



UNION OF SOUTH AFRICA
UNIE VAN SUID-AFRIKA

EXTRAORDINARY Government Gazette Staatskoerant

(Registered at the Post Office as a Newspaper)

(As 'n Nuusblad by die Poskantoor Geregistreer)

VOL. CXC VIII.] PRICE 6d. PRETORIA, 11 DECEMBER 1959. PRYS 6d. [No. 6329.
11 DESEMBER

GOVERNMENT NOTICES.

DEPARTMENT OF LABOUR.

No. 2042.] [11 December 1959.

WAGE ACT, No. 5 OF 1957.

WAGE DETERMINATION No. 195.

UNSKILLED LABOUR, BLOEMFONTEIN.

By direction of the Minister of Labour it is hereby notified in terms of sub-section (2) of section *fourteen* of the Wage Act, 1957, that the Minister, under the powers vested in him by sub-section (1) of section *fourteen* of the said Act, has made the Determination in the Schedule hereto in respect of unskilled labour and has fixed the 4th day of January, 1960, as the date from which the provisions of the said Determination shall be binding.

SCHEDULE.

1. AREA AND SCOPE OF DETERMINATION.

This Determination shall apply to all employees who perform unskilled labour in the Magisterial District of Bloemfontein in any of the undermentioned trades:—

- (1) Asphalting (non-building industry);
- (2) bridge-building;
- (3) market and commission agencies;
- (4) demolition of buildings;
- (5) excavating or levelling soil;
- (6) municipal or local management board undertakings (including town councils, village boards of management, small-holding areas control boards and committees of management);
- (7) preparing sites for building or other purposes;
- (8) roadmaking;
- (9) breaking up of scrap metal;
- (10) shipping agencies;
- (11) transportation of passengers or goods;
- (12) dealing in wool, hides, skins or mohair;
- (13) cleaning of buildings (including windows);
- (14) manufacture or distribution of gas;
- (15) letting of offices;
- (16) excavating, pumping, selling or delivering of sand or gravel;
- (17) ice-cream manufacture or distribution;

and to the employers of such employees: Provided that it shall not apply to employees employed in that section of the trade dealing in wool, hides, skins or mohair; in respect of which the licence referred to in Item II (General Dealer) of Part I of the Second Schedule of the Licences Consolidation Act, 1925, is required to be taken out.

2. DEFINITIONS.

(1) Unless the context otherwise indicates, any expression which is used in this Determination and which is defined in the Wage Act, 1957, has the same meaning as in that Act, and unless inconsistent with the context—

- (i) "continuous process" means any activity which in terms of paragraph (a) of sub-section (1) of section *nineteen* of the Factories, Machinery and Building Work Act, 1941, has been declared an activity in which continuous working by means of three shifts per day is necessary; (viii)

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN ARBEID.

No. 2042.] [11 Desember 1959.

LOONWET, No. 5 VAN 1957.

LOONVASSTELLING No. 195.

ONGESKOOLDE ARBEID, BLOEMFONTEIN.

In opdrag van die Minister van Arbeid word hierby ingevolge subartikel (2) van artikel *veertien* van die Loonwet, 1957, bekendgemaak dat die Minister, kragtens die bevoegdheid hom verleen by subartikel (1) van artikel *veertien* van genoemde Wet, die Vastelling wat in die Bylae hiervan verskyn ten opsigte van ongeskoolde arbeid gemaak het en die 4de dag van Januarie 1960 bepaal het as die datum waarop die bepalings van genoemde Vastelling bindend word.

BYLAE.

1. GEBIED EN OMVANG VAN DIE VASSTELLING.

Hierdie Vastelling is van toepassing op alle werknemers wat in die landdrostdistrik Bloemfontein ongeskoolde werk verrig in enige van die ondergenoemde bedrywe:—

1. Asfalting (nie boubedryf nie);
2. brugbou;
3. mark- en kommissieagentskappe;
4. sloping van geboue;
5. uitgrawe of gelykmaak van grond;
6. munisipale of plaaslike bestuursraadondernemings (met inbegrip van stadsrade, dorpsbesture, rade van beheer oor kleinhoewegebiede en komitees van beheer);
7. voorbereiding van terreine vir bou- of ander doeleindes;
8. padmaak;
9. opbreek van ou metaal;
10. skeepsagentskappe;
11. passasiers- of goederevervoer;
12. handel in wol, huide, velle of angorahaar;
13. geboue skoonmaak (met inbegrip van vensters);
14. vervaardiging of verspreiding van gas;
15. verhuur van kantore;
16. uitgrawe, uitpomp, verkoop of aflewering van sand of gruis;
17. vervaardiging of verspreiding van roomys;

en op die werkgewers van sodanige werknemers: Met dien verstande dat dit nie van toepassing is nie op werknemers in diens in die deel van die bedryf wat handel in wol, huide, velle of angorahaar en waarvoor die lisensie genoem in Item 11 (Algemene Handelaar) van Deel I van die Tweede Bylae van die Licenties Konsolidasie Wet, 1925, uitgeneem moet word.

2. WOORDOMSKRYWING.

(1) Tensy uit die samehang anders blyk, het iedere uitdrukking wat in hierdie Vastelling gebesig en in die Loonwet, 1957, omskryf word, dieselfde betekenis as in dié Wet en, tensy strydig met die samehang, beteken—

- (i) „bedryfsinrigting”, 'n perseel waarop of in verband waarmee een of meer werknemers in enigeen of meer van die bedrywe in klousule 1 genoem, in diens is; (v)

- (ii) "cost of living allowance" means the allowance prescribed in War Measure No. 43 of 1942, as amended, and as construed in terms of section two of the War Measures Continuation Act, 1948, and paragraph (b) of section two of the War Measures Continuation Act, 1950: Provided that where an employer regularly pays an employee a cost of living allowance higher than that so prescribed, it means such higher allowance; (iv)
- (iii) "daily employee" means an employee who is employed by the day; (ii)
- (iv) "emergency work" means—
- any work which, owing to unforeseen circumstances such as fire, storm, accident, act of violence, epidemic or theft, must be done without delay;
 - any work necessary for the maintenance of light, power, water, telephone, public health, sanitary, cleansing, public transport or airport services or for the supply of goods to hospitals or the police or military forces;
 - any work necessitated by a general breakdown of plant or machinery or an actual breakdown or threatened breakdown of buildings, caused by accident or other unforeseen circumstance;
 - any work in connection with the overhauling or repairing of plant or machinery which cannot be performed during ordinary working hours; or
 - the work of or connected with the loading or unloading of trucks or vehicles belonging to the South African Railways and Harbours; (vii)
- (v) "establishment" means any premises in or in connection with which one or more employees are employed in any one or more of the trades mentioned in clause 1; (i)
- (vi) "law" includes the common law; (xi)
- (vii) "night watchman" means an employee who is engaged in guarding property during the night or on Sundays or public holidays; (vi)
- (viii) "piece-work" means any system under which an employee's remuneration is based on the quantity of work done; (x)
- (ix) "short-time" means any temporary reduction in the number of ordinary hours of work owing to wet weather or a shortage of raw materials or a general breakdown of plant or machinery or an actual breakdown or threatened breakdown of buildings, caused by accident or other unforeseen circumstance; (iii)
- (x) "unskilled labour" means, without limiting the usual meaning of the expression whatsoever, in relation to—
- A. Asphalting (Non-building Industry)—**
- applying or plastering by hand, by means of a brush or other means;
 - operating a hand pump;
 - ramming asphalt by means of iron rammers or mechanical means;
- B. Bridge-building, Excavating or Levelling Soil, Preparing Sites for Building or Other Purposes and Road-making—**
- erecting scaffolding under supervision;
 - operating concrete mixers or power drills;
 - ramming asphalt by means of iron rammers or mechanical means;
- C. Market and Commission Agencies—**
- sorting, packing or displaying vegetables, fruit, poultry, flowers or other farm products;
- D. Demolition of Buildings—**
- loosening or taking down any kind of roof tiling, corrugated iron sheets, asbestos sheeting or other roofing material;
 - loosening or taking down planks, beams or other kinds of timbering;
 - loosening, demolishing or breaking up brick walls, concrete walls or walls composed of other materials, by means of crowbars, hammers or other tools;
 - sorting or tying in bundles materials obtained from demolitions;
 - removing nails from planks or beams;
- E. Municipal or Local Management Board Undertakings (Including Town Councils, Village Boards of Management, Small-holding Areas Control Boards and Committees of Management)—**
- tarring articles, buildings or equipment by hand;
 - painting chimneys under supervision;
 - opening or closing coal chutes;
 - erecting scaffolding under supervision;
 - erecting or hanging out road signs or putting up warning lamps;
 - cutting or threading pipes under supervision;
 - spraying, spreading or applying toxins;
 - the performance of any work mentioned in paragraphs A to D and F to K of this definition;
- (ii) "daaglikse werknemer", 'n werknemer wat by die dag in diens is; (iii)
- (iii) "korttyd", 'n tydelike vermindering van die aantal gewone werke weens nat weer of 'n tekort aan grondstowwe, of ten gevolge van die feit dat die installasie of masjinerie uit orde is, of, die geboue ten gevolge van 'n ongeluk of ander onvoorsiene omstandighede onbruikbaar is of dreig om dit te word; (ix)
- (iv) "lewenskostetoelae", die toelae voorgeskryf in Oorlogsmaatseël No. 43 van 1942, soos gewysig, en soos uitgeleë by artikel twee van die Wet op die Voortsetting van Oorlogsmaatseëls, 1948, en paragraaf (b) van artikel twee van die Wet op die Voortsetting van Oorlogsmaatseëls, 1950: Met dien verstande dat, as 'n werkgewer sy werknemer gereeld 'n lewenskostetoelae betaal wat hoër is as dié wat aldus voorgeskryf is, dit sodanige hoër toelae beteken; (ii)
- (v) "loon", die geldbedrag aan 'n werknemer ingevolge klousule 3 (1) betaalbaar ten opsigte van sy gewone werke soos voorgeskryf by klousule 5: Met dien verstande dat, as 'n werkgewer sy werknemer vir sy gewone werke gereeld 'n hoër bedrag betaal as dié in klousule 3 (1) voorgeskryf, dit dié hoër bedrag beteken; (xi)
- (vi) "nagwag", 'n werknemer wat in die nag of op Sondag of openbare vakansiedae eiendom bewaak; (vii)
- (vii) "noodwerk"—
- alle werk wat weens onvoorsiene omstandighede soos brand, storm, ongeluk, gewelddaad, epidemie of diefstal sonder versuif gedoen moet word;
 - alle werk wat gedoen moet word vir die instandhouding van lig-, krag- of watervoorsiening of van telefoon-, openbare gesondheids-, sanitêre, skoonmaak-, openbare vervoer- of lughawediensie, of vir die lewering van goedere aan hospitale of die polisie- of militêre magte;
 - alle werk genoodsaak ten gevolge van die feit dat die installasie of masjinerie uit orde is, of die geboue ten gevolge van 'n ongeluk of ander onvoorsiene omstandighede onbruikbaar is of dreig om dit te word;
 - alle werk in verband met die opknapping of herstel van installasies of masjinerie wat nie gedurende die gewone werke verrig kan word nie; of
 - die laai of aflaai van spoorwaens of voertuie van die Suid-Afrikaanse Spoorweë en Hawens of werk wat daarmee in verband staan; (iv)
- (viii) "onafgebroke proses", 'n bedrywigheid wat ingevolge paragraaf (a) van subartikel (1) van artikel negentien van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, verklaar word tot 'n bedrywigheid waarin onafgebroke werk deur middel van drie skofte per dag nodig is; (viii)
- (ix) "ongeskoolde werk", sonder beperking van die gewone betekenis van die uitdrukking hoegenaamd, met betrekking tot—
- A. Asfaltering (nie boubedryf nie)—**
- met die hand, deur middel van 'n kwas, borsel of ander middel, aansmeer, toedien of pleister;
 - 'n handpomp bedien;
 - asfalt met ysterstampers of meganiese middels vasstamp;
- B. Brughou, uitgrawe of gelykmaak van grond, voorbereiding van terreine vir bou- of ander doeleindes en padmaak—**
- steiers onder toesig oprig;
 - betonmengers of kragbore bedien;
 - asfalt met ysterstampers of meganiese middels vasstamp;
- C. Mark- en Kommissieagentskappe—**
- groente, vrugte, pluimvee, blomme of ander plaasprodukte sorteer, verpak of uitstai;
- D. Sloping van geboue—**
- enige soort dakteëls, sinkplate, asbesplate of ander dakmateriaal losmaak of afbreek;
 - planke, balke of ander soorte timmerhout losmaak of afbreek;
 - baksteenmure, betonmure of mure van ander materiaal met koevoete, hamers of ander gereedskap losmaak, afbreek of opbreek;
 - afgebreekte materiaal sorteer of in bondels bind;
 - spykers uit planke of balke verwyder;
- E. Munisipale of plaaslike Bestuursraadondernemings (met inbegrip van stadsrade, dorpsbesture, rade van beheer oor kleinhouegebiede en komitees van beheer)—**
- artikels, geboue of toerusting met die hand teer;
 - skoorstene onder toesig verf;
 - steenkoolstortgeute oop- of toemaak;
 - steiers onder toesig oprig;
 - padtekens oprig of uithang of waarskuwingslampe opstel;
 - pype onder toesig afsaag of skroefdraad daaraan sny;
 - gifstowwe spuit, sprei of aanwend;
 - die verrigting van enige werk wat in items A tot D en F tot K van dié woordomskrif genoen word;

F. Breaking Up of Scrap Metal—

- (1) bending or cutting under supervision, by means of a blowlamp, or bending or breaking up by means of hammers, saws, chisels, crowbars or spanners, any scrap metal, machines, wrecks, vehicles or bridges;
- (2) sorting but not grading scrap metal;

G. Transportation of Passengers or Goods—

- (1) sweeping, washing, dusting or polishing passenger vehicles;
- (2) filling fuel tanks; draining or filling oil sumps;
- (3) removing, topping up or replacing batteries;
- (4) using jack or hoist to lift or lower vehicles or loads;

H. Dealing in Wool, Hides, Skins or Mohair—

- (1) placing and securing wire, hoops or rope around bales in order to keep such bales in pressed form;
- (2) removing stained or seedy pieces of mohair or wool, dags or other foreign substances from mohair, wool, hides or skins;
- (3) cutting open bales, removing a sample and placing sample next to each bale;
- (4) rubbing salt on hides or skins by hand; shaking out, folding, stacking, bundling or hanging hides or skins over poles or removing therefrom;
- (5) scraping fat or flesh from hides or skins;
- (6) cutting off tips, pieces or tails from hides or skins;
- (7) spraying or strewing toxic or other substances on hides or skins;
- (8) sewing up bales or bags;

I. Manufacture or Distribution of Gas—

- (1) emptying or filling gasometers or gas cylinders, under supervision;
- (2) filling gasometers or gas cylinders with water;
- (3) unscrewing valves or heads from empty gasometers or gas cylinders;
- (4) making marks on or removing marks from gasometers or gas cylinders;
- (5) screwing pipes to or unscrewing pipes from gasometers or gas cylinders;
- (6) opening or closing filter presses or removing or changing filter cloths;

J. Excavating, Pumping, Selling or Delivering of Sand or Gravel—

- (1) pumping, washing or screening sand or gravel;

K. Ice-cream Manufacture or Distribution—

- (1) folding paper or containers;
- (2) heating drums, tanks, pipes or other containers by steam;
- (3) stirring by hand or hand-operated machine;
- (4) lading;

L. All Trades Mentioned in Clause 1—

- (1) affixing stamps to letters, parcels or other articles;
- (2) placing letters, circulars, documents, handbills, advertisements or other written, printed, typed or recorded documents in envelopes or making them up into bundles;
- (3) opening, closing, filling or emptying letters, parcels, casks, boxes, tins, trays, cartons, drums, bags, bales or any other containers; affixing labels to or marking, branding, stamping or stencilling such containers or other articles;
- (4) opening or closing doors or windows;
- (5) carrying, pulling, pushing, hauling, packing, stacking, rolling, moving or burying any article, thing or container, whether in or on the workshop, storeroom, shed, premises, vehicle or railway truck, other than by the use of power equipment;
- (6) cleaning or washing premises, doors, windows, equipment, tools, machinery, furniture, vehicles, containers or other articles, including polishing furniture and brushing carpets;
- (7) cooking rations or making or serving tea or similar beverages for or to employees, or making or serving tea or other refreshments for or to the employer or his guests;
- (8) delivering or conveying messages, parcels, letters or goods on foot, by means of a bicycle, tricycle, or manually propelled vehicle;
- (9) lime-washing, cleaning or disinfecting compounds, latrines, stables or outbuildings;
- (10) loading or unloading;
- (11) making or maintaining fires, whether in hearths, ovens or any other fireplace; removing refuse or ashes; sorting out cinders;
- (12) oiling or greasing vehicles or machinery, but not electric generating machinery or motor vehicles;
- (13) mending, cleaning or shaking out bags;
- (14) gardening, i.e. digging, raking, mowing, spreading, mixing, watering, trimming hedges, weeding, felling or removing trees or other vegetation or planting under supervision;
- (15) using rubber or other stamps where selection or discretion is unnecessary;

F. Opbreëk van ou metaal—

- (1) enige ou metaal, masjiene, wrakke, voertuie of brúe met hamers, sáe, beitels, koevoete of skroef-sleutels buig of opbreëk, of onder toesig met 'n blaaslamp buig of sny;
- (2) ou metaal sorteer maar nie gradeer nie;

G. Passasiers- of goederevervoer—

- (1) passasiersvoertuie uitvee, was, afstof of poleer;
- (2) brandstoftenks volmaak; oliebakke leegtap of volmaak;
- (3) batterye afhaal, volmaak of terugsit;
- (4) domkrag of hystoestel gebruik om voertuie of vragte te hys of te laat sak;

H. Handel in wol, huide, velle of angorahaar—

- (1) draad, hoepels of tou om bale plaas en vasmaak om sodanige bale in geperste vorm te hou;
- (2) gevlekte of saadbevattende stukkie angorahaar of wol, misklossies of ander vreemde stowwe uit angorahaar, wol of van velle of huide verwyder;
- (3) bale oopsny, 'n monster uithaal en monster naas-aan elke baal plaas;
- (4) sout aan huide of velle met die hand invryf; huide of velle uitskud, opvou, opstapel, bondel of oor pale hang of daarvan afhaal;
- (5) vet of vleis van velle of huide afskraap;
- (6) punte, dele of sterfte van velle of huide afsny;
- (7) gifstowwe of ander middels op velle of huide spuit of strooi;
- (8) bale of sakke toewerk;

I. Vervaardiging of verspreiding van gas—

- (1) gashouers of gassilinders onder toesig leeg- of volmaak;
- (2) gashouers of gassilinders met water volmaak;
- (3) kleppe of koppe van leë gashouers of gassilinders afskroef;
- (4) merke aan gashouers of gassilinders aanbring of daarvan verwyder;
- (5) pype aan gashouers of gassilinders vasskroef of daarvan losskroef;
- (6) filterperse oop- of toemaak of filterdoeke verwyder of vervang;

J. Uitgrawe, uitpomp, verkoop of aflewering van sand of gruis—

- (1) sand of gruis uitpomp, was of sif;

K. Vervaardiging of verspreiding van roomys—

- (1) houers of papier vou;
- (2) konkas, tenks, pype of ander houers met stoom verhit;
- (3) met die hand of handmasjiene omroer;
- (4) uitskep;

L. Al die bedrywe in klausule 1 genoem—

- (1) Posseëls op briewe, pakkette of ander artikels plak;
- (2) briewe, omsendbriewe, dokumente, biljet, advertensies of ander geskrewe, gedrukte, getikte of afgerolde geskrifte in koeverte plaas of in pakkies opmaak;
- (3) briewe, pakkette, vate, kaste, blikke, platkissies, kartonne, konkas, sakke, bale of enige ander houer oopmaak of toemaak, volmaak of leegmaak; etikette op sodanige houers of ander artikels plak of dit merk, brandmerk, stempel of sjabloneer;
- (4) deure of vensters oop- of toemaak;
- (5) dra, sleep, stoot, trek, verpak, opstapel, rol, verskuif of begrawe van enige artikel, ding of houer; hetsy in of op die werkplek, pakkamer, loods, perseel, voertuig of spoorwegwa, behalwe deur die gebruik van kragtoerusting;
- (6) perseel, deure, vensters, toerusting, gereedskap, masjinerie, meubels, voertuie, houers of ander ander artikels skoonmaak of was en dit sluit in meubels opvryf en tapete uitborsel;
- (7) rantsoene kook of tee of soortgelyke drankte vir werknemers maak of aan hulle bedien, of tee of ander verversings vir die werkgewer of sy gaste maak of bedien;
- (8) boodskappe, pakkette, briewe of goedere te voet, per trapfiets driewieler of handvoertuig aflewer of vervoer;
- (9) kampongs, latrines, stalle of buitegeboue witkalk, skoonmaak of ontsmet;
- (10) laai of aflaai;
- (11) vuur maak of vure aan die brand hou, hetsy in kaggels, oonde of enige ander voormaakplek; afval of as verwyder; sintels uitsoek;
- (12) voertuie of masjinerie, maar nie elektriese opwekkingsmasjinerie of motorvoertuie nie, olie of smeer;
- (13) sakke heelmaak, skoonmaak of uitskud;
- (14) tuinmaak, d.w.s. spit, hark, gras sny, strooi, meng, natmaak, heinings snoei, onkruid verwyder, bome, of ander plantegroei afkap of verwyder, of onder toesig plant;
- (15) rubber- of ander stempels gebruik waar seleksie of diskresie nie nodig is nie;

- (16) removing, replacing, changing or inflating wheels or tyres or tubes of motor vehicles, bicycles or wheelbarrows, or repairing tubes;
- (17) minding, cleaning, feeding or in any other way tending livestock;
- (18) assisting a journeyman other than by using the tools of his trade;
- (19) operating a hand-hoist or goods lift by hand; feeding or taking off from a conveyor belt or platform;
- (20) removing, emptying, cleaning or replacing sanitary pails;
- (21) repetitive weighing of goods to predetermined weight, or repetitive measuring of goods to a set gauge;
- (22) packing articles of uniform size and number in containers specially made to contain such articles.
- (23) setting up ready-made cardboard or fibreboard boxes or similar containers by hand;
- (24) mixing asphalt with sand, gravel, clay or crushed stone by hand, or spreading mixed asphalt by means of shovels, rakes, forks or wheelbarrows, or spreading asphalt with pipes or cans;
- (25) opening or closing cocks or valves or adjusting levers, under supervision;
- (26) operating baling presses or other presses by hand, or placing and securing wire, hoops, ropes or metal bands around boxes, bags, fibre or bales;
- (27) placing bottles or similar containers in automatic or semi-automatic washing machines or taking therefrom; removing labels from bottles, boxes or other articles by hand or affixing labels thereto; feeding labels to automatic labelling machines;
- (28) loosening, excavating, breaking or spreading stone, soil, clay, sand or other raw materials; digging trenches, holes or foundations or performing other excavation work by hand; digging out tree stumps;
- (29) cleaning or levelling bricks, stones or concrete by means of hammers, trowels or other tools;
- (30) pulling or pushing wheelbarrows, trolleys, barrows or other manually propelled vehicles;
- (31) operating hand pumps;
- (32) tying or securing steel reinforcing materials with wire under supervision or cutting, bending or assembling such materials;
- (33) coupling or uncoupling cocopans; laying or bolting or unbolting tracks; operating a cocopan hoist;
- (34) ramming cement or concrete in moulds or ramming concrete in foundations, bolting or otherwise securing parts of or dismantling moulds for cement or concrete products;
- (35) sorting or wrapping articles, empty bottles, bags, parcels or other containers;
- (36) washing overalls, uniforms or protective clothing;
- (37) making or repairing boxes from ready prepared material;
- (38) guarding premises or property;
- (39) replacing towels, soap or toilet paper;
- (40) cutting wire, rope or hessian by hand;
- (41) covering with or removing tarpaulins;
- (42) carrying poles, wire or tools; (ix)

(xi) "wage" means the amount of money payable to an employee in terms of clause 3 (1) in respect of his ordinary hours of work as prescribed in clause 5: Provided that, if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3 (1), it means such higher amount. (v)

(2) For the purpose of this Determination an employee shall be deemed to be in that class in which he is wholly or mainly engaged.

3. REMUNERATION.

(1) The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder:—

EMPLOYEES IN ANY TRADE OTHER THAN IN A MUNICIPAL OR LOCAL MANAGEMENT BOARD UNDERTAKING (INCLUDING A TOWN COUNCIL, VILLAGE BOARD OF MANAGEMENT, SMALL-SCALE VILLAGE AREAS CONTROL BOARD OR A COMMITTEE OF MANAGEMENT).

	Per day.
(a) Daily employee.....	s. d. 6 10
	Per week.
(b) Night watchman.....	£ s. d. 2 0 6
(c) Employee (other than a daily employee or a night watchman)—	
(i) female.....	1 5 0
(ii) male of the age of 18 years or over.....	1 15 6
(iii) male under the age of 18 years.....	1 5 0

- (16) wiele of buite- of binnebande van motorvoertuie, fietse of kruiwaens afhaal, terugsit, omruil of oppomp of binnebande herstel;
- (17) lewende hawe oppas, skoonmaak, voer of op enige ander wyse versorg;
- (18) 'n vakman behulpzaam wees op 'n ander wyse as deur die gereedskap van sy vak te gebruik;
- (19) 'n handhystoestel of goederehyser met die hand bedien; 'n vervoerband of platform met die hand voer of daarvan afneem;
- (20) sanitêre emmers verwyder, leegmaak, skoonmaak of terugplaas;
- (21) goedere volgens voorafbepaalde gewig by herhaling weeg, of goedere volgens voorafbepaalde maat by herhaling meet;
- (22) artikels van gelyke grootte en getal verpak in houers wat spesiaal gemaak is om sodanige artikels te bevat;
- (23) klaargemaakte karton- of veselborddose of soortgelyke houers met die hand opstel;
- (24) asfalt met sand, gruis, klei of gebreekte klip met die hand meng, of gemengde asfalt met skopgrawe, harke, vurke of met kruiwaens versprei, of asfalt met pype of kanne sprei;
- (25) onder toesig kranes of kleppe oopmaak of toemaak of masjienhefbome verstel;
- (26) baalperse of ander perse met die hand bedien of draad, hoepels, toue of metaalbande om kiste, sakke, vesel of bale sit en vasmaak;
- (27) bottels of soortgelyke houers in outomatiese of half-outomatiese masmasjiene plaas of daaruit neem; etikette van bottels, kaste of ander artikels met die hand verwyder of opplak, etikette aan outomatiese etiketteermasjiene voer;
- (28) klip, grond, klei, sand of ander grondstowwe losmaak, uithaal, breek of strooi; slote, gate of fondamente grawe of ander uitgrawingswerk met die hand verrig; boomstompe uitgrawe;
- (29) bakstene, klippe, of beton met hamers, troffels of ander gereedskap skoonmaak of afvlak;
- (30) kruiwaens, trollies, waentjies of ander handvoertuie trek of stoot;
- (31) handpompe bedien;
- (32) staalversterkingsmateriaal onder toesig met draad verbind of vasheg; of sodanige materiaal sny, buig of inmeekaarsit;
- (33) koekepanne koppel of ontkoppel; spore lê of vas- of losboud; koekepanhystoestel bedien;
- (34) sement of beton in vorms vasstamp of beton in fondamente vasstamp, onderdele van vorms vir sement- of betonprodukte aanmeekaarboud of op 'n ander manier saamvoeg of vorms uitmeekaarhaal;
- (35) artikels, lêe bottels, sakke, pakkies of ander houers sorteer of toedraai;
- (36) oorpakke, uniforms of beskermende klere was;
- (37) kaste uit voorafbereide materiaal maak of heelmaak;
- (38) persele of eiendom bewaak;
- (39) handdoeke, seep of toilet papier vervang;
- (40) draad, tou of goiingsak met die hand sny;
- (41) boksele oorgooi of afhaal;
- (42) pale, draad of gereedskap dra; (x)

(x) „stukwerk”, 'n stelsel waaronder 'n werknemer se besoldiging bereken word op grondslag van die hoeveelheid gedane werk; (viii)

(xi) „wet”; ook die gemene reg. (vi)

(2) By die toepassing van hierdie Vasstelling word 'n werknemer geag in dié klas te wees waarin hy uitsluitend of in hoofsaak in diens is.

3. BESOLDIGING.

(1) Die minimum loon wat 'n werkgewer aan elkeen van sy werknemers in ondergenoemde klasse moet betaal, word hieronder uiteengesit:—

WERKNEMERS IN ENIGE BEDRYF BEHALWE IN 'N MUNISIPALE OF PLAASLIKE BESTUURSRAADONDERNEMING (MET INBEGRIP VAN 'N STADSRAAD, DORPSBESTUUR, RAAD VAN BEHEER OOR KLEINHOEWEGEBIEDE OF 'N KOMITEE VAN BEHEER).

	Per dag.
(a) Daaglikse werknemer.....	s. d. 6 10
	Per week.
(b) Nagwag.....	£ s. d. 2 0 6
(c) Werknemer (uitgesonderd 'n daaglikse werknemer of 'n nagwag)—	
(i) vrou.....	1 5 0
(ii) man van 18 jaar of ouer.....	1 15 6
(iii) man onder 18 jaar.....	1 5 0

EMPLOYEES IN ANY MUNICIPAL OR LOCAL MANAGEMENT BOARD UNDERTAKING (INCLUDING A TOWN COUNCIL, VILLAGE BOARD OF MANAGEMENT, SMALL-HOLDING AREAS CONTROL BOARD AND A COMMITTEE OF MANAGEMENT).

	For the first twelve months from the date of coming into operation of this Determination.	For the next succeeding twelve months.	Thereafter.
	Per day. s. d. 6 3	Per day. s. d. 6 6	Per day. s. d. 6 10
(d) Daily employee.....			
	Per week. £ s. d. 1 15 0	Per week. £ s. d. 1 17 6	Per week. £ s. d. 2 0 6
(e) Night watchman.....			
(f) Employee (other than a daily employee or a night watchman)—			
(i) female.....	1 1 0	1 3 0	1 5 0
(ii) male of the age of 18 years or over	1 10 0	1 12 6	1 15 6
(iii) male under the age of 18 years..	1 1 0	1 3 0	1 5 0

- (g) Notwithstanding anything to the contrary in this sub-clause, if a daily employee is employed as a night watchman his wage shall be not less than that prescribed in paragraph (a) or (d) hereof, as the case may be, plus one shilling per day. Provided that for the purposes of this paragraph the expression "day" shall mean a period of twenty-four consecutive hours reckoned from the time the employee commences work.
- (h) Notwithstanding anything to the contrary in this clause, where on any day a daily employee has worked or stood-by for the work for which he was engaged and which work he was precluded from doing through unforeseen circumstances beyond his control, his employer shall pay him not less than his daily wage, irrespective of whether he has on that day worked or so stood-by for eight and a half hours or less: Provided that if he was required to work or so stand-by for less than four hours on any day, his wage in respect of such day need not exceed half his daily wage.

(2) *Basis of Contract.*—For the purpose of this clause the contract of employment of an employee, other than a daily employee, shall be on a weekly basis and, save as provided in clause 4 (6), an employee shall be paid in respect of a week not less than the full weekly wage prescribed in sub-clause (1) for an employee of his class, whether he has in that week worked the maximum ordinary hours of work applicable to him in terms of clause 5 or less.

(3) *Calculation of Wages.*—(a) The daily wage of an employee, other than a daily employee, shall be his weekly wage divided by the number of days he ordinarily works in a week.

(b) The monthly wage of an employee, other than a daily employee, shall be his weekly wage multiplied by four and a third.

(c) The hourly wage of an employee, other than a daily employee, shall be his weekly wage divided by the number of ordinary hours of work which he ordinarily works in a week.

(4) *Bicycle Allowance.*—An employer who requires an employee to use his own bicycle in the performance of his duties shall pay such employee, in addition to any other remuneration due to him, an allowance of not less than three shillings and sixpence per week, or, if the employee is a daily employee, not less than ninepence per day.

(5) *Subsistence Allowance.*—(a) An employer shall, in addition to any other remuneration due, pay to his employee, who is engaged in packing, unpacking, loading, unloading or transportation of household furniture and who on any journey undertaken in the performance of his duties is absent from his place of residence and his employer's establishment for any period extending over one or more nights, a subsistence allowance of not less than—

- four shillings and sixpence for each night of such absence, and
- one shilling for each meal necessarily obtained during such absence.

(b) For the purpose of this sub-clause the expression "night" means the period between 11 o'clock p.m. and 4 o'clock a.m.

4. PAYMENT OF REMUNERATION.

(1) *Employees, other than Daily Employees.*—Save as provided in clause 6 (4), any amount due to an employee, other than a daily employee, shall be paid in cash weekly or, with the consent of the employee, monthly during the hours of work on the usual pay day of the establishment for such employee or on termination of employment if this takes place before the usual per day.

(2) *Daily Employees.*—An employer shall pay the remuneration due to his daily employee in cash on completion of each day's work.

WERKNEMERS IN ENIGE MUNISIPALE OF PLAASLIKE BESTUURSRAADONDERNEMING (MET INBEGRIP VAN 'N STADSRAAD, DORPSBESTUUR, RAAD VAN BEHEER OOR KLEINHOEWEGEBIEDE EN 'N KOMITEE VAN BEHEER).

	In die eerste twaalf maande vanaf die datum van inwerking-treding van hierdie vas-stelling.	In die daarop volgende twaalf maande.	Daarna.
	Per dag. £ s. d. 0 6 3	Per dag. £ s. d. 0 6 6	Per dag. £ s. d. 0 6 10
(d) Daaglikse werknemer			
	Per week. £ s. d. 1 15 0	Per week. £ s. d. 1 17 6	Per week. £ s. d. 2 0 6
(e) Nagwag.....			
(f) Werknemer (uitge-sonderd 'n daaglikse werknemer of 'n nag-wag)—			
(i) vrou.....	1 1 0	1 3 0	1 5 0
(ii) man van 18 jaar of ouer.....	1 10 0	1 12 6	1 15 6
(iii) man onder 18 jaar	1 1 0	1 3 0	1 5 0

- (g) Ondanks andersluidende bepalings in hierdie subklousule, moet die loon van 'n daaglikse werknemer, indien hy as 'n nagwag in diens is, minstens dié wees wat in paragraaf (a) of (d) hiervan, al na gelang van die geval, voorgeskryf is, plus een sjieling per dag. Met dien verstande dat die uitdrukking „dag” by die toepassing van hierdie paragraaf 'n tydperk van vier en twintig opeenvolgende ure beteken, bereken van die tyd af wanneer die werknemer met sy werk begin.

(h) Ondanks andersluidende bepalings in hierdie klousule, wanneer 'n daaglikse werknemer op enige dag gewerk het of beskikbaar was vir werk waarvoor hy in diens geneem is, maar wat hy weens onvoorsiene omstandighede buite sy beheer nie kan verrig nie, moet sy werkgever hom minstens sy dagloon betaal, afgesien daarvan of hy die dag agt en 'n half uur of minder gewerk het of aldus vir die werk beskikbaar was: Met dien verstande dat as van hom vereis word om te werk of om aldus beskikbaar te wees vir minder as vier uur op enige dag, sy loon vir dié dag nie meer as die helfte van sy dagloon hoef te wees nie.

(2) *Kontrakbasis.*—By die toepassing van hierdie klousule moet die dienskontrak van 'n werknemer, uitgesonderd 'n daaglikse werknemer, op 'n weeklikse grondslag berus en, behoudens soos in klousule 4 (6) bepaal, moet 'n werknemer vir 'n week minstens die volle weekloon betaal word wat in subklousule (1) vir 'n werknemer van sy klas voorgeskryf word en wel ongeag of hy in dié week die maksimum aantal gewone werkure wat vir hom ingevolge klousule 5 geld, dan wel minder, gewerk het.

(3) *Loonberekening.*—(a) Die dagloon van 'n werknemer, uitgesonderd 'n daaglikse werknemer, is sy weekloon gedeel deur die getal dae wat hy in die reël in 'n week werk.

(b) Die maandloon van 'n werknemer, uitgesonderd 'n daaglikse werknemer, is vier en 'n derde maal sy weekloon.

(c) Die uurloon van 'n werknemer, uitgesonderd 'n daaglikse werknemer, is sy weekloon gedeel deur die getal van die gewone werkure wat hy in die reël in 'n week werk.

(4) *Fietstoelae.*—'n Werkgever wat van 'n werknemer vereis dat hy vir die uitvoering van sy pligte sy eie fiets gebruik, moet hom, benewens enige ander besoldiging aan hom verskuldig, 'n toelae van minstens drie sjielings en ses pennies per week betaal, of, as hy 'n daaglikse werknemer is, minstens nege pennies per dag.

(5) *Onderhoudstoelae.*—(a) 'n Werkgever moet, benewens enige ander verskuldigde besoldiging, sy werknemer wat huis-raad verpak, uitpak, laai, aflaai of vervoer en wat op 'n reis by die uitvoering van sy pligte van sy woonplek en sy werkgever se bedryfsinrigting vir 'n periode wat oor een of meer nagte strek, afwesig is, 'n onderhoudstoelae betaal van minstens—

- vier sjielings en ses pennies vir elke nag van sodanige afwesigheid, en
- een sjieling vir elke ete wat noodwendig gedurende sodanige afwesigheid verkry moet word.

(b) By die toepassing van hierdie subklousule beteken die uitdrukking „nag” die tyd tussen 11-uur nm. en 4-uur vm.

4. BETALING VAN BESOLDIGING.

(1) *Werknemers uitgesonderd daaglikse werknemers.*—Behoudens soos bepaal in klousule 6 (4), moet iedere bedrag verskuldig aan 'n werknemer, uitgesonderd 'n daaglikse werknemer, weekliks in kontant of, as die werknemer daartoe instem, maandeliks in kontant betaal word gedurende die werkure op die dag waarop die bedryfsinrigting so 'n werknemer gewoonlik betaal, of as dit vóór die gewone betaaldag geskied, by die diensbeëindiging.

(2) *Daaglikse werknemer.*—'n Werkgever moet die besoldiging wat aan sy daaglikse werknemer verskuldig is, by die voltooiing van elke dag se werk betaal.

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

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

(5) *Board and Lodging*.—Save as provided in the Natives (Urban Areas) Consolidation Act, 1945, an employer shall not require his employee to board or lodge or board and lodge with him or with any person or at any place nominated by him.

(6) *Deductions*.—An employer shall not levy any fines against his employee nor shall he make any deductions from his employee's remuneration: Provided that he may make the following—

- with the written consent of his employee, a deduction for holiday, sick benefit, insurance, savings, provident or pension funds;
- except where otherwise provided in this Determination, whenever an employee is absent from work other than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time thereof;
- a deduction of any amount which an employer by any law or order of any competent court is required or permitted to make;
- whenever an employee agrees or is required in terms of the Natives (Urban Areas) Consolidation Act, 1945, to accept board or lodging or board and lodging with his employer, a deduction not exceeding the amounts specified hereunder:—

	Per Week. s. d.	Per Month. £ s. d.
(i) Board	4 0	0 17 4
(ii) Lodging	2 0	0 8 8
(iii) Board and lodging	6 0	1 6 0

- whenever the ordinary hours of work prescribed in clause 5 are reduced on account of short-time, a deduction to the amount of the employee's (other than a daily employee's) hourly wage in respect of each hour of such reduction:

Provided—

- that such deduction shall not exceed one third of the employee's weekly wage, irrespective of the number of hours by which the ordinary hours of work are thus reduced;
- that no deduction shall be made in the case of short-time arising out of shortage of raw materials, unless the employer has given his employee notice on the previous work day of his intention to reduce the ordinary hours of work;
- that no deduction shall be made in the case of short-time owing to wet weather or a general breakdown of plant or machinery or an actual breakdown or threatened breakdown of buildings caused by accident or other unforeseen emergency, in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available;
- a deduction of an amount equal to his daily wage in respect of any public holiday, other than New Year's Day, Good Friday, Ascension Day, the Day of the Covenant or Christmas Day, on which an employee at his own request is permitted not to work.

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

(1) *Ordinary Hours of Work*.—An employer shall not require or permit an employee to work more ordinary hours of work than—

- in the case of a daily employee, eight and a half on any day, but so that forty-six is not exceeded in any week with the same employer;
- in the case of any other employee—
 - forty-six in any week from Monday to Saturday, inclusive; and
 - subject to paragraph (i) hereof, eight on any day:

Provided—

 - that where the hours of work of an employee are less than eight on one day in any week, the limit of eight hours may be exceeded by not more than half an hour on the remaining days of the week;
 - that where work is normally performed on not more than five days in any week, the limit of eight hours a day may be exceeded by not more than one and a half hours on any such day,

but so that the ordinary hours of work do not exceed forty-six in any week.

(2) For the purpose of sub-clause (1) and (4) the expression "day" means—

- where shift work is not performed, a period of twenty-four consecutive hours, commencing at midnight;
- where shift work is performed, a period of twenty-four consecutive hours, calculated from the time an employee commences his shift.

(3) *Premies*.—Geen betaling mag regstreeks of onregstreeks ten opsigte van die indiensneming of opleiding van 'n werknemer aan 'n werkgever gedoen of deur hom aangeneem word nie.

(4) *Koop van goedere*.—'n Werkgever mag van sy werknemer nie eis dat dié van hom of van enige winkel, plek of persoon deur hom aangewys, goedere koop nie.

(5) *Kos en inwoning*.—Behoudens soos in die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, bepaal, mag 'n werkgever nie van sy werknemer eis dat dié by hom of by enige ander persoon of plek deur hom aangewys eet of inwoon of eet en inwoon nie.

(6) *Aftrekkings*.—'n Werkgever mag sy werknemer geen boetes opleë of van sy werknemer se besoldiging 'n aftrekking doen nie: Met dien verstande dat hy die volgende aftrekkings kan doen—

- met die skriftelike toestemming van sy werknemer, 'n bedrag vir 'n vakansie-, siektebystands-, versekerings-, spaar-, voorsorg-, of pensioenfonds;
- behoudens waar in hierdie Vasstelling anders bepaal word, wanneer 'n werknemer om 'n ander rede as op las of versoek van sy werkgever uit sy werk afwesig is, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op grondslag van die loon wat so 'n werknemer ten tyde van die afwesigheid vir sy gewone werkure ontvang het;
- iedere bedrag wat 'n werkgever by wet of op bevel van 'n bevoegde hof verplig of toegelaat word om af te trek;
- wanneer 'n werknemer instem, of ingevolge die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, verplig word, om kos of inwoning of kos en inwoning van sy werkgever aan te neem, 'n bedrag hoogstens gelyk aan die bedrae hieronder:—

	Per week s. d.	Per maand £ s. d.
(i) Kos	4 0	0 17 4
(ii) Inwoning	2 0	0 8 8
(iii) Kos en inwoning	6 0	1 6 0

- Wanneer die gewone werkure in klousule 5 voorgeskryf, weens korttyd verminder word, 'n bedrag gelyk aan die werknemer (uitgesonderd 'n daaglikse werknemer) se uurloon vir elke uur van sodanige vermindering:

Met dien verstande—

- dat sodanige aftrekking, ongeag die getal ure waarmee die gewone werkure aldus verminder word, hoogstens gelyk aan een derde van die werknemer se weekloon mag wees;
- dat geen aftrekking mag geskied ten opsigte van korttyd wat deur 'n tekort aan grondstowwe ontstaan nie, tensy die werkgever sy werknemer op die vorige werkdag van sy voorneme om die gewone werkure te verminder kennis gegee het;
- dat ten opsigte van korttyd weens nat weer, of ten gevolge van die feit dat die installasie of masjinerie uit orde is, of die geboue ten gevolge van 'n ongeluk of ander onvoorsiene omstandigheid onbruikbaar is of dreig om dit te word, geen aftrekking mag geskied vir die eerste uur waarin nie gewerk word nie, tensy die werkgever sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie;
- ten opsigte van 'n ander openbare vakansiedag as Nuwejaarsdag, Goeie Vrydag, Hemelvaartdag, Gelofte-dag of Kersdag, waarop die werknemer op eie versoek toegelaat word om nie te werk nie, 'n bedrag gelyk aan sy dagloon.

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

(1) *Gewone werkure*.—'n Werkgever mag nie vereis of toelaat dat 'n werknemer meer gewone werkure werk nie as—

- in die geval van 'n daaglikse werknemer, agt en 'n half op 'n dag, waar dan so dat ses en veertig in 'n week by dieselfde werkgever nie oorskry word nie;
- in die geval van enige ander werknemer—
 - ses-en-veertig in enige week van Maandag tot en met Saterdag; en
 - behoudens die bepalings van paragraaf (i) hiervan, agt op 'n dag: Met dien verstande—
 - dat, indien 'n werknemer se werkure op een dag in 'n week minder is as agt, die perk van agt uur op die orige dag in die week met hoogstens 'n halfuur oorskry kan word;
 - dat, indien in die reël nie meer as vyf dae in 'n week gewerk word nie, die perk van agt uur op 'n dag met hoogstens een en 'n half uur op so 'n dag oorskry kan word,

maar dan so dat die gewone werkure in enige week nie ses-en-veertig oorskry nie.

(2) By die toepassing van subklousules (1) en (4) beteken die uitdrukking „dag”—

- waar geen skofwerk verrig word nie, 'n tydperk van vier-en-twintig opeenvolgende ure wat om middernag begin;
- waar skofwerk verrig word, 'n tydperk van vier-en-twintig opeenvolgende ure bereken vanaf die tyd wanneer 'n werknemer sy skof begin.

(2) Aan elkeen van die hystoue wat gebruik word om die hoofantenne te ondersteun, moet 'n veiligheidslus tussen die mastop of ander antennesteun en 'n antenne-isolator aangebring word. Dié veiligheidslus moet bestaan uit 'n deel van die hystou wat minstens drie voet lank is; die lus word gesluit met 'n skakel hoogstens een voet drie duim lank met 'n breekbelasting van hoogstens een derde van die breekbelasting van die antenne of die hystou, na gelang van watter die minste is.

(3) 'n Montasieplan van die antennes moet in die radiotelegraafkamer beskikbaar wees en moet die volgende aantoon:—

- (a) Vertikale aansig en plattegrond van die antennes;
- (b) die afmetings van die antennes in voet en duim; en
- (c) die hoogte van die antennes in meters, gemeet soos gespesifiseer in paragraaf (3) van regulasie 12.

(4) Die hoofantenne en die noodantenne (as daar een is) moet, waar doenlik, so gemonteer word dat beskadiging van die een nie die doeltreffendheid van die ander sal beïnvloed nie.

(5) Die hoof- en die noodantenne moet elkeen, na die eis van omstandighede, verbind kan word met—

- (a) die hoofsender, of regstreeks of oor 'n versterker;
- (b) die hoofontvanger; en
- (c) die noodsender.

Die noodantenne moet ook met die noodontvanger verbind kan word.

12. Sendafstand van senders.

(1) Die normale sendafstande van radiotelegraafsenders moet minstens die volgende wees:—

- (a) in die geval van 'n skip van Klas I, 175 myl vir die hoofsender en 150 myl vir die noodsender;
- (b) in die geval van 'n skip van Klas II, 150 myl vir die hoofsender en 100 myl vir die noodsender;
- (c) in die geval van 'n skip van Klas III, 100 myl vir die hoofsender en 75 myl vir die noodsender.

(2) Die sendafstand van 'n sender word, na die eienaar van die skip verkies, of deur berekening of deur 'n toets bepaal.

(3) Wanneer die normale sendafstand van 'n radiotelegraafsender deur berekening bepaal word, moet dit gedoen word deur die produk te bepaal van die effektiewe stroom in ampères aan die voet van die hoofantenne en die maksimum hoogte in meters van die antenne, gemeet van die laslynmerk af wat die grootste diepte aandui waartoe die skip op enige tydstop of plek mag sak ooreenkomstig die laslynregulasies of, as daar nie so 'n merk aan die skip is nie, van die gemiddelde hoogte van die oppervlak van die water waarin die skip drywe. Die produk wat so verkry word in meter-ampères, word in myle omgerek en volgens onderstaande tabel:—

Produk in meter-ampères.	Ekwivalent in myl.
102.....	175
76.....	150
45.....	100
34.....	75
10.....	25

(4) Wanneer die normale sendafstand van 'n radiotelegraafsender deur 'n toets bepaal word, is dit die afstand wat dié sender seine gedurende die dag onder normale toestande op 'n frekwensie van 500 Khz. oor die see kan stuur, sodat by die ontvanger 'n totale effektiewe veldsterkte tot stand gebring word van minstens 50 mikrovolt per meter.

13. Toevoer van elektriese energie.

(1) Op elke radiotelegraafskip moet daar, terwyl die skip op die see is en op alle redelike tye wanneer die skip in 'n hawe is, vir toetsdoeleindes 'n toevoer van elektriese energie beskikbaar wees van die skip se hoofbron van elektriese energie af wat voldoende is vir die werking van die hoofradiotelegraafuitrusting ooreenkomstig hierdie Deel en vir die laai van batterye wat as bron van elektriese energie dien vir die radiotelegraafinstallasie. Die ontwerpspanning van die toevoer van elektriese energie vir die hoofuitrusting moet binne plus of minus 10 persent

(2) Each of the halyards used for supporting the main aerial shall be fitted with a safety loop between the mast-head or other aerial support and an aerial insulator. Such safety loop shall consist of a part of the halyard not less than three feet long, the loop being closed by a link not more than one foot three inches long with a breaking load not more than one-third of the breaking load of the aerial or the halyard, whichever is the less.

(3) A rigging plan of such aerials shall be available in the radiotelegraph room, and shall show the following:—

- (a) Elevation and plan views of the aerials;
- (b) the measurements of the aerials in feet and inches; and
- (c) the height of the aerials in metres measured in the manner specified in paragraph (3) of regulation 12.

(4) The main aerial and the emergency aerial (if any) shall where practicable, be so rigged that damage to the one will not affect the efficiency of the other.

(5) The main and emergency aerials shall each be capable of being connected, as circumstances may require, to—

- (a) the main transmitter, either directly or with the intervention of an amplifier;
- (b) the main receiver; and
- (c) the emergency transmitter.

The emergency aerial shall also be capable of being connected to the emergency receiver.

12. Range of Transmitters.

(1) The normal ranges of radiotelegraph transmitters shall not be less than—

- (a) in the case of a ship of Class I, 175 miles for the main transmitter and 150 miles for the emergency transmitter;
- (b) in the case of a ship of Class II, 150 miles for the main transmitter and 100 miles for the emergency transmitter;
- (c) in the case of a ship of Class III, 100 miles for the main transmitter and 75 miles for the emergency transmitter.

(2) The range of a transmitter shall be determined, at the option of the owner of the ship, either by reckoning or by test.

(3) The normal range of a radiotelegraph transmitter when determined by reckoning, shall be calculated by ascertaining the product of the root mean square current in amperes at the base of the main aerial and the maximum height in metres of the aerial measured from the load line mark indicating the greatest depth to which the ship may at any time or place be submerged in accordance with the load line regulations, or if there is no such mark on the ship, from the mean level of the surface of the water in which the ship is afloat. The product so ascertained in metre-amperes shall be converted to miles in accordance with the following table:—

Product in metre-amperes.	Equivalent in miles.
102.....	175
76.....	150
45.....	100
34.....	75
10.....	25

(4) The normal range of a radiotelegraph transmitter, when determined by test, shall be the distance to which signals can be transmitted by such transmitter over the sea by day under normal conditions on a frequency of 500 kc/s so as to set up at the receiver a total root mean square field strength of at least 50 microvolts per metre.

13. Supply of Electrical Energy.

(1) There shall be available in every radiotelegraph ship while the ship is at sea and at all reasonable times when the ship is in port, for testing purposes, a supply of electrical energy from the ship's main source of electrical energy sufficient for the operation of the main radiotelegraph equipment in accordance with this Part, and for the charging of any batteries which are a source of electrical energy for the radiotelegraph installation. The rated voltage of the supply of electrical energy for the main equipment shall be maintained within plus or minus 10

gehandhaaf word. Die toevoer van elektriese energie moet, as dit 'n gelykstroombetoevoer is, van die regte polariteit wees. Op 'n skip wat nie op 'n internasionale reis gebruik word nie, kan genoemde toevoer van elektriese energie egter uit 'n battery verkry word; in dié geval moet ook 'n duplikaatbattery vir dié doel verskaf word.

(2) Die nooduitrusting moet 'n bron van elektriese energie insluit wat onafhanklik is van die dryfkrag van die skip en van die res van die skip se elektriese installasie en wat onmiddellik in werking gestel kan word deur middel van 'n skakelbord wat in 'n radiotelegraafkamer aangebring is of maklik daarvandaan bereik kan word. Enige bron van elektriese energie wat ooreenkomstig hierdie paragraaf verskaf word, moet van sodanige kapasiteit wees en te alle tye wanneer die skip op die see is in so 'n toestand gehou word dat dit 6 uur lank onafgebroke, ongeag of dit in gebruik is vir enige ander doel of nie, 'n totale stroom kan lewer wat gelyk is aan die som van—

- (a) die stroom wat nodig is om die noodsender te laat werk met die skakelaar op;
- (b) drie vyftes van die verskil tussen die stroom wat nodig is om die noodsender te laat werk met die skakelaar af en die stroom nodig om dit te laat werk met die skakelaar op;
- (c) die stroom wat nodig is om die noodontvanger te laat werk; en
- (d) die stroom wat verbruik word deur die elektriese lamp wat by subparagraaf (c) van paragraaf (3) van regulasie 10 vereis word.

(3) Die bron van elektriese energie wat ingevolge paragraaf (2) verskaf word, moet op geen tydstip vir iets anders gebruik word nie as om die volgende te laat werk:—

- (a) Die noodsender en -ontvanger;
- (b) die lampe wat by subparagrafe (c) en (d) van paragraaf (3) van regulasie 10 vereis word;
- (c) die outomatiese sleuteltoestel;
- (d) 'n outomatiese alarm;
- (e) 'n rigtingsoeker.

14. Gereedskap, meetinstrumente en reserwedele.

Elke radiotelegraafskip moet voorsien wees van die gereedskap, meetinstrumente, reserwedele en ander materiaal wat in die Vyfde Bylae gespesifiseer word.

15. Verskaffing van radiobeampies.

(1) Elke radiotelegraafskip wat, wanneer hy op die see uitvaar, nie van 'n outomatiese alarm voorsien is wat aan die vereistes in die Sesde Bylae gestel, voldoen nie, moet die volgende radiobeampies hê:—

Klas I.—Drie radiobeampies.

Klas II.—Twee radiobeampies wanneer hy hoogstens 48 uur lank op die see is tussen twee agtereenvolgende hawens en drie radiobeampies as hy meer as 48 uur op die see is tussen agtereenvolgende hawens.

Klas III.—Een radiobeampte.

(2) Elke radiotelegraafskip wat, wanneer hy op die see uitvaar, van 'n outomatiese alarm voorsien is wat aan voorgenoemde vereistes voldoen, moet die volgende radiobeampies hê:—

Klas I.—Twee radiobeampies.

Klas II.—Een radiobeampte.

Klas III.—Een radiobeampte.

16. Kwalifikasies van radiobeampies.

(1) Niemand is geregtig om 'n radiobeampte te wees of mag as sodanig in diens wees op 'n Suid-Afrikaanse skip wat 'n radiotelegraafskip is nie tensy hy—

- (a) 'n Suid-Afrikaanse burger is of 'n burger van 'n land (behalwe die Unie) wat lid is van die Statebond;
- (b) in besit is van 'n geldige sertifikaat van bekwaamheid of bevoegdheid in radiotelegrafie van die eerste of tweede klas, toegeken deur die Posmeester-generaal of, behoudens artikel driehonderd vier-en-vyftig van die Wet, deur 'n gesag

per cent. The supply of electrical energy shall, if it is a direct current supply, be of correct polarity. Provided that in any ship not engaged on an international voyage the aforesaid supply of electrical energy may be derived from a battery, in which case a duplicate battery shall also be provided for that purpose.

(2) The emergency equipment shall include a source of electrical energy independent of the propelling power of the ship and of the rest of the ship's electrical installation, and be capable of being brought into immediate operation by means of a switchboard situated in a radiotelegraph room or readily accessible therefrom. Any source of electrical energy provided in compliance with this paragraph shall be of such capacity and shall be maintained at all times when at sea in such condition as to be able to supply continuously for a period of 6 hours, whether or not it is in use for any other purpose, a total current equal to the sum of—

- (a) the current required to operate the emergency transmitter with the key up;
- (b) three-fifths of the difference between the current required to operate the emergency transmitter with the key down and the current required to operate it with the key up;
- (c) the current required to operate the emergency receiver; and
- (d) the current consumed by the electric lamp required by sub-paragraph (c) of paragraph (3) of regulation 10.

(3) The source of electrical energy provided under paragraph (2) shall not be used at any time except for the operation of—

- (a) the emergency transmitter and receiver;
- (b) the lamps required by sub-paragraphs (c) and (d) of paragraph (3) of regulation 10;
- (c) the automatic keying device;
- (d) an auto-alarm;
- (e) a direction-finder.

14. Tools, Measuring Instruments and Spare Parts.

Every radiotelegraph ship shall be provided with the tools, measuring instruments, spare parts and other material specified in the Fifth Schedule.

15. Provision of Radio Officers.

(1) Every radiotelegraph ship which upon proceeding to sea is not provided with an auto-alarm complying with the requirements specified in the Sixth Schedule shall be provided with radio officers as follows:—

Class I—three radio officers.

Class II—two radio officers if she is at sea for not more than 48 hours between consecutive ports, and three radio officers if she is at sea for more than 48 hours between consecutive ports.

Class III—one radio officer.

(2) Every radiotelegraph ship which upon proceeding to sea is provided with an auto-alarm complying with the aforesaid requirements shall be provided with radio officers as follows:—

Class I—two radio officers.

Class II—one radio officer.

Class III—one radio officer.

16. Qualifications of Radio Officers.

(1) No person shall be qualified to be a radio officer, or be employed as such, on any South African ship which is a radiotelegraph ship unless—

- (a) he is a South African citizen or a citizen of a country (other than the Union) which is a member of the Commonwealth;
- (b) he holds a valid certificate of proficiency or competence in radiotelegraphy of the first or second class granted by the Postmaster-General, or subject to section three hundred and fifty-four of the Act by an authority empowered in that behalf by

daartoe gemagtig deur die wette van 'n land (behalwe die Unie) wat lid is van die Statebond; dié sertifikaat moet deur die Posmeester-generaal erken word as gelykwaardig met die sertifikaat wat hy toeken; en

(c) hy die verklaring van geheimhouding onderskryf het wat by subartikel (2) van artikel tweehonderd twee-en-twintig van die Wet vereis word.

(2) Op elke Suid-Afrikaanse passasierskip moet minstens een van die radiobeamptes in besit wees van so 'n sertifikaat, wat van die eerste klas moet wees.

(3) Vir die toepassing van subparagraaf (b) van paragraaf (1) word geen bekwaamheid- of bevoegdheidsertifikaat op enige datum as geldig beskou nie as dit meer as twee jaar voor dié datum toegeken is en of—

(a) die houër se tydperke van ondervinding altesaam nie drie maande is nie; of

(b) die houër se laaste ondervinding meer as twee jaar voor dié datum was,

tensy die houër die Posmeester-generaal deur hereksamen of op 'n ander wyse daarvan oortuig dat hy nog al die kwalifikasies besit wat in sy sertifikaat gemeld word. Vir die toepassing van hierdie regulasie beteken die uitdrukking „ondervinding” ondervinding ter see as radiobeampte of ondervinding as bediener van radiotelegraaf-apparaat by 'n radiotelegraafstasie wat die Posmeester-generaal of die Suid-Afrikaanse Spoorwegadministrasie op land in stand hou vir kommunikasie met handelskepe, of ondervinding in 'n soortgelyke radiotelegraafstasie in 'n land (behalwe die Unie) wat lid is van die Statebond, mits van sodanige ondervinding bewys gelever kan word tot tevredenheid van die bevoegde beampte.

(4) Op elke Suid-Afrikaanse skip van Klas I en Klas II (a) moet minstens een van die radiobeamptes iemand wees wat ondervinding ter see opgedoen het as radiobeampte vir altesaam minstens—

(a) twee jaar in die geval van skepe van Klas I; en

(b) een jaar in die geval van skepe van Klas II (a).

(5) Op elke Suid-Afrikaanse skip van 3,000 ton of meer van Klas II (b) moet minstens een van die radiobeamptes iemand wees wat ondervinding ter see opgedoen het as radiobeampte vir altesaam minstens ses maande, en in skepe van Klas II (b) van 1,600 ton en meer maar minder as 3,000 ton, vir altesaam minstens drie maande.

(6) Niemand word as 'n radiobeampte aan boord van 'n skip wat nie in die Unie geregistreer is; beskou nie tensy hy in besit is van 'n geldige sertifikaat van bekwaamheid of bevoegdheid in radiotelegrafie toegeken deur 'n gesag wat daartoe gemagtig is of in dié verband erken word deur die wette van die land waarin die skip geregistreer is; die Posmeester-generaal moet dié sertifikaat erken as gelykwaardig met die sertifikaat wat hy toeken.

17. Radiowag deur middel van radiotelegraaf.

(1) Behoudens die bepalings van paragraaf (1) van regulasie 18, moet radiowag ter see aan boord van elke radiotelegraafskip deur 'n radiobeampte gehou word, as volg:—

(a) Indien die skip, wanneer hy op die see uitvaar, nie van 'n outomatiese alarm voorsien is wat voldoen aan die vereistes wat in die Sesde Bylae gespesifiseer word nie—

(i) in die geval van 'n skip van Klas I en Klas II, 'n onafgebroke wag;

(ii) in die geval van 'n skip van Klas III, 'n wag van agt uur per dag op die tye genoem in kolom 5 van die Sewende Bylae, met betrekking tot die sone waarin die skip dan is;

(b) indien die skip, wanneer hy op die see uitvaar, voorsien is van 'n outomatiese alarm soos hierbo gemeld—

(i) in die geval van 'n skip van Klas I, 'n wag van sestien uur per dag op die tye genoem in kolom 4 van die Sewende Bylae, met betrekking tot die sone waarin die skip dan is;

the laws of a country (other than the Union) which is a member of the Commonwealth, which certificate is recognised by the Postmaster-General as the equivalent of such a certificate granted by him; and

(c) he has subscribed to the declaration of secrecy required by sub-section (2) of section two hundred and twenty-two of the Act.

(2) In any South African passenger ship at least one of the radio officers shall hold such a certificate which shall be of the first class.

(3) For the purposes of sub-paragraph (b) of paragraph (1) no certificate of proficiency or competency shall be deemed to be valid at any date if it was granted more than two years before that date and either—

(a) the holder's periods of experience do not total three months; or

(b) the holder's last experience was more than two years before that date,

unless the holder satisfies the Postmaster-General by re-examination or otherwise that he still possesses all of the qualifications described in his certificate. For the purposes of this regulation the expression “experience” means experience at sea as a radio officer or experience as an operator of radiotelegraph apparatus at a radiotelegraph station maintained on land by the Postmaster-General or the South African Railways Administration for communication with merchant ships, or experience in a similar radiotelegraph station in a country (other than the Union) which is a member of the Commonwealth, provided proof of such experience can be produced to the satisfaction of the proper officer.

(4) In any South African ship of Class I and Class II (a) at least one of the radio officers shall be a person who has had experience at sea as a radio officer for a total of not less than—

(a) two years in the case of ships of Class I; and

(b) one year in the case of ships of Class II (a).

(5) In any South African ship of 3,000 tons or upwards of Class II (b), at least one of the radio officers shall be a person who has had experience at sea as a radio officer for a total of not less than six months, and in ships of Class II (b) of 1,600 tons and upwards but under 3,000 tons, for a total of not less than three months.

(6) No person shall be deemed to be a radio officer on board any ship not registered in the Union unless he holds a valid certificate of proficiency or competence in radiotelegraphy granted by an authority empowered or recognised in that behalf by the laws of the country in which the ship is registered, which certificate is recognised by the Postmaster-General as the equivalent of such a certificate granted by him.

17. Radio Watch by Radiotelegraph.

(1) Subject to the provisions of paragraph (1) of regulation 18, radio watch shall be maintained at sea on board every radiotelegraph ship by a radio officer as follows:—

(a) If the ship upon proceeding to sea is not provided with an auto-alarm complying with the requirements specified in the Sixth Schedule—

(i) in the case of a ship of Class I or Class II a continuous watch;

(ii) in the case of a ship of Class III, a watch of eight hours a day at the times specified in column 5 of the Seventh Schedule in relation to the zone in which the ship then is.

(b) If the ship upon proceeding to sea is provided with an auto-alarm as aforesaid—

(i) in the case of a ship of Class I, a watch of sixteen hours a day at the times specified in Column 4 of the Seventh Schedule in relation to the zone in which the ship then is;

- (ii) in die geval van 'n skip van Klas II of Klas III, 'n wag van agt uur per dag op die tye genoem in kolom 5 van die Sewende Bylae, met betrekking tot die sone waarin die skip dan is.

(2) Elke outomatiese alarm aan boord van 'n radiotelegraafskip moet op alle tye wanneer geen radiowag gehou word nie, in werking wees, tensy die outomatiese alarm onklaar geraak het sedert die skip laas op die see uitgevaar het en nie op die see so herstel kan word dat dit doeltreffend werk nie.

18. Waghouding, toets en instandhouding deur radiobeampies.

(1) Elke radiobeampie aan boord van 'n radiotelegraafskip moet dwarsdeur sy dienstydperk radiowaghouding deur middel van koptelefoonontvangs, behalwe wanneer 'n ander radiobeampie radiowaghouding deur middel van koptelefoonontvangs; met dien verstande dat—

(a) radiowag deur middel van luidsprekerontvangs gehou kan word; of

(b) indien luidsprekerontvangs nie doenlik is nie, van radiowag afgesien kan word, behalwe gedurende 'n stilteperiode.

vir die tye wat nodig is om die radiobeampie in staat te stel om ander dienste te verrig ter voldoening aan hierdie Deel of Deel II (Rigtingsoekers).

(2) Elke radiobeampie aan boord van 'n radiotelegraafskip wat van 'n outomatiese alarm voorsien is wat voldoen aan die vereistes in die Sesde Bylae gestel, moet, wanneer radiowag gestaak word gedurende of aan die einde van sy dienstydperk, die outomatiese alarm met die skip se hoofantenne of met 'n ander ewe doeltreffende antenne verbind en die outomatiese alarm in werking stel. Elke radiobeampie wat 'n outomatiese alarm in werking laat wanneer hy van diens af gaan, moet, eersdats hy van diens af gaan—

(a) die doeltreffendheid van die outomatiese alarm toets; en

(b) die uitslag van die toets onmiddellik aan die gesagvoerder van die skip of aan die beampie in beheer van die navigasie van die skip bekendmaak.

(3) Elke sodanige radiobeampie wat, wanneer hy op diens gaan, vind dat 'n outomatiese alarm met 'n antenne verbind is, moet onmiddellik die doeltreffendheid van die outomatiese alarm toets voordat hy daaraan stel.

(4) Terwyl 'n radiotelegraafskip op die see is, moet die radiobeampie of, as daar meer as een is, die eerste radiobeampie, die volgende toetse laat uitvoer:—

(a) Een maal daagliks die noodradiotelegraafsender laat toets wat met 'n kunsantenne verbind is wat voldoen aan die vereistes gestel in paragraaf 13 van Deel III van die Eerste Bylae;

(b) as die skip op 'n internasionale reis gebruik word, een maal gedurende elke reis die noodradiotelegraafsender laat toets wat met die noodantenne, as daar een is, verbind is;

(c) eenmaal daagliks met 'n voltmeter en een maal per maand met 'n hidrometer alle batterye laat toets wat 'n energiebron vir die radiotelegraafinstallasie is;

(d) eenmaal daagliks elke ander bron van elektriese energie wat vir die noodradiotelegraafuitrusting verskaf word, laat toets; en

(e) eenmaal daagliks die kringe van die hoorbare alarms en die klokke wat deel uitmaak van die outomatiese alarm laat toets.

(5) Terwyl 'n radiotelegraafskip op die see is, moet die radiobeampie of, as daar meer as een is, die eerste radiobeampie, alle stappe doen wat hy moontlik kan om die uitrusting waaroor dit in hierdie Deel gaan, behoorlik te laat onderhou en wanneer nodig te laat herstel en regstel. Dié beampie moet alle batterye wat 'n bron van elektriese energie is vir enige deel van die radiotelegraafinstallasie, waarvan gevind word dat hulle nie ten volle gelaa is nie, so gou moontlik laat vol laai.

- (ii) in the case of a ship of Class II or Class III, a watch of eight hours a day at the times specified in Column 5 of the Seventh Schedule in relation to the zone in which the ship then is.

(2) Any auto-alarm provided on board a radiotelegraph ship shall be in operation at all times at which a radio watch is not maintained unless the auto-alarm has broken down since the ship last put to sea and cannot be repaired at sea so as to operate effectively.

18. Watchkeeping, Testing and Maintenance by Radio Officers.

(1) Every radio officer on board a radiotelegraph ship shall keep radio watch by means of headphone reception throughout his period of duty except when another radio officer keeps radio watch by headphone reception: Provided that—

(a) radio watch may be maintained by means of loud-speaker reception; or

(b) if loud-speaker reception is impracticable radio watch may be dispensed with except during a silence period,

for such periods as may be necessary to enable the radio officer to perform other duties in compliance with this Part or with Part II (Direction-finders).

(2) Every radio officer on board a radiotelegraph ship provided with an auto-alarm complying with the requirements specified in the Sixth Schedule shall, whenever radio watch ceases to be maintained during or at the end of his period of duty, connect the auto-alarm with the ship's main aerial, or with any other equally efficient aerial, and shall put the auto-alarm into operation. Every radio officer who leaves an auto-alarm in operation when he goes off duty shall before going off duty—

(a) test the efficiency of the auto-alarm; and

(b) immediately report the result of such test to the master of the ship or to the officer in charge of the navigation of the ship.

(3) Every such radio officer who finds an auto-alarm connected to an aerial when he goes on duty shall immediately test the efficiency of the auto-alarm before making any adjustment thereto.

(4) While a radiotelegraph ship is at sea, the radio officer, or if there is more than one, the first radio officer, shall cause the following tests to be made:—

(a) A test once a day of the emergency radiotelegraph transmitter connected with an artificial aerial complying with the requirements specified in paragraph 13 of Part III of the First Schedule;

(b) if the ship is engaged on an international voyage a test once during every voyage of the emergency radiotelegraph transmitter connected with the emergency aerial, if any;

(c) a test once a day by voltmeter and once a month by hydrometer of any batteries which are a source of energy for the radiotelegraph installation;

(d) a test once a day of any other source of electrical energy provided for the emergency radiotelegraph equipment; and

(e) a test once a day of the audible alarm circuits and of the bells forming part of the auto-alarm.

(5) While a radiotelegraph ship is at sea, the radio officer, or if there is more than one, the first radio officer, shall take all steps within his power to cause the equipment referred to in this Part to be properly maintained and when necessary to be repaired and adjusted. Such officer shall cause all batteries, being a source of electrical energy for any part of the radiotelegraph installation, which are found not to be fully charged to be brought up to that condition as soon as may be.

9. PIECE-WORK.

(1) An employer may, after at least one week's notice to his employee, apply any piece-work system, and, save as provided for in clause 4 (6), the employer shall pay such employee, who is employed on such piece-work system, remuneration at the rates applicable under such system: Provided that, irrespective of the quantity of work done, the employer shall pay such employee not less than—

(a) in the case of an employee other than a daily employee, in respect of each week in which piece-work is performed, the amount which he would have been required to pay such employee for that week had he been remunerated on the basis of time worked;

(b) in the case of a daily employee, in respect of each day on which piece-work is performed, the amount which he would have been required to pay such employee for that day had he been remunerated on the basis of time worked,

plus five per cent.

(2) An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in sub-clause (1).

(3) An employer who intends to cancel or amend in any way any piece-work system in operation or the rates applicable thereunder shall give his employee employed on such system not less than one month's notice of such intention: Provided that an employer and his employee may agree on a longer period of notice, in which case the employer shall give not less than the period of notice agreed upon.

(4) Notwithstanding anything to the contrary in this clause, an employer need not give a daily employee notice of his intention to apply any piece-work system or to cancel or amend it.

10. TIME BONUS.

Nothing in this Determination shall be so construed as to preclude an employer from agreeing with this employee that the employee may go off duty upon the completion by him of an allotted task within the daily ordinary hours of work prescribed for such employee.

11. PROTECTIVE CLOTHING, UNIFORMS OR OVERALLS.

(1) Whenever an employee, in the course of his employment, is exposed to wet processes, to heat or to any poisonous corrosive or other injurious substance liable to cause injury or disease to the employee or damage to his clothing, his employer shall provide him free of charge with such protective clothing, overalls, goggles, gloves, footwear and ointment as may be necessary adequately to protect the employee against such exposure and shall, free of charge, maintain such articles in serviceable condition and any such articles shall remain the property of the employer.

(2) An employer shall supply and maintain in serviceable condition, free of charge, any uniform, overalls, washing coat, apron, cap, boots or protective clothing, which he requires his employee to wear or which by any law or regulation he is compelled to provide to his employee and any such article shall remain the property of the employer.

12. TERMINATION OF CONTRACT OF EMPLOYMENT.

(1) An employer or his employee who desires to terminate the contract of employment, shall give—

(a) during the first four weeks of employment, not less than twenty-four hours,

(b) after the first four weeks of employment, not less than one week's,

notice to terminate the contract, or an employer or employee may terminate the contract without notice by paying the employee or paying or forfeiting to the employer, as the case may be, in lieu of such notice not less than—

(i) in the case of twenty-four hour's notice, the daily wage which the employee is receiving at the time of such termination;

(ii) in the case of a week's notice, the weekly wage which the employee is receiving at the time of such termination:

Provided that this shall not affect—

(i) the right of an employer or an employee to terminate the contract without notice for any cause recognised by law as sufficient;

(ii) any written agreement between an employer and his employee which provides for a period of notice of equal duration on both sides and for longer than that prescribed in this clause;

(iii) the operation of any forfeitures or penalties which by law may be applicable in respect of an employee who deserts:

Provided further that where the wage of an employee at the date of termination has been reduced by deductions in respect of short-time, the expression "is receiving at the time of such termination" shall, for the purpose of an employer paying an employee in lieu of notice, be deemed to mean "would have received at the time of such termination if no deductions had been made in respect of short-time".

(2) Where there is an agreement in terms of the second proviso to sub-clause (1), the payment or forfeiture in lieu of notice shall correspond to the period of notice agreed upon.

9. STUKWERK.

(1) Na minstens een week kennisgewing aan sy werknemer kan 'n werkgever 'n stukwerkstelsel invoer en, behoudens soos bepaal in klousule 4 (6), moet die werkgever 'n werknemer wat volgens so 'n stukwerkstelsel werk besoldig teen die tarief wat volgens dié stelsel geld: Met dien verstande dat die werkgever, ongeag die hoeveelheid gedane werk, die werknemer minstens betaal—

(a) in die geval van 'n werknemer, uitgesonderd 'n daaglikse werknemer, vir elke week waarin sodanige stukwerk verrig word, die bedrag wat hy so 'n werknemer vir dié week sou moet betaal het as hy hom 'n tydloon betaal het;

(b) in die geval van 'n daaglikse werknemer, vir elke dag waarop stukwerk verrig word, die bedrag wat hy so 'n werknemer sou moet betaal het as hy hom 'n tydloon betaal het,

plus vyf persent.

(2) 'n Werkgever moet 'n lys van die tariewe vermeld in sub-klousule (1) op 'n opvallende plek in sy bedryfsinrigting aangeplak hou.

(3) 'n Werkgever wat voornemens is om 'n bestaande stukwerkstelsel of die tariewe wat dienoreenkomstig geld, op enigerlei wyse te skrap of te wysig, moet aan sy werknemer wat daarvolgens werk, minstens een kalendermaand kennis van sodanige voorneme gee: Met dien verstande dat 'n werkgever en sy werknemer oor 'n langer kennisgewing kan ooreenkom en dan moet die werkgever minstens die ooreengekome kennis gee.

(4) Ondanks andersluidende bepalings in hierdie klousule, hoef 'n werkgever 'n daaglikse werknemer geen kennis van sy voorneme om 'n stukwerkstelsel in die voer of te skrap of te wysig te gee nie.

10. TYDBONUS.

Niks in hierdie Vasstelling mag so vertolk word dat dié 'n werkgever verhoed om met sy werknemer ooreen te kom dat die werknemer van diens kan gaan as hy 'n aangewese taak voltooi het binne die daaglikse gewone werkure wat vir dié werknemer voorgeskryf is nie.

11. BESKERMENDE KLERE, UNIFORMS EN OORPAKKE.

(1) Wanneer 'n werknemer in die loop van sy werk aan nat prosesse, hitte of enige giftige, vretende of skadelike stof blootgestel word wat besering of siekte aan die werknemer of skade aan sy kleren kan veroorsaak, moet sy werkgever hom gratis van die beskermende kleren, oorpakke, skermbrille, handskoene, skoel en self voorsien wat nodig is om die werknemer genoegsaam teen die blootstelling te beskerm, en moet hy sodanige artikels gratis in bruikbare toestand hou, en iedere sodanige artikel bly die eiendom van die werkgever.

(2) 'n Werkgever moet alle uniforms, oorpakke, wasjasse, voorskote, pette, stewels of beskermende kleren wat hy vereis dat sy werknemer dra of wat enige wet of regulasie hom verplig om aan sy werknemer te verskaf, gratis voorsien en in bruikbare toestand hou, en iedere sodanige artikel bly die eiendom van die werkgever.

12. BEÏNDIGING VAN DIENSKONTRAK.

(1) 'n Werkgever of sy werknemer wat die dienskontrak wil beëindig, moet—

(a) gedurende die eerste vier weke diens minstens vier-en-twintig uur,

(b) na die eerste vier weke diens, minstens 'n week,

kennis gee van beëindiging van die kontrak; of 'n werkgever of werknemer kan die kontrak sonder opsegging beëindig deur dat in plaas van opsegging die werkgever aan die werknemer minstens die volgende betaal, of die werknemer aan die werkgever minstens die volgende betaal of verbeur, al na gelang van die geval—

(i) in die geval van vier-en-twintig uur opsegging, die dagloon wat die werknemer ten tyde van sodanige beëindiging ontvang;

(ii) in die geval van 'n week opsegging, die weekloon wat die werknemer ten tyde van sodanige beëindiging ontvang;

Met dien verstande dat hierdeur nie geraak word—

(i) die reg van 'n werkgever of 'n werknemer om op enige regsgeldige grond die kontrak sonder opsegging te beëindig nie;

(ii) 'n skriftelike ooreenkoms tussen 'n werkgever en sy werknemer waarin voorsiening gemaak word vir 'n opseggingstermyn wat vir beide partye ewe lank is en langer is as dié wat hierdie klousule voorskryf;

(iii) die werking van verbeurings- of strafbedinge wat regtens van toepassing kan wees op 'n werknemer wat sy diens verlaat;

Met dien verstande voorts dat, indien die loon van 'n werknemer teen die dag van die beëindiging reeds deur aftrekkings weens korttyd verminder is en die werkgever hom betaal in plaas van sy diens op te sê, die uitdrukking "ten tyde van sodanige beëindiging ontvang" geag word te beteken "ten tyde van sodanige beëindiging sou ontvang het as geen aftrekkings weens korttyd gedoen was nie".

(2) Indien daar ingevolge die tweede voorbehoud van sub-klousule (1) 'n ooreenkoms bestaan, moet die betaling of verbeuring in plaas van opsegging eweredig wees aan die ooreengekome opseggingstermyn.

(3) The notice prescribed in sub-clause (1) shall be given on a work day and shall take effect from the day on which it is given: Provided—

- (i) that the period of notice shall not run concurrently with, nor shall notice be given during, an employee's absence on leave granted in terms of clause 6;
 - (ii) that notice shall not be given during an employee's absence on sick leave granted in terms of clause 7.
- (4) For the purpose of this clause the expression "wage" means an employee's wage plus his cost of living allowance.
- (5) This clause shall not apply to a daily employee.

13. PROHIBITION OF EMPLOYMENT.

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

No. 2043.] [11 December 1959.
**FACTORIES, MACHINERY AND BUILDING WORK
 ACT, 1941.**

UNSKILLED LABOUR, BLOEMFONTEIN.

I, JOHANNES DE KLERK, Minister of Labour, acting in terms of sub-section (1) of section *twenty-two* of the Factories, Machinery and Building Work Act, 1941, hereby declare the provisions of the Determination for unskilled labour, published under Government Notice No. 2042 of the 11th December, 1959, to be not less favourable to the persons whose hours of work are regulated thereby than the relative provisions of the said Act.

J. DE KLERK,
 Minister of Labour.

(3) Die kennis in subklousule (1) voorgeskryf moet op 'n werkdag gegee word en tree in werking op die dag waarop dit gegee is: Met dien verstande—

- (i) dat die kennisgewingtermyn nie mag saamval met, en kennis nie gegee mag word gedurende, 'n werknemer se afwesigheid met yerlof toegestaan ingevolge klousule 6;
 - (ii) dat die kennis nie gedurende 'n werknemer se afwesigheid met siekteverlof toegestaan ingevolge klousule 7 gegee mag word nie.
- (4) By die toepassing van hierdie klousule beteken die uitdrukking „loon" 'n werknemer se loon plus sy lewenskostetoelae.
- (5) Hierdie klousule geld nie vir 'n daaglikse werknemer nie.

13. VERBOD OP INDIENSNEMING.

'n Werkgewer mag niemand onder die ouderdom van vyftien jaar in diens neem nie.

No. 2043.] [11 Desember, 1959.
**WET OP FABRIEKE, MASJINERIE EN BOUWERK,
 1941.**

ONGESKOOLDE ARBEID, BLOEMFONTEIN.

Ek, JOHANNES DE KLERK, Minister van Arbeid, handelende kragtens subartikel (1) van artikel *twee-entwintig* van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, verklaar hierby dat die bepalings van die Vastelling vir ongeskoolde arbeid, bekendgemaak by Goewermentskennisgewing No. 2042 van 11 Desember 1959, nie vir die persone wie se werkure daarby gereël word, minder gunstig as die ooreenstemmende bepalings van genoemde Wet is nie.

J. DE KLERK,
 Minister van Arbeid.

Statutes of the Union of South Africa, 1958

PUBLISHED BY AUTHORITY

*With Table of Alphabetical Contents and Tables of Laws, etc.,
 Repealed and Amended by these Statutes*

Half-bound in Law Calf, 20s. (English and Afrikaans)

OBTAINABLE FROM THE GOVERNMENT PRINTER, PRETORIA AND CAPE TOWN

Wette van die Unie van Suid-Afrika, 1958

GEOUTORISEERDE UITGAWE

*met Alfabetiese Inhoudsopgawe en Tabel van Wette, ens.,
 deur hierdie Wette Herroep en Gewysig*

Half gebonde in Kalfsleerband, 20s. (Engels en Afrikaans)

VERKRYGBAAR BY DIE STAATSDRUKKER, PRETORIA EN KAAPSTAD