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PROCLAMATIONS

by the Acting State President of the
Republic of South Africa.

No. R. 294, 1967.]

AMENDMENT TO THE WARSAW CONVENTION.

Under the powers vested in me by section 5 of the Carriage By Air Act, 1946 (Act No. 17 of 1946), as amended, I do declare as follows:—

1. In this Proclamation, unless the context otherwise indicates—

“Act” means the Carriage by Air Act, 1946 (Act No. 17 of 1946), as amended;

“Hague Protocol” means the Protocol to amend the Warsaw Convention, opened for signature at the Hague on the twenty-eighth day of September 1955, the English text of which, together with an Afrikaans translation thereof, is set forth in the Schedule to this Proclamation;

“Warsaw Convention” means the Convention of which a translation in English and Afrikaans is set forth in the Schedule to the Act;

“Warsaw Convention as amended at the Hague, 1955” means the Warsaw Convention as amended by the Hague Protocol.

2. (1) As from the Seventeenth day of December 1967, the provisions of the Hague Protocol shall, in so far as they relate to the rights and liabilities of carriers, passengers, consignors, consignees and other persons, have the force of law in the Republic, and as from that date the provisions of the Warsaw Convention as amended at The Hague, 1955, shall, subject to the provisions of the Act, apply in relation to any carriage by air which is “international carriage” within the meaning of Article 1 of the said Convention, and irrespective of the nationality of the aircraft performing that carriage: Provided that the places of departure and destination referred to in that Article are situated either in the territories of two High Contracting Parties to the Hague Protocol or within the territory of a single High Contracting Party to that Protocol, with an agreed stopping place within the territory of another State.*

(2) This section shall not apply so as to affect rights or liabilities arising out of an occurrence which took place prior to the coming into force of this section.

3. Nothing in section 2 of this Proclamation contained shall be deemed to affect the application, in accordance with the Act, of the Warsaw Convention in relation to any carriage by air in which, according to the contract made by the parties, the place of departure and the place of destination, whether or not there be a break in the

*The purpose of the proviso is to give effect to Article XVIII of the Protocol.

PROKLAMASIES

van die Waarnemende Staatspresident van die
Republiek van Suid-Afrika.

No. R. 294, 1967.]

WYSIGING VAN DIE WARSCHAU KONVENSIE.

Kragtens die bevoegdheid my verleen by artikel 5 van die Wet op Lugvervoer, 1946 (Wet No. 17 van 1946), soos gewysig, verklaar ek hierby:—

1. Tensy uit die samehang anders blyk, beteken in hierdie Proklamasie—

„Wet” die Wet op Lugvervoer, 1946 (Wet No. 17 van 1946), soos gewysig;

„die Haagse Protokol” die Protokol ter wysiging van die Konvensie van Warschau wat vir ondertekening oopgestel is in Den Haag op die ag-en-twintigste dag van September 1955, waarvan die Engelse teks tesame met 'n Afrikaanse vertaling daarvan in die Bylae van hierdie Proklamasie uiteengesit is;

„Konvensie van Warschau” die Konvensie waarvan 'n vertaling in Engels en in Afrikaans in die Bylae van die Wet uiteengesit is;

„Konvensie van Warschau soos gewysig in Den Haag, 1955” die Konvensie van Warschau soos by die Haagse Protokol gewysig.

2. (1) Vanaf die Sewentiende dag van Desember 1967 het die bepalings van die Haagse Protokol, vir sover hulle betrekking het op die regte en verpligtings van karweiers, passasiers, afsenders, geadresseerdes en ander persone, regskrag in die Republiek, en vanaf daardie datum is die bepalings van die Konvensie van Warschau soos gewysig in Den Haag, 1955, van toepassing, onderworpe aan die bepalings van die Wet, met betrekking tot enige lugvervoer wat „internasionale vervoer” is volgens die bedoeling van Artikel 1 van genoemde Konvensie, en sonder inagneming van die nasionaliteit van die lugvaartuig wat die karweiwerk verrig: Met dien verstande dat die plekke van vertrek en bestemming waarna in daardie Artikel verwys word, geleë is of binne die gebiede van twee Hoë Kontrakterende Partye by die Haagse Protokol of binne die gebied van 'n enkele Hoë Kontrakterende Party by genoemde Protokol met 'n vasgestelde aandoenplek binne die gebied van 'n ander Staat.*

(2) Hierdie artikel word nie op so 'n wyse toegepas dat dit regte of verpligtings raak wat ontstaan het as gevolg van 'n gebeurtenis wat voor die inwerkingtreding van hierdie artikel plaasgevind het nie.

3. Die bepalings van artikel 2 van hierdie Proklamasie word nie geag inbreuk te maak nie op die toepassing van die Konvensie van Warschau ooreenkomstig die Wet, met betrekking tot enige lugvervoer waar, luidens die kontrak deur die partye aangegaan, die plek van vertrek en die plek van bestemming, hetsy daar al dan nie 'n onderbreking van die vervoer of 'n oorskeping is, geleë is of

*Die doel van die voorbehoudsbepaling is om uitvoering te verleen aan Artikel XVIII van die Protokol.

carriage or a transshipment, are situated either within the territories of two High Contracting Parties to the said Convention, of whom neither or only one is a party to the Hague Protocol, or within the territory of a single High Contracting Party to the said Convention (but not to the said Protocol) if there is an agreed stopping place within the territory of another State, whether or not that State is a High Contracting Party to the said Convention.

4. The provisions of paragraph 1 of Article 40A of the Warsaw Convention as amended at The Hague, 1955, shall not be construed as extending any reference in that Convention to the territory of a High Contracting Party (except such as is a reference to the territory of any State, whether a High Contracting Party or not) to include any territory in respect of which that High Contracting Party is not a party.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Twentieth day of June, One thousand Nine hundred and Sixty-Seven.

J. F. NAUDÉ,
Acting State President.

By Order of the Acting State President-in-Council.

B. J. SCHOEMAN.

SCHEDULE.

PROTOCOL.

TO AMEND THE CONVENTION FOR THE UNIFICATION OF CERTAIN RULES RELATING TO INTERNATIONAL CARRIAGE BY AIR.

CHAPTER I.

AMENDMENTS TO THE CONVENTION.

Article I.

In Article 1 of the Convention—

(a) paragraph 2 shall be deleted and replaced by the following:—

“2. For the purposes of this Convention, the expression ‘international carriage’ means any carriage in which, according to the agreement between the parties, the place of departure and the place of destination, whether or not there be a break in the carriage or a transshipment, are situated either within the territories of two High Contracting Parties or within the territory of a single High Contracting Party if there is an agreed stopping place within the territory of another State, even if that State is not a High Contracting Party. Carriage between two points within the territory of a single High Contracting Party without an agreed stopping place within the territory of another State is not international carriage for the purposes of this Convention.”;

(b) paragraph 3 shall be deleted and replaced by the following:—

“3. Carriage to be performed by several successive air carriers is deemed, for the purposes of this Convention, to be one undivided carriage if it has been regarded by the parties as a single operation, whether it had been agreed upon under the form of a single contract or of a series of contracts, and it does not lose its international character merely because one contract or a series of contracts is to be performed entirely within the territory of the same State.”

Article II.

In Article 2 of the Convention—

paragraph 2 shall be deleted and replaced by the following:—

“2. This Convention shall not apply to carriage of mail and postal packages.”

Article III.

In Article 3 of the Convention—

(a) paragraph 1 shall be deleted and replaced by the following:—

“1. In respect of the carriage of passengers a ticket shall be delivered containing—

(a) an indication of the places of departure and destination;

binne die gebiede van twee Hoë Kontrakterende Partye by genoemde Konvensie waarvan geeneen, of net een, 'n party by die Haagse Protokol is, of binne die gebied van 'n enkele Hoë Kontrakterende Party by genoemde Konvensie (maar nie by genoemde Protokol nie) indien daar 'n vasgestelde aandoenplek in die gebied van 'n ander Staat is, hetsy so 'n Staat 'n Hoë Kontrakterende Party by genoemde Konvensie is al dan nie.

4. Die bepalings van paragraaf 1 van artikel 40A van die Konvensie van Warschau soos gewysig in Den Haag, 1955, word nie vertolk nie as sou dit die uitwerking hê om enige verwysing in daardie Konvensie na die gebied van 'n Hoë Kontrakterende Party (behalwe as dit 'n verwysing is na die gebied van enige Staat, hetsy dit 'n Hoë Kontrakterende Party is al dan nie) uit te brei om enige gebied ten opsigte waarvan sodanige Hoë Kontrakterende Party nie 'n party is nie, in te sluit.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Twintigste dag van Junie Eenduisend Negehoonderd Sewe-en-sestig.

J. F. NAUDÉ,
Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade.

B. J. SCHOEMAN.

BYLAE. PROTOKOL.

TOT WYSIGING VAN DIE KONVENSIE TER BEREIKING VAN EENVORMIGHEID INSAKE SEKERE REËLS MET BETREKKING TOT INTERNASIONALE LUGVERVOER.

HOOFSTUK I.

WYSIGINGS VAN DIE KONVENSIE.

Artikel I.

In Artikel 1 van die Konvensie—

(a) word paragraaf 2 geskrap en deur die volgende vervang:—

„2. By die toepassing van hierdie Konvensie beteken die uitdrukking ‘internasionale vervoer’ enige vervoer waar, luidens die ooreenkoms tussen die partye aangegaan, die plek van vertrek en die plek van bestemming, hetsy daar al dan nie 'n onderbreking van die vervoer of 'n oorskeping is, geleë is of binne die gebiede van twee Hoë Kontrakterende Partye of binne die gebied van 'n enkele Hoë Kontrakterende Party, indien daar 'n vasgestelde aandoenplek is binne die gebied van 'n ander Staat selfs al is daardie Staat nie 'n Hoë Kontrakterende Party nie. Vervoer tussen twee plekke binne die gebied van 'n enkele Hoë Kontrakterende Party sonder 'n vasgestelde aandoenplek binne die gebied van 'n ander Staat, is by die toepassing van hierdie Konvensie nie internasionale vervoer nie.”;

(b) word paragraaf 3 geskrap en deur die volgende vervang:—

„3. Vervoer wat deur verskeie agtereenvolgende lugkarweiers onderneem moet word, word by die toepassing van hierdie Konvensie as een onverdeelde vervoer beskou, as dit deur die partye as 'n enkele onderneming beskou is, hetsy daarop ooreengekom is in die vorm van 'n enkele kontrak of 'n reeks kontrakte, en dit verloor nie sy internasionale kenmerk nie bloot omdat een kontrak of 'n reeks kontrakte in geheel uitgevoer moet word binne die gebied van dieselfde Staat.”

Artikel II.

In Artikel 2 van die Konvensie—

word paragraaf 2 geskrap en deur die volgende vervang:—

„2. Hierdie Konvensie is nie van toepassing op vervoer van pos en posstukke nie.”

Artikel III.

In Artikel 3 van die Konvensie—

(a) word paragraaf 1 geskrap en deur die volgende vervang:—

„1. Met betrekking tot die vervoer van passasiers moet 'n kaartjie oorhandig word bevattende—

(a) 'n aanduiding van die plekke van vertrek en bestemming;

(b) if the places of departure and destination are within the territory of a single High Contracting Party, one or more agreed stopping places being within the territory of another State, an indication of at least one such stopping place;

(c) a notice to the effect that, if the passenger's journey involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and that the Convention governs and in most cases limits the liability of carriers for death or personal injury and in respect of loss of or damage to baggage.”;

(b) paragraph 2 shall be deleted and replaced by the following:—

“2. The passenger ticket shall constitute *prima facie* evidence of the conclusion and conditions of the contract of carriage. The absence, irregularity or loss of the passenger ticket does not effect the existence or the validity of the contract of carriage which shall, none the less, be subject to the rules of this convention. Nevertheless, if, with the consent of the carrier the passenger embarks without a passenger ticket having been delivered, or if the ticket does not include the notice required by paragraph 1 (c) of this Article, the carrier shall not be entitled to avail himself of the provisions of Article 22.”

Article IV.

In Article 4 of the Convention—

(a) paragraphs 1, 2 and 3 shall be deleted and replaced by the following:—

“1. In respect of the carriage of registered baggage, a baggage check shall be delivered, which, unless combined with or incorporated in a passenger ticket which complies with the provisions of Article 3, paragraph 1, shall contain—

(a) an indication of the places of departure and destination;

(b) if the places of departure and destination are within the territory of a single High Contracting Party, one or more agreed stopping places being the territory of another State, an indication of at least one such stopping place;

(c) a notice to the effect that; if the carriage involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and that the Convention governs and in most cases limits the liability of carriers in respect of loss of or damage to baggage.”;

(b) paragraph 4 shall be deleted and replaced by the following:—

“2. The baggage check shall constitute *prima facie* evidence of the registration of the baggage and of the conditions of the contract of carriage. The absence, irregularity or loss of the baggage check does not affect the existence or the validity of the contract of carriage which shall, none the less, be subject to the rules of this Convention.

Nevertheless, if the carrier takes charge of the baggage without a baggage check having been delivered or if the baggage check [unless combined with or incorporated in the passenger ticket which complies with the provisions of Article 3, paragraph 1 (c)] does not include the notice required by paragraph 1 (c) of this Article, he shall not be entitled to avail himself of the provisions of Article 22, paragraph 2.”

Article V.

In Article 6 of the Convention—

paragraph 3 shall be deleted and replaced by the following:—

“3. The carrier shall sign prior to the loading of the cargo on board the aircraft.”

(b) as die plekke van vertrek en bestemming binne die gebied van 'n enkele Hoë Kontrakterende Party is, en een of meer vasgestelde aandoenplekke binne die gebied van 'n ander Staat geleë is, 'n aanduiding van minstens een sodanige vasgestelde aandoenplek;

(c) 'n kennisgewing dat, as die passasier se reis 'n laaste bestemming of aandoen in 'n land behalwe die land van vertrek insluit, die Konvensie van Warschau van toepassing mag wees en dat die aanspreeklikheid van karweiers vir dood of liggaamlike besering en ten opsigte van verlies of beskadiging van bagasie by die Konvensie bepaal en in die meeste gevalle beperk word.”;

(b) deur paragraaf 2 te skrap en dit deur die volgende te vervang:—

„2. Die passasierskaartjie is *prima facie* bewys van die sluiting en voorwaardes van die vervoerkontrak. Die afwesigheid, onreëlmatigheid of verlies van die passasierskaartjie raak nie die bestaan of die geldigheid van die vervoerkontrak nie, wat nietemin aan die reëls van hierdie Konvensie onderworpe is. Desnietemin as 'n passasier, met toestemming van die karweier, aan boord gaan sonder dat 'n passasierskaartjie oorhandig is, of as die kaartjie nie die kennisgewing in paragraaf 1 (c) van hierdie Artikel voorgeskryf bevat nie, het die karweier nie die reg om hom op die bepalings van Artikel 22 te beroep nie.”

Artikel IV.

In Artikel 4 van die Konvensie—

(a) word paragrawe 1, 2 en 3 geskrap en deur die volgende vervang:—

„1. Met betrekking tot die vervoer van geregistreerde bagasie moet 'n bagasiebewys oorhandig word wat, tensy dit gekombineer is met of ingelyf is by 'n passasierskaartjie wat aan die bepalings van Artikel 3 paragraaf 1 voldoen, die volgende bevat:—

(a) 'n aanduiding van die plekke van vertrek en bestemming;

(b) as die plekke van vertrek en bestemming binne die gebied van 'n enkele Hoë Kontrakterende Party is, en een of meer vasgestelde aandoenplekke binne die gebied van 'n ander Staat geleë is, 'n aanduiding van minstens een sodanige vasgestelde aandoenplek;

(c) 'n kennisgewing dat as die vervoer 'n laaste bestemming of aandoen in 'n land behalwe die land van vertrek insluit, die Konvensie van Warschau van toepassing mag wees en dat die aanspreeklikheid van karweiers ten opsigte van verlies of beskadiging van bagasie by die Konvensie bepaal en in die meeste gevalle beperk word.”;

(b) word paragraaf 4 geskrap en deur die volgende vervang:—

„2. Die bagasiebewys is *prima facie* bewys van die registrasie van die bagasie en die voorwaardes van die vervoerkontrak. Die afwesigheid, onreëlmatigheid of verlies van die bagasiebewys raak nie die bestaan of geldigheid van die vervoerkontrak nie wat nietemin aan die reëls van hierdie Konvensie onderworpe is. Desnietemin as die karweier toesig oor die bagasie aanvaar sonder dat 'n bagasiebewys oorhandig is, of as die bagasiebewys [tensy dit gekombineer is met of ingelyf is by 'n passasierskaartjie wat aan die bepalings van Artikel 3 paragraaf 1 (c) voldoen] nie die kennisgewing by paragraaf 1 (c) van hierdie Artikel vereis bevat nie, het hy nie die reg om hom op die bepalings van Artikel 22 paragraaf 2 te beroep nie.”

Artikel V.

In Artikel 6 van die Konvensie—

word paragraaf 3 geskrap en deur die volgende vervang:—

„3. Die karweier teken voordat die vrag aan boord van die vliegtuig gelaai word.”

Article VI.

Article 8 of the Convention shall be deleted and replaced by the following:—

“The air waybill shall contain:—

(a) An indication of the places of departure and destination;

(b) if the places of departure and destination are within the territory of a single High Contracting Party, one or more agreed stopping places being within the territory of another State, an indication of at least one such stopping place;

(c) a notice to the consignor to the effect that, if the carriage involves an ultimate destination or stop in a country other than the country of departure, the Warsaw Convention may be applicable and that the Convention governs and in most cases limits the liability of carriers in respect of loss of or damage to cargo.”

Article VII.

Article 9 of the Convention shall be deleted and replaced by the following:—

“If, with the consent of the carrier, cargo is loaded on board the aircraft without an air waybill having been made out, or if the air waybill does not include the notice required by Article 8, paragraph (c), the carrier shall not be entitled to avail himself of the provisions of Article 22, paragraph 2.”

Article VIII.

In Article 10 of the Convention—

paragraph 2 shall be deleted and replaced by the following:—

“2. The consignor shall indemnify the carrier against all damage suffered by him, or by any other person to whom the carrier is liable, by reason of the irregularity, incorrectness or incompleteness of the particulars and statements furnished by the consignor.”

Article IX.

To Article 15 of the Convention—

the following paragraph shall be added:—

“3. Nothing in this Convention prevents the issue of a negotiable air waybill.”

Article X.

Paragraph 2 of Article 20 of the Convention shall be deleted.

Article XI.

Article 22 of the Convention shall be deleted and replaced by the following:—

“Article 22.

1. In the carriage of persons the liability of the carrier for each passenger is limited to the sum of two hundred and fifty thousand francs. Where, in accordance with the law of the court seised of the case, damages may be awarded in the form of periodical payments, the equivalent capital value of the said payments shall not exceed two hundred and fifty thousand francs. Nevertheless, by special contract, the carrier and the passenger may agree to a higher limit of liability.

2. (a) In the carriage of registered baggage and of cargo, the liability of the carrier is limited to a sum of two hundred and fifty francs per kilogramme, unless the passenger or consignor has made, at the time when the package was handed over to the carrier, a special declaration of interest in delivery at destination and has paid a supplementary sum if the case so requires. In that case the carrier will be liable to pay a sum not exceeding the declared sum, unless he proves that that sum is greater than the passenger's or consignor's actual interest in delivery at destination.

Artikel VI.

Artikel 8 van die Konvensie word geskrap en deur die volgende vervang:—

„Die lugvragbrief moet die volgende bevat:—

(a) 'n Aanduiding van die plekke van vertrek en bestemming;

(b) as die plekke van vertrek en bestemming binne die gebied van 'n enkele Hoë Kontrakterende Party is en een of meer vasgestelde aandoenplekke binne die gebied van 'n ander Staat geleë is, 'n aanduiding van minstens een sodanige vasgestelde aandoenplek;

(c) 'n kennisgewing aan die afsender dat as die vervoer 'n laaste bestemming of aandoen in 'n land behalwe die land van vertrek insluit, die Konvensie van Warschau van toepassing mag wees en dat die aanspreeklikheid van karweiers ten opsigte van verlies of beskadiging van vrag by die Konvensie bepaal en in die meeste gevalle beperk word.”

Artikel VII.

Artikel 9 van die Konvensie word geskrap en deur die volgende vervang:—

„As, met toestemming van die karweier, vrag aan boord van 'n vliegtuig gelaai word sonder dat 'n lugvragbrief opgemaak is of as die lugvragbrief nie die kennisgewing by Artikel 8 paragraaf (c) vereis bevat nie, het die karweier nie die reg om hom op die bepalings van Artikel 22 paragraaf 2 te beroep nie.”

Artikel VIII.

In Artikel 10 van die Konvensie—

word paragraaf 2 geskrap en deur die volgende vervang:—

„2. Die afsender moet die karweier vrywaar teen alle skade wat hy of enigiemand anders aan wie die karweier aanspreeklik is, ly ten gevolge van die onreëlmatigheid, onjuistheid of onvolledigheid van die besonderhede en verklarings deur die afsender verstrekt.”

Artikel IX.

By Artikel 15 van die Konvensie—

word die volgende paragraaf bygevoeg:—

„3. Die bepalings van hierdie Konvensie verhoed nie die uitreiking van 'n verhandelbare lugvragbrief nie.”

Artikel X.

Paragraaf 2 van Artikel 20 van die Konvensie word geskrap.

Artikel XI.

Artikel 22 van die Konvensie word geskrap en deur die volgende vervang:—

„Artikel 22.

1. By die vervoer van persone word die aanspreeklikheid van die karweier vir elke passasier tot die som van tweehonderd-en-veftigduisend frank beperk. Waar skadevergoeding in ooreenstemming met die reg van die Hof waarin die saak dien by wyse van periodieke betalings toegeken kan word, moet die ekwivalente kapitaalwaarde van die genoemde betalings nie tweehonderd-en-veftigduisend frank te bowe gaan nie. Die karweier en die passasier kan nietemin by spesiale kontrak 'n hoër aanspreeklikheidsgrens vasstel.

2. (a) By die vervoer van geregistreerde bagasie en vrag word die aanspreeklikheid van die karweier tot die som van tweehonderd-en-veftig frank per kilogram beperk tensy die passasier of afsender ten tye van die oorhandiging van die pakket aan die karweier 'n spesiale verklaring van belang in aflewering by bestemming gemaak en 'n bykomende som betaal het as die geval dit vereis. In daardie geval is die karweier aanspreeklik vir die betaling van 'n som van hoogstens die verklaarde som tensy hy bewys dat daardie som groter dan die passasier of afsender se werklike belang in aflewering by bestemming is.

(b) In the case of loss, damage or delay of part of registered baggage or cargo, or of any object contained therein, the weight to be taken into consideration in determining the amount to which the carrier's liability is limited shall be only the total weight of the package or packages concerned. Nevertheless, when the loss, damage or delay of a part of the registered baggage or cargo, or of an object contained therein, effects the value of other packages covered by the same baggage check or the same air waybill, the total weight of such package or packages shall also be taken into consideration in determining the limit of liability.

3. As regards objects of which the passenger takes charge himself the liability of the carrier is limited to five thousand francs per passenger.

4. The limits prescribed in this article shall not prevent the court from awarding, in accordance with its own law, in addition, the whole or part of the court costs and of the other expenses of the litigation incurred by the plaintiff. The foregoing provision shall not apply if the amount of the damages awarded, excluding court costs and other expenses of the litigation, does not exceed the sum which the carrier has offered in writing to the plaintiff within a period of six months from the date of the occurrence causing the damage, or before the commencement of the action, if that is later.

5. The sums mentioned in francs in this Article shall be deemed to refer to a currency unit consisting of sixty-five and a half milligrammes of gold of millesimal fineness nine hundred. These sums may be converted into national currencies in round figures. Conversion of the sums into national currencies other than gold shall, in case of judicial proceedings, be made according to the gold value of such currencies at the date of the judgment."

Article XII.

In Article 23 of the Convention, the existing provision shall be renumbered as paragraph 1 and another paragraph shall be added as follows:—

"2. Paragraph 1 of this Article shall not apply to provisions governing loss or damage resulting from the inherent defect, quality or vice of the cargo carried."

Article XIII.

In Article 25 of the Convention—

paragraphs 1 and 2 shall be deleted and replaced by the following:—

"The limits of liability specified in Article 22 shall not apply if it is proved that the damage resulted from an act or omission of the carrier, his servants or agents, done with intent to cause damage or recklessly and with knowledge that damage would probably result; provided that, in the case of such act or omission of a servant or agent, it is also proved that he was acting within the scope of his employment."

Article XIV.

After Article 25 of the Convention, the following article shall be inserted:—

"Article 25A.

1. If an action is brought against a servant or agent of the carrier arising out of damage to which this Convention relates, such servant or agent, if he proves that he acted within the scope of his employment, shall be entitled to avail himself of the limits of liability which that carrier himself is entitled to invoke under Article 22.

2. The aggregate of the amounts recoverable from the carrier, his servants and agents, in that case, shall not exceed the said limits.

3. The provisions of paragraphs 1 and 2 of this article shall not apply if it is proved that the damage resulted from an act or omission of the servant or agent done with intent to cause damage or recklessly and with knowledge that damage would probably result."

(b) In geval van verlies, beskadiging of vertraging van 'n gedeelte van geregistreerde bagasie of vrag, of van enige voorwerp daarby ingesluit, moet die gewig wat in aanmerking geneem word by bepaling van die karweier se aanspreeklikheid alleenlik tot die volle gewig van die betrokke pakket of pakkette beperk word. Desnietemin as die verlies, beskadiging of vertraging van 'n gedeelte van die geregistreerde bagasie of vrag, of 'n voorwerp daarby ingesluit, die waarde van ander pakkette wat deur dieselfde bagasiebewys of lugvragbewys gedek is beïnvloed, moet die volle gewig van sodanige pakket of pakkette ook in aanmerking geneem word by bepaling van die aanspreeklikheidsbeperking.

3. Wat voorwerpe waaroor die passasier self toesig hou betref, word die aanspreeklikheid van die karweier tot vyfduisend frank per passasier beperk.

4. Die beperkings in hierdie Artikel omskryf verhoed nie dat die Hof ooreenkomstig sy eie reg boonop al of 'n gedeelte van die hofonkoste en ander prosesuitgawes deur die eiser aangegaan, mag toeken nie. Die voorgaande bepaling is nie van toepassing nie as die bedrag van die skadevergoeding, uitgesonderd hofonkoste en ander prosesuitgawes, nie meer bedra nie as die som wat die karweier skriftelik aan die eiser aangebied het binne 'n tydperk van ses maande van die datum van die gebeurtenis wat die skade veroorsaak het of voor die instelling van die aksie, as dit later is.

5. Die somme in frank in hierdie artikel genoem word geag betrekking te hê op 'n munteenheid bestaande uit vyf-en-sestig en 'n half miligram goud met 'n suiwer goudgehalte van negehonderd duisendstes. Hierdie somme kan in enige nasionale munt in ronde syfers omgesit word. Omsetting van die somme in ander nasionale munte as goud moet, in geval van geregtelike stappe, ooreenkomstig die goudwaarde van sodanige munte op die datum van die uitspraak gedoen word."

Artikel XII.

In Artikel 23 van die Konvensie word die bestaande bepalinge as paragraaf 1 hernoem en 'n verdere paragraaf soos volg bygevoeg:—

"2. Paragraaf 1 van hierdie Artikel is nie van toepassing nie op bepalinge wat betrekking het op verlies of skade as gevolg van die inherente defek, kwaliteit of ondeugdelikheid van die vrag wat vervoer is."

Artikel XIII.

In Artikel 25 van die Konvensie—

word paragrafe 1 en 2 geskrap en deur die volgende vervang:—

"Die aanspreeklikheidsbeperkings in Artikel 22 bepaal is nie van toepassing nie indien bewys word dat die skade te wyte was aan 'n handeling of versuim van die karweier, sy werknemers of agente gedoen met die opset om skade te berokken of roekeloos en met die wete dat skade waarskynlik daaruit sal voortvloei; met dien verstande dat in geval van so 'n handeling of versuim deur 'n werknemer of agent daar ook bewys word dat hy binne die bestek van sy diensplig gehandel het."

Artikel XIV.

Na Artikel 25 van die Konvensie word die volgende Artikel ingevoeg:—

"Artikel 25A.

1. As 'n aksie wat voortspruit uit skade waarop hierdie Konvensie betrekking het, teen 'n werknemer of agent van die karweier ingestel word, is die werknemer of agent, mits hy bewys dat hy binne die bestek van sy diensplig gehandel het, geregtig om hom op die aanspreeklikheidsbeperkings te beroep waarop daardie karweier self kragtens Artikel 22 geregtig is om hom te beroep.

2. Die totaal van die bedrae wat op die karweier, sy werknemers en agente verhaalbaar is moet in so 'n geval die genoemde beperkings nie te bowe gaan nie.

3. Die bepalinge van paragrafe 1 en 2 van hierdie Artikel is nie van toepassing nie as bewys word dat die skade voortgevloei het uit 'n handeling of versuim deur die werknemer of agent gedoen met die opset om skade te berokken of roekeloos en met die wete dat skade waarskynlik daaruit sal voortvloei."

Article XV.

In Article 26 of the Convention—

Paragraph 2 shall be deleted and replaced by the following:—

“2. In the case of damage, the person entitled to delivery must complain to the carrier forthwith after the discovery of the damage, and, at the latest, within seven days from the date of receipt in the case of baggage and fourteen days from the date of receipt in the case of cargo. In the case of delay the complaint must be made at the latest within twenty-one days from the date on which the baggage or cargo have been placed at his disposal.”

Article XVI.

Article 34 of the Convention shall be deleted and replaced by the following:—

“The provisions of Articles 3 to 9 inclusive relating to documents of carriage shall not apply in the case of carriage performed in extraordinary circumstances outside the normal scope of an air carrier's business.”

Article XVII.

After Article 40 of the Convention, the following Article shall be inserted:—

“Article 40A.

1. In Article 37, paragraph 2 and Article 40, paragraph 1, the expression ‘High Contracting Party’ shall mean ‘State’. In all other cases, the expression ‘High Contracting Party’ shall mean a State whose ratification of or adherence to the Convention has become effective and whose denunciation thereof has not become effective.

2. For the purposes of the Convention the word ‘territory’ means not only the metropolitan territory of a State but also all other territories for the foreign relations of which that State is responsible.”

CHAPTER II.**SCOPE OF APPLICATION OF THE CONVENTION AS AMENDED.***Article XVIII.*

The Convention as amended by this Protocol shall apply to international carriage as defined in Article 1 of the Convention, provided that the places of departure and destination referred to in that Article are situated either in the territories of two parties to this Protocol or within the territory of a single party to this Protocol with an agreed stopping place within the territory of another State.

CHAPTER III.**FINAL CLAUSES.***Article XIX.*

As between the Parties to this Protocol, the Convention and the Protocol shall be read and interpreted together as one single instrument and shall be known as the Warsaw Convention as amended at The Hague, 1955.

Article XX.

Until the date on which this Protocol comes into force in accordance with the provisions of Article XXII, paragraph 1, it shall remain open for signature on behalf of any State which up to that date has ratified or adhered to the Convention or which has participated in the Conference at which this Protocol was adopted.

Article XXI.

1. This Protocol shall be subject to ratification by the signatory States.

2. Ratification of this Protocol by any State which is not a Party to the Convention shall have the effect of adherence to the Convention as amended by this Protocol.

3. The instruments of ratification shall be deposited with the Government of the People's Republic of Poland.

Artikel XV.

In Artikel 26 van die Konvensie word paragraaf 2 geskrap en deur die volgende vervang:—

„2. In geval van skade moet die persoon wat op aflewering geregtig is, onverwyld na ontdekking van die skade by die karweier 'n klag indien, en op sy laatste binne sewe dae na die datum van ontvangs in die geval van bagasie en veertien dae na die datum van ontvangs in die geval van vrag. In geval van vertraging moet die klag op sy laatste binne een-en-twintig dae na die datum waarop die bagasie of vrag tot sy beskikking gestel is, ingedien word.”

Artikel XVI.

Artikel 34 van die Konvensie word geskrap en deur die volgende vervang:—

„Die bepalings van Artikels 3 tot en met 9 wat op vervoerdokumente betrekking het, is nie van toepassing op vervoer wat in buitengewone omstandighede buite die gewone omvang van 'n lugkarweier se besigheid onderneem word nie.”

Artikel XVII.

Na Artikel 40 van die Konvensie word die volgende Artikel ingevoeg:—

„Artikel 40A.

1. In Artikel 37 paragraaf 2 en Artikel 40 paragraaf 1 beteken die uitdrukking ‘Hoë Kontrakterende Party’ ‘Staat’. In alle ander gevalle beteken die uitdrukking ‘Hoë Kontrakterende Party’ 'n Staat wie se ratifikasie van of toetreding tot die Konvensie in werking getree het en wie se opsegging daarvan nie in werking getree het nie.

2. By die toepassing van die Konvensie beteken die woord ‘gebied’ nie alleen die metropolitaanse gebied van 'n Staat nie maar ook alle ander gebiede vir die buitelandse betrekkings waarvan daardie Staat verantwoordelik is.”

HOOFTUK II.**OMVANG VAN TOEPASSING VAN DIE KONVENSIE SOOS GEWYSIG.***Artikel XVIII.*

Die Konvensie soos by hierdie Protokol gewysig, is van toepassing op internasionale vervoer soos in Artikel 1 van die Konvensie omskryf, met dien verstande dat die plekke van vertrek en van bestemming waarna in daardie Artikel verwys word of binne die gebiede van twee partye by hierdie Protokol of binne die gebied van 'n enkele party by hierdie Protokol geleë is met 'n vasgestelde aandoenplek binne die gebied van 'n ander Staat.

HOOFTUK III.**FINALE KLOUSULES.***Artikel XIX.*

Tussen Partye by hierdie Protokol, word die Konvensie en die Protokol gesamentlik as 'n enkel dokument gelees en vertolk en staan dit bekend as „Die Konvensie van Warschau soos gewysig te Den Haag, 1955”.

Artikel XX.

Tot die datum waarop hierdie Protokol ooreenkomstig die bepalings van Artikel XXII, paragraaf 1, in werking tree, bly dit oop vir ondertekening namens enige Staat wat tot daardie datum die Konvensie bekragtig of daartoe toetree het of wat in die Konferensie waarby hierdie Protokol aanvaar was, deelgeneem het.

Artikel XXI.

1. Hierdie Protokol is onderworpe aan bekragtiging deur die ondertekenende State.

2. Bekragtiging van hierdie Protokol deur enige Staat wat nie 'n Party by die Konvensie is nie sal toetreding tot die Konvensie soos by hierdie Protokol gewysig tot gevolg hê.

3. Die ratifikasiedokumente word in bewaring gegee aan die Regering van die Volksrepubliek van Pole.

Article XXII.

1. As soon as thirty signatory States have deposited their instruments of ratification of this Protocol, it shall come into force between them on the ninetieth day after the deposit of the thirtieth instrument of ratification. It shall come into force for each State ratifying thereafter on the ninetieth day after the deposit of its instrument of ratification.

2. As soon as this Protocol comes into force it shall be registered with the United Nations by the Government of the People's Republic of Poland.

Article XXIII.

1. This Protocol shall, after it has come into force, be open for adherence by any non-signatory State.

2. Adherence to this Protocol by any State which is not a Party to the Convention shall have the effect of adherence to the Convention as amended by this Protocol.

3. Adherence shall be effected by the deposit of an instrument of adherence with the Government of the People's Republic of Poland and shall take effect on the ninetieth day after the deposit.

Article XXIV.

1. Any Party to this Protocol may denounce the Protocol by notification addressed to the Government of the People's Republic of Poland.

2. Denunciation shall take effect six months after the date of receipt by the Government of the People's Republic of Poland of the notification of denunciation.

3. As between the Parties to this Protocol, denunciation by any of them of the Convention in accordance with Article 39 thereof shall not be construed in any way as a denunciation of the Convention as amended by this Protocol.

Article XXV.

1. This Protocol shall apply to all territories for the foreign relations of which a State Party to this Protocol is responsible, with the exception of territories in respect of which a declaration has been made in accordance with paragraph 2 of this Article.

2. Any State may, at the time of deposit of its instrument of ratification or adherence, declare that its acceptance of this Protocol does not apply to any one or more of the territories for the foreign relations of which such State is responsible.

3. Any State may subsequently, by notification to the Government of the People's Republic of Poland, extend the application of this Protocol to any or all of the territories regarding which it has made a declaration in accordance with paragraph 2 of this Article. The notification shall take effect on the ninetieth day after its receipt by that Government.

4. Any State Party to this Protocol may denounce it, in accordance with the provisions of Article XXIV, paragraph 1, separately for any or all of the territories for the foreign relations of which such State is responsible.

Article XXVI.

No reservation may be made to this Protocol except that a State may at any time declare by a notification addressed to the Government of the People's Republic of Poland that the Convention as amended by this Protocol shall not apply to the carriage of persons, cargo and baggage for its military authorities on aircraft, registered in that State, the whole capacity of which has been reserved by or on behalf of such authorities.

Article XXVII.

The Government of the People's Republic of Poland shall give immediate notice to the Governments of all States signatories to the Convention or this Protocol, all States Parties to the Convention or this Protocol, and all

Artikel XXII.

1. Sodra dertig ondertekenende State hul ratifikasiedokumente van hierdie Protokol in bewaring gegee het, word dit tussen hulle van krag op die negentigste dag na die bewaargewing van die dertigste ratifikasiedokument. Dit word van krag vir elke Staat wat dit daarna bekragtig op die negentigste dag na die bewaargewing van sy ratifikasiedokument.

2. Sodra hierdie Protokol van krag geword het moet dit by die Verenigde Volke deur die Regering van die Volksrepubliek van Pole geregistreer word.

Artikel XXIII.

1. Nadat hierdie Protokol van krag geword het bly dit oop vir toetreding deur enige nie-ondertekenende Staat.

2. Toetreding tot hierdie Protokol deur 'n Staat wat nie 'n Party by die Konvensie is nie sal toetreding tot die Konvensie soos by hierdie Protokol gewysig tot gevolg hê.

3. Toetreding word bewerkstellig deur toetredingsdokumente aan die Regering van die Volksrepubliek van Pole in bewaring te gee en dit word van krag op die negentigste dag na die bewaargewing.

Artikel XXIV.

1. Enige Party by hierdie Protokol kan die Protokol opseë by kennisgewing aan die Regering van die Volksrepubliek van Pole.

2. Opsegging tree in werking ses maande na die datum van ontvangs van kennisgewing daarvan deur die Regering van die Volksrepubliek van Pole.

3. Tussen Partye by hierdie Protokol word opsegging van die Konvensie ooreenkomstig Artikel 39 daarvan deur enigeen van hulle nie in enige opsig as opsegging van die Konvensie soos by hierdie Protokol gewysig, beskou nie.

Artikel XXV.

1. Hierdie Protokol is van toepassing op alle gebiede wie se buitelandse betrekkings die verantwoordelijkheid is van 'n Staat wat 'n Party by hierdie Protokol is maar met uitsondering van gebiede ten opsigte waarvan 'n verklaring ooreenkomstig paragraaf 2 van hierdie Artikel gemaak was.

2. Enige Staat mag ten tye van die bewaargewing van sy ratifikasie- of toetredingsdokument verklaar dat sy aanvaarding van hierdie Protokol nie op een of meer van die gebiede wie se buitelandse betrekkings die verantwoordelijkheid van sulke Staat is, van toepassing is nie.

3. Enige Staat mag later by kennisgewing aan die Regering van die Volksrepubliek van Pole die toepassing van hierdie Protokol uitbrei na enigeen of al die gebiede in verband waarmee hy 'n verklaring ooreenkomstig paragraaf 2 van hierdie Artikel gemaak het. Die kennisgewing tree in werking op die negentigste dag na ontvangs daarvan deur genoemde Regering.

4. Enige Staat wat 'n party is by hierdie Protokol kan dit ooreenkomstig die bepalinge van Artikel XXIV paragraaf 1 opseë afsonderlik vir enigeen of al die gebiede vir die buitelandse betrekkings waarvan daardie Staat verantwoordelik is.

Artikel XXVI.

Geen voorbehoud mag by hierdie Protokol gemaak word nie, behalwe dat 'n Staat te eniger tyd deur 'n kennisgewing gerig aan die Regering van die Volksrepubliek van Pole kan verklaar dat die Konvensie soos gewysig by hierdie Protokol nie van toepassing is nie op die vervoer van persone, vrag en bagasie vir sy militêre owerhede in vliegtuie wat in daardie Staat geregistreer is en waarvan die hele kapasiteit deur of ten behoeve van sulke owerhede bespreek is.

Artikel XXVII.

Die Regering van die Volksrepubliek van Pole moet onmiddellik die Regerings van alle State wat die Konvensie of hierdie Protokol onderteken het, alle State wat Partye is by die Konvensie of hierdie Protokol, en alle

States Members of the International Civil Aviation Organization or of the United Nations and to the International Civil Aviation Organization—

(a) of any signature of this Protocol and the date thereof;

(b) of the deposit of any instrument of ratification or adherence in respect of this Protocol and the date thereof;

(c) of the date on which this Protocol comes into force in accordance with Article XXII, paragraph 1;

(d) of the receipt of any notification of denunciation and the date thereof;

(e) of the receipt of any declaration or notification made under Article XXV and the date thereof; and

(f) of the receipt of any notification made under Article XXVI and the date thereof.

In witness whereof the undersigned Plenipotentiaries, having been duly authorized, have signed this Protocol.

Done at The Hague on the Twenty-eighth day of the month of September of the year One thousand Nine hundred and Fifty-five, in three authentic texts in the English, French and Spanish languages. In the case of any inconsistency, the text in the French language, in which language the Convention was drawn up, shall prevail.

This Protocol shall be deposited with the Government of the People's Republic of Poland with which, in accordance with Article XX, it shall remain open for signature, and that Government shall send certified copies thereof to the Governments of all States signatories to the Convention or this Protocol, all States Parties to the Convention or this Protocol, and all States Members of the International Civil Aviation Organization or of the United Nations, and to the International Civil Aviation Organization.

No. R. 295, 1967.]

DATE OF COMING INTO OPERATION OF THE PREVENTION OF COUNTERFEITING OF CURRENCY ACT, 1965.

By virtue of the powers vested in me by section 12 of the Prevention of Counterfeiting of Currency Act, 1965 (Act No. 16 of 1965), I hereby declare that the provisions of the said Act shall come into operation on 17 November, 1967.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Thirty-first day of October, One thousand Nine hundred and Sixty-seven.

J. F. NAUDÉ,
Acting State President.

By Order of the Acting State President-in-Council.

P. C. PELSER.

No. R. 296, 1967.]

KAFFIRCORN MEAL DECLARED AS A PRODUCT FOR THE PURPOSES OF THE AGRICULTURAL PRODUCE EXPORT ACT, 1959 (No. 10 OF 1959).

Under the powers vested in me by section 1 of the Agricultural Produce Export Act, 1959 (No. 10 of 1959), I hereby declare kaffircorn meal, as defined in the Schedule hereto, as a product for the purposes of the said Act.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Tenth day of November, One thousand Nine hundred and Sixty-seven.

J. F. NAUDÉ,
Acting State President.

By Order of the Acting State President-in-Council.

D. C. H. UYS.

ledestate van die Internasionale Burgerlugvaartorganisasie of die Verenigde Volke en die Internasionale Burgerlugvaartorganisasie in kennis stel—

(a) van enige ondertekening van hierdie Protokol en die datum daarvan;

(b) van die bewaargewing van enige dokument van ratifikasie of toetreding in verband met hierdie Protokol en die datum daarvan;

(c) van die datum waarop hierdie Protokol in werking tree ooreenkomstig Artikel XXII paragraaf 1;

(d) van die ontvangs van enige kennisgewing van opsegging en die datum daarvan;

(e) van die ontvangs van enige verklaring of kennisgewing ingedien ingevolge Artikel XXV en die datum daarvan; en

(f) van die ontvangs van enige kennisgewing ingevolge Artikel XXVI en die datum daarvan.

As bewys waarvan ondergetekende gevolmagtigdes, nadat hulle behoorlik gemagtig is, hierdie Protokol onderteken het.

Gedoen in Den Haag op die ag-en-twintigste dag van die maand September van die jaar eenduisend negehoonderd vyf-en-vyftig in drie outentieke tekste in die Engelse, Franse en Spaanse tale. In geval van enige teenstrydigheid sal die teks in die Franse taal, in welke taal die Konvensie opgestel is, deurslaggewend wees.

Hierdie Protokol word in bewaring gegee aan die Regering van die Volksrepubliek van Pole waar dit kragtens Artikel XX vir ondertekening sal oop bly en gesertifiseerde afskrifte daarvan moet deur daardie Regering gestuur word aan alle State wat die Konvensie of hierdie Protokol onderteken het, alle State wat Partye is by die Konvensie of hierdie Protokol en aan alle ledestate van die Internasionale Burgerlugvaartorganisasie of die Verenigde Volke en aan die Internasionale Burgerlugvaartorganisasie.

No. R. 295, 1967.]

DATUM VAN INWERKINGTREDING VAN DIE WET OP VOORKOMING VAN VERVALSING VAN BETAALMIDDELE, 1965.

Kragtens die bevoegdheid my verleen by artikel 12 van die Wet op Voorkoming van Vervalsing van Betaalmiddele, 1965 (Wet No. 16 van 1965), verklaar ek hierby dat die bepalings van genoemde Wet op 17 November 1967 in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Een-en-dertigste dag van Oktober Eenduisend Negehoonderd Sewe-en-sestig.

J. F. NAUDÉ,
Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade.

P. C. PELSER.

No. R. 296, 1967.]

KAFFERKORINGMEEL VERKLAAR TOT 'N PRODUK VIR DIE TOEPASSING VAN DIE WET OP UITVOER VAN LANDBOUPRODUKTE, 1959 (No. 10 VAN 1959).

Kragtens die bevoegdheid my verleen by artikel 1 van die Wet op Uitvoer van Landbouprodukte, 1959 (No. 10 van 1959), verklaar ek hierby kafferkoringmeel, soos in die Bylae hiervan omskryf, tot 'n produk vir die toepassing van genoemde Wet.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Tiende dag van November Eenduisend Negehoonderd Sewe-en-sestig.

J. F. NAUDÉ,
Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade.

D. C. H. UYS.

SCHEDULE.

"Kaffircorn meal" means the milled seed of any grain sorghum, excluding any broom sorghum, hay sorghum and sweet sorghum.

No. R. 297, 1967.]

REQUIREMENTS TO WHICH MAIZE PRODUCTS INTENDED FOR EXPORT SHALL CONFORM.—AMENDMENT.

Under the powers vested in me by section 6 of the Agricultural Produce Export Act, 1959 (No. 10 of 1959), I hereby declare that the Schedule to Proclamation No. R. 81 of the 22nd April, 1963, has been amended as set out in the Schedule hereto.

And I hereby further make known that the said amendment shall come into operation on the date of publication hereof.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria on this Seventh day of November, One thousand Nine hundred and Sixty-seven.

J. F. NAUDÉ,

Acting State President.

By Order of the Acting State President-in-Council,

D. C. H. UYS.

SCHEDULE

The Schedule to Proclamation No. R. 81 of the 22nd April, 1963, is hereby amended by the substitution for paragraph (a) of section 2 of the following paragraph:

"(a) contain more than 12.5 per cent by weight of moisture;"

GOVERNMENT NOTICES.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING.

No. R. 1824.] [17th November, 1967.]

REGULATIONS RELATING TO THE GRADING, PACKING, MARKING AND INSPECTION OF KAFFIRCORN MEAL INTENDED FOR EXPORT.

The Acting State President has, under the powers vested in him by section 7 of the Agricultural Produce Export Act, 1959 (No. 10 of 1959) made the regulations set out in the Schedule hereto, relating to the grading, packing, marking and inspection of kaffircorn meal intended for export from the Republic.

SCHEDULE.

Definitions.

1. In these regulations, unless inconsistent with the context—

"consignment" means any quantity of kaffircorn meal going under cover of one delivery note, consignment note or receipt note;

"export" means export to any country, territory or region beyond the borders of the Republic, excluding South West Africa, Botswana, Lesotho and Swaziland;

"hand sieve" means a square sieve with internal dimensions of 12 inches in length, 12 inches in width and at least 3 inches in depth, and of which the sides are made of wood and the bottom of wire mesh which is uniformly taut and does not sag unduly;

"inspector" means a person designated as an inspector in terms of the Agricultural Produce Export Act, 1959 (No. 10 of 1959);

"kaffircorn" means the seed of any grain sorghum, excluding any broom sorghum, hay sorghum and sweet sorghum;

"Kaffircorn meal" means milled kaffircorn;

"milling" means the process whereby kaffircorn is cleaned and ground into a finer product;

BYLAE.

"Kafferkoringmeel" beteken die gemaalde saad van 'n graansorghum uitgesonderd 'n besemsorghum, hooisorghum en soetrietsorghum.

No. R. 297, 1967.]

VEREISTES WAARAAN MIELIEPRODUKTE WAT VIR UITVOER BESTEM IS MOET VOLDOEN.—WYSIGING.

Kragtens die bevoegdheid my verleen by artikel 6 van die Wet op Uitvoer van Landbouprodukte, 1959 (No. 10 van 1959), verklaar ek hierby dat die Bylae van Proklamasie No. R. 81 van 22 April 1963, gewysig is soos in die Bylae hiervan uiteengesit.

En verder maak ek hierby bekend dat die genoemde wysiging op die datum van publikasie hiervan in werking tree.

Gegee onder my Hand en die seël van die Republiek van Suid-Afrika te Pretoria, op hede die Sewende dag van November Eenduisend Negehonderd Sewe-en-sestig.

J. F. NAUDÉ,

Waarnemende Staatspresident.

Op las van die Waarnemende Staatspresident-in-rade.

D. C. H. UYS.

BYLAE

Die Bylae van Proklamasie No. R. 81 van 22 April 1963, word hierby gewysig deur paragraaf (a) van artikel 2 deur die volgende paragraaf te vervang:—

"(a) meer as 12.5 persent volgens gewig vog bevat nie;"

GOEWERMENTSKENNISGEWINGS.

DEPARTEMENT VAN LANDBOU-EKONOMIE EN -BEMARKING.

No. R. 1824.] [17 November 1967.]

MERK EN INSPEKSIE VAN KAFFERKORINGMEEL WAT VIR UITVOER BEDOEL IS.

Die Waarnemende Staatspresident het, kragtens die bevoegdheid hom verleen by artikel 7 van die Wet op Uitvoer van Landbouprodukte, 1959 (No. 10 van 1959), die regulasies in die Bylae hiervan uiteengesit, gemaak met betrekking tot die gradering, verpakking, merk en inspeksie van kafferkoringmeel wat vir uitvoer uit die Republiek bedoel is.

BYLAE.

Woordomskeywing.

1. Tensy in stryd met die samehang, beteken in hierdie regulasies—

"besending", enige hoeveelheid kafferkoringmeel wat onder dekking van een afleweringsbrief, vragbrief of ontvangsbewys gaan;

"handsif", 'n vierkantige sif met binnemate van 12 duim in lengte, 12 duim in breedte en minstens 3 duim in diepte, en waarvan die sye van hout en die boom van draadmaas wat egalig styf gespan en nie oormatig slap hang nie gemaak is;

"inspekteur", 'n persoon aangewys as 'n inspekteur ingevolge die Wet op Uitvoer van Landbouprodukte, 1959 (No. 10 van 1959);

"kafferkoring", die saad van alle graansorghum uitgesonderd 'n besemsorghum, hooisorghum en soetrietsorghum;

"kafferkoringmeel", gemaalde kafferkoring;

"maal", die proses waarvolgens kafferkoring skoon-gemaak en tot 'n fyner produk verwerk word;

"uitvoer", uitvoer na enige land, gebied of streek buite die grense van die Republiek, uitgesonderd Suid-wes-Afrika, Botswana, Lesotho en Swaziland;

"16 mesh" means a wire mesh which has 16 meshes to the linear inch and is made from light plated steel wire No. 29 imperial standard wire gauge.

Notice.

2. (1) Any person intending to export kaffircorn meal shall give written notice of his intention to the Chief of Commodity Services, Department of Agricultural Economics and Marketing, Private Bag 258, Pretoria, or to any inspector, at least 10 days prior to the date of export.

(2) Such notice shall state—

- (a) the quantity of kaffircorn meal intended to be exported;
- (b) particulars of the marking and destination thereof;
- (c) the name of the exporter;
- (d) the harbour or place from where the export takes place; and
- (e) the date of export.

Grading.

3. (1) There shall be one grade of kaffircorn meal intended for export only, namely K1.

(2) The specifications for the grade concerned are as follow:—

(a) The meal shall be a straightrun kaffircorn product obtained from the grinding of kaffircorn;

(b) At least 95 per cent of the meal shall pass through a hand sieve of 16 mesh when determining the fineness, as prescribed in regulation 7 (2);

(c) The meal shall not—

- (i) be musty, mouldy or caked;
- (ii) have an unduly high temperature;
- (iii) have a rancid odour;
- (iv) contain live insects; and
- (v) contain more than 12.5 per cent by weight of moisture.

Marking of Containers.

4. The grade designation shall be stencilled on each container containing kaffircorn meal, clearly and legibly in letters and figures at least 2 inches in height at a place not more than 3 inches from where the mouth of the container is closed up.

Inspection.

5. (1) An inspector shall inspect as many containers on a sample basis in the relevant consignment of kaffircorn meal as he deems necessary. The sample to be drawn as prescribed in regulation 7 (1).

(2) If after such inspection the inspector is satisfied that the consignment concerned conforms to all the requirements of these regulations he shall issue a certificate authorising the export thereof.

Inspection Fees.

6. An inspection fee of nil decimal three cent (0.3c) per 200 lb, or part thereof, shall be paid to the South African Railways and Harbours Administration by the exporter of kaffircorn meal, when such meal is submitted for inspection.

Sampling and Determination of Fineness.

7. In determining the grade of kaffircorn meal intended for export the following methods of testing shall be followed:—

(1) *Sampling*.—Samples of kaffircorn meal for testing shall be taken in the following manner:—

Small quantities of the kaffircorn meal concerned shall be removed at various heights from every container where the number of containers involved is five or less,

„16-maas”, 'n draadmaas met 16 mase per strekkende duim en gemaak van ligte plaatstaal draad volgens imperiale standaard No. 29.

Kennisgewing.

2. (1) 'n Persoon wat van voorneme is om kafferkoringmeel uit te voer moet die Hoof van Kommoditeitsdienste, Departement van Landbou-ekonomie en -bemarking, Privaatsak 258, Pretoria, of 'n inspekteur, ten minste 10 dae voor die datum van uitvoer, skriftelik van sy voorneme in kennis stel.

(2) Sodanige kennisgewing moet aandui—

- (a) die hoeveelheid kafferkoringmeel wat vir uitvoer bedoel is;
- (b) besonderhede oor die merk en bestemming daarvan;
- (c) die naam van die uitvoerder;
- (d) die hawe of plek waarvandaan die uitvoer plaasvind; en
- (e) die datum van uitvoer.

Gradering.

3. (1) Daar is slegs een graad kafferkoringmeel wat vir uitvoer bedoel is, naamlik K1.

(2) Die spesifikasies vir die betrokke graad is soos volg:—

(a) Die meel moet 'n vol kafferkoringprodukt, verkry deur die maal van kafferkoring, wees;

(b) Minstens 95 persent van die meel moet deur 'n handsif van 16-maas gaan wanneer die fynheid, kragtens regulasie 7 (2), bepaal word;

(c) Die meel mag nie—

- (i) gemuf, geskimmel of gekoek wees nie;
- (ii) van 'n hoë temperatuur wees nie;
- (iii) 'n galsterige reuk hê nie;
- (iv) lewendige insekte bevat nie; en
- (v) meer as 12.5 persent, volgens gewig, vog bevat nie.

Merk van Houers.

4. Die graadbenaming moet op elke houer wat kafferkoringmeel bevat wat vir uitvoer bedoel is, gesjabloner word in duidelik leesbare letters en syfers van minstens 2 duim in hoogte op 'n plek hoogstens 3 duim van waar die bek van die houer toegemaak is.

Inspeksie.

5. (1) 'n Inspekteur moet soveel houers kafferkoringmeel in die betrokke besending op 'n monsterbasis inspekteer, as wat hy nodig ag. Die monster moet getrek word op die wyse soos in regulasie 7 (1) voorgeskryf.

(2) Indien die inspekteur na sodanige inspeksie tevrede is dat die betrokke besending aan al die vereistes van hierdie regulasies voldoen, reik hy 'n sertifikaat uit wat die uitvoer daarvan magtig.

Inspeksiegelde.

6. 'n Inspeksiegeld van nul desimaal drie sent (0.3c) per 200 lb, of gedeelte daarvan, moet aan die Suid-Afrikaanse Spoorweë en Hawensadministrasie deur die uitvoerder van kafferkoringmeel, wanneer sodanige kafferkoringmeel vir inspeksie aangebied word, betaal word.

Monstering en Bepaling van Fynheid.

7. By die bepaling van die graad kafferkoringmeel bestem vir uitvoer, moet die volgende toetsmetodes gevolg word:—

(1) *Monsterneming*.—Monsters van kafferkoringmeel vir toetsdoeleindes moet soos volg geneem word:—

Klein hoeveelhede van die betrokke kafferkoringmeel moet op verskeie hoogtes uit elke houer geneem word waar die betrokke getal houers vyf of minder is, of, waar

or where the number is more than five containers from a number of containers at least equal to the square root of the total number of containers in the consignment purporting to contain the same kaffircorn meal. If the samples of the kaffircorn meal removed from the different containers are apparently of a uniform quality, the samples shall be thoroughly mixed. The grade shall then be determined from the mixed sample. Containers of kaffircorn meal which differ in any respect from other containers of kaffircorn meal in the consignment shall be put aside and graded separately.

(2) *Determination of fineness.*—The percentage of kaffircorn meal that passes through the specified hand sieve shall be determined by separately sieving for sixty seconds duplicate samples of 100 grammes obtained in the manner prescribed in subregulation (1). The sieve shall be firmly grasped with both hands at two opposite sides and shall be moved briskly and continuously in an approximately circular path in a horizontal plane at such a rate that not less than 140 nor more than 160 complete revolutions are made in the prescribed 60 seconds. During the sieving process the sieve shall be so manipulated that the material on the wire mesh shall move over the entire sieving surface. The weight of the material that passed through the sieve shall be taken as the percentage of the product that passed through the sieve concerned. If the difference between the percentages in respect of the two sieve tests does not exceed 3.0, the mean of the two percentages so determined shall be taken as the result; if the said difference exceeds 3.0, the test shall be repeated.

Determination of the Moisture of Kaffircorn Meal.

8. (1) For the purpose of these regulations the moisture content of kaffircorn meal shall be determined by means of the Marconi electrical resistance method on the basis of the sample obtained in the manner prescribed in regulation 7, of which a representative subsample shall be taken for testing.

(2) *Method of testing.*—The apparatus for moisture determination shall consist of the Marconi Moisture Meter model T.F. 933 or T.F. 933A. The apparatus shall be placed away from draughts and direct rays of the sun. The test cell of the Marconi apparatus shall be filled approximately half full with the required quantity of the sample, and the metal plunger shall be placed into position on it. Care shall be taken to ensure that the surface of the sample is level in the cell and that the parts of the cell fit properly into one another. The cell shall be handled only by the outer insulation material surrounding it. Immediately thereafter the cell (with the metal plunger facing upwards) shall be fitted into the clamp which forms part of the Marconi apparatus and screwed tight until the two parts of the cylindrical spring housing mounted on the screw are flush. The clamp containing the cell shall have proper electric contact with the main apparatus. The switch shall now be turned to the "Zero" position and the galvanometer pointer shall thereafter be adjusted by means of the "Set-Zero" knob above the dials until the pointer is exactly opposite the horizontal line. When setting to "zero", the left hand dial shall be at any one of the positions 1 to 5. The switch shall then be turned to the "Read" position and the dials immediately adjusted until the galvanometer pointer returns to the position of the horizontal line. The dial reading shall now be taken and the temperature be read from the thermometer attached to the main apparatus. Any gradual movement of the pointer, after having been correctly adjusted, shall be disregarded. Not more than 1 minute shall elapse between the placing of the samples into the cell and the taking of the final dial reading. Whenever possible,

die getal meer as vyf houers is, van 'n getal wat minstens gelyk is aan die vierkantswortel van die totale getal houers in die besending wat veronderstel is om dieselfde kafferkringmeel te bevat. As die monsters wat uit die verskillende houers geneem is, oënskynlik van 'n egalige kwaliteit is, moet die monsters behoorlik gemeng word. Die graad moet dan volgens die gemengde monsters bepaal word. Houers kafferkringmeel wat in enige opsig afwyk van ander houers kafferkringmeel in die besending moet opsygesit en afsonderlik gegradeer word.

(2) *Bepaling van fynheid.*—Die persentasie kafferkringmeel wat deur die voorgeskrewe handsif gaan, word bepaal deur duplikaatmonsters van 100 gram elk, verkry volgens die voorskrif in subregulasie (1), afsonderlik vir sestig sekondes te sif. Die sif moet aan weerskante met albei hande stewig vasgevat word en moet vinnig en aanhoudend in 'n naastenby sirkelvormige baan in 'n horisontale vlak beweeg word teen so 'n spoed dat nie minder as 140 en nie meer as 160 volle omwentelings in die voorgeskrewe 60 sekondes voltooi word nie. Terwyl daar gesif word, moet die sif sodanig hanteer word dat die materiaal op die draadmaas oor die hele sifoppervlakte beweeg. Die gewig van die materiaal wat deur die sif gegaan het, sal aanvaar word as die persentasie van die produk wat deur die betrokke sif gaan. Indien die verskil tussen die persentasie wat in die twee siftoetse gevind is, nie groter as 3.0 is nie, word die gemiddelde van die twee persentasies wat aldus bepaal is, as die resultaat aanvaar; as genoemde verskil 3.0 oorskry, moet die toets herhaal word.

Bepalings van Voggehalte van Kafferkringmeel.

8. (1) Vir die doel van hierdie regulasies moet die voggehalte van kafferkringmeel bepaal word deur middel van die Marconi-elektriese weerstandsmetode op die basis van die monster wat verkry is op die wyse voorgeskryf in regulasie 7, waarvan 'n verteenwoordigende submonster vir die toets geneem word.

(2) *Toetsmetode.*—Die apparaat vir die bepaling van voggehalte moet bestaan uit die Marconi-vogmeter, Model T.F. 933 of T.F. 933A. Die apparaat moet nie in 'n trek of in direkte sonlig geplaas word nie. Die toetssel van die Marconi-apparaat moet omtrent half vol gemaak word met die nodige hoeveelheid van die monster en die metaaldrukprop moet daarop in posisie geplaas word. Daar moet gesorg word dat die monster gelyk in die sel lê en dat die onderdele van die sel behoorlik in mekaar pas en die sel moet slegs aan die buitenste isoleermateriaal daarom gehanteer word. Onmiddellik daarna moet die sel (met die metaaldrukprop na bo) in die klamp wat deel van die Marconi-apparaat uitmaak, geplaas en daarin vasgeskroef word totdat die twee dele van die silindervormige veeromhulsel wat met die skroef verbind is, bo gelyk is. Die klamp met die sel daarin vasgeskroef, moet korrek met die hooftoestel elektries verbind wees. Die skakelaar moet nou na die „zero“-posisie gedraai word, en daarna moet die galvanometernaald deur middel van die stelknoppie bokant die wyserskywe gestel word totdat die naald presies regoor die horisontale strepie te staan kom. Wanneer hierdie „zero“-instelling gemaak word, moet die linkerhandse wyserskyf op een van die posisies 1 tot 5 staan. Die skakelaar moet daarna na die „lees“-posisie gedraai en die wyserskywe onmiddellik daarna gestel word totdat die galvanometernaald terugkeer na die posisie regoor die horisontale strepie. Die lesing op die wyserskywe moet nou geneem en die temperatuur op die termometer wat aan die hooftoestel geheg is, afgelees word. Enige geleidelike verskuiwing van die naald nadat dit aanvanklik korrek ingestel is, moet buite rekening gelaat word. Van die oomblik af wanneer die monster in die sel geplaas word totdat die finale lesing op die wyserskywe geneem word, mag hoogstens 1 minuut verloop. Waar moontlik moet lesings slegs op die swart of

readings shall only be taken on the black or positive values on the dials. Dial readings shall be converted into percentages according to the following table:—

Dial reading.	Percent- age.	Dial reading.	Percent- age.
1.....	10.0	24.....	14.3
2.....	10.2	25.....	14.5
3.....	10.3	26.....	14.7
4.....	10.5	27.....	15.0
5.....	10.6	28.....	15.2
6.....	10.8	29.....	15.4
7.....	11.0	30.....	15.6
8.....	11.1	31.....	15.9
9.....	11.3	32.....	16.1
10.....	11.5	33.....	16.4
11.....	11.7	34.....	16.6
12.....	11.8	35.....	16.9
13.....	12.0	36.....	17.2
14.....	12.2	37.....	17.5
15.....	12.4	38.....	17.8
16.....	12.6	39.....	18.0
17.....	12.8	40.....	18.3
18.....	13.0	41.....	18.6
19.....	13.2	42.....	18.9
20.....	12.4	43.....	19.3
21.....	13.6	44.....	19.6
22.....	13.8	45.....	19.9
23.....	14.1		

The result thus obtained shall be corrected for temperature by increasing it by 0.1 for each degree Centigrade the temperature reading is below 20° Centigrade and decreasing it by 0.1 for each degree Centigrade the temperature reading is above 20° Centigrade.

The test shall be carried out in duplicate without interruption with separate quantities of the original sample, and if the two results thus obtained do not differ by more than 0.3, the mean of the two results shall be taken as the percentage moisture content of the kaffircorn meal from which the sample was taken. If the results of the two determinations differ by more than 0.3, the determination shall be repeated with further quantities of the original sample until 2 results are obtained which do not differ by more than 0.3.

Care shall be taken that the test cell of the apparatus is clean and dry before any determination is commenced with.

When a moisture determination is made by means of this method, it should be seen to that the apparatus is in good working order by short circuiting the two topmost sockets on the main apparatus with a short piece of wire, and turning the switch to "Zero" and adjusting the galvanometer pointer until it is opposite the horizontal line. After the switch has been turned to "Read" the reading of the dials, taken in the manner prescribed above, should be approximately 60. The wire shall then be removed. Thereafter the clamp shall be connected electrically with the main apparatus as described above, the switch turned to "Zero" the galvanometer pointer adjusted to the position opposite the horizontal line and the base of the test cell kept in its normal position in the clamp. A piece of metal wire or silver paper (tin foil) shall be placed across the exposed electrodes (the metal parts) of the test cell and pressed down so as to cause a short circuit. After the switch has been turned to "Read", the dial reading, taken in the manner described above, should be approximately 60. Thereafter the base and the insulator ring of the test cell shall be placed in the clamp and screwed down without the plunger until they just fit tightly, the switch turned to "Zero" and the galvanometer pointer adjusted to the position opposite the horizontal line. After the switch has been turned to "Read", the reading on the dials in this instance should be nil or lower but if the reading is higher than nil, the base of the test cell may be exposed to sunlight or reasonably warm air for a few minutes after which the test shall be repeated.

Appeal.

9. (1) Any person who feels aggrieved as a result of any decision or action taken by an inspector, may appeal against such decision or action by submitting a notice of appeal to an inspector within 24 hours after he has been

positiewe waardes op die wyserskywe geneem word. Die lesings op die wyserskywe moet herlei word tot persentasie volgens onderstaande tabel:—

Lesing op wyserskywe.	Persentasie.	Lesing op wyserskywe.	Persentasie.
1.....	10.0	24.....	14.3
2.....	10.2	25.....	14.5
3.....	10.3	26.....	14.7
4.....	10.5	27.....	15.0
5.....	10.6	28.....	15.2
6.....	10.8	29.....	15.4
7.....	11.0	30.....	15.6
8.....	11.1	31.....	15.9
9.....	11.3	32.....	16.1
10.....	11.5	33.....	16.4
11.....	11.7	34.....	16.6
12.....	11.8	35.....	16.9
13.....	12.0	36.....	17.2
14.....	12.2	37.....	17.5
15.....	12.4	38.....	17.8
16.....	12.6	39.....	18.0
17.....	12.8	40.....	18.3
18.....	13.0	41.....	18.6
19.....	13.2	42.....	18.9
20.....	12.4	43.....	19.3
21.....	13.6	44.....	19.6
22.....	13.8	45.....	19.9
23.....	14.1		

Die resultaat aldus verkry, moet vir temperatuur aan-gesuiwer word deur dit met 0.1 te vermeerder vir elke graad Celsius wat die termometerlesing onder 20° Celsius is en met 0.1 te verminder vir elke graad Celsius wat die termometerlesing bo 20° Celsius is.

Die toets moet twee keer sonder onderbreking uitgevoer word met afsonderlike hoeveelhede van die oorspronklike monster, en indien die twee resultate aldus verkry nie met meer as 0.3 verskil nie, word die gemiddelde daarvan as die persentasie voggehalte van die kafferikoringmeel waarvan die monster geneem is, uitgedruk. Indien die resultaat van die twee bepalinge met meer as 0.3 verskil, moet die bepaling herhaal word met verdere hoeveelhede van die oorspronklike monster totdat twee resultate verkry word wat nie met meer as 0.3 verskil nie.

Daar moet gesorg word dat die toetssel van die apparaat behoorlik skoon en droog is voor elke bepaling.

Wanneer 'n vobepaling deur middel van hierdie metode gedoen word, moet gesorg word dat die apparaat in goeie werkende toestand is deur met 'n kort stukkie draad 'n kortsluiting in die twee boonste steeksokke op die hooftoestel te maak en daarna die skakelaar op „zero” en die galvanometernaald regoor die horisontale strepie in te stel. Nadat die skakelaar op die „lees”-posisie gestel is, moet die lesing op die wyserskywe, geneem op die wyse hierbo omskryf, ongeveer 60 wees. Die draad moet dan verwyder word. Hierna moet die klamp soos hierbo omskryf, elektries volgens voorskrif met die hooftoestel verbind word, die skakelaar op „zero” en die galvanometernaald regoor die horisontale strepie ingestel en die basis van die toetssel in sy normale posisie in die klamp gehou word. 'n Stukkie metaaldraad of silwerpapier (tinfolie) moet dwarsoor die blootgestelde elektrodes (die metaaldele) van die toetssel vasgedruk word sodat 'n kortsluiting veroorsaak word. Nadat die skakelaar op die „lees”-posisie gestel is, moet die lesing op die wyserskywe, geneem op die wyse hierbo omskryf, ongeveer 60 wees. Daarna moet die basis en isolering van die toetssel sonder die metaaldrukprop in die klamp vasgeskroef word totdat dit net stewig in posisie bly, en die skakelaar op „zero” en die galvanometernaald regoor die horisontale strepie ingestel word. Nadat die skakelaar nou op die „lees”-posisie gestel is, moet die lesing op die wyserskywe in hierdie geval nul of laer as nul wees, maar indien die lesing hoër as nul is, kan die basis van die toetssel vir 'n paar minute in die son of in redelik warm lug geplaas en die toets herhaal word.

Appel.

9. (1) Iemand wat hom deur 'n beslissing of optrede van 'n inspekteur veronreg ag, kan appel aanteken teen sodanige beslissing of optrede deur binne 24 uur nadat hy van daardie beslissing of optrede in kennis gestel is.

notified of that decision or action, and depositing within the same period at such inspector or at any office of the Division of Commodity Services of the Department of Agricultural Economics and Marketing, a deposit of 10 cents in respect of each container, or each two hundred pounds, or part thereof, of kaffircorn meal in bulk, in the consignment concerned: Provided that the amount of such deposit in respect of any consignment of kaffircorn meal shall be not less than R10 and not more than R25: Provided further that a separate appeal and a separate deposit shall be lodged in respect of each separate consignment and provided further that if the notice of appeal and deposit are not submitted and deposited within the period of 24 hours, the appellant shall lose his right of appeal in terms of this subregulation.

(2) An inspector may apply to kaffircorn meal in respect of which an appeal has been lodged, or to the containers of the latter, any mark or marks which he may consider necessary for identification purposes, and such kaffircorn meal shall not, without his consent, be removed, from the place where it was inspected or where it is stored.

(3) The Secretary for Agricultural Economics and Marketing or an officer of his department nominated by him, shall designate a person or persons who shall decide such an appeal, and such person or persons shall decide such appeal within 48 hours (excluding Sundays and public holidays) after the date on which it was lodged, and the decision of the person or persons so designated shall be final.

(4) The person or persons so designated shall give the appellant or his agent at least 36 hours notice of the date, time and place determined for the hearing of the appeal, and shall after the kaffircorn meal has been produced and identified and all the interested parties have been heard instruct all persons (including the appellant and his agent and the inspector), to leave the place where the appeal is being considered.

(5) (a) If an appeal is upheld in full the amount deposited in respect thereof, shall be refunded to the appellant.

(b) If an appeal is dismissed or if the kaffircorn meal to which it relates is not produced on the date and at the time and place determined by the person or persons designated to decide the appeal, the amount deposited in respect thereof, shall be forfeited: Provided that if the appeal is not dismissed in full the appellant shall forfeit an amount which bears the same proportion to the amount deposited as the number of containers in respect of which the appeal was dismissed, bears to the total number of containers, in respect of which the appeal was lodged.

'n kennisgewing van appèl by 'n inspekteur in te dien, en binne genoemde tydperk by die inspekteur, of by enige kantoor van die Afdeling Kommoditeitsdienste van die Departement van Landbou-ekonomie en -bemarking 'n deposito van 10 sent te stort ten opsigte van elke houer, of elke tweehonderd pond kafferkringmeel in massa, of gedeelte daarvan, in die betrokke besending: Met dien verstande dat die bedrag van die deposito ten opsigte van 'n besending kafferkringmeel nie minder as R10 en nie meer as R25 mag wees nie: Met dien verstande voorts dat 'n afsonderlike appèl aangeteken moet word en 'n afsonderlike deposito gestort moet word ten opsigte van elke afsonderlike besending en met dien verstande verder dat indien die kennisgewing van appèl en deposito nie binne die voorgeskrewe 24 uur ingehandig en gedeponeer word nie, die appellant sy reg van appèl ingevolge hierdie subregulasie verbeur.

(2) 'n Inspekteur kan aan kafferkringmeel ten opsigte waarvan 'n appèl aangeteken is, of aan die houters van laasgenoemde 'n merk of merke aanbring wat hy vir uikenningsdoeleindes mag nodig ag, en sodanige kafferkringmeel mag nie sonder sy toestemming van die plek waar dit geïnspekteer is of waar dit opgeberg is, verwyder word nie.

(3) Die Sekretaris van Landbou-ekonomie en -bemarking of 'n beampte van sy Departement deur hom benoem, wys 'n persoon of persone aan deur wie oor so 'n appèl beslis moet word, en sodanige persoon of persone moet daarvoor beslis binne 48 uur (uitgesonderd Sondae en publieke vakansiedae) na indiening daarvan, en die beslissing van die aldus aangewese persoon of persone is afdoende.

(4) Die aldus aangewese persoon of persone moet die appellant of sy agent minstens 36 uur kennis gee van die datum, tyd en plek bepaal vir die verhoor van die appèl en moet, nadat die betrokke kafferkringmeel vertoon en uitgeken is en alle belanghebbendes aangehoor is, alle persone (met inbegrip van die appellant en sy agent en die inspekteur) gelas om die plek waar die appèl oorweeg word, te verlaat.

(5) (a) Indien 'n appèl in sy geheel gehandhaaf word, word die bedrag wat ten opsigte daarvan gedeponeer is, aan die appellant terugbetaal.

(b) Indien 'n appèl van die hand gewys word of as die kafferkringmeel waarop dit betrekking het nie vertoon word nie op die datum, tyd en plek bepaal deur die persoon of persone wat aangewys is om oor die appèl te beslis, word die bedrag wat ten opsigte daarvan gedeponeer is, verbeur: Met dien verstande dat indien die appèl nie in sy geheel van die hand gewys word nie, die appellant 'n bedrag verbeur wat in dieselfde verhouding staan, tot die bedrag gedeponeer as wat die getal houters ten opsigte waarvan die appèl van die hand gewys is, staan tot die totale getal houters, na gelang van die geval, ten opsigte waarvan die appèl aangeteken is.

DEPARTMENT OF BANTU ADMINISTRATION AND DEVELOPMENT.

No. R. 1825.]

[17 November 1967.]

BANTU LABOUR REGULATIONS.—FEES PAYABLE IN PRESCRIBED AREAS.

The Acting State President has been pleased, under and by virtue of the powers vested in him by section 28 of the Bantu Labour Act, 1964 (Act No. 67 of 1964), to amend the Forty-first Schedule to the Bantu Labour Regulations, 1965, promulgated under Government Notice No. R. 1892 of 1965, by the substitution of the figures 15 for the figures 10 where it appears against the word Ventersburg.

DEPARTEMENT VAN BANTOE-ADMINISTRASIE EN -ONTWIKKELING.

No. R. 1825.]

[17 November 1967.]

DIE BANTOE-ARBEIDSREGULASIES.—GELDE BETAALBAAR IN VOORGESKREWE GEBIEDE.

Dit het die Waarnemende Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 28 van die Wet op Bantoe-arbeid, 1964 (Wet No. 67 van 1964), die Een-en-veertigste Bylae van die Bantoe-arbeidsregulasies, 1965, afgekondig by Goewermentskennisgewing No. R. 1892 van 1965, te wysig deur die syfer 10 te vervang deur die syfer 15 waar dit teenoor die woord Ventersburg voorkom.

No. R. 1827.] [17 November 1967

BANTU LABOUR ACT, 1964—FEES PAYABLE IN PRESCRIBED AREAS.

The Acting State President has been pleased, under and by virtue of the powers vested in him by section 28 of the Bantu Labour Act, 1964 (Act No. 67 of 1964), to amend the Forty-first Schedule to the Bantu Labour Regulations, 1965, promulgated under Government Notice No. R. 1892 of 1965, by the insertion of the word and figure "Harding. 5."

DEPARTMENT OF COLOURED AFFAIRS.

No. R. 1826.] [17 November 1967.

COLOURED PERSONS EDUCATION ACT, 1963.—AMENDMENT OF REGULATIONS.

The Minister of Coloured Affairs has, by virtue of the powers vested in him by section 34 of the Coloured Persons Education Act, 1963 (Act No. 47 of 1963), further amended the regulations published by Government Notice No. R. 1898, dated 21 November 1963, as amended by Government Notices Nos. R. 195 of 14 February 1964, R. 1371 dated 4 September 1964, R. 75 dated 15 January 1965, R. 166 dated 5 February 1965, R. 951 dated 25 June 1965, R. 1397 dated 17 September 1965, R. 186 dated 11 February 1966, R. 614 dated 22 April 1966, R. 916 dated 17 June 1966 and R. 595 dated 28 April 1967 as follows:—

Regulation Y3.1 is hereby amended—

(a) by adding the phrase "Senior Certificate (part-time candidates) (per subject) ... R1.00" after the phrase "Senior Certificate (supplementary examination with a maximum of three subjects) ... R2.50"; and

(b) by adding the phrase "Junior Certificate (part-time candidates) (per subject) ... R0.75" after the phrase "Junior Certificate ... R2.50".

DEPARTMENT OF LABOUR.

No. R. 1831.] [17 November 1967.

FACTORIES, MACHINERY AND BUILDING WORK ACT, 1941.**EXEMPTION FROM SICK LEAVE PROVISIONS. CERTAIN INDUSTRIAL COUNCILS.**

I, Marais Viljoen, Minister of Labour, hereby in terms of section 54 (1) of the Factories, Machinery and Building Work Act, 1941, grant exemption from the provisions of section 21A of the said Act to all employers on whom the provisions of—

(a) any of the Agreements set out in Schedule A to this notice are binding, in respect of all employees who are entitled to sick leave in terms of such Agreement and for the duration of the Agreement; and

(b) any of the Agreements set out in Schedule B to this notice were binding in respect of employees who were entitled to sick leave in terms of such Agreement for a period ending six months subsequent to the date of expiration of the Agreement or until the date on which a new agreement becomes binding, whichever is the shorter period;

provided that sick leave conditions which are not less favourable than those set out in the applicable agreement are observed in respect of the employees concerned.

M. VILJOEN,
Minister of Labour.

SCHEDULE A.

1. Agreement for the Building Industry, Kroonstad, published under Government Notice No. R. 1931 dated 9 December 1966.

No. R. 1827.] [17 November 1967

DIE WET OP BANTOE-ARBEID, 1964—GELDE BETAALBAAR IN VOORGESKREWE GEBIEDE.

Dit het die Waarnemende Staatspresident behaag om kragtens die bevoegdheid hom verleen by artikel 28 van die Wet op Bantoe-arbeid, 1964 (Wet No. 67 van 1964), die Een-en-veertigste Bylae van die Bantoe-arbeidsregulasies, 1965, afgekondig by Goewermentskennisgewing No. R. 1892 van 1965 te wysig deur die woord en syfer "Harding. 5" in te voeg.

DEPARTEMENT VAN KLEURLINGSAKE.

No. R. 1826.] [17 November 1967.

WET OP ONDERWYS VIR KLEURLINGE, 1963.—WYSIGING VAN REGULASIES.

Die Minister van Kleurlingsake het kragtens die bevoegdheid hom verleen by artikel 34 van die Wet op Onderwys vir Kleurlinge, 1963 (Wet No. 47 van 1963), die regulasies afgekondig by Goewermentskennisgewing No. R. 1898 van 21 November 1963, soos gewysig by Goewermentskennisgewings Nos. R. 195 van 14 Februarie 1964, R. 1371 van 4 September 1964, R. 75 van 15 Januarie 1965, R. 166 van 5 Februarie 1965, R. 951 van 25 Junie 1965, R. 1397 van 17 September 1965, R. 186 van 11 Februarie 1966, R. 614 van 22 April 1966, R. 916 van 17 Junie 1966 en R. 595 van 28 April 1967, verder soos volg gewysig:—

Regulasie Y3.1 word hierby gewysig—

(a) deur die uitdrukking „Senior Sertifikaat (deeltydse kandidate) (per vak) ... R1.00" na die uitdrukking „Senior Sertifikaat (aanvullende eksamen met maksimum van drie vakke) ... R2.50" by te voeg; en

(b) deur die uitdrukking „Junior Sertifikaat (deeltydse kandidate) (per vak) ... R0.75" na die uitdrukking „Junior Sertifikaat ... R2.50" by te voeg.

DEPARTEMENT VAN ARBEID.

No. R. 1831.] [17 November 1967.

WET OP FABRIEKE, MASJINERIE EN BOUWERK, 1941.**VRYSTELLING VAN SIEKTEVERLOFBEPALINGS. SEKERE NYWERHEIDSRAD E.**

Ek, Marais Viljoen, Minister van Arbeid, verleen hierby kragtens artikel 54 (1) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, vrystelling van die bepalinge van artikel 21A van genoemde Wet aan alle werkgewers op wie die bepalinge van—

(a) enige van die Ooreenkomste genoem in Bylae A van hierdie kennisgewing van toepassing is, ten opsigte van werknemers wat ingevolge sodanige Ooreenkoms op siekteverlof geregtig is vir die duur van die Ooreenkoms; en

(b) enige van die Ooreenkomste genoem in Bylae B van hierdie kennisgewing van toepassing was, ten opsigte van werknemers wat ingevolge sodanige Ooreenkoms op siekteverlof geregtig was vir 'n tydperk eindigende ses maande vanaf die datum waarop die Ooreenkoms verstryk het of tot die datum waarop 'n nuwe ooreenkoms bindend word, watter tydperk ookal die kortste is;

met dien verstande dat siekteverlofvoorwaardes wat nie minder gunstig is nie as dié wat in die toepaslike ooreenkoms uiteengesit word ten opsigte van die betrokke werknemers nagekom moet word.

M. VILJOEN,
Minister van Arbeid.

BYLAE A.

1. Ooreenkoms vir die Bounywerheid, Kroonstad, gepubliseer by Goewermentskennisgewing No. R. 1931 van 9 Desember 1966.

2. Sick Pay Fund Agreement for the Electrical Industry (Natal), published under Government Notice No. R. 1189 dated 7 August 1964, as amended and extended.

3. Sick Benefit Fund Agreement for the Laundry, Cleaning and Dyeing Industry (Natal) published under Government Notice No. R. 1867 dated 25 November 1966.

4. Agreement for the Biscuit Manufacturing Industry, Republic of South Africa, published under Government Notice No. R. 1659 dated 21 October 1966.

5. Main Agreement for the Clothing Industry, Natal, published under Government Notice No. R. 742 dated 15 May 1964, as extended.

6. Sick Benefit Fund Agreement for the Laundry, Dry Cleaning and Dyeing Trade (Transvaal) published under Government Notice No. R. 1763 dated 30 October 1964, as amended and extended.

7. Agreement for the Canvas Goods Industry, Witwatersrand and Pretoria, published under Government Notice No. R. 527 dated 1 April 1966.

SCHEDULE B.

1. Agreement for the Baking and Confectionery Industry, Port Elizabeth and Uitenhage, published under Government Notice No. R. 931 dated 17 June 1966.

2. Sick Benefit Fund Agreement for the Clothing Industry, Eastern Province, published under Government Notice No. R. 1598 dated 15 October 1965.

3. Main Agreement for the Sweet Manufacturing Industry, Port Elizabeth, published under Government Notice No. R. 808 dated 2 June 1967.

No. R. 1832.] [17 November 1967.
**FACTORIES, MACHINERY AND BUILDING
 WORK ACT, 1941.**

EXEMPTION FROM SICK LEAVE PROVISIONS. CERTAIN INDUSTRIAL COUNCILS.

I, Marais Viljoen, Minister of Labour, hereby in terms of section 54 (1) of the Factories, Machinery and Building Work Act, 1941, grant exemption from the provisions of Section 21A of the said Act to—

(a) all employers who are subject to the provisions of the Agreement mentioned in Schedule A hereto for the duration of the said Agreement and to the extent set out in the Schedule;

(b) all employers on whom the provisions of the Agreements mentioned in Schedule B hereto were binding, until 30 April 1968, or until the date on which a new Agreement becomes binding whichever is the shorter period;

(c) all employers on whom the provisions of the Agreement mentioned in Schedule C hereto were binding, until 31 January 1968;

provided sick leave conditions are observed which are not less favourable than those set out in the applicable Agreement in respect of the employees concerned.

M. VILJOEN,
 Minister of Labour.

SCHEDULE A.

Agreement for the Dissolving Pulp Manufacturing Industry, Umzinto, published under Government Notice No. R. 465 dated 7 April 1967, in respect of employees who are members of the Saiccor Medical and Sick Benefit Fund only.

SCHEDULE B.

Agreements for the Sugar Manufacturing and Refining Industry, Natal, published under Government Notices Nos. R. 45 and R. 50 dated 8 January 1965.

SCHEDULE C.

Agreement for the Millinery Industry, Transvaal, published under Government Notice No. R. 661 dated 7 May 1965.

2. Siektebystandsfondsooreenkoms vir die Elektrotegniese Nywerheid, Natal, gepubliseer by Goewermmentskennisgewing No. R. 1189 van 7 Augustus 1964, soos gewysig en verleng.

3. Siektebystandsfondsooreenkoms vir die Wassery-, Droogskoonmaak- en Kleurnywerheid (Natal), gepubliseer by Goewermmentskennisgewing No. R. 1867 van 25 November 1966.

4. Ooreenkoms vir die Beskuitnywerheid, Republiek van Suid-Afrika, gepubliseer by Goewermmentskennisgewing No. R. 1659 van 21 Oktober 1966.

5. Hofooreenkoms vir die Klerasiennywerheid, Natal, gepubliseer by Goewermmentskennisgewing No. R. 742 van 15 Mei 1964, soos verleng.

6. Siektebystandsfondsooreenkoms vir die Wassery-, Droogskoonmaak- en Kleurbedryf, Transvaal, gepubliseer by Goewermmentskennisgewing No. R. 1763 van 30 Oktober 1964, soos gewysig en verleng.

7. Ooreenkoms vir die Seilwarenywerheid, Witwatersrand en Pretoria, gepubliseer by Goewermmentskennisgewing No. R. 527 van 1 April 1966.

BYLAE B.

1. Ooreenkoms vir die Bak- en Banketnywerheid, Port Elizabeth en Uitenhage, gepubliseer by Goewermmentskennisgewing No. R. 931 van 17 Junie 1966.

2. Siektebystandsfondsooreenkoms vir die Klerasiennywerheid, Oostelike Provinsie, gepubliseer by Goewermmentskennisgewing No. R. 1598 van 15 Oktober 1965.

3. Hofooreenkoms vir die Lekkergoednywerheid, Port Elizabeth, gepubliseer by Goewermmentskennisgewing No. R. 808 van 2 Junie 1967.

No. R. 1832.] [17 November 1967.
**WET OP FABRIEKE, MASJINERIE EN BOUWERK,
 1941.**

VRYSTELLING VAN SIEKTEVERLOFBEPALINGS. SEKERE NYWERHEIDSRAD.

Ek, Marais Viljoen, Minister van Arbeid, verleen hierby kragtens artikel 54 (1) van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, vrystelling van die bepalings van artikel 21A van genoemde Wet aan—

(a) alle werkgewers wat onderhewig is aan die bepalings van die Ooreenkoms genoem in Bylae A van hierdie kennisgewing vir die duur van gemelde Ooreenkoms en in die mate in die Bylae uiteengesit;

(b) alle werkgewers op wie die bepalings van die Ooreenkoms genoem in Bylae B van hierdie kennisgewing van toepassing was, tot 30 April 1968 of tot die datum waarop 'n nuwe Ooreenkoms bindend word, watter tydperk ookal die kortste is;

(c) alle werkgewers op wie die bepalings van die Ooreenkoms genoem in Bylae C van hierdie kennisgewing van toepassing was, tot 31 Januarie 1968;

met dien verstande dat siekteverlofvoorwaardes wat nie minder gunstig is nie as dié wat in die toepaslike ooreenkoms uiteengesit word ten opsigte van die betrokke werknemers nagekom moet word.

M. VILJOEN,
 Minister van Arbeid.

BYLAE A.

Ooreenkoms vir die Oplospulpnywerheid, Umzinto, gepubliseer by Goewermmentskennisgewing No. R. 465 van 7 April 1967, slegs ten opsigte van werknemers wat lede is van die Saiccor mediese en siektebystandsfonds.

BYLAE B.

Ooreenkomste vir die Suikervervaardigings- en raffineer-nywerheid, Natal, gepubliseer by Goewermmentskennisgewings Nos. R. 45 en R. 50 van 8 Januarie 1965.

BYLAE C.

Ooreenkoms vir die Hoedenywerheid, Transvaal, gepubliseer by Goewermmentskennisgewing No. R. 661 van 7 Mei 1965.

DEPARTMENT OF POSTS AND TELEGRAPHS.

No. R. 1834.] [17 November 1967.]

AMENDMENT OF TELEPHONE REGULATIONS.

The Acting State President has been pleased, under the provisions of section 2 (4) and of section 3 of Act No. 44 of 1958 to approve of the following amendment to the Telephone Regulations:—

Telephone Regulation 40.

Under “(ii) Pretoria Exchange System—Zone AB:” after “Pretoria West,” insert “Queenswood,” with effect from the 9th December 1967.

DEPARTEMENT VAN POS-EN-TELEGRAAFWESE.

No. R. 1834.] [17 November 1967.]

WYSIGING VAN TELEFOONREGULASIES.

Dit het die Waarnemende Staatspresident behaag om, kragtens die bepalings van artikel 2 (4) en artikel 3 van Wet No. 44 van 1958, sy goedkeuring te heg aan onderstaande wysiging van die Telefoonregulasies:—

Telefoonregulasie 40.

Voeg, met ingang van 9 Desember 1967, onder „(ii) Die Pretoriase sentralestelsel—Sone AB:” na „Pretoria-Wes,” „Queenswood,” in.

DEPARTMENT OF THE PRIME MINISTER.

No. R. 1833.] [17 November 1967.]

AMENDMENT OF THE ORDER OF PRECEDENCE OF ORDERS, DECORATIONS AND MEDALS.

It is hereby notified that the Acting State President has been pleased to approve of the amendment of paragraph (a) of the Order of Precedence of Orders, Decorations and Medals, published under Government Notice No. R. 26 of the 6th January 1967, by inserting immediately after the Southern Cross Medal the undermentioned medal:—

“Pro Merito Medal.”

DEPARTEMENT VAN DIE EERSTE MINISTER.

No. R. 1833.] [17 November 1967.]

WYSIGING VAN DIE VOORRANGSORDE VAN ORDES, DEKORASIES EN MEDALJES.

Hierby word bekendgemaak dat dit die Waarnemende Staatspresident behaag het om goed te keur dat paragraaf (a) van die Voorrangsorte van Ordes, Dekorاسies en Medaljes, afgekondig by Goewermentskennisgewing No. R. 26 van 6 Januarie 1967, gewysig word deur onmiddellik na die Suiderkruis-medalje die ondergenoemde medalje in te voeg:—

„Pro Merito-medalje.”

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