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[No. 50.]

GOEWERMENSKENNISGEWINGS.

DEPARTEMENT VAN ARBEID.

No. 323.]

[28 Julie 1961.

LOONWET, No. 5 VAN 1957.

LOONVASSTELLING No. 222.

VLEISBEDRYF, PORT ELIZABETH EN
KAAPSTAD.

In opdrag van die Adjunk-minister van Arbeid, word hierby ingevolge subartikel (2) van artikel *veertien* van die Loonwet, 1957, bekendgemaak dat hy, handelende namens en kragtens die bevoegdheid verleen aan die Minister van Arbeid, by subartikel (1) van artikel *veertien* van genoemde Wet, die Vasstelling wat in die Bylae hiervan verskyn ten opsigte van die Vleisbedryf gemaak het en die 21ste dag van Augustus 1961 bepaal het as die datum waarop die bepalings van genoemde Vasstelling bindend word.

BYLAE.

1. GEBIED EN BESTEK VAN VASSTELLING.

Hierdie Vasstelling is in—

- (a) die munisipale gebiede van Port Elizabeth, Walmer, Uitenhage en Despatch;
- (b) die plaaslike gebied van Bethelsdorp, voorheen die dorpsbestuursgebied van Bethelsdorp;
- (c) (i) die munisipale gebiede van Bellville, Durbanville, Goodwood, Kaapstad, Kuilsrivier, Milnerton, Parow, Pinelands, Simonstad en Vischoek;
- (ii) die voorstedelike gebied bekend as Epping (Eppingtuindorp) binne die landdrosdistrik Bellville, sowel as die plaaslike gebiede Bergvliet en Ottery binne die landdrosdistrik Wynberg; en
- (iii) die Strandgebied, Kaapstad, soos omskryf in Goewermenskennisgewing No. 152 van 5 Februarie 1960, van toepassing op werknemers en hulle werkgewers in die Vleisbedryf, maar dit is nie van toepassing op werknemers en werkgewers ten opsigte van werk waarop Loonvasstelling No. 157 (Koelkamernywerheid en Nywerheid vir die Bereiding van Spek en/of die Vervaardiging van Kleingoedere) van toepassing is nie.

2. WOORDOMSKRYWING.

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

„arbeider” ’n werknemer wat een of meer van die volgende werksaamhede verrig:—

- (a) Persele, voertuie, gerei, gereedskap of masjinerie skoonmaak;
- (b) lewende hawe voer, water gee, oppas of aanjaag;
- (c) lewende diere skoonmaak of karkasse afwas;
- (d) diere in- of uitspan;
- (e) vleis, gerei, materiale, huide of velle dra, toedraai of opstapel, of vleis, huide of velle sout;
- (f) goedere, vleis of lewende hawe op- of aflaai;
- (g) vure maak of stook, of vuilgoed of as verwyder;
- (h) deure van koelkamers oop- of toemaak;
- (i) karkasse ophys of sleep op ’n ander manier as deur middel van meganiese kragtoestelle;
- (j) goedere, briewe of boodskappe aflewer op ’n ander manier as deur middel van ’n motorvoertuig wat by self bestuur;
- (k) afval, huide of velle skoonmaak of sorteer;
- (l) pluimvee doodmaak, pluk of skoonmaak;
- (m) vleis vir maal opsnij, bene skoonmaak, vleismeule voer of leegmaak of worsomhulsels oopvou;

GOVERNMENT NOTICES.

DEPARTMENT OF LABOUR.

No. 323.]

[28 July 1961.

WAGE ACT, No. 5 OF 1957.

WAGE DETERMINATION, No. 222.

MEAT TRADE, PORT ELIZABETH AND CAPE
TOWN.

By direction of the Deputy-Minister of Labour it is hereby notified in terms of sub-section (2) of section *fourteen* of the Wage Act, 1957, that he, acting on behalf of and under the powers vested in the Minister of Labour, by sub-section (1) of section *fourteen* of the said Act, has made the Determination in the Schedule hereto in respect of the Meat Trade and has fixed the 21st day of August, 1961, 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 in—

- (a) the municipal areas of Port Elizabeth, Walmer, Uitenhage and Despatch;
- (b) the local area of Bethelsdorp—previously the local board area of Bethelsdorp;
- (c) (i) the municipal areas of Bellville, Cape Town, Durbanville, Fish Hoek, Goodwood, Kuils River, Milnerton, Parow, Pinelands and Simonstown;
- (ii) the suburban area known as Epping (Epping Garden Village) within the Magisterial District of Bellville as well as the local areas of Bergvliet and Ottery within the Magisterial District of Wynberg; and
- (iii) the Foreshore, Cape Town, as defined in Government Notice No. 152 of the 5th February, 1960,

to employees engaged in the Meat Trade and to their employers, but it shall not apply to employers and employees in respect of work covered by Wage Determination No. 157 (Cold Storage and Bacon Curing and/or Smallgoods Manufacturing Industries).

2. DEFINITIONS.

(1) Unless the context otherwise indicates, any expression used in this determination and defined in the Wage Act, 1957, shall have the same meaning as in that Act and unless inconsistent with the context—

„labourer” means an employee engaged in one or more of the following operations:—

- (a) Cleaning premises, vehicles, utensils, tools or machinery;
- (b) feeding, watering, herding or driving livestock;
- (c) cleaning live animals or washing carcasses;
- (d) harnessing or unharnessing animals;
- (e) carrying, wrapping or stacking meat, utensils, materials, hides or skins, or salting meat, hides or skins;
- (f) loading or unloading goods, meat or livestock;
- (g) making or maintaining fires or removing refuse or ash;
- (h) opening or closing doors of cold-storage chambers;
- (i) hoisting or dragging carcasses otherwise than by means of power-driven mechanical appliances;
- (j) delivering goods, letters or messages otherwise than by means of a motor vehicle driven by himself;
- (k) cleaning or sorting offal, hides or skins;
- (l) killing, plucking or cleaning poultry;
- (m) cutting up meat for mincing, cleaning bones, feeding or emptying mincing machines or unfolding sausage casings;

- (n) wors of polonie toebind, sopvleis opsaag, bene stukkend kap, vet opsyn of smelt, of vet deur masjiene stuur;
- (o) wild afslag;
- (p) by herhaling weeg volgens 'n voorafbepaalde gewig;
- (q) horings van karkasse verwyder;
- (r) oorpakke, uniforms of beskermende klere was;
- "bedryfsinrigting" 'n perseel waarop of in verband waarmee een of meer werknemers in die vleisbedryf in diens is;
- "besteler" 'n werknemer wat goedere op 'n ander wyse aflewer as deur die gebruik van 'n motorvoertuig wat hy self bestuur en van wie ook vereis word om bestellings van kliente in te samel of aan te teken en wat by K.B.A.-verkope die kontant kan ontvang;
- "bestellingnemer-blokman" 'n werknemer wat bestellings werf of insamel en die aldus bestelde vleis sny, opmaak en aflewer en wat 'n blokman kan help, maar wat nie kliente in 'n bedryfsinrigting bedien nie;
- "bestuurder" 'n werknemer wat deur sy werkgever belas is met die algemene—
- (a) toesig oor,
 - (b) verantwoordelikheid vir en
 - (c) leiding van
- die bedrywighede van 'n bedryfsinrigting en die werknemers daarin werksaam;
- "blokman" 'n werknemer (uitgesonderd bestellingnemer-blokman, 'n verkoopster of 'n blokmanassistent) wat in die vleisbedryf vleis bedoel vir verkoop in die kleinhandel opsyn, of kliente bedien en bestellings kan opmaak en in sodanige bedryfsinrigting enige ander soort werk kan verrig;
- "blokman, gekwalifiseer," 'n blokman met minstens vyf jaar ondervinding;
- "blokman, ongekwalifiseer," 'n blokman met minder as vyf jaar ondervinding;
- "blokmanassistent" 'n werknemer in Gebiede A en B wat karkasse stukkend maak of wat, onder die algemene toesig van 'n gekwalifiseerde blokman, vleis vir verkoop aan nie-blanks opsyn en wat vleis uitsluitend aan nie-blanks kan verkoop;
- "deeltydse motorvoertuigbestuurder" 'n werknemer wat in die reël ander werk verrig as om 'n motorvoertuig te bestuur maar wat op meer as twee dae in enige week 'n motorvoertuig altesaam hoogstens drie uur op so 'n dag bestuur, en by die toepassing van hierdie woordomsywing omvat die uitdrukking "n motorvoertuig bestuur" alle tyd waarin bestuur word en alle tyd wat die bestuurder, terwyl hy in die beheer van die voertuig is, aan werk in verband met die voertuig of die vraag bestee;
- "deeltydse werknemer" 'n klerk of 'n verkoopster wat as sodanig by die week in diens is vir hoogstens vier-en-twintig werkdere in enige week;
- "eerste blokman" 'n gekwalifiseerde blokman wat in die beheer is van 'n bedryfsinrigting waarin minstens een ander blokman in diens is, en as net een blokman in diens is, word sodanige blokman geag 'n eerste blokman te wees;
- "eie gewig" die gewig van 'n motorvoertuig of 'n sleepwa soos aangegee in 'n lisensie of sertifikaat ten opsigte van die motorvoertuig of sleepwa uitgereik deur 'n owerheid wat by wet die bevoegdheid het om ten opsigte van motorvoertuie lisensies uit te reik: Met dien verstande dat in die geval van 'n twee- of driewielige motorfiets, bromponie, kragfiets of trapfiets met hulpmotor die eie gewig geag word hoogstens 1,000 lb. te wees;
- "Gebied A" die munisipale gebiede van Port Elizabeth en Walmer;
- "Gebied B" die munisipale gebiede van Despatch en Uitenhage en die plaaslike gebied van Bethelsdorp, voorheen die dorpsbestuursgebied van Bethelsdorp;
- "Gebied C"—
- (i) die munisipale gebiede van Bellville, Durbanville, Goodwood, Kaapstad, Kuilsrivier, Milnerton, Parow, Pinelands, Simonstad en Vishoek;
 - (ii) die voorstedelike gebied bekend as Epping (Eppinguindorp) binne die landdrostdistrik Bellville, sowel as die plaaslike gebiede Bergvliet en Ottery binne die landdrostdistrik Wynberg; en
 - (iii) die Strandgebied, Kaapstad, soos omskryf in Goewermentskennisgewing No. 152 van 5 Februarie 1960;
- "klerk" 'n werknemer wat skryf-, tik-, liasseer- of enige ander vorm van klerklike werk verrig, en ook 'n magasynman, kassier en 'n telefonis, maar geen ander klas werknemer wat elders in hierdie klousule omskryf word nie, al maak klerklike werk ook deel uit van so 'n werknemer se pligte;
- "klerk, man, gekwalifiseer," 'n manlike klerk met minstens vyf jaar ondervinding;
- "klerk, man, ongekwalifiseer," 'n manlike klerk met minder as vyf jaar ondervinding;
- "klerk, vrou, gekwalifiseer," 'n vroulike klerk met minstens vier jaar ondervinding;
- "klerk, vrou, ongekwalifiseer," 'n vroulike klerk met minder as vier jaar ondervinding;
- "korttyd" 'n tydelike vermindering van die getal gewone werkdere te wyte aan 'n slappe in die bedryf of 'n tekort aan voorrade, of aan die feit dat die masjinerie of installasie uit orde is of dat die geboue onbruikbaar is of dreig om dit te word;
- "lewenskostetoelae" die lewenskostetoelae wat ingevolge enige wet betaalbaar is: Met dien verstande dat as 'n werkgever sy werknemer gereeld 'n hoër lewenskostetoelae betaal as dié wat aldus betaalbaar is, dit sodanige hoër toelae beteken;
- "loon" die geldbedrag wat ingevolge klousule 3 aan 'n werknemer betaalbaar is vir sy gewone werkdere soos voorgeskryf in klousule 5: Met dien verstande dat as 'n werkgever sy werknemer vir sy gewone werkdere gereeld 'n hoër bedrag betaal as dié in klousule 3 voorgeskryf, dit dié hoër bedrag beteken;

- (n) tying sausages or polonies, sawing up soup meat, chopping up bones, cutting up or melting fat, or putting fat through machines;
- (o) skinning game;
- (p) repetitive weighing to a predetermined weight;
- (q) dehorning carcasses;
- (r) washing overalls, uniforms or protective clothing;
- "establishment" means any premises in or in connection with which one or more employees are employed in the meat trade;
- "delivery employee" means an employee who delivers goods otherwise than by using a motor vehicle driven by himself and who, in addition, is required to collect or record orders from customers and may receive cash in the case of C.O.D. sales;
- "orderman-blockman" means an employee who canvasses or collects orders, who cuts, makes up and delivers the meat so ordered, and who may assist a blockman but does not serve customers in an establishment;
- "manager" means an employee who is charged by his employer with the overall—
- (a) supervision over,
 - (b) responsibility for and
 - (c) direction of
- the activities of an establishment and the employees engaged therein;
- "blockman" means an employee (other than an orderman-blockman, a saleswoman or a blockman's assistant) in the meat trade, who cuts up meat intended for sale by retail or serves customers and who may make up orders and perform any other type of work in such establishment;
- "blockman, qualified," means a blockman who has had not less than five years' experience;
- "blockman, unqualified," means a blockman who has had less than five years' experience;
- "blockman's assistant" means an employee in Areas A and B who breaks down carcasses or who, under the general supervision of a qualified blockman, cuts up meat for sale to non-Europeans and who may sell meat exclusively to non-Europeans;
- "part-time motor vehicle driver" means an employee who, as a rule, is engaged on duties other than driving a motor vehicle but who on more than two days in any week is engaged in driving a motor vehicle for not more than three hours in the aggregate on any such day, and for the purpose of this definition the expression "driving a motor vehicle" includes all periods of driving and any time spent by the driver, while in charge of the vehicle, on work connected with the vehicle or the load;
- "part-time employee" means a clerk or a saleswoman who is employed as such by the week for not more than twenty-four hours of work in any week;
- "first blockman" means a qualified blockman in charge of an establishment in which at least one other blockman is employed, and where only one blockman is employed such blockman shall be deemed to be a first blockman;
- "unladen weight" means the weight of any motor vehicle or trailer as recorded in a licence or certificate issued in respect of such vehicle or trailer by any authority empowered by law to issue licences in respect of motor vehicles: Provided that in the case of a two or three-wheeled motor cycle, motor scooter or autocycle or cycle fitted with an auxiliary engine the unladen weight shall be deemed not to exceed 1,000 lb.
- "Area A" means the municipal areas of Port Elizabeth and Walmer;
- "Area B" means the municipal areas of Despatch and Uitenhage and the local area of Bethelsdorp—previously the local board area of Bethelsdorp;
- "Area C" means—
- (i) the municipal areas of Bellville, Cape Town, Durbanville, Fish Hook, Goodwood, Kuils River, Milnerton, Parow, Pinelands and Simonstown;
 - (ii) the suburban area known as Epping (Epping Garden Village) within the Magisterial District of Bellville as well as the local areas of Bergvliet and Ottery within the Magisterial District of Wynberg; and
 - (iii) the Foreshore, Cape Town, as defined in Government Notice No. 152 of the 5th February, 1960;
- "clerk" means an employee who is engaged in writing, typing filing or any other form of clerical work and includes a cashier a storeman and a telephone operator, but not any other class of employee elsewhere defined in this clause, even though clerical work may form part of such employee's duties;
- "clerk, male, qualified," means a male clerk who has had not less than five years' experience;
- "clerk, male, unqualified," means a male clerk who has had less than five years' experience;
- "clerk, female, qualified," means a female clerk who has had not less than four years' experience;
- "clerk, female, unqualified," means a female clerk who has had less than four years' experience;
- "short-time" means a temporary reduction in the number of ordinary hours of work owing to slackness of trade, shortage of supplies, a breakdown of machinery or plant or a breakdown or threatened breakdown of buildings;
- "cost of living allowance" means the cost of living allowance payable in terms of any law: Provided that if an employee regularly pays his employee a cost of living allowance higher than that so payable, it means such higher allowance;
- "wage" means the amount of money payable to an employee in terms of clause 3 in respect of his ordinary hours of work as prescribed in clause 5: Provided that where an employer regularly pays an employee in respect of his ordinary hours of work a amount higher than that prescribed in clause 3 it means such higher amount;

„los werknemer” ’n werknemer (uitgesonderd ’n deeltydse werknemer) wat hoogstens drie dae in ’n bepaalde week by dieselfde werkgever in diens is;

„magasynman” ’n werknemer wat oor die voorrade inkomende goedere die algemene beheer het, in ’n magasyn, pakhuis of koelkamer goedere ontvang- of afgee en in verband daarmee die nodige boekhouding behartig;

„militêre opleiding” die ononderbroke opleiding waartoe ’n werknemer kragtens artikel *een-en-twintig* (1), gelees met subartikels (1) en (2) van artikel *twee-en-twintig*, van die Verdedigingswet, 1957, verplig word, maar dit omvat geen opleiding wat hy ingevolge artikel *drie-en-twintig* van gemelde Wet uit eie keuse ondergaan nie en ook geen opleiding of diens wat hy vrywillig of uit eie keuse ondergaan nie;

„motorvoertuig” ’n kragaangetrewe voertuig wat gebruik word vir die vervoer van goedere, met inbegrip van lewendige hawe, en dit omvat ook ’n voorhaker en ’n trekker;

„motorvoertuigbestuurder” of „bestuurder van ’n motorvoertuig” ’n werknemer wat ’n motorvoertuig bestuur, en by die toepassing van hierdie woordskrywing omvat die uitdrukking „’n motorvoertuig bestuur” alle tyd waarin bestuur word en alle tyd wat die bestuurder bestee aan werk in verband met die voertuig of die vrag en alle tyd waarin hy verplig is om op sy pos gereed te bly om te bestuur;

„noodwerk” alle werk wat weens onvoorsiene omstandighede soos brand, storm, ongeluk, epidemie, gewelddaad, diefstal of ’n defek by die installasie of masjinerie sonder versuim verrig moet word, en alle werk in verband met die laai of aflaai van spoorwaens of voertuie van die Suid-Afrikaanse Spoorweë en Hawens;

„onderbestuurder” ’n werknemer wat deur sy werkgever belas is met—

(a) die toesig oor; en

(b) die verantwoordelikheid vir die leiding van;

die werksaamhede van ’n departement of afdeling of seksie van ’n bedryfsinrigting en die werknemers wat daarin werk;

„ondervinding” die totale tydperk of tydperke diens (hetsy binne die Republiek van Suid-Afrika of elders) wat ’n werknemer in die klas werk wat hy verrig, gehad het—

(a) in enige bedryf of in diens van die Staat, indien hy as klerk werksaam is;

(b) in die vleisbedryf, as hy in enige ander hoedanigheid werksaam is;

„senior besturende, professionele of administratiewe werknemer” ’n werknemer, uitgesonderd ’n eerste blokman, wat deur die werkgever belas is met werk wat die verantwoordelikheid meebring om by die uitvoering van die bedryfsinrigting se werksaamhede besluite van professionele of administratiewe aard te neem;

„stukwerk” iedere stelsel waarvolgens ’n werknemer se besoldiging gebaseer word op die hoeveelheid gedane werk;

„verkoopster” ’n vroulike werknemer wat klante bedien of bestellings opmaak en wat te dien einde vleis kan afweeg, verwerkte vleis in skyfies of stukke kan sny, of vleis wat vooraf deur ’n blokman vir verkoop in die kleinhandel opgesny is, met ’n mes of hoe oorkal verder kan verdeel;

„verkoopster, gekwalifiseer,” ’n verkoopster met minstens vier jaar ondervinding;

„verkoopster, ongekwalifiseer,” ’n verkoopster met minder as vier jaar ondervinding;

„vleis” vleis wat vir menslike verbruik bedoel is en dit omvat ook wilds-, perde-, donkie- en konynvleis asook pluimvee;

„vleisbedryf” die hantering, voorbereiding, preservering, verkoop of verspreiding van vleis deur enige persoon van wie ingevolge artikel *een-en-twintig* van Proklamasie No. 265 van 1945, gepubliseer ingevolge artikel *twee-en-twintig* van die Bemerkingswet, 1937 (Wet No. 26 van 1937) vereis word om by die Raad van Beheer oor die Vee- en Vleisnywerhede geregistreer te wees, uitgesonderd enige persoon van wie vereis word om ’n groot- of kleinhandelslagerslisensie ingevolge item 7 van Deel I van die Tweede Bylae van die Licenties Konsolidatiewe Wet, 1925, te hou, en dit omvat alle handelinge wat daarmee saamgaan of daaruit voortvloei;

„wag” ’n werknemer wat waghou oor persele of ander eiendom;

„wet” ook die gemene reg.

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

3. LONE.

(1) Die minimum loon wat ’n werkgever aan elkeen van sy werknemers in ondergenoemde klasse moet betaal, is die volgende:—

	In Gebied A. Per week.		In Gebied B. Per week.		In Gebied C. Per week.	
	R	c	R	c	R	c
Eerste blokman.....	18	00	18	00	18	00
Blokman, gekwalifiseer.....	16	00	16	00	14	00
Blokman, ongekwalifiseer—						
gedurende eerste jaar onder-						
vinding.....	6	00	6	00	6	00
gedurende tweede jaar onder-						
vinding.....	7	00	7	00	7	00
gedurende derde jaar onder-						
vinding.....	8	50	8	50	8	50
gedurende vierde jaar onder-						
vinding.....	10	00	10	00	10	00
gedurende vyfde jaar onder-						
vinding.....	13	00	13	00	12	00
Blokmanassistent.....	4	75	4	75	—	—
Bestellingsnemer-blokman.....	11	00	11	00	10	00

„casual employee” means an employee (other than a part-time employee) who is employed by the same employer on not more than three days in any week;

„storeman” means an employee who is in general charge of stocks of incoming goods, receives goods into and despatches goods from a warehouse, store or cold storage and who maintains the necessary records in connection therewith;

„military training” means the continuous training which an employee is required to undergo in terms of section *twenty-one* (1), read with sub-sections (1) and (2) of section *twenty-two*, of the Defence Act, 1957, but does not include any training he may elect to undergo in terms of section *twenty-three* of the said Act nor any other training or service for which he volunteers or which he elects to undergo;

„motor vehicle” means a power-driven vehicle used for conveying goods, including livestock, and includes a mechanical horse and a tractor;

„motor vehicle driver” or „driver of a motor vehicle” means an employee who is engaged in driving a motor vehicle, and for the purpose of this definition the expression „driving a motor vehicle” includes all periods of driving and any time spent by the driver on work connected with the vehicle or the load and all periods during which he is obliged to remain on duty in readiness to drive;

„emergency work” means any work which, owing to unforeseen causes such as a fire, storm, accident, epidemic, act of violence, theft or breakdown of plant or machinery, must be done without delay and any work connected with the loading and unloading of trucks or vehicles of the South African Railways and Harbours;

„sub-manager” means an employee who is charged by his employer with—

(a) the supervision over; and

(b) the responsibility for the direction of;

the activities of a department or division or section of an establishment and the employees engaged therein;

„experience” means the total period or periods of employment (whether within the Republic of South Africa or elsewhere) which an employee, in the type of occupation in which he is engaged, has had—

(a) in any trade or in the service of the State, if engaged as a clerk;

(b) in the meat trade, if engaged in any other capacity;

„senior managerial, professional or administrative employee” means an employee, other than a first blockman, who is charged by the employer with the performance of work entailing responsibility for taking decisions of an administrative or professional character in conducting the activities of the establishment;

„piece-work” means any system under which an employee’s remuneration is based on the quantity of work done;

„saleswoman” means a female employee who is engaged in serving customers or making up orders and who may for these purposes weigh meat, slice or cut processed meat or, by cutting or otherwise, further divide meat previously cut up by a blockman for sale by retail;

„saleswoman, qualified,” means a saleswoman who has had not less than four years’ experience;

„saleswoman, unqualified,” means a saleswoman who has had less than four years’ experience;

„meat” means meat intended for human consumption and includes game, horse meat, donkey meat, rabbit meat and poultry;

„meat trade” means the handling, preparation, preservation, sale or distribution of meat by any person who, in terms of section *twenty-one* of Proclamation No. 265 of 1945, published in terms of section *twenty-two* of the Marketing Act, 1937 (Act No. 26 of 1937), is required to be registered with the Livestock and Meat Industries Control Board, other than any person who is required to hold a wholesale or retail butcher’s licence in terms of Item 7 of Part I of the Second Schedule to the Licences Consolidation Act, 1925, and includes all operations incidental to or consequent thereon;

„watchman” means an employee engaged in guarding premises or other property;

„law” includes the common law.

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

3. WAGES.

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

	In Area A. Per Week.		In Area B. Per Week.		In Area C. Per Week.	
	R	c	R	c	R	c
First blockman.....	18	00	18	00	18	00
Blockman, qualified.....	16	00	16	00	14	00
Blockman, unqualified—						
during first year of experience..	6	00	6	00	6	00
during second year of ex-						
perience.....	7	00	7	00	7	00
during third year of experience..	8	50	8	50	8	50
during fourth year of experience	10	00	10	00	10	00
during fifth year of experience..	13	00	13	00	12	00
Blockman’s assistant.....	4	75	4	75	—	—
Orderman-blockman.....	11	00	11	00	10	00

	In Gebied A. Per week. R c	In Gebied B. Per week. R c	In Gebied C. Per week. R c
Bestuurder van 'n motorvoertuig waarvan die eie gewig—			
(i) hoogstens 1,000 pond is	5 00	4 50	5 00
(ii) oor 1,000 pond maar hoogstens 6,000 pond is	7 75	7 25	7 75
(iii) oor 6,000 pond is.....	9 75	9 25	9 75
Deeltydse bestuurder van 'n motorvoertuig.....	7 00	6 50	7 00
Klerk, vrou, gekwalifiseer, of verkoopster, gekwalifiseer.....	10 15	10 15	10 15
Klerk, vrou, ongekwalifiseer, of verkoopster, ongekwalifiseer—			
gedurende eerste jaar ondervinding.....	6 00	6 00	6 00
gedurende tweede jaar ondervinding.....	7 04	7 04	7 04
gedurende derde jaar ondervinding.....	8 06	8 06	8 06
gedurende vierde jaar ondervinding.....	9 12	9 12	9 12
Klerk, man, gekwalifiseer.....	13 85	13 85	13 85
Klerk, man, ongekwalifiseer—			
gedurende eerste jaar ondervinding.....	6 46	6 46	6 46
gedurende tweede jaar ondervinding.....	7 85	7 85	7 85
gedurende derde jaar ondervinding.....	9 23	9 23	9 23
gedurende vierde jaar ondervinding.....	10 62	10 62	10 62
gedurende vyfde jaar ondervinding.....	12 00	12 00	12 00
Besteller.....	4 50	4 00	4 75
Arbeider, man, 18 jaar en ouer	4 00	3 50	4 25
Arbeider, man, jonger as 18 jaar...	3 00	2 62½	3 25
Arbeider, vrou.....	3 20	2 80	3 40
Wag.....	4 50	4 00	5 00
Werknemers wat nie elders in hierdie klousule uitdruklik vermeld word nie.....	4 50	4 00	5 25

(2) *Deeltydse werknemer.*—Aan 'n deeltydse werknemer moet minstens drie-vyftes van die loon betaal word wat vir 'n klerk van dieselfde geslag en ondervinding of vir 'n verkoopster met dieselfde ondervinding voorgeskryf word.

(3) *Los werknemer.*—'n Los werknemer moet vir elke dag of deel van 'n dag diens minstens een-vyfde betaal word van die weekloon voorgeskryf vir 'n werknemer in dieselfde gebied en van dieselfde geslag, wat dieselfde klas werk verrig as wat van die los werknemer vereis word: Met dien verstande dat, as die werkgewer vereis of toelaat dat sy los werknemer die werk verrig van 'n klas werknemer vir wie 'n loon teen 'n stygende skaal voorgeskryf word, die uitdrukking „weekloon” beteken die weekloon voorgeskryf vir 'n gekwalifiseerde werknemer van dié klas, en voorts met dien verstande dat, as die werkgewer vereis of toelaat dat sy los werknemer 'n tydperk van hoogstens vier opeenvolgende ure op enige dag werk, sy voorgeskrewe loon met hoogstens vyftig persent verminder mag word.

(4) *Kontrakbasis.*—By die toepassing van hierdie klousule moet die dienskontrak van 'n werknemer, uitgesonderd 'n los werknemer, op 'n weeklikse grondslag berus en, behoudens die bepalinge van klousule 4 (6), moet 'n werknemer vir 'n week minstens die volle weekloon betaal word wat in subklousules (1) en (2) gelees met subklousule (5), vir 'n werknemer van sy klas in die gebied waarin hy werk voorgeskryf word en wel ongeag die vraag of hy in so 'n week die maksimum getal gewone werkure wat ingevolge klousule 5 vir hom geld, dan wel minder, gewerk het.

(5) *Differensiële loon.*—'n Werkgewer wat vereis of toelaat dat 'n lid van een klas van sy werknemers langer as altesaam een uur op enige dag, hetsy benewens sy eie werk of in die plek daarvan, werk verrig van 'n ander klas waarvoor hetsy—

(a) 'n hoër loon as dié van sy eie klas; of

(b) 'n stygende loonskaal wat uitloop op 'n hoër loon as dié van sy eie klas;

in subklousule (1) voorgeskryf word, moet vir dié dag aan so 'n werknemer as volg betaal:—

(i) In die geval in paragraaf (a) vermeld, minstens die dagloon bereken teen die hoër tarief en;

(ii) in die geval in paragraaf (b) vermeld, minstens die dagloon bereken op die kerf in die stygende skaal net bo die loon wat die werknemer vir sy gewone werk ontvang het;

Met dien verstande—

(i) dat die bepalinge van hierdie subklousule nie geld wanneer die verskil tussen die klasse ingevolge subklousule (1) op ouderdom, ondervinding of geslag berus nie;

(ii) dat, tensy daar in 'n skriftelike kontrak tussen 'n werkgewer en sy werknemer uitdruklik anders bepaal word, niks in hierdie Vastelling só uitgeleë mag word dat dit 'n werkgewer belet om te vereis dat 'n werknemer 'n ander klas werk verrig waarvoor die voorgeskrewe loon dieselfde of laer is as dié wat vir so 'n werknemer voorgeskryf word nie;

	In Area A. Per Week. R c	In Area B. Per Week. R c	In Area C. Per Week. R c
Driver of a motor vehicle the unladen weight of which—			
(i) does not exceed 1,000 lb.	5 00	4 50	5 00
(ii) exceeds 1,000 lb. but not 6,000 lb.....	7 75	7 25	7 75
(iii) exceeds 6,000 lb.....	9 75	9 25	9 75
Part-time motor vehicle driver... Clerk, female, qualified or saleswoman, qualified.....	7 00	6 50	7 00
Clerk, female, unqualified or saleswoman, unqualified—			
during first year of experience	6 00	6 00	6 00
during second year of experience.....	7 04	7 04	7 04
during third year of experience.....	8 06	8 06	8 06
during fourth year of experience.....	9 12	9 12	9 12
Clerk, male, qualified.....	13 85	13 85	13 85
Clerk, male, unqualified—			
during first year of experience..	6 46	6 46	6 46
during second year of experience.....	7 85	7 85	7 85
during third year of experience..	9 23	9 23	9 23
during fourth year of experience.....	10 62	10 62	10 62
during fifth year of experience..	12 00	12 00	12 00
Delivery employee.....	4 50	4 00	4 75
Labourer, male, 18 years of age and over.....	4 00	3 50	4 25
Labourer, male, under 18 years of age.....	3 00	2 62½	3 25
Labourer, female.....	3 20	2 80	3 40
Watchman.....	4 50	4 00	5 00
Employees not specifically mentioned elsewhere in this clause..	4 50	4 00	5 25

(2) *Part-time employee.*—A part-time employee shall be paid not less than three-fifths of the wage prescribed for a clerk of the same sex and experience or for a saleswoman with the same experience.

(3) *Casual employee.*—A casual employee shall be paid in respect of every day or part of a day worked not less than one-fifth of the weekly wage prescribed for an employee in the same area and of the same sex who performs the same class of work as the casual employee is required to do: Provided that, where the employer requires or permits his casual employee to perform the work of a class of employee for whom wages on a rising scale are prescribed, the expression “weekly wage” shall mean the weekly wage prescribed for a qualified employee of that class, and provided further that where the employer requires or permits his casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by not more than fifty per cent.

(4) *Basis of contract.*—For the purpose of this clause the contract of employment of an employee, other than a casual 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-clauses (1) and (2), read with sub-clause (5), for an employee of his class in the area in which he works, whether he has in that week worked the maximum number of ordinary hours of work applicable to him in terms of clause 5 or less.

(5) *Differential wage.*—An employer who requires or permits a member of one class of his employees to perform for longer than one hour in the aggregate on any day, either in addition to his own work or in substitution therefor, work of another class for which either—

(a) a wage higher than that of his own class; or

(b) a rising scale of wages terminating in a wage higher than that of his own class;

is prescribed in sub-clause (1), shall pay to such employee in respect of that day—

(i) not less than the daily wage calculated at the higher rate, in the case referred to in paragraph (a); and

(ii) not less than the daily wage calculated on the notch in the rising scale immediately above the wage which the employee was receiving for his ordinary work in the case referred to in paragraph (b):

Provided that—

(i) the provisions of this sub-clause shall not apply where the difference between classes in terms of sub-clause (1) is based on age, experience or sex;

(ii) unless expressly otherwise provided in a written contract between an employer and his employee, nothing in this Determination shall be so construed as to preclude an employee from requiring an employer to perform work of another class for which class the same or a lower wage is prescribed than that prescribed for such employee;

(iii) dat by die toepassing van hierdie subklousule die uitdrukking „stygende loonskaal”, wanneer dit betrekking het op 'n klas werknemer waarvoor verhogings voorgeskryf word op grondslag van lengte van ondervinding, geag word die loon wat vir 'n gekwalifiseerde werknemer van dié klas voorgeskryf is, in te sluit en daarop te eindig.

(6) *Loonberekening.*—(a) Die dagloon van 'n werknemer, uitgesonderd 'n los werknemer, is sy weekloon gedeel deur—

- (i) vyf, as hy 'n werkweek van vyf dae het;
- (ii) ses, as hy 'n werkweek van ses dae het;
- (iii) die getal van sy gewone werkdae per week, in die geval van 'n deeltydse werknemer.

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

(c) Die weekloon van 'n werknemer wat maandeliks betaal word, is sy maandloon gedeel deur vier en 'n derde.

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

4. BETALING VAN BESOLDIGING.

(1) *Werknemers uitgesonderd los werknemers.*—Behoudens die bepalinge van klousule 6, moet iedere bedrag verskuldig aan 'n werknemer, uitgesonderd 'n los werknemer, weekliks in kontant of, as die werkgever en sy werknemer daartoe ooreengekom het, maandeliks in kontant of per tjek betaal word gedurende die werkure of binne vyftien minute nadat die werk gestaak is, op die dag waarop die bedryfsinrigting so 'n werknemer gewoonlik betaal, of by diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet in 'n verseelde koefert of houër wees waarop aangegee word, of wat vergesl aan 'n staat wat aantoon—

- (a) die werkgever se naam;
- (b) die werknemer se naam of sy nommer in die betaalstaat en sy betrekking;
- (c) die getal gewone werkure wat die werknemer gewerk het;
- (d) die getal ure wat die werknemer oortyd gewerk het;
- (e) die werknemer se loon;
- (f) die werknemer se lewenskostetoelae;
- (g) die besonderhede omtrent enige ander besoldiging ter sake van die werknemer se diens;
- (h) die besonderhede omtrent enige bedrae wat afgetrek is;
- (i) die werklike bedrag wat aan die werknemer betaal word; en
- (j) die tydperk waarvoor die betaling geskied;

en sodanige koefert of houër wat hierdie inligting verstrek of sodanige staat word die eiendom van die werknemer.

(2) *Los werknemer.*—'n Werkgever moet die besoldiging wat aan 'n los werknemer verskuldig is, by die beëindiging van sy diens aan hom in kontant betaal.

(3) *Premies.*—Geen bedrag mag regstreeks of onregstreeks vir die indiensneming of opleiding van 'n werknemer aan 'n werkgever betaal of deur hom aangeneem word nie.

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

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

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

- (a) Met die skriftelike toestemming van sy werknemer, 'n bedrag vir 'n vakansie-, siektebystand-, versekerings-, spaar-, voorsorg- of pensioenfonds, of vir ledegelde van vakverenigings;
- (b) behoudens andersluidende bepalinge in hierdie Vasstelling, telkens 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 sodanige afwesigheid vir sy gewone werkure ontvang het;
- (c) iedere bedrag wat 'n werkgever by wet of op bevel van 'n bevoegde hof verplig of toegelaat word om af te trek;
- (d) wanneer 'n werknemer daarmee instem, of ingevolge die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, verplig word, om kos en inwoning of kos of inwoning van sy werkgever aan te neem, 'n bedrag hoogstens gelyk aan onderstaande bedrae:—

	Per week.	Per maand.
	R c	R c
(i) Kos.....	0 40	1 73
(ii) Inwoning.....	0 20	0 87
(iii) Kos en inwoning.....	0 60	2 60;

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

Met dien verstande—

- (i) dat sodanige aftrekking, ongeag die getal ure waarmee die gewone werkure aldus verminder word, hoogstens gelyk aan een-derde van die werknemer se weekloon is;

(iii) for the purpose of this sub-clause the expression “rising scale”, when it relates to any class of employee for which increments are prescribed on the basis of length of experience, shall be deemed to include, and terminate with, the wage prescribed for a qualified employee of that class.

(6) *Calculation of wages.*—(a) The daily wage of an employee, other than a casual employee, shall be his weekly wage divided by—

- (i) five, in the case of an employee who works a five-day week;
- (ii) six, in the case of an employee who works a six-day week;
- (iii) the number of his normal working days per week, in the case of a part-time employee.

(b) The monthly wage of an employee shall be four and a third times his weekly wage.

(c) The weekly wage of a monthly paid employee shall be his monthly wage divided by four and a third.

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

4. PAYMENT OF REMUNERATION.

(1) *Employees other than casual employees.*—Save as provided in clause 6, any amount due to an employee, other than a casual employee, shall be paid in cash weekly or, if the employer and his employee have agreed thereto, in cash or by cheque monthly during the hours of work or within fifteen minutes of ceasing work, on the usual pay day of the establishment for such employee or on termination of employment if this takes place before the usual pay day, and such amount shall be contained in a sealed envelope or container, on which shall be recorded, or which shall be accompanied by a statement showing—

- (a) the employer's name;
- (b) the employee's name or pay roll number and occupation;
- (c) the number of ordinary hours of work worked by the employee;
- (d) the number of overtime hours worked by the employee;
- (e) the employee's wage;
- (f) the employee's cost of living allowance;
- (g) the details of any other remuneration relevant to the employee's employment;
- (h) the details of any deductions made;
- (i) the actual amount paid to the employee; and
- (j) the period in respect of which payment is made;

and such envelope or container on which these particulars are recorded or such statement shall become the property of the employee.

(2) *Casual employee.*—An employer shall pay the remuneration due to a casual employee in cash on termination of his employment.

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

- (a) With the written consent of his employee, a deduction for holiday, sick benefit, insurance, savings, provident or pension funds or subscriptions to trade unions;
- (b) except where otherwise provided in this Determination, whenever an employee is absent from work for reasons 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 of such absence;
- (c) a deduction of any amount which an employer by any law or order of any competent court is required or permitted to make;
- (d) whenever an employee agrees or is required in terms of the Natives (Urban Areas) Consolidation Act, 1945, to accept board and lodging or board or lodging with his employer, a deduction not exceeding the amounts specified hereunder:—

	Per Week.	Per Month.
	R c	R c
(i) Board.....	0 40	1 73
(ii) Lodging.....	0 20	0 87
(iii) Board and lodging.....	0 60	2 60;

- (e) whenever the ordinary hours of work prescribed in clause 5 are reduced on account of short-time, a deduction of not more than the hourly wage of the employee (other than a casual employee) in respect of each hour of such reduction:—

Provided that—

- (i) 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;

- (ii) dat geen aftrekking ten opsigte van korttyd wat deur 'n slape in die bedryf of 'n tekort aan voorrade ontstaan, geskied nie, tensy die werkgewer sy werknemer voor of op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure te verminder;
- (iii) dat ten opsigte van korttyd weens die feit dat die masjinerie of installasie uit orde is, of die geboue onbruikbaar is of dreig om dit te word, geen aftrekking geskied vir die eerste uur waarin daar nie gewerk word nie, tensy die werkgewer sy werknemer op die vorige werkdag kennis gegee het dat daar geen werk sal wees nie;

(f) met die skriftelike toestemming van 'n werknemer, iedere bedrag wat 'n werkgewer aan 'n munisipale raad of ander plaaslike bestuur betaal het aan huur van 'n huis, of aan huisvesting in 'n tuis, wat die werknemer in 'n lokasie of Natureldorp onder die beheer van so 'n raad of ander plaaslike bestuur bewoon.

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

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

(a) in 'n bedryfsinrigting met 'n werkweek van ses dae—

- (i) ses-en-veertig in enige week van Maandag tot en met Saterdag; en
- (ii) behoudens die bepalings van subparagraaf (i) hiervan, agt op 'n dag, tensy die ure op een dag nie meer as vyf is nie, wanneer die ure op enigen van die ander dae tot agt en 'n half verleng kan word, en voorts met dien verstande dat, as die ure op enigen van sodanige ander dae nie meer as sewe is nie, die werkure op een sodanige ander dag tot nege en 'n half verleng kan word;

(b) in 'n bedryfsinrigting met 'n werkweek van vyf dae—

- (i) ses-en-veertig in enige week van Maandag tot en met Vrydag; en
- (ii) behoudens die bepalings van subparagraaf (i) hiervan, nege en 'n half op enige dag;

(c) in die geval van 'n deeltydse werknemer—

- (i) vier-en-twintig in enige week; en
- (ii) behoudens die bepalings van subparagraaf (i), agt op enige dag;

Met dien verstande dat as op enige dag vereis word dat 'n werknemer in 'n bedryfsinrigting 'n klant bedien ná afloop van sy gewone werkure, bedoelde gewone werkure met hoogstens vyftien minute oorskry mag word, en sodanige ekstra tyd word geag geen deel van die gewone werkure of oortyd te vorm nie.

(2) 'n Werkgewer mag nie vereis of toelaat dat 'n los werknemer meer gewone werkure as nege op 'n dag werk nie.

(3) *Etenspouses.*—'n Werkgewer mag nie vereis of toelaat dat 'n werknemer, behalwe op 'n Saterdag, meer as vyf uur aanen werk sonder 'n etenspouse van minstens een uur waarin so 'n werknemer nie verplig of toegelaat mag word om enige werk te verrig nie, en dié pouse word geag geen deel van die gewone werkure of oortydwerk te vorm nie; Met dien verstande—

- (i) dat werktye wat onderbreek word deur pouses van minder as 'n uur, geag word aanen te loop;
- (ii) dat, as so 'n pouse langer as 'n uur is, elke tydperk van meer as twee uur in Gebiede A en B en een en 'n kwart uur in Gebied C geag word tyd te wees waarin daar gewerk is;
- (iii) dat aan 'n werknemer wat voor 7 vm. begin werk, 'n pouse van minstens dertig minute tussen 7.30 vm. en 9 vm. toegestaan moet word;
- (iv) dat 'n motorvoertuigbestuurder wat in so 'n pouse geen ander werk verrig as om in die beheer van die voertuig of die vrag te wees of te bly nie, by die toepassing van hierdie subklousule geag word in dié pouse nie te gewerk het nie.

(4) *Ruspouses.*—'n Werkgewer moet, so na as doenlik aan die middel van elke werkperiode in die voor- en namiddag, aan elkeen van sy werknemers 'n ruspouse van minstens tien minute toestaan waarin die werknemer nie verplig of toegelaat mag word om enige werk te verrig nie, en so 'n pouse word geag deel van die gewone werkure van so 'n werknemer te vorm.

(5) *Werkure moet opeenvolgend wees.*—Behoudens die bepalings van subklousule (3), moet alle werkure van 'n werknemer op iedere dag op mekaar volg.

(6) *Oortyd.*—Alle tyd wat 'n werknemer langer as die getal gewone werkure in subklousules (1) en (2) voorgeskryf, gewerk het, word geag oortyd te wees.

(7) *Beperking van oortyd.*—'n Werkgewer mag nie vereis of toelaat dat 'n werknemer langer oortyd werk nie as—

- (a) drie uur op 'n dag;
- (b) ses uur in 'n week;

Met dien verstande dat hierdie paragraaf nie van toepassing is op die twee dae wat Goeie Vrydag onmiddellik voorafgaan nie asook nie op die tydperk 23 Desember tot en met 31 Desember nie.

(8) *Bykomende beperkings op gewone werkure en oortyd ten opsigte van vroulike werknemers.*—Ondanks andersluidende bepalings in hierdie klousule, mag 'n werkgewer nie vereis of toelaat dat 'n vroulike werknemer—

- (a) tussen 6-uur nm. en 6-uur vm. werk nie;
- (b) op meer as vyf dae in 'n week na 1-uur nm. werk nie;

(ii) no deduction shall be made in the case of short-time arising out of slackness of trade or shortage of supplies, unless the employer has given his employee notice on or before the previous work day of his intention to reduce the ordinary hours of work;

(iii) that no reduction in respect of the first hour not worked, shall be made in the case of short-time owing to a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings, unless the employer has given his employee notice on the previous work day that no work will be available;

(f) with the written consent of an employee, a deduction of any amount which an employer has paid to any municipal council or other local authority in respect of the rent of any house or accommodation in any hostel occupied by such employee in any location or Native village under the control of such council or other local authority.

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, other than a casual employee, to work more ordinary hours of work than—

(a) in the case of an establishment which observes a six-day week—

- (i) forty-six in any week from Monday to Saturday, inclusive; and
- (ii) subject to sub-paragraph (i) hereof, eight on any day, unless the hours on one day do not exceed five, in which case the hours on any of the other days may be extended to eight and a half, and provided further that if on any one of such other days the hours of work do not exceed seven, the hours of work on one such other day may be extended to nine and a half;

(b) in the case of an establishment which observes a five-day week—

- (i) forty-six in any week from Monday to Friday, inclusive; and
- (ii) subject to the provisions of sub-paragraph (i) hereof, nine and a half on any day;

(c) in the case of a part-time employee—

- (i) twenty-four in any week; and
- (ii) subject to the provisions of sub-paragraph (i), eight on any day;

Provided that where on any day an employee in an establishment is required to attend to a customer after the completion of his ordinary hours of work, the said ordinary hours of work may be exceeded by not more than fifteen minutes, and such extra time shall be deemed not to be part of the ordinary hours of work or overtime.

(2) An employer shall not require or permit a casual employee to work more ordinary hours of work than nine on any day.

(3) *Meal intervals.*—An employer shall not require or permit an employee, except on a Saturday, to work for more than five hours continuously without a meal interval of not less than one hour during which interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed not to be part of the ordinary hours of work or overtime: Provided that—

- (i) periods of work interrupted by intervals of less than one hour shall be deemed to be continuous;
- (ii) if such interval be longer than one hour, any period in excess of two hours in Areas A and B and one and a quarter hour in Area C shall be deemed to be time worked;
- (iii) an employee who starts work before 7 a.m. shall be granted a break of not less than thirty minutes between 7.30 a.m. and 9 a.m.;
- (iv) a motor vehicle driver who during such interval does not perform any other work than being or remaining in charge of the vehicle or its load shall be deemed for the purpose of this sub-clause not to have worked during such interval.

(4) *Rest intervals.*—An employer shall grant to each of his employees a rest interval of not less than ten minutes as near as practicable in the middle of each morning and afternoon work period, and during such interval such employee shall not be required or permitted to perform any work, and such interval shall be deemed to be part of the ordinary hours of work of such employee.

(5) *Hours of work to be consecutive.*—Save as provided in sub-clause (3), all hours of work of an employee on any day shall be consecutive.

(6) *Overtime.*—All time worked in excess of the number of ordinary hours of work prescribed in sub-clauses (1) and (2) shall be deemed to be overtime.

(7) *Limitation of overtime.*—An employer shall not require or permit an employee to work overtime for more than—

- (a) three hours on any day;
- (b) six hours in any week;

Provided that this paragraph shall not apply to the two days immediately preceding Good Friday nor to the period 23rd December to 31st December, inclusive.

(8) *Additional limitations on ordinary hours of work and overtime in respect of female employees.*—Notwithstanding anything to the contrary contained in this clause, an employer shall not require or permit a female employee to work—

- (a) between 6 o'clock p.m. and 6 o'clock a.m.;
- (b) after 1 o'clock p.m. on more than five days a week;

- (c) meer as twee uur oortyd op 'n dag werk nie, behalwe dat 'n werknemer met 'n werkweek van vyf dae op 'n Saterdag tot vier uur oortyd kan werk;
 (d) op meer as drie opeenvolgende dae in 'n week oortyd werk nie;
 (e) op meer as sestig dae in 'n jaar oortyd werk nie;
 (f) ná voltooiing van haar gewone werkure meer as een uur op 'n dag oortyd werk nie, tensy hy—

- (i) so 'n werknemer voor die middag kennis daarvan gegee het; of
 (ii) so 'n werknemer van 'n behoorlike ete voorsien en haar genoeg tyd gelaat het om dit te nuttig voordat sy met die oortydwerk moet begin; of
 (iii) so 'n werknemer minstens vyf-en-twintig sent betyds betaal het om haar in staat te stel om 'n ete te verkry en te nuttig voordat die oortydwerk begin.

(9) *Betaling vir oortydwerk.*—'n Werkgewer moet 'n werknemer wat oortyd werk, betaal teen 'n tarief van—

- (a) wat 'n los werknemer betref, een en 'n derde maal sy dagloon gedeel deur nege vir elke uur of deel van 'n uur wat hy aldus op enige dag gewerk het;
 (b) wat enige ander werknemer betref, een en 'n derde maal sy uurloon vir elke uur of deel van 'n uur wat hy, altesaam op enige dae in enige week oortyd gewerk het.

(10) *Voorbehoudsbepalings.*—(a) Die bepalinge van hierdie klousule geld nie vir 'n senior besturende, professionele of administratiewe werknemer, of vir 'n bestuurder of 'n onderbestuurder, indien en terwyl so 'n werknemer gereeld 'n loon teen 'n tarief van minstens R1,560 per jaar ontvang nie, en ook nie vir 'n wag nie.

(b) Die bepalinge van subklousules (3), (4), (5) en (7) geld nie vir 'n werknemer onderwyl hy noodwerk verrig nie.

(c) Die bepalinge van subklousule (4) geld nie vir 'n motorvoertuigbestuurder, of vir 'n arbeider wat sodanige bestuurder op sy rondes vergesel, of vir 'n besteller nie.

(d) Die bepalinge van subklousule (7) geld nie vir 'n werknemer wat lewende hawe voer, water gee, oppas of aanjaag, of wat diere versorg nie, en ook nie vir 'n werknemer wat goedere aan hospitale, die militêre magte, die vloot of die lugmag, of vir uitvoer afewer nie.

(11) By die toepassing van subklousules (9) en (10) beteken die uitdrukking „loon” 'n werknemer se loon plus sy lewenskostetoelae.

6. JAARLIKSE VERLOF.

(1) Behoudens die bepalinge van subklousules (2) en (3), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, op iedere voltooië tydperk van twaalf maande in sy diens toestaan—

- (a) in die geval van 'n wag, een-en-twintig opeenvolgende kalenderdae verlof;
 (b) in die geval van iedere ander werknemer, veertien opeenvolgende kalenderdae verlof;

en moet hy so 'n werknemer ten aansien van sodanige verlof betaal—

- (i) in die geval van 'n werknemer in paragraaf (a) vermeld, 'n bedrag van minstens drie maal die weekloon waartoe hy vanaf die eerste dag van die verlof geregtig is;
 (ii) in die geval van 'n werknemer in paragraaf (b) vermeld, 'n bedrag van minstens twee maal die weekloon waartoe hy vanaf die eerste dag van die verlof geregtig is;

Met dien verstande dat by die toepassing van hierdie klousule die weekloon van 'n werknemer wat ingevolge klousule 9 (1) stukwerk verrig, bereken word op die grondslag uiteengesit in artikel *twintig* (5) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941.

(2) Die verlof voorgeskryf in subklousule (1) moet toegestaan word op 'n tyd wat die werkgewer bepaal: Met dien verstande—

- (i) dat, as sodanige verlof nie eerder toegestaan is nie, dit, behoudens die bepalinge van subklousule (3), só toegestaan word dat dit begin binne twee maande ná voltooiing van die twaalf maande diens waarop dit betrekking het;
 (ii) dat die tydperk van verlof nie saamval met siekteverlof wat ingevolge klousule 7 toegestaan is of, tensy die werknemer dit versoek en die werkgewer skriftelik daartoe instem, met enige tydperk van militêre opleiding nie;
 (iii) dat, as 'n openbare vakansiedag, binne die tydperk van sodanige verlof val, daar vir elke sodanige vakansiedag nog 'n dag by gemelde tydperk as verdere verloftyd gevoeg en vir elke sodanige bygevoegde dag aan die werknemer 'n bedrag van minstens sy dagloon betaal word;
 (iv) dat 'n werkgewer al die dae geleentheidsverlof wat op die skriftelike versoek van sy werknemer met volle betaling aan hom toegestaan is gedurende die tydperk van twaalf maande waarop die verloftyd betrekking het, van sodanige tydperk van verlof kan aftrek.

(3) (a) Op die skriftelike versoek van sy werknemer kan 'n werkgewer die verlof oor 'n tydperk van hoogstens vier-en-twintig maande diens laat ooploop: Met dien verstande—

- (i) dat so 'n werknemer sodanige versoek doen binne twee maande ná afloop van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, en
 (ii) dat die werkgewer die datum van ontvangs van sodanige versoek daarop aanbring en dit onderteken en die versoek minstens drie jaar bewaar vanaf sodanige datum of vanaf die datum van afloop van die eerste tydperk van twaalf maande diens waarop die verlof betrekking het, en wel vanaf die jongste van dié twee datums.

(b) Die bepalinge van subklousule (2) geld *mutatis mutandis* vir die verlof in hierdie subklousule bedoel.

(c) overtime for more than two hours on any day, except that an employee who works a five-day week may work up to four hours overtime on a Saturday;

- (d) overtime on more than three consecutive days in any week;
 (e) overtime on more than sixty days in any year;
 (f) overtime after completion of her ordinary hours of work for more than one hour on any day unless he has—

- (i) before midday given notice thereof to such employee; or
 (ii) provided such employee with an adequate meal and allowed her sufficient time to have it before she has to commence overtime; or
 (iii) paid such employee not less than 25 cents in sufficient time to enable her to obtain and have a meal before overtime is due to commence.

(9) *Payment for overtime.*—An employer shall pay an employee who works overtime at a rate of not less than—

- (a) in the case of a casual employee, one and a third times his daily wage divided by nine in respect of each hour or part of an hour so worked on any day;
 (b) in the case of any other employee, one and a third times his hourly wage in respect of each hour or part of an hour in the aggregate of the overtime worked by him on any days in any week.

(10) *Savings.*—(a) The provisions of this clause shall not apply to a senior managerial, professional or administrative employee or to a manager or a sub-manager if and while such an employee is in receipt of regular wage at a rate of not less than R1,560 per annum, or to a watchman.

(b) The provisions of sub-clauses (3), (4), (5) and (7) shall not apply to an employee while he is engaged on emergency work.

(c) The provisions of sub-clause (4) shall not apply to a motor vehicle driver or a labourer who accompanies such driver on his rounds or to a delivery employee.

(d) The provisions of sub-clause (7) shall not apply to an employee engaged in feeding, watering, herding or driving livestock or tending animals, or to an employee engaged in the delivery of goods to hospitals, the military, naval or air-forces or for export.

(11) For the purpose of sub-clauses (9) and (10) the expression “wage” means an employee's wage plus his cost of living allowance.

6. ANNUAL LEAVE.

(1) Subject to the provisions of sub-clauses (2) and (3), an employer shall grant to his employee, other than a casual employee, in respect of each completed period of twelve months of employment with him—

- (a) twenty-one consecutive calendar days' leave, in the case of a watchman;
 (b) fourteen consecutive calendar days' leave, in the case of every other employee;

and shall pay such employee in respect of such leave—

- (i) in the case of an employee referred to in paragraph (a), an amount of not less than three times the weekly wage to which he is entitled as from the first day of the leave;
 (ii) in the case of an employee referred to in paragraph (b), an amount of not less than double the weekly wage to which he is entitled as from the first day of the leave;

Provided that for the purpose of this clause the weekly wage of any employee who is engaged on piece-work in terms of clause 9 (1) shall be calculated on the basis set out in section *twenty* (5) of the Factories, Machinery and Building Work Act, 1941.

(2) The leave prescribed in sub-clause (1) shall be granted at a time to be fixed by the employer: Provided that—

- (i) if such leave has not been granted earlier, it shall, save as provided in sub-clause (3), be granted so as to commence within two months after the completion of the twelve months of employment to which it relates;
 (ii) the period of leave shall not be concurrent with sick leave granted in terms of clause 7 or, unless the employee so requests and the employer agrees in writing, with any period of military training;
 (iii) if any public holiday falls within the period of such leave, another day shall, for each such holiday, be added to the said period as a further period of leave and the employee shall be paid an amount of not less than his daily wage in respect of each such day added;
 (iv) an employer may set off against such period of leave any days of occasional leave granted on full pay to his employee at his employee's written request during the period of twelve months of employment to which the period of leave relates.

(3) (a) At the written request of an employee, an employer may permit the leave to accumulate over a period of not more than twenty-four months of employment: Provided that—

- (i) such request is made by such employee not later than two months after the expiry of the first period of twelve months of employment to which the leave relates, and
 (ii) the date of the receipt of such request is endorsed on the request and signed by the employer, who shall retain such request for a period of not less than three years from such date or the date of the expiry of the first period of twelve months of employment to which the leave relates, whichever is the later.

(b) The provisions of sub-clause (2) shall *mutatis mutandis* apply to the leave referred to in this sub-clause.

(4) *Verlofbesoldiging*.—Die besoldiging ten opsigte van die verlof voorgeskryf in subklousule (1), gelees met subklousule (3), moet uiterlik op die laaste werkdag voor die aanvangsdatum van die verlof betaal word.

(5) Aan 'n werknemer wie se dienskontrak gedurende enige dienstermyn van twaalf maande beëindig word voordat die verloftydperk voorgeskryf in subklousule (1) ten opsigte van so 'n termyn opgeloopt het, moet by sodanige diensbeëindiging, benewens enige ander besoldiging wat aan hom verskuldig mag wees, vir elke voltooide maand van sodanige dienstermyn 'n bedrag betaal word van minstens—

- (a) in die geval van 'n werknemer in paragraaf (a) van subklousule (1) vermeld, een-vierde van die weekloon, en
- (b) in die geval van 'n werknemer in paragraaf (b) van subklousule (1) vermeld, een-sesde van die weekloon,

wat hy onmiddellik voor die datum van sodanige diensbeëindiging ontvang het: Met dien verstande dat 'n werkgewer ten opsigte van enige verloftyd wat hy ingevolge die vierde voorbehoudsbepaling in subklousule (2) aan 'n werknemer toegestaan het, 'n eweredige bedrag kan aftrek, en met dien verstande voorts dat 'n werknemer—

- (i) wat sy diens verlaat sonder om die kennis te gee en die opseggingstermyn uit te dien wat by klousule 12 voorgeskryf word, tensy die werkgewer van sodanige kennisgewing afgesien het; of
- (ii) wat sy diens sonder regsgeldige rede verlaat; of
- (iii) wat deur sy werkgewer sonder kennisgewing ontslaan word om 'n rede wat vir sodanige ontslag sonder kennisgewing regens genoegsaam is;

tot geen betaling uit hoofde van hierdie subklousule geregtig is nie.

(6) 'n Werknemer wat geregtig geword het tot 'n tydperk van verlof voorgeskryf in subklousule (1), gelees met subklousule (3), en wie se dienskontrak beëindig word voordat sodanige verlof toegestaan is, moet by sodanige diensbeëindiging die bedrag betaal word wat hy ten opsigte van die verlof sou ontvang het as die verlof op die datum van diensbeëindiging aan hom toegestaan was.

(7) By die toepassing van hierdie klousule word die uitdrukking „diens” geag ook elke tydperk te omvat ten opsigte waarvan 'n werkgewer ingevolge klousule 12 'n werknemer betaal in plaas van kennis van diensbeëindiging te gee en teweens alle tydperke waarin 'n werknemer afwesig is—

- (a) met verlof ingevolge hierdie klousule;
- (b) met siekteverlof ingevolge klousule 7;
- (c) op las of versoek van sy werkgewer;
- (d) vir militêre opleiding;

en wel tot 'n totaal in enige jaar van hoogstens tien weke ten opsigte van punte (a), (b) en (c), plus enige tydperk van militêre opleiding wat hy in dié jaar ondergaan het, en die diens word geag te begin—

- (i) in die geval van 'n werknemer wat voor die inwerkingtreding van hierdie Vastelling tot 'n tydperk van jaarlikse verlof ingevolge enige wet geregtig geword het, op die datum waarop so 'n werknemer die vorige maal geregtig geword het tot verlof ingevolge so 'n wet;
- (ii) in die geval van 'n werknemer wat voor die datum van inwerkingtreding van hierdie Vastelling in diens was en vir wie enige wet gegeld het wat vir jaarlikse verlof voorsiening maak maar wat nog nie tot 'n tydperk van jaarlikse verlof ingevolge daarvan geregtig geword het nie, op die aanvangsdatum van sodanige diens;
- (iii) in die geval van enige ander werknemer, op die datum waarop so 'n werknemer by sy werkgewer in diens getree het of op die datum van die inwerkingtreding van hierdie Vastelling, en wel op die jongste van die twee datums.

(8) By die toepassing van hierdie klousule beteken die uitdrukking „loon” 'n werknemer se loon plus sy lewenskostetoelae.

7. SIEKTEVERLOF.

(1) Behoudens die bepalings van subklousule (2), moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, wat weens ongeskiktheid van die werk afwesig is, die volgende toestaan—

- (a) in die geval van 'n werknemer wat 'n werkweek van vyf dae het, altesaam minstens twintig werkdag; en
- (b) in die geval van iedere ander werknemer altesaam minstens vier-en-twintig werkdag;

siekteverlof gedurende elke tydkring van vier-en-twintig opeenvolgende maande diens by hom, en moet hy so 'n werknemer vir elke tydperk van afwesigheid ingevolge hierdie subklousule minstens die loon betaal wat hy sou ontvang het as hy gedurende so 'n tydperk gewerk het: Met dien verstande—

- (i) dat gedurende die eerste vier-en-twintig opeenvolgende maande diens 'n werknemer nie tot meer siekteverlof met volle betaling geregtig is nie as, wat 'n werknemer met 'n werkweek van vyf dae betref, een werkdag ten opsigte van elke voltooide tydperk van vyf weke diens en, wat enige ander werknemer betref, een werkdag ten opsigte van elke voltooide maand diens;
- (ii) dat hierdie klousule nie geld vir 'n werknemer op wie se skriftelike versoek 'n werkgewer bydraes, minstens gelvk aan dié wat die werknemer self daarin stort, betaal aan enige fonds of organisasie wat die werknemer aanwys en wat aan die werknemer waarborg dat aan hom by ongeskiktheid in die omstandighede in hierdie klousule vermeld, altesaam minstens die ekwivalent van sy loon vir twintig of vier-en-twintig werkdag, al na gelang van die geval, in elke tydkring van vier-en-twintig maande diens betaal sal word, behalwe dat gedurende

(4) *Leave remuneration*.—The remuneration in respect of the leave prescribed in sub-clause (1), read with sub-clause (3), shall be paid not later than the last work day before the date of commencement of the leave.

(5) An employee whose contract of employment is terminated during any period of twelve months of employment before the period of leave prescribed in sub-clause (1) in respect of that period has accrued, shall, upon such termination, and in addition to any other remuneration which may be due to him, be paid in respect of each completed month of such period of employment an amount of not less than—

- (a) in the case of an employee referred to in paragraph (a) of sub-clause (1), one-fourth, and
- (b) in the case of an employee referred to in paragraph (b) of sub-clause (1), one-sixth,

of the weekly wage he was receiving immediately before the date of such termination: Provided that an employer may make a proportionate deduction in respect of any period of leave granted to an employee in terms of the fourth proviso to sub-clause (2) and provided further that an employee—

- (i) who leaves his employment without having given and served the period of notice prescribed in clause 12, unless the employer has waived such notice; or
- (ii) who leaves his employment without a cause recognised by law as sufficient; or
- (iii) who is dismissed by his employer without notice for any cause recognised by law as sufficient for such dismissal without notice;

shall not be entitled to any payment by virtue of this sub-clause.

(6) An employee who has become entitled to a period of leave prescribed in sub-clause (1), read with sub-clause (3), and whose contract of employment is terminated before such leave has been granted, shall upon such termination be paid the amount he would, have received in respect of such leave if it had been granted to him at the date of the termination of his employment.

(7) For the purpose of this clause the expression “employment” shall be deemed to include any period in respect of which an employer, in terms of clause 12, pays an employee in lieu of notice and also any period or periods during which an employee is absent—

- (a) on leave in terms of this clause;
- (b) on sick leave in terms of clause 7;
- (c) on the instructions or at the request of his employer;
- (d) on military training;

amounting in any year to not more than ten weeks in respect of items (a), (b) and (c), plus any period of military training undergone in that year, and employment shall be deemed to commence—

- (i) in the case of an employee who had before the coming into force of this Determination become entitled to a period of annual leave in terms of any law, on the date on which such employee last became entitled to such leave under such law;
- (ii) in the case of an employee who was in employment before the coming into force of this Determination and to whom any law providing for annual leave applied but who had not become entitled to a period of annual leave in terms thereof, on the date on which such employment commenced;
- (iii) in the case of any other employee, on the date on which such employee entered his employer's service or on the date of the coming into force of this Determination, whichever is the later.

(8) For the purpose of this clause the expression “wage” means an employee's wage plus his cost of living allowance.

7. SICK LEAVE.

(1) Subject to the provisions of sub-clause (2), an employer shall grant to his employee, other than a casual employee, who is absent from work through incapacity—

- (a) in the case of an employee who works a five-day week, not less than twenty work days; and
- (b) in the case of any other employee, not less than twenty-four work days;

sick leave in the aggregate during each cycle of twenty-four consecutive months of employment with him, and shall pay such employee in respect of any period of absence in terms of this sub-clause not less than the wage he would have received had he worked during such period: Provided that—

- (i) in the first twenty-four consecutive months of employment an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of an employee who works a five-day week, one work day in respect of each completed period of five weeks of employment and, in the case of any other employee, one work day in respect of each completed month of employment;
- (ii) this clause shall not apply to an employee at whose written request an employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantee to the employee in the event of his incapacity in the circumstances set out in this clause the payment to him of not less than in the aggregate the equivalent of his wage for twenty or twenty-four work days, as the case may be, in

die eerste vier-en-twintig maande waarin die werknemer bydraes stort, die gewaarborgde tarief nie die koers van aanwas soos uiteengesit in die eerste voorbehoudsbepaling van hierdie subklousule te bowe hoef te gaan nie;

- (iii) dat, indien 'n werkgewer ingevolge enige wet gelde vir hospitaal- of mediese behandeling ten opsigte van 'n werknemer moet betaal, en sodanige gelde wel betaal, die aldus betaalde bedrag afgetrek kan word van die bedrag wat ingevolge hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is;
- (iv) dat, indien 'n werkgewer by enige ander wet verplig word om 'n werknemer sy volle loon te betaal ten opsigte van enige tydperk van ongeskiktheid waarvoor hierdie klousule voorsiening maak, die bepalinge van hierdie klousule nie geld nie;
- (v) dat die loon wat aan 'n werknemer wat stukwerk verrig, betaalbaar is ten opsigte van enige tydperk van afwesigheid met siekteverlof ingevolge hierdie klousule, bereken word op grondslag van die besoldiging wat aan so 'n werknemer op sy laaste betaaldag onmiddellik voor sodanige afwesigheid betaal is.

(2) Voordat 'n werkgewer 'n bedrag betaal wat 'n werknemer kragtens hierdie klousule eis ten opsigte van enige afwesigheid uit sy werk gedurende 'n tydperk wat strek oor meer as drie opeenvolgende kalenderdae, kan hy vereis dat die werknemer 'n sertifikaat voorlê wat deur 'n geneesheer geteken is en wat die aard en duur van die werknemer se ongeskiktheid bevestig: Met dien verstande dat as 'n werknemer gedurende enige tydperk van agt opeenvolgende weke by twee of meer geleenthede betaling kragtens hierdie klousule geëis het vir tydperke van drie of minder opeenvolgende kalenderdae sonder om so 'n sertifikaat voor te lê, sy werkgewer gedurende die daaropvolgende agt weke as 'n voorafgaande voorwaarde vir die betaling deur hom van enige bedrag wat die werknemer kragtens hierdie klousule eis, kan vereis dat die werknemer so 'n sertifikaat voorlê, ongeag die duur van sodanige afwesigheid.

(3) Wanneer 'n werknemer gedurende die eerste tydkring van vier-en-twintig maande diens by dieselfde werkgewer weens ongeskiktheid 'n langer tydperk afwesig is as die siekteverlof wat hom ten tyde van sodanige ongeskiktheid toekom, is hy geregtig tot betaling vir slegs dié siekteverlof wat hom dan toekom; maar sy werkgewer moet, as hy dit nie reeds gedoen het nie, by afloop van gemelde tydkring, of by diensbeëindiging voor sodanige afloop, hom ten opsigte van dié langer tydperk van afwesigheid weens ongeskiktheid uitbetaal vir sover die siekteverlof wat by sodanige afloop of beëindiging aan hom toekom, nog nie gebruik is nie.

(4) By die toepassing van hierdie klousule—

- (a) word die uitdrukking „diens” geag ook enige tydperk of tydperke te omvat waarin die werknemer afwesig is—
 - (i) met verlof ingevolge klousule 6,
 - (ii) op las of versoek van sy werkgewer,
 - (iii) met siekteverlof ingevolge subklousule (1),
 - (iv) vir militêre opleiding,

en wel tot 'n totaal in enige jaar van hoogstens tien weke ten opsigte van punte (i), (ii) en (iii), plus enige tydperk van militêre opleiding wat hy in dié jaar ondergaan het, en enige tydperk van diens by dieselfde werkgewer onmiddellik voor die datum van die inwerkingtreë van hierdie Vastelling word by die toepassing van hierdie klousule geag diens ingevolge hierdie Vastelling te wees, en alle siekteverlof wat met volle betaling aan so 'n werknemer gedurende so 'n tydperk toegestaan is, word geag ingevolge hierdie Vastelling toegestaan te wees;

- (b) beteken „ongeskiktheid” die onvermoë om te werk weens siekte of besering, behalwe as dit deur die werknemer se eie wangedrag veroorsaak is: Met dien verstande dat, as die onvermoë om te werk te wyte is aan 'n ongeluk waarvoor daar ingevolge die Ongevalwet, 1941, vergoeding betaalbaar is, sodanige onvermoë geag word ongeskiktheid te wees slegs ten opsigte van dié tydperk van onvermoë om te werk waarvoor geen vergoeding weens arbeidsongeskiktheid ingevolge genoemde Wet betaalbaar is nie;

- (c) beteken „loon” 'n werknemer se loon plus sy lewenskostetoelae.

8. OPENBARE VAKANSIEDAE EN SONDAE.

(1) Behoudens die bepalinge van klousule 4 (6), moet 'n werkgewer aan 'n werknemer wat op 'n openbare vakansiedag nie werk nie, minstens sy weekloon betaal vir die week waarin so 'n dag val.

(2) Wanneer vereis of toegelaat word dat 'n werknemer op 'n openbare vakansiedag werk, moet sy werkgewer hom, behoudens die bepalinge van klousule 4 (6), vir die week waarin so 'n dag val, minstens sy weekloon betaal, plus sy uurloon vir elke uur of deel van 'n uur wat die werknemer op so 'n dag werk: Met dien verstande dat, as daar vereis of toegelaat word dat die werknemer minder as vier uur op so 'n dag werk, hy geag word vier uur te gewerk het.

(3) Vergoeding vir werk op 'n Sondag.—Wanneer 'n werknemer op 'n Sondag werk, moet die werkgewer—

(a) die werknemer betaal—

- (i) indien hy aldus vir 'n tydperk van hoogstens vier uur werk, minstens sy dagloon;
- (ii) indien hy aldus vir 'n tydperk van meer as vier uur werk, minstens dubbel sy uurloon vir elke uur of deel van 'n uur ten opsigte van die totale tydperk wat hy op sodanige Sondag werk, of minstens dubbel sy dagloon, al na gelang van watter die meeste is; of

each cycle of twenty-four months of employment, except that during the first twenty-four months of the payment of contributions by the employee, the guaranteed rate need not exceed the rate of accrual set out in the first proviso to this sub-clause;

- (iii) where an employer is by any law required to pay fees for hospital or medical treatment in respect of an employee, and pays such fees, the amount so paid may be set off against the payment due in respect of absence owing to incapacity in terms of this clause;

- (iv) if in respect of any period of incapacity covered by this clause, an employer is required by any other law to pay to an employee his full wages, the provisions of this clause shall not apply;

- (v) the wage payable to an employee who is employed on piece-work in respect of any period of absence on sick leave in terms of this clause shall be calculated on the basis of the remuneration paid to such employee on his last pay day immediately preceding such absence.

(2) An employer may, as a condition precedent to the payment by him of any amount which under this clause an employee claims in respect of any absence from work for a period covering more than three consecutive calendar days, require the employee to produce a certificate signed by a medical practitioner confirming the nature and duration of the employee's incapacity: Provided that, when an employee has during any period of eight consecutive weeks claimed payment in terms of this clause on two or more occasions for periods of three consecutive calendar days or less without producing such a certificate, his employer may during the next succeeding eight weeks, as a condition precedent to the payment by him of any amount claimed by such employee in terms of this clause, require the employee to produce such a certificate, irrespective of the duration of such absence.

(3) Where, during the first cycle of twenty-four months of employment with the same employer, an employee is absent owing to incapacity for a period in excess of any sick leave accrued at the time of such incapacity, he shall be entitled to be paid only in respect of such leave as has so accrued; but his employer shall, if he has not previously done so, at the expiry of the said cycle of employment or on termination of employment before such expiry pay him in respect of such excess period of absence owing to incapacity to the extent to which sick leave, accrued at such expiry or termination, has not been taken.

(4) For the purpose of this clause the expression—

- (a) “employment” shall be deemed to include any period or periods during which an employee is absent—

- (i) on leave in terms of clause 6,
- (ii) on the instructions or at the request of his employer,
- (iii) on sick leave in terms of sub-clause (1),
- (iv) on military training,

amounting in any year to not more than ten weeks in respect of items (i), (ii) and (iii), plus any period of military training undergone in that year, and any period of employment with the same employer immediately before the date of the coming into operation of this Determination shall for the purpose of this clause be deemed to be employment under this Determination, and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this Determination;

- (b) “incapacity” means inability to work owing to any sickness or injury other than that caused by an employee's own misconduct: Provided that any inability to work caused by an accident for which compensation is payable under the Workmen's Compensation Act, 1941, shall be deemed to be incapacity only in respect of any period of inability to work for which no disablement payment is payable in terms of that Act;

- (c) “wage” means an employee's wage plus his cost of living allowance.

8. PUBLIC HOLIDAYS AND SUNDAYS.

(1) Subject to the provisions of clause 4 (6), an employer shall pay an employee who does not work on a public holiday, not less than his weekly wage for the week in which such day falls.

(2) Whenever an employee is required or permitted to work on a public holiday, his employer shall, save as provided in clause 4 (6), pay him for the week in which such day falls not less than his weekly wage, plus his hourly wage for each hour or part of an hour worked by the employee on such day: Provided that where such an employee is required or permitted to work for less than four hours on such day, he shall be deemed to have worked for four hours.

(3) Compensation for work on a Sunday.—Whenever an employee works on a Sunday, his employer shall either—

(a) pay to the employee—

- (i) if he so works for a period not exceeding four hours, not less than his daily wage; or
- (ii) if he so works for a period exceeding four hours, not less than double his hourly wage for each hour or part of an hour in respect of the total period worked by him on such Sunday or not less than double his daily wage, whichever is the greater; or

(b) minstens een en 'n derde maal sy uurloon vir elke uur of deel van 'n uur wat hy op so 'n Sondag werk, en hom binne veertien dae vanaf so 'n Sondag een dag verlof toestaan en vir die dag minstens sy dagloon betaal: Met dien verstande dat, as daar vereis of toegelaat word dat so 'n werknemer minder as vier uur op so 'n Sondag werk, hy geag word vier uur te gewerk het.

(4) By die toepassing van hierdie klousule beteken die uitdrukking „loon” 'n werknemer se loon plus sy lewenskostetoelae.

(5) (a) Die bepalinge van hierdie klousule is nie op 'n los werknemer van toepassing nie.

(b) Die bepalinge van subklousule (2) en (3) is nie van toepassing op 'n senior besturende, professionele of administratiewe werknemer, 'n bestuurder of onderbestuurder nie indien en terwyl sodanige werknemer gereeld besoldig word teen 'n tarief van minstens R1,560 per jaar, en ook nie op 'n wag nie.

9. STUKWERK.

(1) Ná minstens een week kennisgewing aan sy werknemer kan 'n werkgever 'n stukwerkstelsel invoer en, behoudens die bepalinge van 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 die volgende betaal:—

(a) In die geval van 'n ander werknemer as 'n los werknemer, vir elke week waarin 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 los werknemer, vir elke dag waarop stukwerk verrig word, die bedrag wat hy so 'n werknemer vir daardie dag 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 subklousule (1) op 'n opvallende plek in sy bedryfsinrigting aangeplak hou.

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

(4) Ondanks andersluidende bepalinge in hierdie klousule, hoef 'n werkgever 'n los werknemer geen kennis te gee van sy voorneme om 'n stukwerkstelsel in te voer of af te skaf of te wysig nie.

10. VERHOUDINGSYFER.

(1) *Blokmanne*.—(a) 'n Werkgever moet 'n eerste blokman in diens hê voordat hy enige ander blokman in diens neem.

(b) 'n Werkgever mag geen ongekwalifiseerde blokman in diens neem nie, tensy hy 'n gekwalifiseerde blokman in sy diens het, en vir elke gekwalifiseerde blokman in sy diens kan hy hoogstens een ongekwalifiseerde blokman in diens neem.

(2) *Klerke*.—'n Werkgever mag geen ongekwalifiseerde klerk, hetsy man of vrou, in diens neem nie, tensy hy 'n gekwalifiseerde klerk, onderskeidelik man of vrou, in diens het, en vir elke sodanige gekwalifiseerde manlike of vroulike klerk in sy diens kan hy hoogstens een ongekwalifiseerde manlike of vroulike klerk, na gelang van die geval, in diens neem.

(3) *Verkoopsters*.—'n Werkgever mag geen ongekwalifiseerde verkoopster in diens neem nie, tensy hy 'n gekwalifiseerde verkoopster in diens het, en vir elke sodanige gekwalifiseerde verkoopster in sy diens kan hy hoogstens een ongekwalifiseerde verkoopster in diens neem.

(4) By die toepassing van hierdie klousule—

(a) word deeltydse werknemers geag geen werknemers te wees nie;

(b) kan 'n werkgever wat uitsluitend of hoofsaaklik die werk van 'n besondere klas werknemer verrig, geag word 'n gekwalifiseerde werknemer van dié klas te wees: Met dien verstande dat dieselfde werkgever nie ten opsigte van meer as een bedryfsinrigting as sodanig geag mag word nie;

(c) kan 'n ongekwalifiseerde werknemer wat minstens die loon van 'n gekwalifiseerde werknemer van sy klas ontvang, geag word 'n gekwalifiseerde werknemer te wees;

(d) kan 'n gekwalifiseerde vroulike werknemer wat minstens die loon van 'n gekwalifiseerde manlike werknemer ontvang, geag word 'n gekwalifiseerde manlike werknemer te wees: Met dien verstande dat 'n werknemer wat aldus geag word 'n manlike werknemer te wees, nie terselfdertyd as 'n gekwalifiseerde vroulike werknemer gereken kan word nie.

(5) As 'n werkgever in meer as een bedryfsinrigting sake doen, is die bepalinge van hierdie klousule op elke sodanige bedryfsinrigting afsonderlik van toepassing.

11. UNIFORMS, OORPAKKE EN BESKERMENDE KLERE.

'n Werkgever moet alle uniforms, oorpakke of ander beskermende klerke wat hy vereis dat sy werknemer dra of wat enige wet of regulasie hom verplig om aan sy werknemer te verskaf, gratis verskaf en in bruikbare en sindelike toestand hou; en alle sodanige uniforms, oorpakke of ander beskermende klerke bly die eiendom van die werkgever.

12. BEÏNDIGING VAN DIENSKONTRAK.

(1) 'n Werkgever of sy werknemer, uitgesonderd 'n los werknemer, kan 'n dienskontrak beëindig deur dit—

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

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

(b) pay him not less than one and a third times his hourly wage for each hour or part of an hour worked by him on such Sunday, and grant him within fourteen days of such Sunday one day's leave and pay him in respect thereof not less than his daily wage: Provided that where such an employee is required or permitted to work for less than four hours on such Sunday, he shall be deemed to have worked for four hours.

(4) For the purpose of this clause the expression "wage" means an employee's wage plus his cost of living allowance.

(5) (a) The provisions of this clause shall not apply to a casual employee.

(b) The provisions of sub-clause (2) and (3) shall not apply to a senior managerial, professional or administrative employee, a manager or sub-manager, provided such employee is paid a regular wage at a rate of not less than R1,560 per annum, or to a watchman.

9. PIECE-WORK.

(1) An employer may, after at least one week's notice to his employee, introduce any piece-work system and, save as provided in clause 4 (6), the employer shall pay an 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 casual 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 casual 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 a schedule of the rates referred to in sub-clause (1), posted up in a conspicuous place in his establishment.

(3) An employer who intends to abolish or amend any existing piece-work system or the rates applicable thereunder, shall give the employees concerned 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 notice for at least the period agreed upon.

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

10. PROPORTION OR RATIO.

(1) *Blockman*.—(a) An employer shall employ a first blockman before any other qualified blockman is employed by him.

(b) An employer shall not employ an unqualified blockman unless he has in his employ a qualified blockman, and for each qualified blockman employed by him he shall not employ more than one unqualified blockman.

(2) *Clerks*.—An employer shall not employ an unqualified clerk, male or female, unless he has in his employ a qualified clerk, male or female, respectively, and for each such qualified male or female clerk employed he shall not employ more than one unqualified male or female clerk, as the case may be.

(3) *Saleswomen*.—An employer shall not employ an unqualified saleswoman unless he has in his employ a qualified saleswoman, and for each such qualified saleswoman in his employ he shall employ not more than one unqualified saleswoman.

(4) For the purpose of this clause—

(a) part-time employees shall be deemed not to be employees;

(b) an employer who is wholly or mainly engaged in the work of any particular class of employee may be deemed to be a qualified employee of that class: Provided that the same employer may not be so deemed in respect of more than one establishment;

(c) an unqualified employee who is receiving a wage of not less than the wage of a qualified employee of his class may be deemed to be a qualified employee;

(d) a qualified female employee who is receiving a wage of not less than the wage of a qualified male employee may be deemed to be a qualified male employee: Provided that an employee so deemed to be a qualified male employee shall not at the same time be regarded as a qualified female employee.

(5) Where an employer carries on business in more than one establishment, the provisions of this clause shall apply separately to each such establishment.

11. UNIFORMS, OVERALLS AND PROTECTIVE CLOTHING.

An employer shall supply and maintain in a serviceable and clean condition, free of charge, any uniform, overall or other protective clothing which he requires his employee to wear or which by any law or regulation he is compelled to provide for his employee, and any such uniform, overall or other protective clothing shall remain the property of the employer.

12. TERMINATION OF CONTRACT OF EMPLOYMENT.

(1) An employer or his employee, other than a casual employee, may terminate a contract of employment, by giving—

(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,

voorstel op te lê; of 'n werkgewer of 'n werknemer kan die kontrak sonder opsegging beëindig deurdat in plaas van opsegging die werkgewer aan die werknemer minstens die volgende betaal of verbeur, al na gelang van die omstandighede:—

- (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 onaangetas gelaat word—

- (i) die reg van 'n werkgewer of sy werknemer om op enige regsgelike grond die kontrak sonder opsegging te beëindig;
- (ii) 'n skriftelike ooreenkoms tussen 'n werkgewer 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 boetes 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 datum van die beëindiging reeds weens korttyd verminder is en die werkgewer hom betaal in plaas van sy diens op te lê, 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 voorbehoudsbepaling van subklousule (1) 'n ooreenkoms bestaan, moet die betaling of verbeuring in plaas van opsegging eweredig wees aan die ooreengekome opseggingstermyn.

(3) Die opsegging in subklousule (1) voorgeskryf moet voor of op die bedryfsinrigting se gewone betaaldag vir so 'n werknemer geskied en gaan in op die dag ná sodanige betaaldag: Met dien verstande—

- (i) dat, wanneer 'n werkgewer en sy werknemer ingevolge klousule 4 (1) ooreengekom het dat besoldiging maandeliks betaal word, die uitdrukking „die bedryfsinrigting se gewone betaaldag vir so 'n werknemer” by die toepassing van hierdie klousule geag word die dag te beteken waarop sodanige werknemer betaling sou ontvang het as geen sodanige ooreenkoms aangegaan was nie;
- (ii) dat die opseggingstermyn nie mag saamval met en die opsegging nie mag geskied gedurende 'n werknemer se afwesigheid met verlof ingevolge klousule 6 of enige tydperk van militêre opleiding nie;
- (iii) dat gedurende 'n werknemer se afwesigheid met siekteverlof ooreenkomstig klousule 7 opsegging nie mag geskied nie;
- (iv) dat, as 'n opseggingstermyn van slegs vier-en-twintig uur vereis word, sodanige opsegging op enige werkdag kan geskied.

(4) By die toepassing van hierdie klousule beteken die uitdrukking „loon” die werknemer se loon plus sy lewenskostetoelae.

13. VERBOD OP INDIENSNEMING.

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

14. DIENSSERTIFIKAAT.

Wanneer 'n dienskontrak om 'n ander rede as diensverlating beëindig word, moet die werkgewer aan die betrokke werknemer, uitgesonderd 'n los werknemer, 'n dienssertifikaat gee wat in hoofsaak die vorm het wat in die Bylae tot hierdie Vasstelling voorgeskryf word en waarin die volle naam van die werkgewer en van sy werknemer, die betrekking van die werknemer, die aanvangs- en die aflooptdatum van die kontrak en die werknemer se weekloon ten tyde van die datum van sodanige beëindiging aangegee word.

15. LOGBOEK.

(1) 'n Werkgewer moet sy motorvoertuigbestuurder of sy deeltydse motorvoertuigbestuurder voorsien van 'n logboek wat vir sover doenlik die volgende vorm het:—

DAAGLIKSE LOG.

Naam van werkgewer _____
 Naam van motorvoertuigbestuurder _____
 Datum _____
 Tyd waarop werk begin het _____ vm./nm. _____ vm./nm.
 Tyd waarop werk opgehou het _____ vm./nm. _____ vm./nm.
 Getal ure werk _____
 Etenstye van _____ vm./nm. _____ vm./nm.
 Besonderhede omtrent enige ongeluk of vertraging _____

Datum _____ 19 _____ Handtekening van motorvoertuigbestuurder _____

(2) Iedere motorvoertuigbestuurder of deeltydse motorvoertuigbestuurder moet in die logboek in subklousule (1) vermeld oor elke dag se werk 'n daaglikse log in duplo hou en binne vier-en-twintig uur na voltooiing van die dag se werk waarop dit betrekking het, 'n afskrif daarvan by sy werkgewer indien, en by die toepassing van hierdie klousule slaan die uitdrukking „werk” ten opsigte van 'n deeltydse motorvoertuigbestuurder slegs op „'n motorvoertuig bestuur” soos dit in die woordskrywing van hierdie klas werknemer omskryf word.

(3) Elke werkgewer moet die afskrif van die daaglikse log wat ingevolge subklousule (2) by hom ingedien is, drie jaar lank na sodanige indiening bewaar.

notice of such termination; 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 hours' 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 providing for a period of notice which is of equal duration for both parties and 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 already been reduced on account of short-time, the expression “is receiving at the time of such termination” shall, when an employer pays 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 on account of short-time”.

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

(3) The notice prescribed in sub-clause (1) shall be given on or before the establishment's usual pay day for such employee and shall run from the day after such pay day: Provided that—

- (i) whenever an employer and his employee have agreed in terms of clause 4 (1) that remuneration shall be paid monthly, the expression “the establishment's usual pay day for such employee” shall for the purpose of this clause be deemed to mean the day on which such employee would have received payment if no such agreement had been entered into;
- (ii) the period of notice shall not run concurrently with, and that notice shall not be given during, an employee's absence on leave granted in terms of clause 6 or any period of military training;
- (iii) notice shall not be given during an employee's absence on sick leave granted in terms of clause 7; and
- (iv) where only twenty-four hours' notice is required to be given such notice may be given on any work day.

(4) For the purpose of this clause the expression “wage” means an employee's wage plus his cost of living allowance.

13. PROHIBITION OF EMPLOYMENT.

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

14. CERTIFICATE OF SERVICE.

An employer shall upon the termination of a contract of employment for any reason other than desertion, furnish the employee concerned, except a casual employee, with a certificate of service, substantially in the form prescribed in the Schedule to this Determination, showing the full names of the employer and his employee, the occupation of the employee, the date of commencement and the date of termination of the contract and the employee's weekly wage at the date of such termination.

15. LOG BOOK.

(1) An employer shall provide his driver of a motor vehicle or his part-time driver of a motor vehicle with a log book as nearly as practicable in the following form:—

DAILY LOG.

Name of employer _____
 Name of motor vehicle driver _____
 Date _____
 Time of starting work _____ a.m./p.m. _____ a.m./p.m.
 Time of finishing work _____ a.m./p.m. _____ a.m./p.m.
 Number of hours worked _____
 Meal hours from _____ a.m./p.m. to _____ a.m./p.m.
 Particulars of any accident or delay _____

Date _____ 19 _____ Signature of Driver _____

(2) Every driver of a motor vehicle or part-time driver of a motor vehicle shall, in the log book referred to in sub-clause (1), keep a daily log, in duplicate, in respect of each day's work and shall within twenty-four hours of the completion of the day's work to which it relates deliver a copy thereof to his employer, and for the purpose of this clause the expression “work” in relation to a part-time driver of a motor vehicle shall refer only to “driving a motor vehicle” as defined in the definition of this class of employee.

(3) Every employer shall retain the copy of the daily log which has been delivered to him in terms of sub-clause (2), for a period of three years as from the date of such delivery.

BYLAE.

Ek/Ons (a) _____ wat
die _____ bedryf beoefen te _____

verklaar hierby dat _____
in my/ons (a) diens was van die _____ dag
van _____ 19 _____ tot die _____ dag
van _____ 19 _____ in die betrekking van (b) _____
By diensbeëindiging was sy/haar (a) loon (uitgesonderd lewenskoste-
toelae) _____ rand _____ sent, per week.

Datum _____ Handtekening van werkgewer of
gemagtigde verteenwoordiger.

- (a) Skrap wat nie van toepassing is nie.
(b) Meld die betrekking waarin die werknemer uitsluitend of hoof-
saaklik in diens was, bv. klerk, eerste blokman.

No. 324.] [28 Julie 1961.
WET OP FABRIEKE, MASJINERIE EN BOUWERK,
1941, SOOS GEWYSIG.

VLEISBEDRYF, PORT ELIZABETH EN KAAPSTAD.

Namens die Minister van Arbeid, verklaar ek, MARAIS VILJOEN, Adjunk-minister van Arbeid, kragtens subartikel (1) van artikel twee-en-twintig van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, soos gewysig, dat die bepaling van die Vasstelling vir die Vleisbedryf gepubliseer by Goewermmentskennisgewing No. 323 van 28 Julie 1961, oor die algemeen nie vir die persone wie se werkure en beloning ten opsigte van oortyd, openbare feesdae en werk op Sondae en openbare feesdae daarby gereël word, minder gunstig as die desbetreffende bepaling van genoemde Wet is nie.

M. VILJOEN,
Adjunk-minister van Arbeid.

SCHEDULE.

I/We (a) _____ engaged
in the _____ trade at _____

hereby certify that _____
was employed by me/us (a) from the _____ day
of _____ 19 _____ to the _____ day
of _____ 19 _____ in the occupation of (b) _____
At the termination of employment his/her (a) wage (excluding cost of
living allowance) was _____ rand _____ cent
per week.

Date _____ Signature of Employer or
Authorised Representative.

- (a) Delete whichever is not applicable.
(b) State occupation in which employee was wholly or mainly
engaged, e.g. clerk, first blockman.

No. 324.] [28 July 1961.
FACTORIES, MACHINERY AND BUILDING WORK
ACT, 1941, AS AMENDED.

MEAT TRADE, PORT ELIZABETH AND
CAPE TOWN.

On behalf of the Minister of Labour, I, MARAIS VILJOEN, Deputy-minister of Labour, in terms of sub-section (1) of section twenty-two of the Factories, Machinery and Building Work Act, 1941, as amended, declare the provisions of the Determination for the Meat Trade published under Government Notice No. 323 of the 28th July, 1961, on the whole to be not less favourable to the persons whose hours of work and remuneration in respect of overtime, public holidays and work on Sundays and public holidays are regulated thereby than the relative provisions of the said Act.

M. VILJOEN,
Deputy-minister of Labour.

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