die gevangene in bewaring is.

Strafvermindering is geen reg.

(6) Strafvermindering kan nie as 'n reg geëis word nie.

(W) *Vrylating.*

Ondersoek deur geneeskundige beampte.

120. (1) Waar prakties uitvoerbaar moet elke gevonniste gevangene so kort moontlik voor vrylating deur 'n geneeskundige beampte ondersoek word.

Mediese sertifikaat ten opsigte van lyers aan akute of gevaarlike siekte by vrylating.

(2) Indien die geneeskundige beampte by verstryking van 'n gevangene se vonnis sertifiseer dat so 'n gevangene aan 'n akute of gevaarlike siekte van so 'n ernstige of aansteeklike aard ly, of dat daar vermoed word dat hy sodanige siekte onder lede het, dat sy onmiddellike vrylating—

- (a) 'n gevaar vir sy lewe of ernstige benadeling van sy gesondheid inhou, of
 - (b) 'n bron van besmetting vir ander sou kan wees,
- word die gevangene nie vrygelaat nie.

Onderhoud by vrylating.

(3) Elke gevonniste gevangene moet voor vrylating deur 'n offisier, indien beskikbaar, of deur die hoof van 'n gevangenis te woord gestaan word.

Commissioner may Revoke Segregation Order.

(2) The Commissioner may at any time revoke the order of segregation.

(V) *Remission of Sentence.*

Basis of Remission of Sentence.

119. (1) The Commissioner may grant a prisoner who is serving a sentence or a total sentence of less than two years imprisonment, with or without the option of a fine, a remission of sentence not exceeding one-third of such sentence.

Remission of Sentence Granted on Reception.

(2) Remission of sentence as determined by the Commissioner in terms of sub-regulation (1), is granted immediately after reception of a prisoner and if the prisoner is not of good behaviour such remission is forfeited in terms of the provisions of sub-regulation (4).

Good Behaviour.

(3) The Commissioner determines what constitutes good behaviour.

Forfeiture of Remission of Sentence.

(4) Remission of sentence is forfeited—

(a) for every offence committed under, or failure to comply with, the provisions of the Act, the Common Law or any other statutory provision while the prisoner is in custody, and for which a conviction follows on a formal charge, on the following basis:—

- (i) No remission of sentence for a reprimand;
- (ii) three days if the sentence is the deprivation of privileges, gratuities, indulgences or meals; and
- (iii) six days in respect of a conviction for which any other sentence was imposed;

(b) in any other case as determined by the Commissioner.

Sentences in Respect of which Remission of Sentence is not Granted.

(5) No remission of sentence is granted in respect of a sentence of imprisonment imposed for an offence committed under, or failure to comply with, the provisions of the Act, the Common Law or any other statutory provision while the prisoner is in custody.

Remission of Sentence is no Right.

(6) Remission of sentence cannot be claimed as a right.

(W) *Release.*

Examination by Medical Officer.

120. (1) Where practicable every sentenced prisoner shall be examined by a medical officer as shortly as possible before release.

Medical Certificate in respect of a Person Suffering from Acute or Dangerous Disease on Release.

(2) Should the medical officer on expiration of a prisoner's sentence certify that such a prisoner is suffering from an acute or dangerous disease of such serious or infectious nature, or if it is suspected that he is affected with such disease, that his immediate release—

- (a) is likely to result in his death or serious injury to his health, or
 - (b) may be a source of infection to others,
- the prisoner is not released.

Interview on Release.

(3) Every sentenced prisoner shall, prior to his release, be interviewed by a commissioned officer, if available, or by the member in-charge of a prison.

Reëlings vir indiensplasing.

(4) Sover prakties moontlik moet alle reëlings vir indiensplasing reeds getref wees voordat enige gevangene vrygelaat word.

Klere, erkenning van ontvangs van privaatbesittings, vervoer en rantsoene vir reis by vrylating.

(5) By vrylating—

- (a) moet sy geld en ander privaatbesittings aan die gevangene oorhandig word, tensy dit nodig was om sy klere te vernietig of daarmee anders volgens bepalings van die Kommissaris gehandel is, in welke geval doeltreffende klere en ander benodigdhede soos deur die Kommissaris bepaal, aan die gevangene verskaf moet word;
- (b) moet die gevangene die ontvangs van sy geld en ander privaatbesittings skriftelik erken;
- (c) kan aan 'n gevonniste gevangene 'n spoorwegorder vir 'n reiskaartjie teen staatstarief en beddegoed na 'n stasie binne die Unie of Suidwes-Afrika soos deur die Kommissaris bepaal, uitgereik word; en
- (d) moet voldoende voedsel vir die reis verskaf word, of indien reëlins vir die verskaffing van voedsel nie vooraf getref kan word nie 'n bedrag wat nie die tarief oorskry nie, wat die Kommissaris, in oorleg met die Tesourie, bepaal aan 'n gevonniste gevangene gegee word.

*(X) Versoekskrifte.**Versoekskrifte slegs op besondere feite.*

121. (1) 'n Gevangene wat besondere feite wat nie reeds bekend is nie wil voorlê, of aan wie die geleentheid ontbreek het om sodanige feite persoonlik voor te lê, kan toegelaat word om vertoë waarin dié feite gemeld word aan die Minister te rig.

Kommissaris stel voorwaardes.

(2) Die Kommissaris kan voorwaardes stel waaraan die vertoë moet voldoen alvorens dit vir oorweging aangestuur word en die prosedure bepaal waarvolgens dit voorgelê moet word.

*(Y) Hulp by vrylating.**Hulp by vrylating.*

121. Die Minister kan aan enige deur hom goedgekeurde liggaam, op sodanige voorwaardes as wat hy bepaal, 'n toelaag wat deur die Parlement vir hulp aan 'n gevangene by vrylating bewillig word, uitbetaal vir besteding op 'n wyse wat deur hom bepaal moet word vir die nasorg en die heraanpassing van 'n vrygelate gevangene.

*(Z) Regsbesoeke.**Regsbesoeke aan 'n party of getuie in 'n regsding.*

123. (1) Aan 'n gevangene wat 'n party of 'n getuie in 'n regsding is, hetsy siviël of strafregtelik, moet redelike geleentheid gebied word om sy regsadviseur in verband met daardie regsangeleentheid te spreek binne gesig maar buite gehoor van 'n lid of spesiale bewaarder.

Besoeke in verband met ander regsangeleenthede.

(2) 'n Regsadviseur van 'n gevangene wat hom in verband met enige ander regsangeleentheid wil spreek, kan met toestemming van die Kommissaris toegelaat word om dit binne gesig en gehoor van 'n lid of spesiale bewaarder te doen.

Weiering van toestemming.

(3) Vergunning om 'n gevangene te spreek kan aan 'n regsadviseur geweier word indien hy op versoek nie bereid is om die aard van die regsangeleentheid te openbaar waarvoor hy die gevangene wens te spreek nie.

Arrangements for Employment.

(4) As far as practicable all arrangements for employment shall have been made before any prisoner is released.

*Clothing, Acknowledgment of Receipt of Private Effects, Transport and Rations for Journey on Release.**(5) On release—*

- (a) his money and other private effects shall be handed over to the prisoner, unless it was necessary to destroy his clothing or otherwise to dispose thereof in accordance with the decision of the Commissioner in which case, suitable clothing and other requirements as determined by the Commissioner, shall be provided to the prisoner;
- (b) the prisoner shall acknowledge receipt of his money and other private effects in writing;
- (c) a rail warrant for a ticket at Government rate and bedding to a railway station within the Union or South West Africa, as determined by the Commissioner, may be supplied to a sentenced prisoner; and
- (d) sufficient food shall be provided for the journey, or if prior arrangements for the supply of food cannot be made, an amount not exceeding the rates which the Commissioner, in consultation with the Treasury, determines, shall be granted a sentenced prisoner.

*(X) Petitions.**Petition on Special Facts Only.*

121. (1) A prisoner who wishes to submit particular facts not yet known, or who has had no opportunity of submitting such facts personally, may be allowed to address a petition, wherein these facts are mentioned, to the Minister.

Commissioner Stipulates Conditions.

(2) The Commissioner may stipulate conditions to which the petition shall conform before it is forwarded for consideration and determine the procedure according to which it shall be submitted.

*(Y) Assistance on Release.**Assistance on Release.*

122. The Minister may pay out to any authority approved by him, under such conditions as he may determine, a grant, which has been assented to by Parliament for assistance to a prisoner on release, to be utilised in a manner determined by him for the after-care and the re-adjustment of a released prisoner.

*(Z) Legal Visits.**Legal Visits to a Party or Witness in a Legal Proceeding.*

123. (1) Reasonable opportunity shall be afforded to a prisoner who is a party or a witness in a legal proceeding, whether civil or criminal, to interview his legal adviser in connection with that legal matter, in the sight but not in the hearing of a member or special warder.

Visits in Regard to Other Legal Matters.

(2) A legal adviser of a prisoner who wishes to interview him in connection with any other legal matter may, with the permission of the Commissioner, be allowed to do so in the sight and hearing of a member or special warder.

Refusal of Permission.

(3) Permission to interview a prisoner may be refused a legal adviser if he, on request, is not prepared to disclose the nature of the legal matter regarding which he desires to interview the prisoner.

Misbruik van vergunning.

(4) As 'n regsadviseur aan wie kragtens hierdie regulasie vergunning gegee is om 'n gevangene te besoek, van die voorreg misbruik maak of op enige wyse 'n gevangenisvoorskrif oortree of poog om te oortree, kan verder besoeke aan 'n gevangenis hom ontsê word vir so lank as wat die Kommissaris goeddink.

*(AA) Bewaking van gevangenes.**Bewaking van gevangenes.*

124. Nie-blanke lede of nie-blanke spesiale bewaarders moet onder geen omstandighede met die toesig oor blanke gevangenis belas word nie.

(BB) Onderhoude deur Kommissaris, Adjunk- of Assistent-kommissaris of voorsitter van 'n gevangenisraad.

Onderhoud deur Kommissaris, Adjunk- of Assistent-kommissaris of voorsitter van 'n gevangenisraad.

125. Ten minste een keer per jaar moet die Kommissaris of Adjunk- of Assistent-kommissaris of voorsitter van 'n gevangenisraad met alle gevangenis wat tot gevangenisstraf vir nege jaar en langer of tot lewenslange gevangenisstraf gevonnissen is en met diegene wat tot gewoontemisdadiger verklaar is, 'n onderhoud voer.

*GEVANGENISRADE.**(A) Gebied, plek van sitting en kworum.**Bepaling van gebiede van rade.*

126. (1) Die Minister bepaal vir welke gebied of gevangenis 'n gevangenisraad aangestel word.

Tyd en plek van sitting.

(2) Die gevangenisraad hou op sodanige tye en plekke sitting soos deur die Kommissaris bepaal.

Kworum.

(3) Twee lede van 'n raad, waarvan een die voorsitter moet wees, vorm 'n kworum.

*(B) Werkzaamhede en pligte van gevangenisrade.**Werkzaamhede en pligte.*

127. Behoudens die werkzaamhede en pligte soos vervat in hoofstuk VI van die Wet, moet 'n gevangenisraad ook die werkzaamhede en pligte soos by regulasies bepaal, asook die opdragte van die Kommissaris wat nie met die Wet teenstrydig is nie, nakom en uitvoer.

Onderhoude en verslae.

128. (1) 'n Gevangenisraad moet elke gevangene waarvan in paragrawe (i), (ii), (iii), (iv), (v) en (vi) van subartikel (a) van artikel een-en-sestig van die Wet verwys word, so spoedig moontlik na opneming in 'n gevangenis te woord staan met die doel om—

- (a) hom te vermaan tot goeie gedrag;
- (b) hom in te lig aangaande opleiding en behandeling; en
- (c) 'n aanbeveling te maak aan die Kommissaris aangaande die soort behandeling en opleiding wat hy moet geniet.

Vorm van verslae.

(2) 'n Gevangenisraad moet minstens eenkeer per jaar of wanneer nodig verslae op 'n wyse soos deur die Kommissaris bepaal, voorlê aangaande enige in subregulasie (1) bedoelde gevangene se—

- (a) aanpassing by sy omgewing en medegevangenes;
- (b) gebruikmaking van die geleentheid van opleiding; en
- (c) moontlikheid tot rehabilitasie.

Abuse of Permission.

(4) When a legal adviser to whom permission has been granted to visit a prisoner, under this regulation, abuses this privilege or in any manner infringes or attempts to infringe any prison rule, he may be denied further visits to a prison for as long as the Commissioner deems fit.

*(AA) Guarding of Prisoners.**Guarding of Prisoners.*

124. Non-white members or non-white special warders shall under no circumstances be charged with the guarding of white prisoners.

(BB) Interviews by Commissioner, Deputy or Assistant Commissioner or Chairman of a Prison Board.

Interview by Commissioner, Deputy or Assistant Commissioner or Chairman of a Prison Board.

125. The Commissioner, Deputy or Assistant Commissioner or Chairman of the Prison Board shall, at least once every year, conduct an interview with all prisoners sentenced to imprisonment for nine years or longer or to life imprisonment and with those who have been declared habitual criminals.

*PRISON BOARDS.**(A) Area, Place of Sitting and Quorum.**Determination of Areas of Boards.*

126. (1) The Minister determines for which area or prison a board is appointed.

Time and Place of Sitting.

(2) The prison board conducts meetings at such times and at such places as the Commissioner determines.

Quorum.

(3) Two members of a board, one of whom shall be the chairman, constitutes a quorum.

*(B) Functions and Duties of Prison Boards.**Functions and Duties.*

127. Subject to the functions and duties set out in Chapter VI of the Act, a prison board shall carry out and perform the functions and duties prescribed by the regulations, as well as the instructions of the Commissioner which are not contrary to the Act.

Interviews and Reports.

128. A prison board shall interview every prisoner referred to in paragraphs (i), (ii), (iii), (iv), (v) and (vi) of sub-section (a) of section sixty-one of the Act, as soon as possible after reception into a prison, with the object of—

- (a) exhorting him to good conduct;
- (b) enlightening him in regard to his training and treatment; and
- (c) making a recommendation to the Commissioner regarding the type of training and treatment which he shall receive.

Form of Reports.

(2) A prison board shall, at least once per year or when necessary, in a manner prescribed by the Commissioner, submit reports in respect of a prisoner referred to in sub-regulation (1) as to—

- (a) adjustment to his environment and fellow-prisoners;
- (b) utilising of the opportunity for training; and
- (c) possibility of rehabilitation.

Aanbevelings.

(3) 'n Gevangenisraad maak oor elk in subregulasie (1) bedoelde gevangene, wanneer nodig, aanbevelings aan—

- (a) verandering van opleiding, behandeling, gevangenis of indeling;
- (b) vrylating;
- (c) tydperk en voorwaardes van vrylating op proef; of
- (d) tydperk, toesig en voorwaardes van vrylating op parool.

Aangehoudenes in 'n boerderykolonie.

129. 'n Gevangenisraad kan ten opsigte van 'n gevangene wat in 'n boerderykolonie aangehou word, nadat—

- (a) die helfte van sy vonnis uitgedien is, aanbeveel dat so 'n gevangene op parool vrygelaat word; of
- (b) twee-derdes van sy vonnis uitgedien is, aanbeveel dat hy op proef of onvoorwaardelik vrygelaat word.

Parool.

130. 'n Gevangenisraad kan indien hy oortuig is dat parool die rehabilitasie van 'n gevangene sal bevorder, aanbeveel dat so 'n gevangene op wie—

- (a) 'n vonnis van twee jaar of langer gelê is, op parool vrygelaat word, en indien die tydperk van parool binne die perke val wat deur die Goewerneur-generaal by regulasie vir afslag van vonnisse voorgeskryf is, kan die Kommissaris sodanige aanbeveling goedkeur; of
- (b) 'n vonnis van minder as twee jaar gevangenisstraf gelê is, op parool vrygelaat word, en indien so 'n gevangene die helfte van sy vonnis uitgedien het, kan die Kommissaris sodanige aanbeveling goedkeur: Met dien verstande dat die Kommissaris 'n gevangene op wie 'n vonnis of gesamentlike vonnis van nie meer nie as vier maande gelê is te eniger tyd op parool kan vrylaat.

Strafvermindering deur gevangenisraad.

131. (1) By die aanbeveling van die toekenning van strafvermindering ten opsigte van gevangenes met vonnisse van twee jaar of langer, kan die gevangenisraad die bepaling van regulasie 119 in ag neem.

Verbeuring van strafvermindering deur raadgevalle.

(2) Vir oortredings gepleeg deur 'n gevangene nadat 'n gevangenisraad se aanbeveling gedoen is, kan die Kommissaris strafvermindering laat verbeur op die basis soos in subregulasie (4) van regulasie 119 bepaal, of kan die Kommissaris as hy die gevangene se gedrag, nadat die gevangenisraad se aanbeveling gemaak is as onbevredigend beskou, die geval na die gevangenisraad terugverwys vir heroorweging.

AFDELING III.

GEVANGENES—SPESIALE REGULASIES VIR
VERSKILLENDE KATEGORIEË.

ONVEROORDEELDE GEVANGENES.

(A) *Straf- en verhoorafwagtende gevangenes.**Afsondering.*

132. (1) 'n Straf- sowel as 'n verhoorafwagtende gevangene moet, sover moontlik, van gevonniste gevangene en ander tipes van onveroordeelde gevangenes afgesonder word.

Onderlinge assosiasie.

(2) Onderlinge assosiasie tussen strafafwagtende gevangenes asook dié tussen verhoorafwagtende gevangenes moet tot wat absoluut noodsaaklik is beperk word ten einde onderlinge beïnvloeding en samespanning tot dwarsboming van die gereg te verhoed.

Recommendations.

(3) A prison board submits, when necessary, recommendations in respect of every prisoner referred to in sub-regulation (1), regarding—

- (a) change of training, treatment, prison or classification;
- (b) release when necessary;
- (c) period and conditions of release on probation; or
- (d) period, supervision and conditions of release on parole.

Detainees in Farm Colony.

129. In respect of a prisoner detained in a farm colony, a prison board may recommend, after—

- (a) one-half of his sentence has been served, that such a prisoner be released on parole; or
- (b) two-thirds of his sentence has been served, that he be released on probation or unconditionally.

Parole.

130. A prison board may, when convinced that parole shall promote the rehabilitation of a prisoner, recommend that such a prisoner on whom—

- (a) a sentence of two years or longer has been imposed, be released on parole and if the period of parole falls within the limits prescribed by the Governor-General by regulation for remission of sentences, the Commissioner may approve such recommendation; or
- (b) a sentence of less than two years has been imposed, be released on parole, and if such a prisoner has served half of his sentence, the Commissioner may approve such recommendation: Provided that the Commissioner may at any time release a prisoner on parole on whom a sentence or total sentence of not more than four months imprisonment has been imposed.

Remission of Sentence by Prison Board.

131. (1) In recommending the grant of remission of sentence in respect of prisoners with sentences of two years or longer, the prison board may take into consideration the provisions of regulation 119.

Forfeiture of Remission of Sentence by Board Cases.

(2) The Commissioner may order forfeiture of remission of sentence, on the basis prescribed in sub-regulation (4) of regulation 119, for offences committed by a prisoner after the Prison Board has made its recommendation, or the Commissioner may refer the case back to the Board for reconsideration if he considers the prisoner's conduct to be unsatisfactory after the Prison Board's recommendation has been made.

PART III.

PRISONERS.—SPECIAL REGULATIONS FOR
DIFFERENT CATEGORIES.

UNSENTENCED PRISONERS.

(A) *Prisoners Awaiting Sentence or Trial.**Separation.*

132. (1) A prisoner awaiting sentence or trial shall be separated, as far as possible, from sentenced and other types of unsentenced prisoners.

Mutual Association.

(2) Mutual association between prisoners awaiting trial as well as that between prisoners awaiting sentence shall be limited to what is absolutely essential in order to prevent mutual influencing and conspiracy to defeat the ends of justice.

Visentering.

(3) By visentering van so 'n gevangene mag niks hom ontnem word nie, behalwe gevaarlike wapens, voorwerpe waarmee ontvlugting bewerkstellig kan word, geld en ander artikels soos deur die Kommissaris bepaal.

Voedsel.

(4) Behoudens die bepalings van artikel twee-en-tagtig van die Wet moet hy die rantsoen wat vir sy geslag en ras in die dieëtskaal voorgeskryf is, ontvang.

Skryfbehoeftes en leesstof.

(5) Hy kan op sy eie koste sodanige skryfbehoeftes en leesstof aankoop of van buite ontvang as wat die Kommissaris goedkeur; Met dien verstande dat enige misbruik van dié toegewing onverwyld die intrek daarvan tot gevolg sal hê.

Afgee van geld en kosbaarhede.

(6) Die hoof van 'n gevangenis kan toestaan dat geld, kosbaarhede, dokumente en ander persoonlike goedere van so 'n gevangene aan sy familie, vriende of regsadviseurs afgegee word.

Private mediese dienste.

(7) Indien hy die dienste van 'n ander geneeskundige praktisyn of tandarts as die geneeskundige beampte of gevangenisstandarts versoek, kan die Kommissaris, indien hy oortuig is dat daar gegronde redes daarvoor bestaan, toelaat dat sodanige geneeskundige praktisyn of tandarts in oorleg met die geneeskundige beampte so 'n gevangene behandel, mits sodanige behandeling geen addisionele koste vir die Staat meebring nie.

Borggelde.

(8) Indien hierdie tipe gevangene in hegtenis is omdat hy nie in staat was om borgtog te betaal nie, moet aan hom besoeke op redelike tye gedurende enige dag, asook die skrywe van briewe toegestaan word om hom in staat te stel om borggelde te bekom.

Verskaffing van skryfbehoeftes.

(9) Met die oog op sy regsverdediging word aan 'n gevangene binne redelike perke—

- (a) skryfbehoeftes verskaf;
- (b) geleentheid gebied vir voorbereiding van sy saak; en
- (c) geleentheid gegee vir die skrywe van briewe aan sy regsadviseurs, familie of vriende.

Verkoop van artikels.

(10) Die verkoop of oordrag, of enige poging daartoe deur 'n ongevonniste gevangene aan enige persoon van enige artikel wat hy toegelaat is om die gevangenis vir sy eie gebruik in te bring, is 'n oortreding.

'n Gevangene aangehou weens opstandige en oproerige gedrag.

(11) Die bepalings van hierdie regulasie is ook van toepassing op 'n gevangene wat aangehou word weens opstandige en oproerige gedrag en ander oortredings wat gewoonlik as politieke oortredings beskou word.

*(B) Aangehoue getuies en verbode immigrante.**Regulasie van toepassing.*

133. Regulasie 132 is *mutatis mutandis* van toepassing op 'n persoon wat—

- (a) in 'n gevangenis aangehou word hangende sy verwydering uit die Unie; en
- (b) ingevolge die bepalings van artikels tweehonderd-en-twaalf of tweehonderd-en-veertien van die Strafproseswet, 1955 (Wet No. 56 van 1955), of Artikel dertig van die Landdroshowewet, 1944 (Wet No. 32 van 1944), na 'n gevangenis vir aanhouding verwys is.

Searching.

(3) On searching such a prisoner nothing shall be taken from him except dangerous weapons, articles whereby escape may be accomplished, money and other articles as determined by the Commissioner.

Food.

(4) Subject to the provisions of section eighty-two of the Act, he shall receive the ration prescribed for his sex and race in the diet scale.

Stationery and Literature.

(5) He may, at his own expense, purchase or receive from outside such stationery and literature as approved by the Commissioner: Provided that any abuse of this concession shall result in the immediate withdrawal thereof.

Handling over of Money and Valuables.

(6) The member in charge of a prison may permit that money, valuables, documents and other personal belongings of such a prisoner be handed over to his relatives, friends or legal advisers.

Private Medical Services.

(7) If he requests the services of a medical practitioner or dentist, other than the medical officer or prison dentist, the Commissioner may, if he is convinced that there are sound reasons therefor, allow that such medical practitioner or dentist in consultation with the medical officer, attend to such prisoner; provided that such treatment will involve no additional cost to the State.

Bail.

(8) If this type of prisoner is in custody because he has not been able to pay bail, he shall be granted visits at reasonable times during any day, as well as the writing of letters to enable him to obtain the bail money.

Provision of Stationery.

(9) For the purpose of his legal defence, a prisoner is, within reasonable limits—

- (a) provided with stationery;
- (b) afforded opportunity for preparation of his defence; and
- (c) afforded opportunity for the writing of letters to his legal advisers, relatives or friends.

Sale of Articles.

(10) The sale or transfer or any attempt thereto by an unsentenced prisoner to any person of any article which he has been permitted to bring into the prison for his own use, is an offence.

A Prisoner Detained for Insurgent and Seditious Conduct.

(11) The provisions of this regulation are also applicable to a prisoner who is detained for insurgent and seditious conduct and other offences that are generally regarded as political offences.

*(B) Detained Witnesses and Prohibited Immigrants.**Applicable Regulation.*

133. Regulation 132 is *mutatis mutandis* applicable to a person who—

- (a) is detained in a prison pending his removal from the Union; and
- (b) in terms of the provisions of sections two hundred and twelve or two hundred and fourteen of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), or section thirty of the Magistrates' Courts Act, 1944 (Act No. 32 of 1944), has been referred to a prison for detention.

(C) *Behoeftiges.**Opneming.*

134. (1) 'n Behoeftige siek persoon kan op las van 'n landdros in die gevangenhospitaal vir behandeling opgeneem word vir solank as wat absoluut nodig is: Met dien verstande dat—

- (a) daar geen ander hospitaal naby geleë is nie;
- (b) so 'n behoeftige nie aan 'n besmetlike of aansteeklike siekte ly nie;
- (c) daar akkommodasie in die gevangenhospitaal vir 'n persoon van daardie geslag en ras beskikbaar is; en
- (d) die behoeftige nie by sy werkgewer woonagtig is nie.

Regulasie van toepassing.

(2) Regulasie 132 is *mutatis mutandis* op so 'n behoeftige persoon van toepassing.

(D) *Siviele gyselaars.**Assosiasie.*

135. (1) Waar dit as gevolg van klein getalle nie moontlik is om met 'n ander siviele gyselaar te assosieer nie of indien dit as gevolg van gebrek aan ruimte nie moontlik is om hom van 'n ander gevangene af te sonder nie, kan hy toegelaat word om met 'n ongevonniste gevangene te assosieer.

Regulasie van toepassing.

(2) Behoudens die bepalings van subregulasie (1) is die bepalings van regulasie 132 *mutatis mutandis* van toepassing op 'n siviele gyselaar.

(E) *Geestesgekrekte gevangenes.*

Behandeling van 'n persoon wat ingevolge artikel sewe-en-twintig (d) van die Wet opgeneem is.

136. (1) 'n Persoon wat ingevolge die bepalings van subartikel (d) van artikel sewe-en-twintig van die Wet in 'n gevangenis opgeneem word, moet sodanige behandeling ontvang as wat die geneeskundige beampte voorskryf.

Regulasie van toepassing.

(2) Behoudens die bepalings van subregulasie (1) is die bepalings van regulasie 132 *mutatis mutandis* op hom van toepassing.

ANDER GEVALLE.

(A) *Jeugdige gevangenes.**Afsondering van jeugdige gevangenes.*

137. 'n Jeugdige wat tot gevangenisstraf gevonnis is, moet, hangende sy oorplasing na 'n paragraaf (b) van subartikel (1) van artikel twintig van die Wet bedoelde gevangenis, sover moontlik, van 'n ouer en meer geharde gevangene afgesonder word.

(B) *Vroulike gevangenes.**Bewaking van 'n vroulike gevangene.*

138. 'n Vroulike gevangene word slegs deur 'n vroulike lid of spesiale bewaarster bewaak en waar sy onder 'n manlike instrukteur moet werk, geskied dit onder toesig van 'n vroulike lid of spesiale bewaarster.

(C) *Terdoodveroordeelde.**Plek van teregstelling.*

139. (1) Teregstellings geskied in die Sentrale Gevangenis, Pretoria.

Visentering.

(2) 'n Terdoodveroordeelde gevangene moet uiters deeglik gevisenteer en alle voorwerpe en artikels wat enigszins gevaarlik of as ongewens beskou word om in sy besit te wees, moet hom ontnem word.

Afsondering.

(3) Hy moet in 'n spesiale sel wat vir dié doel voorgeskryf is, opgesluit en van ander kategorieë van gevangenes afgesonder gehou word.

(C) *Indigents.**Reception.*

134. (1) An indigent sick person may, by order of a magistrate, be received in a prison hospital for treatment for as long as is absolutely necessary: Provided that—

- (a) there is no other hospital situated nearby;
- (b) such indigent does not suffer from a contagious or infectious disease;
- (c) accommodation is available in the prison hospital for a person of that sex and race; and
- (d) the indigent is not living with his employer.

Applicable Regulation.

(2) Regulation 132 is *mutatis mutandis* applicable to such an indigent person.

(D) *Civil Debtors.**Association.*

135. (1) Where, as a result of limited numbers, it is not possible to associate with another civil debtor or, if on account of limited accommodation, it is not possible to separate him from another prisoner, he may be allowed to associate with an unsentenced prisoner.

Applicable Regulation.

(2) Subject to the provisions of sub-regulation (1) the provisions of regulation 132 are *mutatis mutandis* applicable to a civil debtor.

(E) *Mentally Defective Prisoners.*

Treatment of a Person Received in terms of Section twenty-seven (d) of the Act.

136. (1) A person received into a prison in terms of the provisions of sub-section (d) of section twenty-seven of the Act, shall receive such treatment as the medical officer prescribes.

Applicable Regulation.

(2) Subject to the provisions of sub-regulation (1) the provisions of regulation 132 are *mutatis mutandis* applicable to him.

OTHER CASES.

(A) *Juvenile Prisoners.**Separation of Juvenile Prisoners.*

137. A juvenile sentenced to imprisonment shall, pending his removal to a prison referred to in paragraph (b) of sub-section (1) of section twenty of the Act, be separated, as far as possible, from an older and more hardened prisoner.

(B) *Female Prisoners.**Guarding of a Female Prisoner.*

138. A female prisoner shall only be guarded by a female member or special wardress and, where she must work under a male instructor, it shall be under the supervision of a female member or a special wardress.

(C) *Condemned Prisoners.**Place of Execution.*

139. (1) Executions take place in the Central Prison, Pretoria.

Searching.

(2) A condemned prisoner shall be most thoroughly searched and all objects and articles considered at all dangerous and undesirable to be in his possession, shall be taken away from him.

Separation.

(3) He shall be locked up in a special cell prescribed for this purpose and shall be kept separated from other categories of prisoners.

Bewaking.

(4) Hy moet dag en nag spesiaal bewaak word.

Voedsel.

(5) Hy moet dieselfde rantsoen ontvang as die wat vir 'n blanke gevangene van dieselfde geslag in die rantsoenskaal voorgeskryf is: Met dien verstande dat die Kommissaris 'n afwyking daarvan kan goedkeur.

Opwekkingsmiddele.

(6) Opwekkingsmiddele kan op voorskrif van die geneeskundige beaampte aan hom verskaf word.

Besoëke.

(7) (a) 'n Terdoodveroordeelde gevangene kan, indien hy dit verlang, van familie, vriende of regsadviseurs met skriftelike toestemming van die Kommissaris besoëke ontvang.

(b) 'n Terdoodveroordeelde word indien hy dit verlang, geestelik bearbei deur die in subartikel (1) van artikel sewe van die Wet aangestelde predikant of godsdienstige werker van dié geloofsbelydenis waartoe so 'n terdoodveroordeelde behoort en vir dié doel word so 'n predikant of godsdienstige werker, met inagneming van administratiewe aangeleenthede, vrye toegang tot hom vergun.

(c) Geen persoon behalwe 'n lid of 'n spesiale bewaarder, die balju of adjunk-balju of die persone in paragrafe (a) en (b) genoem, mag tot 'n terdoodveroordeelde toegelaat word nie, behalwe met goedkeuring van die Kommissaris.

(d) Alle besoëke aan terdoodveroordeelde gevangenes moet binne gesig en gehoor van 'n lid of spesiale bewaarder geskied, nie teenstaande so 'n besoek deur die gevangene se regsadviseur afgelê word of in verband met sy appél toegestaan is.

Arbeid.

(8) Van 'n terdoodveroordeelde gevangene word nie verwag om enige arbeid te verrig nie en oefening is nie verpligtend nie, maar indien hy verkies om wel oefening te neem, moet dit afgesonderd van ander kategorie gevangenes gedoen word.

BESONDERE VONNISSE.**(A) Periodieke gevangenisstraf.****Minimum tydperk van aanhouding.**

140. (1) 'n Persoon wat kragtens artikel driehonderd vier-en-dertig (bis) van die Strafproseswet, 1955 (Wet No. 56 van 1955), veroordeel is om periodieke gevangenisstraf te ondergaan, dien daardie straf uit in ononderbroke tydperke van minstens vier-en-twintig uur op 'n keer, met inagneming van die werksomstandighede van daardie persoon deur 'n lid van die hoof van die gevangenis waar daardie persoon hom oorgee om daardie gevangenisstraf te ondergaan, bepaal: Met dien verstande dat enige aldus bepaalde tydperk minder as vier-en-twintig uur kan beloop—

(a) indien bedoelde lid dit in buitengewone omstandighede wat betrekking het op daardie persoon se werksomstandighede en na oorweging van 'n skriftelike aansoek van daardie persoon se werkgever, dienstig ag; of

(b) indien enige onverstreke gedeelte van 'n vonnis van periodieke gevangenisstraf minder as vier-en-twintig uur beloop.

Verdere kennisgewing.

(2) By die invryheidstelling van daardie persoon na verstryking van elke aldus bepaalde tydperk, behalwe by verstryking van die opgelegde straf, verstrekkende bedoelde lid aan hom 'n kennisgewing wat in hoofsaak ooreenstem met die in aanhangsel „B” voorgeskrewe vorm.

Misdrywe.

(3) Iemand wat—

(a) sonder regmatige verskoning, waarvan die bewyslas op hom rus, in gebreke bly om 'n kennisgewing kragtens subregulasie (2) uitgereik, te gehoorsaam; of

Guarding.

(4) He shall be specially guarded by day and night.

Food.

(5) He shall receive the same ration as is prescribed for a white prisoner of the same sex in the diet scale: Provided that the Commissioner may approve of a deviation therefrom.

Stimulants.

(6) He may be supplied with stimulants on prescription by the medical officer.

Visits.

(7) (a) A condemned prisoner may, with the written permission of the Commissioner, if he so desires, receive visits from relatives, friends, or legal advisers.

(b) A condemned shall, if he so desires, be religiously ministered to by a minister of religion or religious worker, appointed in terms of sub-section (1) of section seven of the Act, of that faith to which such condemned belongs and for this purpose such a minister of religion or religious worker shall, with due regard to administrative matters, be freely admitted to him.

(c) No person, other than a member or a special warder, the Sheriff or Deputy-Sheriff, or the persons mentioned in paragraphs (a) and (b) shall be admitted to a condemned except with the approval of the Commissioner.

(d) All visits to condemned prisoners shall take place within sight and hearing of a member or special warder, notwithstanding such a visit is paid by the prisoner's legal adviser or is granted in connection with his appeal.

Work.

(8) A condemned prisoner shall not be expected to perform any work, and exercise is not compulsory, but if he elects to take exercise, it shall take place separated from other categories of prisoners.

SPECIFIC SENTENCES.**(A) Periodical Imprisonment.****Minimum Period of Detention.**

140. (1) A person who is sentenced in terms of section three hundred and thirty-four (bis) of the Criminal Procedure Act, 1955 (Act No. 56 of 1955), to undergo periodical imprisonment, shall serve such sentence in uninterrupted periods of not less than twenty-four hours at a time as determined, with due regard to the circumstances of such person's employment, by the member in charge of the prison where the person surrenders himself to undergo such imprisonment: Provided that any period thus determined may be less than twenty-four hours—

(a) if the said member considers it advisable in exceptional circumstances, which have relation to that person's circumstances of employment, after consideration of written application from such person's employer; or

(b) if any unexpired portion of a sentence of periodical imprisonment is less than 24 hours.

Further Notice.

(2) At the release of such person after expiration of each thus determined period, except at the expiration of the sentence imposed, the member concerned shall furnish such person with a notice which corresponds in principal to the form prescribed in Annexure "B".

Offences.

(3) A person who—

(a) without lawful excuse, the proof whereof shall be on such person, fails to comply with a notice issued under sub-regulation (2); or

- (b) hom oorgee om verdere periodieke gevangenisstraf te ondergaan terwyl hy onder die invloed van bedwelkende drank of verdowingsmiddels is; of
- (c) hom uitgee vir, of valslik voordoen as, iemand wat gelas is om hom oor te gee om periodieke gevangenisstraf te ondergaan.

begaan 'n misdryf en is by skuldigbevinding strafbaar met 'n boete van hoogstens vyftig pond of by wanbetaling met gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Aanhouding na verstryking van vonnis.

(4) Wanneer die laaste tydperk van aanhouding van daardie persoon tussen vyfuur namiddag en sesuur voormiddag verstryk, kan hy skriftelik toestem dat sy invryheidstelling tot 'n latere uur uitgestel word.

Geen assosiasie.

(5) So 'n persoon moet, sover moontlik, nie met ander kategorieë van gevangenes assosieer nie.

(B) Korrektiewe opleiding.

Opleiding.

141. Behoudens die bepalings van artikel een-en-sestig van die Wet en van Afdeling II van hierdie regulasies, is die volgende ook van toepassing op 'n gevangene wat tot korrektiewe opleiding gevonnissen is:—

- (a) Die voorsiening van werk wat sover prakties moontlik sal help om hom toe te rus om na vrylating 'n eerbare bestaan te kan maak, en intensiewe praktiese en teoretiese opleiding in d'ê soort werk;
- (b) persoonlike beïnvloeding van sy karakter;
- (c) die voorsiening van geleentheid vir die aankweek en ontwikkeling van 'n verantwoordelike sin.

(C) Gevangenisstraf ter voorkoming van misdaad en gewoontemisdadigers.

Plasing in 'n inrigting.

142. (1) 'n Gevangene gevonnissen tot gevangenisstraf ter voorkoming van misdaad of wat tot 'n gewoontemisdadiger verklaar is, moet sy opleiding en behandeling in 'n maksimumsekuriteitsgevangenis begin: Met dien verstande dat die Kommissaris kan beveel dat sodanige opleiding en behandeling in enige ander soort gevangenis kan begin.

Besondere bepalings.

(2) Behoudens die bepalings van artikel een-en-sestig van die Wet en Afdeling II van hierdie regulasies is sodanige bepalings as wat die Kommissaris van tyd tot tyd voorskryf, op so 'n gevangene van toepassing.

(D) Persone in boerderykolonies aangehou.

Aanhouding.

143. (1) Iemand wat vir aanhouding na 'n boerderykolonie verwys is, moet sodanige werk as wat die Kommissaris bepaal, verrig ten einde werkgewoontes by hom aan te kweek.

Regulasie van toepassing.

(2) Met uitsondering van die regulasies wat op strafvermindering betrekking het, is afdeling II van hierdie regulasies *mutatis mutandis* op so 'n gevangene van toepassing.

AFDELING IV.

DIVERSE BEPALINGS.

Gevangeniswinkel.

144. Enige gevangeniswinkel soos in subartikel (3) van artikel agt-en-tagtig van die Wet omskryf, moet beheer word onder voorsitterskap van die bevelvoerende offisier volgens reëls wat van tyd tot tyd deur die Kommissaris goedgekeur word.

(b) surrenders himself for the purpose of undergoing further periodical imprisonment while under the influence of intoxicating liquor or narcotic drugs; or

(c) impersonates, or falsely represents himself to be a person who has been directed to surrender himself for the purpose of undergoing periodical imprisonment,

shall be guilty of an offence and liable on conviction to a fine of not exceeding fifty pounds or, in default of payment, to imprisonment for a period not exceeding six months.

Detention after Expiration of Sentence.

(4) When the final period of detention of such a person expires between 5 p.m. and 6 a.m., he may consent in writing that his release be postponed to a later hour.

No Association.

(5) Such a person shall, as far as possible, not associate with prisoners of other categories.

(B) Corrective training.

Training.

141. Subject to the provisions of section sixty-one of the Act and of Part II of these regulations, the following shall also apply to a prisoner sentenced to corrective training:—

- (a) The provision of work which, as far as is practicable, shall assist in equipping him to earn an honest living after his release, and intensive practical and theoretical training in that type of work;
- (b) personal influencing of his character; and
- (c) the provision of facilities for the cultivation and development of a sense of responsibility.

(C) Imprisonment for the prevention of crime and habitual criminals.

Placing in an institution.

142. (1) A prisoner sentenced to imprisonment for the prevention of crime or who has been declared a habitual criminal, shall commence his training and treatment in a maximum security prison: Provided that the Commissioner may instruct that such training and treatment may commence at any other type of prison.

Special provisions.

(2) Subject to the provisions of section sixty-one of the Act and Part II of these regulations, such provisions as the Commissioner prescribes from time to time are applicable to such a prisoner.

(D) Persons detained in farm colonies.

Detention.

143. (1) A person committed to a farm colony for detention shall perform such work as the Commissioner determines in order that he may cultivate habits of industry.

Applicable regulations.

(2) With the exception of the regulations relating to the grant of remission of sentence, Part II of these regulations are *mutatis mutandis* applicable to such a prisoner.

PART IV.

MISCELLANEOUS PROVISIONS.

Canteens at prisons.

144. Any prison canteen as defined in sub-section (3) of section eighty-eight of the Act, shall be controlled under the chairmanship of the officer commanding in accordance with rules approved of by the Commissioner from time to time.

Statistieke.

145. Sodanige statistieke as wat die Kommissaris bepaal, moet bygehou word.

Strawwe vir oortredings.

146. (1) Wanneer geen bepaalde straf gestel is vir die oortreding van 'n regulasie deur 'n lid, gevangene of 'n ander persoon nie, dan word die strawwe bepaal in sub-artikel (2) van artikel vier-en-negentig van die Wet opgelê, naamlik—

- (a) vir 'n oortreding of versuim deur 'n lid of 'n spesiale bewaarder, 'n boete van hoogstens vyftig pond, of, by wanbetaling, gevangenisstraf vir 'n tydperk van hoogstens ses maande, of sodanige straf sonder die keuse van 'n boete, of beide sodanige boete en sodanige gevangenisstraf;
- (b) vir 'n oortreding of versuim deur 'n gevangene, enigeen van die in subartikel (2) van artikels een-en-vyftig en vier-en-vyftig van die Wet vermelde strawwe;
- (c) vir 'n oortreding of versuim deur 'n ander as 'n in paragraaf (a) of (b) bedoelde persoon, 'n boete van hoogstens vyftig pond of, by wanbetaling, gevangenisstraf vir 'n tydperk van hoogstens ses maande.

Uitvaardiging van Gevangensidiensorders.

147. Die Kommissaris kan Gevangensidiensorders uitvaardig betreffende alle aangeleenthede wat kragtens die Wet by Gevangensidiensorders voorgeskryf moet of kan word en in die algemeen alle aangeleenthede wat hy nodig of dienstig ag om voor te skryf sodat die oogmerke van die Wet verwesenlik kan word en sodanige Gevangensidiensorders wat nie met die Wet teenstrydig moet wees nie moet deur alle lede, spesiale bewaarders en ander persone in diens van die Departement van Gevangenis op wie dit van toepassing is, gehoorsaam word.

Statistics.

145. Such statistics as determined by the Commissioner shall be kept.

Penalties for offences.

146. (1) Wherever no specific penalty has been provided for the contravention of any regulation by a member, prisoner, or other person, the penalties provided by sub-section (2) of section ninety-four of the Act, shall apply, namely—

- (a) for a contravention of non-compliance by a member or a special warder, a fine not exceeding fifty pounds or, in default of payment, imprisonment for a period not exceeding six months, or such imprisonment without the option of a fine, or both such fine and such imprisonment;
- (b) for a contravention of non-compliance by a prisoner, any one of the penalties set out in sub-section (2) of sections fifty-one and fifty-four of the Act;
- (c) for a contravention of non-compliance by any person other than a person referred to in paragraph (a) or (b), a fine not exceeding fifty pounds, or, in default of payment, imprisonment for a period not exceeding six months.

Issuing of Prison Service Orders.

147. The Commissioner may issue Prison Service Orders in respect of all matters which, under the Act, are required or permitted to be prescribed by Prison Service Orders and generally all matters which he considers necessary or expedient to prescribe, in order that the purposes of the Act may be achieved and such Prison Service Orders, which shall not be inconsistent with the Act, shall be obeyed by all members, special warders and other persons in the service of the Prisons Department to whom they are applicable.

AANHANGSEL A.
ANNEXURE A.

(Regulasie 9 het betrekking.)
(Regulation 9 refers.)

AANSTELLING VAN SPESIALE BEWAARDERS INGEVOLGE REGULASIE 9 (1) (a) EN 9 (1) (c) (ii) (NAMENS DIE SUID-AFRIKAANSE SPOORWEE EN HAWENS).

APPOINTMENT OF SPECIAL WARDERS IN TERMS OF REGULATION 9 (1) (a) AND 9 (1) (c) (ii) (ON BEHALF OF THE SOUTH AFRICAN RAILWAYS AND HARBOURS).

INSKRYWINGSVORM.
ENROLMENT FORM.

N.B.—A. Hierdie vorm moet deur die applikant in sy/haar eie handskrif ingevul word.
This form is to be completed by the applicant in his/her own handwriting.

B. 'n Kandidaat wat opsetlik 'n valse verklaring aflê, stel hom bloot aan onmiddellike ontslag.
Any false statement, wilfully made, will render the candidate liable to instant dismissal.

- (1) Naam voluit (in blokletters, van eerste).....
Name in full (in block letters, surname first)
- (2) Stamnaam (slegs nie-blankes).....
Tribal name (non-Whites only)
- (3) Permanente posadres.....
Permanent postal address
- (4) Datum van geboorte.....
Date of birth
- (5) Geboorteplek.....
Place of birth
- (6) Ouderdom vorige verjaardag.....
Age last birthday
- (7) Kraal of woonplek (Bantoe persone).....
Kraal or home (Bantu persons)
- (8) Geslag.....
Sex
- (9) Naam van naaste bloedverwant.....
Name of next of kin
- (10) Verwantskap.....
Relationship

- (11) Adres
Address
- (12) Identiteitsno.
Identity No.
- (13) Meld of applikant 'n Suid-Afrikaanse burger is.
State whether applicant is a South African citizen
- (14) Meld totale tydperk in Unie of die gebied Suidwes-Afrika woonagtig.
State total period of residence in Union or the territory of South West Africa
- (15) Getroud of ongetroud
Married or single Indien daar kinders is, meld ouderdomme en geslag.
If there are children, state ages and sex
- (16) Teenswoordige werk
Present employment
- (17) Nasionaliteit
Nationality
- (18) Kwalifikasies:—
Qualifications:—
(a) Opleiding—
Education—

Skole besoek. Schools attended.	Eksamens afgelê en/of sertifikate verwerf. Examinations passed and/or Certificates obtained.	Datum. Date.

- (b) Ta'e—
Languages—

Vermeld uitdruklik of applikant die volgende tale kan praat, lees of skrywe en watter eksamens hy/sy daarin met welslae State specifically whether applicant can speak, read or write the following languages and what examinations he/she has passed therein.

Afrikaans

Engels

English

Bantoetale (meld dialekte)
Bantu languages (state dialects)

Ander

Other

- (19) Besonderhede van vorige ondervinding—
Particulars of previous experience—

- (a) Staatsdiens—
Public Service—

Departement. Department.	Pos beklee. Position held.	Tydperk (meld datums). Period (state dates).		Oorsaak van diensbeëindiging. Reason for termination of service.
		Van/From.	Tot/To.	

- (b) Ander betrekings—
Other employment—

Naam van werkgewer. Name of Employer.	Aard van werk en betrekking beklee. Nature of Employment and position held.	Tydperk (meld datums). Period (state dates)		Oorsaak van diensbeëindiging. Reason for Termination of Service.
		Van/From.	Tot/To.	

- (20) (a) Het applikant 'n liggaams- of geestesgebrek?
Has applicant any physical or mental defect?

So ja, omskryf volledig
If so, describe fully

- (b) Vermeld gesondheidstoestand
State condition of health

- (21) Is applikant ooit:—
Has applicant ever been:—

(a) Skuldig bevind aan 'n kriminele oortreding? Indien wel, gee volle besonderhede
Convicted of a criminal offence? If so, give full particulars

(b) Ontslaan uit enige diens?
Dismissed from any employment?

- (22) (a) Heg hieraan gewaarmerkte afskrifte (nie oorspronklike dokumente nie) van getuigskrifte en bewyse van goeie gedrag.
Attach certified copies (not original documents) of testimonials and proof of good behaviour.
- (b) Oorspronklike geboorte-, skool- en huweliksertifikaat moet ingedien word.
Original birth, school and marriage certificates must be submitted.

- (23) Ek verklaar plegtig dat die antwoorde op die voorafgaande vrae in alle opsigte waar en juis is.
I solemnly declare that the replies to the foregoing questions are in every respect true and correct.

Datum _____
Date _____

Handtekening.
Signature.

- (24) Die verklaarder/ster erken dat hy/sy op die hoogte is van die inhoud van dié beëdigde verklaring en dit begryp.
The deponent acknowledges that he/she knows and understands the contents of this affidavit.

Datum _____
Date _____

Kommissaris van Ede.
Commissioner of Oaths.

II. AMPSEED.
OATH OF OFFICE.

Ek,
I,

beloof en verklaar dat ek na die beste van my vermoë, getrou en ywerig sonder vrees, partydigheid, voorkeur of kwaadwilligheid die
do promise and declare that I shall faithfully and diligently, without fear, partiality, favour or ill-will, perform the several duties prescribed
verskillende pligte soos vir 'n lid van die Gevangenisdiens voorgeskryf, sal vervul.
for a member of the Prisons Service, to the best of my ability.

SO HELP MY GOD.
SO HELP ME GOD.

Datum _____
Date _____

Handtekening.
Signature.

Beëdig voor my te _____ op hierdie _____ dag van _____ 19 _____
Sworn to before me at _____ on this _____ day of _____

Kommissaris van Ede.
Commissioner of Oaths.

III. GENEESKUNDIGE SERTIFIKAAT.
MEDICAL CERTIFICATE.

Geneeskundige sertifikaat oor _____
Medical certificate on _____

'n kandidaat vir aanstelling in die Departement van Gevangeniswe.
a candidate for appointment in the Prisons Department.

(1) Besonderhede:—
Particulars:—

- (a) (i) Lengte: (sonder skoene) _____ voet _____ duim.
Height: (without shoes) _____ feet _____ inches.
- (ii) Gewig _____ pond.
Weight _____ lb.

(iii) Borsmaat op tepelhoogte:—
Chest measurement at nipple line:—

_____ duim.
_____ inches.
_____ duim.
_____ inches.

(aa) By volle inaseming _____
On full inspiration

(bb) By volle uitaseming _____
On full expiration

(iv) Ouderdom: _____ jaar _____ maande.
Age: _____ Years _____ months.

- (b) Dui die voorafgaande besonderhede enige afwyking van die normale aan? _____
Do the foregoing particulars reveal any departure from the normal?

Indien wel, beskryf die abnormaliteit volledig met spesiale verwysing na oorgewig of ondergewig en sê waaraan dit waarskynlik
If any, describe the abnormality in detail with special reference to overweight or underweight and indicate probable cause
te wyte is _____
thereof _____

(2) Inenting:—
Vaccination:—

Het applikant—
Has applicant—

- (a) bevredigende bewys gelewer van suksesvolle inenting? _____
produced satisfactory proof of successful vaccination?

Indien wel, meld aard en getal merke en, aard van sertifikaat, as daar is, wat voorgelê is.
Is so, state number and nature of marks and nature of certificate produced, if any,

of
or

- (b) onvatbaarheid vir inenting getoon deurdat hy/sy by tussenpose van minstens een maand drie maal sonder sukses ingeënt
been found unsusceptible to vaccination after three unsuccessful attempts at vaccination at intervals of not less than one
is _____
month

- (c) aan pokkies gely _____
suffered from smallpox

(3) Asemhalingsorgane:—
Respiratory system:—

- (a) Vermeld of borskas goed ontwikkel is _____
State whether chest is well developed

- (b) Vermeld of daar tekens is van vroeëre of ontwikkelende siektetoestand _____
State whether there is any evidence of old or commencing disease

- (4) Bloedsomloop:—
Circulation of the blood:—
(a) Is die klop en geluide van die hart natuurlik en is die orgaan en slagare in alle opsigte normaal?
Are the impulses and sounds of the heart natural and the organ and all the arteries normal in every respect?
As die antwoord „Nee” is, gee beknopte besonderhede
If the answer is “No”, give concise details
- (b) Bloeddruk
Blood-pressure
- (5) Genito-urienstelsel:—
Genito-urinary System:—
(a) Vermeld of daar tekens is van enige siektetoestand of abnormaliteit van niere, blaas of ander deel van die genito-urienstelsel
State whether there are signs of any disease or abnormality of kidneys, bladder or other part of the genito-urinary system
- (b) Is daar tekens van eiwit, suiker, etter, bloed of ander abnormale bestanddele in die urine teenwoordig?
Is albumen, sugar, pus, blood or other abnormal constituents present in the urine?
- (6) Ly die applikant aan enige van die volgende kwale:—
Is the applicant suffering from any of the following diseases:—
Rumatiekkoors, rumatiek, ontwikkelende gewasse, malaria, tuberkel (van enige liggaamsdeel), sifilis, epilepsie, verlamming, stuip-
Rheumatic fever, rheumatism, developing growths, malaria, tubercle (of any part of the body), syphilis, epilepsy, paralysis,
trekkings, asma en ander borsmoeilikhede, bloedspuwing, bloeiende aambeie, breuk, spattebreuk of platvoete.
convulsions, asthma and other chest troubles, spitting of blood, haemorrhoids, hernia, varicocele or flat-feet
- Indien wel en waar moontlik beskryf aard en/of omvang van kwaal
If any and where possible, described nature and/or extent of complaint
- (7) Is die applikant op enigerlei wyse vermink, misvorm of liggaamlik gebrekkig of mismaak of is daar enige operasietekens?
Is the applicant in any way maimed, deformed or physically defective or disfigured or are there any operation scars?
- Verstrek volle besonderhede
Give full details
- (8) Het die applikant enige gebrek aan sy/haar:—
Has the applicant any defect of his/her:—
- | | | |
|---|--|--------------------------|
| * (a) Gehoor?
Hearing? | * (b) Spraak?
Speech? | * (d) Gesig?
Sight? |
| * (c) Tande? (omskryf toestand volledig)
Teeth? (describe condition fully) | Gesigskerpte volgens Snellen se toetskaart. Sonder bril
Visual acuity according to Snellens type. Without glasses | Met bril
With glasses |
| Linkeroog
Left eye | Regteroog
Right eye | |
- (9) Het u ondersoek en waarnemings u oortuig dat die applikant in goeie gesondheid verkeer en dat hy/sy vry is van enige liggaams- of
From your examination and observations are you convinced that the applicant is in good health and free from any physical or mental
geestesgebrek, siekte of swaakheid wat hom/haar sou kon hinder in die behoorlike vervulling van sy/haar pligte in die Departement van
defect, disease or infirmity which would be like to interfere with the proper performance of his/her duty in the Prisons Department
Gevangenis in enige deel van die Unie van Suid-Afrika
in any part of the Union of South Africa

Datum _____ 19____
Date

Plek _____
Place

Professionele kwalifikasies
Professional qualifications

Handtekening.
Signature.

Amptelike benaming
Official designation

IV. VERKLARING DEUR APPLIKANT. DECLARATION BY APPLICANT.

Ek, die ondergetekende, verklaar dat ek paragraaf III (6) hierbo gelees het en dat ek aan die volgende siektes gely het
I, the undersigned, declare that I have read paragraph III (6) above, and that I have suffered from the following diseases

Ek verklaar verder dat ek aan geen siekte behalwe dié hierbo genoem, gely het nie.
I further declare that I have not suffered from any disease except those indicated above.

Hierby beloof ek om, as ek nie bevredigende bewys kan lewer dat ek met goeie gevolg ingeënt, of onvatbaar vir inenting is, of dat ek
I hereby undertake, if unable to produce satisfactory proof of successful vaccination or of insusceptibility to vaccination or of not
nie pokkies gehad het nie, my te laat inent binne 'n maand na die datum waarop ek in die Departement van Gevangenis aangestel word en
having had smallpox, to submit myself to vaccination within one month from date of appointment in the Prisons Department and to produce
bewys te lewer dat ek met goeie gevolg ingeënt is, of anders binne drie maande na gemelde datum bewys te lewer dat ek onvatbaar vir inenting
proof of successful vaccination, or alternatively, to produce proof of insusceptibility to vaccination within three months from said date.
is.

Datum _____ 19____
Date

Plek _____
Place

Handtekening van Applicant.
Signature of Applicant.

* Omskryf sodanige gebrek en meld of dit verhelp is. Skrap indien applikant nie 'n bril dra nie.
State nature of defect and whether defects have been remedied. Strike out if applicant does not wear glasses.

V. VOORWAARDES.
CONDITIONS.

- (1) Ek aanvaar die betrekking op die voorwaardes, dat ek—
I accept the appointment on conditions that I—

- (a) 'n salaris van £_____ per jaar volgens die salarisskaal_____ sal ontvang;
receive a salary of £_____ per annum on the salary scale _____;
- (b) diens moet doen gedurende die ure soos deur die Departement van Gevangenisgevoelings voorgeskryf;
shall serve during the hours as prescribed by the Prisons Department;
- (c) geregtig is op verlofvoorregte soos in die regulasies bepaal;
am entitled to leave privileges as prescribed in the regulations;
- (d) geregtig is op mediese dienste soos in die regulasies bepaal;
am entitled to medical services as prescribed in the regulations;
- (e) die uniform moet dra en in stand moet hou soos in die regulasies bepaal;
shall wear and maintain the uniform as prescribed in the regulations;
- (f) moet bydra tot die Regeringswerknemersondersteuningsfonds sodra ek twee jaar onafgebroke diens voltooi het;
shall contribute to the Government Employees Provident Fund as soon as I have completed two years continuous service;
- (g) onderworpe is aan die bepalings van die Wet op Gevangenisgevoelings, 1959 (Wet No. 8 van 1959), en alle Regulasies uitgevaardig en
am subject to the provisions of the Prisons Act, 1959 (Act No. 8 of 1959) and all Regulations made and Orders issued in terms
Orders uitgereik kragtens hierdie Wet;
of this Act;

- (2) Ek verstaan dat hierdie voorwaardes te eniger tyd verander kan word soos die Departement van Gevangenisgevoelings bepaal
I understand that these conditions may at any time be altered, as the Prisons Department prescribes.

- (3) Ek verstaan goed dat ek in my hoedanigheid as spesiale bewaarder met dieselfde bevoegdhede, werksaamhede en verantwoordelikhede
I clearly understand that in my capacity as special warder I am vested with the same powers, functions and responsibilities, and shall
beklee en belas is, dieselfde pligte moet verrig en aan dieselfde tug en gesag onderworpe is as 'n bewaarder wat kragtens subartikel (1)
perform the same duties and shall be subject to the same discipline and authority as a warder appointed in terms of sub-section (1)
van artikel *agt* van die Wet aangestel is.
of section *eight* of the Act.

- (4) Ek verstaan verder dat hierdie indiensneming op 'n blote tydelike grondslag berus en dat die kontrak alhier aangegaan met wedersydse
I understand further that this employment is on a purely temporary basis and that the contract hereby concluded may be terminated by
kenniggewing van vier-en-twintig uur (wat egter nie op 'n Sondag of rusdag moet verstryk nie) beëindig kan word.
twenty-four hours notice from either side (which shall, however, not expire on a Sunday or a day of rest).

Handtekening.
Signature.

Getuie
Witness

Datum
Date

VI. GOEDKEURING.
APPROVAL.

Aanstelling, ingevolge artikel *nege* van die Wet, goedgekeur.
Appointment, in terms of section *nine* of the Act, approved.

Kommissaris.
Commissioner.

P.D. 54(a).

AANSTELLING VAN 'N SPESIALE BEWAARDE, INGEVOLGE REGULASIE 9 (1) (b) (ii).
APPOINTMENT OF A SPECIAL WARDER IN TERMS OF REGULATION 9 (1) (b) (ii).

I. VOORWAARDES.
CONDITIONS.

- (1) Ek onderneem om diens te doen as 'n spesiale bewaarder vir die tydperk waarvoor die hoof van die gevangenis my dienste nodig mag
I undertake to perform duty as a special warder for the period the member in charge of the prison may require my service to escort
hê, om gevangenes vanaf _____ na _____ te begelei.
prisoners from _____ to _____
- (2) Ek verstaan goed dat ek in my hoedanigheid as spesiale bewaarder met dieselfde bevoegdhede, werksaamhede en verantwoordelikhede
I clearly understand that in my capacity as a special warder I am vested with the same powers, activities and responsibilities and shall
beklee en belas is en dieselfde pligte moet verrig en aan dieselfde tug en gesag onderworpe is as 'n bewaarder wat kragtens subartikel (1)
perform the same duties and am subject to the same discipline and authority as a warder appointed in terms of sub-section (1) of section
van artikel *agt* van die Wet aangestel is.
eight of the Act.
- (3) Ek aanvaar hierdie aanstelling teen 'n allesinsluitende loon van £_____ per dag.
I accept this appointment at an inclusive wage of £_____ per day.
- (4) Ek verstaan goed dat ek op geen verdere voorregte of voordele geregtig is nie.
I clearly understand that I am not entitled to any further privileges or benefits.

Handtekening.
Signature.

Getuie
Witness

Datum
Date

II. GENEESKUNDIGE SERTIFIKAAT. MEDICAL CERTIFICATE.

Uit die ondersoek en waarnemings is ek oortuig dat die appikant in goeie gesondheid verkeer en vry is van enige liggaams- of geestesgebrek, siekte of swakheid wat hom/haar sou kon hinder in die behoorlike vervulling van sy/haar pligte in die Departement van defect, disease or infirmity which would be likely to interfere with the proper performance of his/her duty in the Prisons Department in any

Gevangenis in enige deel van die Unie en Suidwes-Afrika.
part of the Union and South West Africa.

Datum _____
Date

Handtekening.
Signature.

Plek _____
Place

Amptelike Benaming.
Official Designation.

Professionele kwalifikasies.
Professional qualifications

III. AMPSEED. OATH OF OFFICE.

(1) Ek, _____
I, _____
beloof en verklaar dat ek na die beste van my vermoë getrou en ywerig, sonder vrees, partydigheid, voorkeur of kwaadwilligheid die do promise and declare that I shall faithfully and diligently, without fear, partiality, favour, or ill-will, perform the several duties as verskillende pligte soos vir 'n lid van die Gevangenisdiens voorgeskryf, sal vervul.
prescribed for a member of the Prisons Service, to the best of my ability.

(2) Ek verklaar dat ek nooit enige tydperk van gevangenisstraf gedien het nie.
I declare that I have never served a period of imprisonment.

SO HELP MY GOD.
SO HELP ME GOD.

Datum _____
Date

Handtekening.
Signature.

Beëdig voor my te _____ op die _____ dag van _____ 19_____
Sworn to before me at _____ on the _____ day of _____

Kommissaris van Ede.
Commissioner of Oaths.

IV. GOEDKEURING. APPROVAL.

Aanstelling, ingevolge artikel 9 (1) van die Wet, goedgekeur.
Appointment, in terms of Section 9 (1) of the Act, approved.

Hoof van _____ gevangenis.
Member in charge of _____ Prison.

P.D. 54 (b).

AANSTELLING VAN 'N SPESIALE BEWAARDER INGEVOLGE REGULASIE 9 (1) (b) (iii). APPOINTMENT OF A SPECIAL WARDER IN TERMS OF REGULATION 9 (1) (b) (iii).

I. VOORWAARDES. CONDITIONS.

- (1) Ek onderneem om diens te doen as 'n spesiale bewaarder vanaf _____
I undertake to perform duty as a special warder from _____
- (2) Ek is bewus dat die indiensneming op 'n blote tydelike grondslag berus en dat die kontrak alhier aangegaan met wedersydse kennisgewing I am aware that the engagement is on a purely temporary basis and that the contract hereby concluded may be terminated by twenty- van vier-en-twintig uur (wat egter nie op 'n Sondag of rusdag moet verstryk nie) beëindig kan word.
four hours notice from either side (which, however, shall not expire on a Sunday or day of rest).
- (3) Ek verstaan goed dat ek in my hoedanigheid as spesiale bewaarder met dieselfde bevoegdhede, werksaamhede en verantwoordelikhede I clearly understand that in my capacity as a special warder I am vested with the same powers, activities and responsibilities and shall beklee en belas is, en dieselfde pligte moet verrig en aan dieselfde tug en gesag onderworpe is as 'n bewaarder wat kragtens subartikel (1) perform the same duties and am subject to the same discipline and authority as a warder appointed in terms of sub-section (1) of section van artikel 8 van die Wet aangestel is.
eight of the Act.
- (4) Ek aanvaar hierdie aanstelling teen 'n salaris van £ _____ volgens die salarisskaal.
I accept this appointment at a salary of _____ according to the salary scale
- (5) Ek verstaan goed dat ek op geen verdere voorregte of voordele geregtig is nie.
I clearly understand that I am not entitled to any further privileges or benefits.

Getuie _____ Datum _____
Witness Date

Handtekening.
Signature.

II. GENEESKUNDIGE SERTIFIKAAT. MEDICAL CERTIFICATE.

Uit die ondersoek en waarnemings is ek oortuig dat die applikant in goeie gesondheid verkeer en vry is van enige liggaams of geestes-
From the examination and observations I am convinced that the applicant is in good health and free from any physical or mental
gebrek, siekte of swakheid wat hom sou kon hinder in die behoorlike vervulling van sy pligte in die Departement van Gevangenis-
defect, disease or infirmity which would be likely to interfere with the proper performance of his duty in the Prisons Department.

Datum _____
Date _____

Handtekening.
Signature.

Plek _____
Place _____

Amptelike benaming
Official designation

Professionele kwalifikasies
Professional qualifications

III. AMPSEED. OATH OF OFFICE.

(1) Ek,
I,
beloof en verklaar dat ek na die beste van my vermoë getrou en ywerig, sonder vrees, partydigheid, voorkeur of kwaadwilligheid die
do promise and declare that I shall faithfully and diligently, without fear, partiality, favour, or ill-will, perform the several duties as
verskillende pligte soos vir 'n lid van die Gevangenisdiens voorskryf, sal vervul.
prescribed for a member of the Prisons Service, to the best of my ability.

(2) Ek verklaar dat ek nooit enige tydperk van gevangenisstraf gedien het nie.
I declare that I have never served a period of imprisonment.

SO HELP MY GOD.
SO HELP ME GOD.

Datum _____
Date _____

Handtekening.
Signature.

Beëdig voor my te _____ op die _____ dag van _____ 19____
Sworn to before me at _____ on the _____ day of _____

Kommissaris van Ede.
Commissioner of Oaths.

IV. GOEDGEURING. APPROVAL.

Aanstelling, ingevolge artikel 9 (1) van die Wet, goedgekeur.
Appointment, in terms of Section 9 (1) of the Act, approved.

Hoof van _____ -gevangenis.
Member in charge of _____ Prison.

P.D. 54 (c).

AANSTELLING VAN 'N SPESIALE BEWAARDER INGEVOLGE REGULASIE 9 (1) (c) (i) EN (ii). APPOINTMENT OF A SPECIAL WARDER IN TERMS OF REGULATION 9 (1) (c) (i) AND (ii).

I. VOORWAARDES. CONDITIONS.

(1) Ek onderneem om diens te doen as 'n spesiale bewaarder gedurende 'n tydperk van ses maande eindigende _____
I undertake to perform duty as a special warder during the period of six months ending _____

(2) Ek is bewus dat die indiensneming op 'n blote tydelike grondslag berus en dat die kontrak alhier aangegaan met wedersydse kennisgewing
I am aware that the engagement is on a purely temporary basis and that the contract hereby concluded may be terminated by twenty-four
van vier-en-twintig uur (wat egter nie op 'n Sondag of rusdag moet verstryk nie) beëindig kan word.
hours notice from either side (which, however, shall not expire on a Sunday or day of rest).

(3) Ek verstaan goed dat ek in my hoedanigheid as spesiale bewaarder met dieselfde bevoegdhede, werksaamhede en verantwoordelikhede
I clearly understand that in my capacity as a special warder I am vested with the same powers, activities and responsibilities and shall
beklee en belas is, en dieselfde pligte moet verrig en aan dieselfde tug en gesag onderworpe is as 'n bewaarder wat kragtens subartikel (1)
perform the same duties and am subject to the same discipline and authority as a warder appointed in terms of sub-section (1) of section
van artikel 8 van die Wet aangestel is.
eight of the Act.

(4) Ek verstaan dat ek op geen verdere voorregte of voordele van die Departement van Gevangenis geregtig is nie.
I understand that I am not entitled to any further privileges or benefits of the Prisons Department.

Datum _____
Date _____

Handtekening.
Signature.

Getuie _____
Witness _____

II. GENEESKUNDIGE SERTIFIKAAT, MEDICAL CERTIFICATE.

Uit die ondersoek en waarnemings is ek oortuig dat die applikant in goeie gesondheid verkeer en vry is van enige liggaams- of geestesgebrek, siekte of swakheid wat hom sou kon hinder in die behoorlike vervulling van sy pligte in die Departement van Gevangenis- defect, disease or infirmity which would be likely to interfere with the proper performance of his duty in the Prisons Department.

Datum _____ 19_____
Date

Handtekening.
Signature.

Plek _____
Place

Amptelike benaming
Official designation

Professionele kwalifikasies
Professional qualifications

III. AMPSEED. OATH OF OFFICE.

Ek,

I,

beloof en verklaar dat ek na die beste van my vermoë getrou en ywerig, sonder vrees, partydigheid, voorkeur of kwaadwilligheid die do promise and declare that I shall faithfully and diligently, without fear, partiality, favour, or ill-will, perform the several duties as prescribed verskillende pligte wat vir 'n lid van die Gevangenisdiens voorgeskryf is, sal vervul. for a member of the Prisons Service, to the best of my ability.

Ek verklaar dat ek nooit enige tydperk van gevangenisstraf gedien het nie.
I declare that I have never served a period of imprisonment.

SO HELP MY GOD.
SO HELP ME GOD.

Datum _____
Date

Handtekening.
Signature.

Beëdig voor my te _____ op die _____ dag van _____ 19_____
Sworn to before me at on the day of

Kommissaris van Ede.
Commissioner of Oaths.

IV. VUL IN WAAR DIE HUURDER VAN GEVANGENES OOK AS WAG OPTREE. COMPLETE WHERE THE EMPLOYER OF PRISONERS ALSO ACTS AS GUARD.

Ek, as huurder van gevangenes, aanvaar aanspreeklikheid vir enige skadevergoeding wat deur my as spesiale bewaarder eisbaar mag wees as gevolg van enige besering wat ek in die loop van my diens opdoen.
I, as employer of prisoners, accept liability for any compensation which may be claimable by me as a special warder as a result of any injury which I may sustain during the course of my duties.

Datum _____
Date

Handtekening van Huurder.
Signature of Employer.

V. VUL IN WAAR DIE WERKNEMER VAN DIE HUURDER VAN GEVANGENES AS WAG OPTREE. COMPLETE WHERE THE EMPLOYEE OF THE EMPLOYER OF PRISONERS ACTS AS GUARD.

(1) Ek, as huurder van gevangenes aanvaar aanspreeklikheid vir enige skadevergoeding wat deur die spesiale bewaarder eisbaar mag wees as gevolg van enige besering wat hy in die loop van sy diens opdoen.
I, as employer of prisoners accept liability for any compensation which may be claimable by the special warder as a result of any injury he may sustain during the course of his duties.

(2) Ek onderneem om—
I undertake to—

(a) as deel van die bedrag deur my verskuldig vir die huur van gevangenisarbeid, aan die spesial bewaarder 'n loon van £ _____
pay the special warder as part of the amount due by me for the hire of prison labour, a wage of
per dag te betaal;
per day;

(b) die hele bedrag of enige gedeelte van sodanige loon verskuldig aan die spesiale bewaarder aan die Departement van Gevangenis-
pay the Prisons Department the whole or any portion of such wage due to the special warder when requested to do so by the mem-
te betaal wanneer deur die hoof van die gevangenis daartoe versoek word.
ber in charge of the prison.

Datum _____
Date

Handtekening van Huurder.
Signature of Employer.

VI. GOEDKEURING. APPROVAL.

Aanstelling ingevolge artikel 9 (1) van die Wet goedgekeur.
Appointments in terms of section 9 (1) of the Act approved.

Hoof van _____ -gevangenis.
Member in Charge of Prison.

AANSTELLING VAN 'N SPESIALE MATRONE INGEVOLGE REGULASIE 9 (1) (b) (i).
APPOINTMENT OF A SPECIAL MATRON IN TERMS OF REGULATION 9 (1) (b) (i).

I. VOORWAARDES.
CONDITIONS.

- (1) Ek onderneem om diens te doen as 'n spesiale matrone met ingang van _____
I undertake to perform duty as a special matron with effect from _____
- (2) Ek verstaan goed dat ek in my hoedanigheid as spesiale matrone met dieselfde bevoegdhede, werksaamhede en verantwoordelikhede
I clearly understand that in my capacity as a special matron I am vested with the same powers, activities and responsibilities and shall
bekleer en belas is, dieselfde pligte moet verrig en aan dieselfde tug en gesag onderworpe is as 'n bewaarster wat kragtens subartikel (1)
perform the same duties and am subject to the same discipline and authority as a wardress appointed in terms of sub-section (1) of
van artikel *agt* van die Wet aangestel is.
section *eight* of the Act.
- (3) Ek verstaan verder dat hierdie indiensneming op 'n blote tydelike grondslag berus en dat die kontrak alhier aangegaan met wedyrsydse
I understand further, that the engagement is on a purely temporary basis and that the contract hereby concluded may be terminated by
kennisgewing van vier-en-twintig uur beëindig kan word.
twenty-four hours notice from either side.
- (4) Ek aanvaar die betrekking teen 'n allesinsluitende salaris van f. _____ per jaar.
I accept the appointment at an inclusive salary of _____ per annum.
- (5) Ek verstaan dat ek op geen verdere voorregte en voordele geregtig is nie.
I understand that I am not entitled to any further privileges or benefits.

Getuie _____
Wintess

Datum _____
Date

Handtekening.
Signature.

II. AMPSEED.
OATH OF OFFICE.

- (1) Ek, _____
I, _____
beloof en verklaar dat ek na die beste van my vermoë getrou en ywerig, sonder vrees, partydigheid, voorkeur of kwaadwilligheid die
do promise and declare that I shall faithfully and diligently, without fear, partiality, favour, or ill-will, perform the several duties as
verskillende pligte soos vir 'n lid van die Gevangensidiens bepaal, sal vervul.
prescribed for a member of the Prisons Service, to the best of my ability.
- (2) Ek verklaar dat ek nooit enige tydperk van gevangenstraf gedien het nie.
I declare that I have never served any period of imprisonment.

SO HELP MY GOD.
SO HELP ME GOD.

Datum _____
Date

Handtekening.
Signature.

Beëdig voor my te _____
Sworn to before me at _____

op die _____
on the _____

dag van _____
day of _____

19 _____

Kommissaris van Ede.
Commissioner of Oaths.

III. GOEDKEURING.
APPROVAL.

Aanstelling ingevolge artikel 9 (1) van die Wet goedgekeur.
Appointment in terms of section 9 (1) of the Act approved.

Hoof van _____
Member in Charge of _____

gevangenis.
Prison.

P.D. 160.

Aanhangsel B.
Annexure B.VERDERE KENNISGEWING OM PERIODIEKE GEVANGENISSTRAF TE ONDERGAAN.
FURTHER NOTICE TO UNDERGO PERIODICAL IMPRISONMENT.Gevangenis.
Prison.Gevangenisno.
Prison No.Aan
ToWoonadres
Residential AddressBesigheidsadres
Business Address

Nademaal u behoortlik skuldig bevind en veroordeel is om vir 'n tydperk van _____ uur, periodieke gevangenisstraf te ondergaan soos volledig uiteengesit in die „ Kennisgewing om Periodieke Gevangenisstraf te Ondergaan ” (U.D.J. 505) uitgereik te _____ op die _____ dag van _____ 19_____, en nademaal u, slegs _____ uur van genoemde gevangenisstraf uitgedien het, so dien dit om u, kragtens die bepalings van subregulasie (2) van Regulasie 140 van die Departement van Gevangenis te gelas om u op die _____ dag van _____ 19_____ om _____ vm./nm. aan die hoof van die _____ gevangenis oor te gee om 'n verdere tydperk van genoemde gevangenisstraf te ondergaan op die wyse soos by regulasie kragtens die bepalings van artikel 39 (a) van die Wet of Gegangenis, 1959 (Wet No. 8 van 1959) voorgeskryf.

Whereas you were duly convicted and sentenced to undergo periodical imprisonment for a period of _____ hours as fully set out in the „ Notice to Undergo Periodical Imprisonment ” (U.D.J. 505) issued at _____ on the _____ day of _____ 19_____, and whereas you have served only _____ hours of the said imprisonment, this is therefore to direct you, in terms of sub-regulation (2) of Regulation 140 of the Prisons Department to surrender yourself to the member in charge of the _____ Prison at _____ a.m./p.m. on the _____ day of _____ 19_____ for the purpose of undergoing a further period of the said imprisonment in the manner prescribed by regulation in terms of the provisions of section 39 (a) of the Prisons Act, 1959 (Act No. 8 of 1959).

Uitgereik te _____ op hede die _____ dag van _____ 19_____
Issued at _____ this _____ day of _____

Hoof van die Gevangenis.
Member in Charge of Prison.Mede-onderteken (Rang).
Countersigned (Rank).

(Op duplikaat van „ Verdere Kennisgewing ”).
(On duplicate of “ Further Notice ”).

Oorspronklike kennisgewing deur my ontvang.
Original notice received by me.

Datum
DateHandtekening.
Signature.

Besonderhede wat op keersy van vorm P.D. 160 gedruk moet word.)
(Details to be printed on the reverse side of form P.D. 160.)

1. WAARSKUWING.
WARNING.Indien u—
If you—

- (a) sonder regmatige verskoning, waarvan die bewyslas op u rus, in gebreke bly om hierdie kennisgewing te gehoorsaam; of without lawful excuse proof whereof shall be upon you, fail to comply with this notice; or
- (b) u oorgee om periodieke gevangenisstraf te ondergaan terwyl u onder die invloed van bewelmende drank of verdowingsmiddels is, surrender yourself for the purpose of undergoing periodical imprisonment, while under the influence of intoxicating liquor or
- begaan u 'n misdryf en is u by skuldigbevinding strafbaar met 'n boete van hoogstens vyftig pond of gevangenisstraf van hoogstens narcotic drugs, you will be guilty of an offence and liable on conviction to a fine not exceeding £50 for imprisonment for a period ses maande. not exceeding six months.

2. ALGEMENE INLIGTING.
GENERAL INFORMATION.

Wanneer u u by die volgende geleentheid aanmeld vir die verdere uitdiening van die straf, moet u geen onnodige privaatbesittings saambring nie. 'n Volledige uitrusting waarmee u na die gevangenis kom wat u ook weer gebruik by vrylating is voldoende. On a future occasion when reporting to serve a further portion of your sentence, you should not bring any unnecessary private property with you. A full outfit of clothing which can also be used on your release will suffice.

Bring u eie toiletbenodigdhede soos tandeborsel, tandepasta, skeergereedskap en seep saam. Bring your own toilet requisites such as toothbrush, toothpaste, shaving equipment and soap with you.

Sorg ook vir die nodige vervoermiddele soos bus- of treinkaartjies of die nodige geld daarvoor. Ensure that you have means of transport such as bus coupons, rail ticket or the necessary funds to acquire transport.

Indien u met 'n motorvoertuig na die gevangenis kom, sal die sleutels daarvan bewaar word maar die parkering geskied op u eie risiko. If you travel to the Prison by motor vehicle, your keys will be stored for you but parking arrangements are at your own risk.

Die Departement verskaf werks- en slaapklerie sowel as handdoeke. The Department supplies working and sleeping attire as well as towels.

Ringe, vulpenne, horlosies en geld wat nie vir vervoer nodig is nie, moet so ver moontlik nie na die gevangenis gebring word nie. Rings, fountain pens, watches and money except the amount required for transport, should if possible, not be brought to Prison.

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