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GOEWERMENSKENNISGEWING

DEPARTEMENT VAN BEPLANNING EN PROVINSIALE SAKE

No. 352

23 Februarie 1990

REGULASIES BETREFFENDE DIE BEROEP VAN STADSKLERKE

Kragtens artikel 30 van die Wet op die Beroep van Stadsklerke, 1988 (Wet No. 75 van 1988), vaardig ek, Hermanus Jacobus Kriel, Minister van Beplanning en Provinsiale Sake, na oorlegpleging met die Raad vir Stadsklerke, die regulasies in die Bylae hiervan uit-eengesit uit.

H. J. KRIEL,
Minister van Beplanning en Provinsiale Sake.

BYLAE

Woordomskrywings

1. In hierdie Regulasies beteken "die Wet" die Wet op die Beroep van Stadsklerke, 1988 (Wet No. 75 van 1988), en het enige ander woord of uitdrukking waarvan 'n betekenis in die Wet geheg is, daardie betekenis, en, tensy uit die samehang anders blyk beteken—

"onbehoorlike gedrag" gedrag in artikel 24 van die Wet bedoel.

Inligting in registers

2. (1) Elke register soos bedoel in artikel 18 (1) van die Wet moet die volgende inligting in verband met elke persoon wat daarin geregistreer is bevat, naamlik—

- (a) sy volle name, geboortedatum en woon- en sake-adresse;
- (b) die opvoedkundige kwalifikasies en praktiese ondervinding op grond waarvan 'n persoon ingevolge artikel 19 (c) van die Wet as 'n professionele stadsklerk, 'n geregistreerde stadsklerk of 'n voornemende stadsklerk, na gelang van die geval, geregistreer is en die graad waarvolgens sy werkgewer ten tye van sy registrasie soos bedoel in artikel 18 (3) van die Wet, ingedeel is;

GOVERNMENT NOTICE

DEPARTMENT OF PLANNING AND PROVINCIAL AFFAIRS

No. 352

23 February 1990

REGULATIONS RELATING TO THE PROFESSION OF TOWN CLERKS

Under section 30 of the Profession of Town Clerks Act, 1988 (Act No. 75 of 1988), I, Hermanus Jacobus Kriel, Minister of Planning and Provincial Affairs, after consultation with the Town Clerks' Council, hereby make the regulations contained in the Schedule hereto.

H. J. KRIEL,
Minister of Planning and Provincial Affairs.

SCHEDULE

Definitions

1. In these Regulations "the Act" means the Profession of Town Clerks Act, 1988 (Act No. 75 of 1988), and any other word or expression to which a meaning has been assigned in the Act shall bear that meaning, and, unless the context otherwise indicates—

"improper conduct" means conduct referred to in section 24 of the Act.

Information in registers

2. (1) Every register referred to in section 18 (1) of the Act shall contain the following information in regard to every person registered therein, namely—

- (a) his full names, date of birth and residential and business addresses;
- (b) the educational qualifications and practical experience by virtue of which a person has been registered in terms of section 19 (c) of the Act as a professional town clerk, a registered town clerk or a prospective town clerk, as the case may be, and the grade according to which his employer was classified at the time of his registration as contemplated in section 18 (3) of the Act;

- (c) elke plaaslike owerheid waarvoor sodanige persoon gewerk het en sy huidige werkgever; en
- (d) sodanige ander inligting wat die raad van tyd tot tyd vereis.

(2) Wanneer iemand wat ingevolge die Wet geregistreer is, in diens van 'n ander plaaslike owerheid tree, of uit die diens van plaaslike owerhede in die algemeen, om welke rede ookal, tree, moet hy die registrateur onverwyld daarvan in kennis stel.

Dissiplinêre ondersoeke

3. (1) (a) By ontvangs van 'n klag ondersteun deur 'n beëdigde verklaring dat 'n persoon wat ingevolge die Wet geregistreer is, deur enige doen of late aan sy kant aan beweerde onbehoorlike gedrag of wangedrag skuldig is, moet die registrateur die saak onverwyld aan die raad rapporteer en indien die raad besluit om die klag na die tugkomitee te verwys, moet hy onverwyld 'n klagstaat laat opstel en op die persoon wat aangekla word, laat beteken.

(b) By die toepassing van paragraaf (a), subregulasie (5) (a) en regulasie 6 beteken "raad" die raad met uitsondering van daardie lede van die raad wat lede van die tugkomitee is.

(2) 'n Klagstaat in subregulasie (1) bedoel, moet—

- (a) besonderhede van die beweerde onbehoorlike gedrag of wangedrag bevat;
- (b) die persoon wat aangekla word, inlig—
 - (i) dat hy voor die ondersoek 'n skriftelike pleit op die klag by die registrateur kan indien of *viva voce*-getuienis by die ondersoek kan aflê, of beide; en
 - (ii) dat hy by die ondersoek verteenwoordig kan word soos beoog in artikel 25 (3) van die Wet.

(3) 'n Afskrif van die klagstaat in subregulasie (1) bedoel, word onverwyld op die beskuldigde beteken deur—

- (a) dit aan hom persoonlik te laat aflewer;
- (b) dit by sy jongste bekende woonadres te laat by 'n persoon wat klaarblyklik ouer as 16 jaar is; of
- (c) dit met vooruitbetaalde geregistreerde pos na sy jongste bekende sake- of woonadres te stuur.

(4) 'n Afskrif van die klagstaat word op die wyse in subregulasie (3) uiteengesit, op die persoon wat die klag in subregulasie (1) bedoel, gelê het, beteken.

(5) Die registrateur moet—

- (a) 'n vergadering van die tugkomitee belê op 'n datum binne 40 dae na die besluit van die raad in subregulasie (1) beoog, of binne sodanige langer tydperk wat die raad in 'n bepaalde geval toelaat; en
- (b) skriftelik en op die wyse wat in subregulasie (3) uiteengesit word, die beskuldigde en die persoon wat die klag gelê het, minstens 30 dae skriftelik kennis gee van die datum, tyd en plek van sodanige vergadering.

(6) (a) Die beskuldigde is geregtig om tot 15 dae voor die datum van die vergadering wat ingevolge subregulasie (5) belê is, 'n skriftelike versoek om nadere besonderhede oor die klag teen hom by die registrateur in te dien.

(b) Die registrateur moet die nadere besonderhede wat aangevra is, minstens 10 dae voor die datum van sodanige vergadering skriftelik lewer.

- (c) every local authority for which such person has worked, and his current employer; and
- (d) such other information as the council may from time to time require.

(2) When a person who has been registered in terms of the Act takes up service with another local authority or for whatever reason resigns from the service of local authorities in general, he shall forthwith advise the registrar thereof.

Disciplinary inquiries

3. (1) (a) On receipt of a complaint supported by an affidavit that a person registered under the Act is by any act or omission on his part guilty of alleged improper conduct or misconduct, the registrar shall forthwith report the matter to the council and if the council resolves to refer the complaint to the disciplinary committee, he shall forthwith cause a charge-sheet to be drawn and served on the person charged.

(b) For the purposes of paragraph (a), subregulation (5) (a) and regulation 6 "council" means the council excluding those members of the council who are members of the disciplinary committee.

(2) A charge-sheet referred to in subregulation (1), shall—

- (a) contain particulars of the alleged improper conduct or misconduct;
- (b) inform the person charged—
 - (i) that he may prior to the inquiry, submit a written plea to the charge to the registrar or give *viva voce* evidence at the inquiry, or both; and
 - (ii) that he may be represented at the inquiry as contemplated in section 25 (3) of the Act.

(3) A copy of the charge-sheet referred to in subregulation (1), shall forthwith be served on the accused by—

- (a) causing it to be delivered to him personally;
- (b) by leaving it at his last known residential address with a person apparently over the age of 16 years; or
- (c) by sending it by pre-paid registered post to his last known business or residential address.

(4) A copy of the charge-sheet shall in the manner set out in subregulation (3), be served on the person who lodged the complaint referred to in subregulation (1).

(5) The registrar shall—

- (a) convene a meeting of the disciplinary committee for a date within 40 days of the decision of the council contemplated in subregulation (1) or such longer period as the council may in a specific case allow; and
- (b) in writing and in the manner set out in subregulation (3) give the accused and the person who lodged the complaint at least 30 days written notice of the date, time and venue for such meeting.

(6) (a) The accused shall be entitled to submit to the registrar a written request for further particulars of the charge against him up to 15 days prior to the date of the meeting convened in terms of subregulation (5).

(b) The registrar shall in writing deliver the further particulars requested at least 10 days prior to the date of such meeting.

(7) Die registrateur of 'n werknemer van die raad wat deur hom aangestel is, of 'n persoon wat deur die tugkomitee aangestel is, moet die saak teen die beskuldigde lei.

(8) Die tugkomitee, die registrateur of die persoon wat ingevolge subregulasie (7) aangestel is, en die beskuldigde kan —

- (a) getuies roep, ondervra en herondervra;
- (b) getuies wat deur die ander party geroep is, kruisondervra.

(9) Indien die beskuldigde of die persoon wat ingevolge subregulasie (7) aangestel is, getuies wil roep, moet hy die name van daardie getuies minstens sewe dae voor die vergadering van die tugkomitee aan die registrateur voorlê: Met dien verstande dat hierdie bepaling nie enige party belet om getuies wie se name nie aan die registrateur voorgelê is, te roep nie.

(10) By die toepassing van artikel 25 (4) van die Wet, word alle getuies wat in subregulasie (8) beoog word, geag deur die tugkomitee geroep te gewees het.

(11) Benewens die wyse om getuies te roep in artikel 25 (4) van die Wet beoog, kan getuies op die wyse in subregulasie (3) (c) uiteengesit, geroep word.

(12) Indien die klaer sonder dat hy 'n goeie rede verstrek het, in gebreke bly om voor die tugkomitee te verskyn op die plek, datum of tyd wat deur die registrateur aangekondig is, kan die tugkomitee, indien die klaer 'n wesenlike getuie is, die klag afwys en die verrigtinge beëindig of die saak uitstel tot 'n datum waartoe die beskuldigde instem.

(13) Indien die beskuldigde sonder dat hy 'n goeie rede verstrek het, in gebreke bly om persoonlik of by wyse van 'n verteenwoordiger voor die tugkomitee te verskyn op die plek, datum en tyd wat deur die registrateur aangekondig is, kan die tugkomitee na goeddunke die klag aanhoor en 'n beslissing daarvoor maak in die afwesigheid van die beskuldigde en sodanige persoon.

(14) 'n Boete wat die tugkomitee ingevolge artikel 25 (6) (b) van die Wet kan oplê, mag nie R1 000 oorskry nie.

Aanstelling van assessore

4. Die tugkomitee kan vir die doel van 'n ondersoek ingevolge regulasie 3 een of twee persone aanstel wat 'n persoon of persone moet wees met bedrewenheid en ervaring ten opsigte van die saak waarvoor die ondersoek gaan of ten opsigte van regsangeleenthede, om in 'n raadgewende hoedanigheid as 'n assessor of assessore te dien en die raad sal aan sodanige persoon of persone die besoldiging waarop ooreengekom word, betaal.

Ondersoek na 'n persoon se geestesvermoë

5. (1) Indien die raad na oorweging van die beëdigde inligting soos bedoel in artikel 26 (1) van die Wet van oordeel is dat 'n ondersoek soos in daardie artikel beoog, geregverdig is, beteken die registrateur 'n afskrif van gemelde beëdigde inligting op die betrokke persoon en bied hom terselfdertyd skriftelik die geleentheid om binne 60 dae op sy koste deur 'n geneesheer wat ingevolge die Wet op Geneesheer, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet No. 56 van 1974), as 'n spesialis in psigiatrie geregistreer is, te laat ondersoek en daardie geneesheer se verslag binne gemelde tydperk van 60 dae aan die raad te besorg.

(7) The registrar or an employee of the council appointed by him or a person appointed by the disciplinary committee, shall present the case against the accused.

(8) The disciplinary committee, the registrar or the person appointed in terms of subregulation (7), and the accused may —

- (a) call, examine and re-examine witnesses;
- (b) cross-examine witnesses called by the other party.

(9) If the accused or the person appointed in terms of subregulation (7), wishes to call witnesses, he shall submit to the registrar the names of those witnesses at least seven days before the meeting of the disciplinary committee: Provided that this provision shall not preclude any party from calling witnesses whose names have not been submitted to the registrar.

(10) For the purposes of section 25 (4) of the Act, all witnesses contemplated in subregulation (8), shall be deemed to have been called by the disciplinary committee.

(11) In addition to the manner of summoning witnesses contemplated in section 25 (4) of the Act, witnesses may be summoned in the manner set out in subregulation (3) (c).

(12) If the complainant fails to appear before the disciplinary committee at the venue, on the date or at the time notified by the registrar without having advanced a good reason, the disciplinary committee may, if the complainant is a material witness, dismiss the charge and terminate the proceedings or postpone the matter to a date agreed with the accused.

(13) If the accused fails to appear before the disciplinary committee personally or by means of a representative at the venue, on the date and at the time notified by the registrar without having advanced a good reason, the disciplinary committee may in its discretion hear the charge and make a decision thereon in the absence of the accused and such person.

(14) A fine which the disciplinary committee may impose in terms of section 25 (6) (b) of the Act, shall not exceed R1 000.

Appointment of assessors

4. The disciplinary committee may for the purpose of an inquiry in terms of regulation 3 appoint one or two persons who shall be a person or persons of skill and experience in the matter to which the inquiry relates or in legal matters, to act as an assessor or assessors in an advisory capacity and the council shall pay such person or persons the remuneration agreed upon.

Investigation into a person's mental ability

5. (1) Should the council, after consideration of the sworn information referred to in section 26 (1) of the Act, be of the opinion that an investigation as contemplated in that section, is justified, the registrar shall serve a copy of the said sworn information on the person concerned and at the same time afford him in writing the opportunity to be examined at his own cost within 60 days by a physician registered as a specialist in psychiatry in terms of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974), and to furnish the council with that physician's report within the said period of 60 days.

(2) Die beëdigde inligting in subregulasie (1) bedoel, word op die betrokke persoon beteken op die wyse in regulasie 3 (3) uiteengesit.

(3) Die raad reik nie 'n bevel ingevolge artikel 26 (2) van die Wet uit nie, tensy—

- (a) hy eers 'n verslag in subregulasie (1) bedoel oorweeg het; of
- (b) die betrokke persoon geweier of sonder dat hy 'n goeie rede daarvoor kon verstrek, versuim het om hom aan die psigiatriese ondersoek te onderwerp.

Appèlle

6. 'n Appèl ingevolge artikel 27 (1) van die Wet geskied op die volgende wyse:

- (a) Die appellant dien skriftelik 'n kennisgewing van appèl by die registrateur in waarin die appèlgronde uiteengesit word;
- (b) die registrateur lê daarna onverwyld die volgende stukke aan die raad voor:
 - (i) die kennisgewing van appèl in paragraaf (a) bedoel; en
 - (ii) die dokumente in artikel 27 (8) (a) van die Wet bedoel;
- (c) die registrateur gee die appellant minstens 30 dae skriftelike kennis van die datum, tyd en plek waar die raad die appellant se appèl sal oorweeg en—
 - (i) stel tesame met sodanige kennisgewing die dokumente genoem in artikel 27 (8) (a) van die Wet aan die appellant beskikbaar; en
 - (ii) bied die appellant die geleentheid om die appèl persoonlik of deur sy regsvertegenwoordiger te beredeneer.

Kort titel

7. Hierdie Regulasies heet die **Regulasies betreffende die Beroep van Stadsklerke, 1990.**

(2) The sworn information referred to in subregulation (1) shall be served on the person concerned in the manner set out in regulation 3 (3).

(3) The council shall not issue an order in terms of section 26 (2) of the Act, unless—

- (a) it has first considered a report referred to in subregulation (1); or
- (b) the person concerned has refused or has failed, without providing a good reason therefor, to subject himself to the psychiatric examination.

Appeals

6. An appeal in terms of section 27 (1) of the Act shall take place as follows:

- (a) The appellant shall submit to the registrar a written notice of appeal in which the grounds of appeal are expounded in full;
- (b) the registrar shall thereafter present the following documents to the council without delay:
 - (i) the notice of appeal referred to in paragraph (a); and
 - (ii) the documents referred to in section 27 (8) (a) of the Act;
- (c) the registrar shall give the appellant at least 30 days notice in writing of the date, time and venue where the council will consider the appeal of the appellant, and shall—
 - (i) together with such notice make available to the appellant the documents referred to in section 27 (8) (a) of the Act; and
 - (ii) afford the appellant an opportunity to argue the appeal personally or through his legal representative.

Short title

7. These Regulations shall be called the **Regulations relating to the Profession of Town Clerks, 1990.**

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BYLAE**OOREENKOMS MET BETREKKING TOT DIE VESTIGING VAN HANDELSMISSIES AANGEGAAN DEUR EN TUSSEN DIE REGERING VAN DIE REPUBLIEK VAN SUID-AFRIKA EN DIE REGERING VAN DIE KONINKRYK VAN LESOTHO****AANHEF**

NADEMAAL die Regering van die Republiek van Suid-Afrika (hieronder "Suid-Afrika" genoem) en die Regering van die Koninkryk van Lesotho (hieronder "Lesotho" genoem) oortuig is dat die wedersydse vestiging van handelsmissies betekenisvol tot die bevordering van handelsbetrekkinge tussen hulle en die handhawing en bevordering van vrede, stabiliteit, ontwikkeling en samewerking in die Republiek van Suid-Afrika en die Koninkryk van Lesotho sal bydrae;

SO IS DIT DAT Suid-Afrika en Lesotho (hieronder "die Partye" genoem) soos volg ooreenkom:

ARTIKEL 1

Suid-Afrika onderneem om 'n Handelsmissie in die Koninkryk van Lesotho te vestig met die funksie om na die handelsbelange van Suid-Afrika in die Koninkryk van Lesotho om te sien. Die Handelsmissie sal in Maseru gevestig word.

ARTIKEL 2

Lesotho onderneem om in die Republiek van Suid-Afrika 'n Handelsmissie te vestig met die funksie om na die handelsbelange van Lesotho in die Republiek van Suid-Afrika om te sien.

ARTIKEL 3**DEFINISIES**

In hierdie Ooreenkoms, tensy onbestaanbaar met die samehang, beteken —

1. "familie" die vrou of man, na gelang van die geval, hul natuurlike of wettig-aangenome ongetroude kinders onder die ouderdom van 21 (een-en-twintig) jaar en ander sodanige natuurlike of wettig-aangenome ongetroude kinders onder die ouderdom van 23 (drie-en-twintig) jaar wat 'n opvoedkundige inrigting in die Ontvangerstaat op 'n voltydse basis bywoon, van die betrokke Handelsverteenwoordiger of van 'n lid van die personeel van die missie;
2. die "lede van die missie" die Handelsverteenwoordiger en die lede van die personeel van die missie;
3. "lede van die personeel van die missie" die lede van die amptelike personeel, van die administratiewe en tegniese personeel en van die dienspersoneel van die missie;
4. "lede van die amptelike personeel" al daardie persone wat deelneem aan die amptelike werk van die missie met dien verstande dat sodanige persone uitsluitlik vir daardie doel in diens is en met dien verstande verder dat sodanige persone nie burgers of permanente inwoners van die Ontvangerstaat is nie;
5. die "lede van die administratiewe en tegniese personeel" die lede van die personeel van die missie wat aangewend word in die administratiewe en tegniese diens van die missie;
6. die "lede van die dienspersoneel" al daardie persone wat in die huishoudelike diens van die missie is;

SCHEDULE**AGREEMENT WITH REGARD TO THE ESTABLISHMENT OF TRADE MISSIONS ENTERED INTO BY AND BETWEEN THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA AND THE GOVERNMENT OF THE KINGDOM OF LESOTHO****PREAMBLE**

WHEREAS the Government of the Republic of South Africa (hereinafter referred to as "South Africa") and the Government of the Kingdom of Lesotho (hereinafter referred to as "Lesotho") are convinced that the reciprocal establishment of trade missions will significantly contribute towards the promotion of trade relations between them and the maintenance and promotion of peace, stability, development and co-operation in the Republic of South Africa and the Kingdom of Lesotho;

NOW THEREFORE, South Africa and Lesotho (hereinafter referred to as "the Parties") agree as follows:

ARTICLE 1

South Africa shall establish in the Kingdom of Lesotho a Trade Mission with the function of looking after the trade interests of South Africa in the Kingdom of Lesotho. The Trade Mission shall be established in Maseru.

ARTICLE 2

Lesotho shall establish in the Republic of South Africa a Trade Mission with the function of looking after the trade interests of Lesotho in the Republic of South Africa.

ARTICLE 3**DEFINITIONS**

In this Agreement, except where inconsistent with the context —

1. "family" means the wife or husband, as the case may be, their natural or legally adopted unmarried children under the age of 21 (twenty-one) years and other such natural or legally adopted unmarried children under the age of 23 (twenty-three) years attending an educational institution in the receiving state on a fulltime basis, of the respective Trade Representative or of a member of the staff of the mission;
2. the "members of the mission" means the Trade Representative and the members of the staff of the mission;
3. "members of the staff of the mission" means the members of the official staff, of administrative and technical staff and of the service staff of the mission;
4. "members of the official staff" means all those persons who take part in the official work of the mission provided that these persons are employed exclusively for that purpose and provided further that these persons are not citizens or permanent residents of the receiving state;
5. the "members of the administrative and technical staff" are the members of the staff of the mission employed in the administrative and technical service of the mission;
6. the "members of the service staff" means all those persons who are in the domestic service of the mission;

7. "missie" Handelsmissie;
8. "amptelike korrespondensie" alle korrespondensie met betrekking tot die missie en sy funksies;
9. die "perseel van die missie" die geboue of dele van geboue en die grond bykomstig daarby; ongeag wie die eienaar daarvan is, wat gebruik word vir die doeleindes van die missie met inbegrip van die woning van die Handelsverteenvoordiger;
10. "handelsmissiesak" die houers wat sigbare merke van hul aard aan die buitekant daarvan vertoon en amptelik korrespondensie en dokumente of artikels bevat, hetsy vergesel van 'n koerier al dan nie, en uitsluitlik vir amptelike kommunikasies tussen die Senderstaat en sy missie in die Ontvangerstaat bestem; en
11. "Handelsverteenvoordiger" die Hoof van Missie.

ARTIKEL 4

AANWYSING VAN DIE PERSONEEL VAN DIE MISSIE

1. Met inagneming van die behoeftes van die betrokke missie, mag die Senderstaat sodanige getal persone as lede van die personeel van die missie as waarop deur die Partye ooreengekom word, aanwys.

2. Die Senderstaat moet verseker dat die goedkeuring van die Ontvangerstaat gegee is vir die persoon wat hy voornemens is om as Missiehoof aan te stel.

ARTIKEL 5

KENNISGEWING VAN PERSONEELAANSTELLINGS EN VERSKUIWING

Die Departement van Buitelandse Sake van Suid-Afrika of die Ministerie van Buitelandse Sake van Lesotho, na gelang van die geval, moet vooraf in kennis gestel word van—

- (a) die aanstelling van lede van die missie, hul aankoms en hul finale vertrek of die beëindiging van hul funksies by die missie;
- (b) die aankoms en finale vertrek van 'n persoon wat lid van die familie van 'n lid van die missie is, en waar toepaslik, die feit dat 'n persoon lid word of ophou om lid te wees van die familie van 'n lid van die missie;
- (c) die indiensneming en ontslag van persone woonagtig in die Ontvangerstaat as lede van die missie.

ARTIKEL 6

KANTORE WEG VAN DIE SETEL VAN DIE MISSIE

Die Senderstaat mag, met die vooraf skriftelike toestemming van die Ontvangerstaat, kantore wat deel vorm van die missie op ander plekke as waar die missie self gevestig is, vestig.

ARTIKEL 7

GEBRUIK VAN VLAG EN EMBLEEM VAN DIE SENDERSTAAT

Die onderskeie Handelsverteenvoordigers het die reg om die vlag en embleem van die Senderstaat op die perseel van die onderskeie missies te gebruik.

7. "mission" means Trade Mission;

8. "official correspondence" means all correspondence relating to the mission and its functions;

9. the "premises of the mission" means the buildings or parts of buildings and the land ancillary thereto, irrespective of ownership, used for the purposes of the mission including the residence of the Trade Representative;

10. "trade mission bag" means the packages bearing visible external marks of their character and containing official correspondence and documents or articles whether accompanied by courier or not, intended exclusively for the official communications between the sending State and its mission in the receiving State; and

11. "Trade Representative" means the Head of Mission.

ARTICLE 4

APPOINTMENT OF THE STAFF OF THE MISSION

1. Having regard to the requirements of the particular mission, the sending State may appoint such number of persons as members of the staff of the mission as shall be agreed upon between the Parties.

2. The sending State must ensure that the approval of the receiving State has been given for the person it proposes to appoint as Head of Mission.

ARTICLE 5

NOTIFICATION OF STAFF APPOINTMENTS AND MOVEMENTS

The Department of Foreign Affairs of South Africa or the Ministry of Foreign Affairs of Lesotho, as the case may be, shall be notified in advance of—

- (a) the appointment of members of the mission, their arrival and their final departure or the termination of their functions with the mission;
- (b) the arrival and final departure of a person belonging to the family of a member of the mission, and where appropriate, the fact that a person becomes or ceases to be a member of the family of a member of the mission;
- (c) the engagement and discharge of persons resident in the receiving State as members of the mission.

ARTICLE 6

OFFICES AWAY FROM THE SEAT OF THE MISSION

The sending State may, with the prior written consent of the receiving State, establish offices forming part of the mission in localities other than those in which the mission itself is established.

ARTICLE 7

USE OF FLAG AND EMBLEM OF SENDING STATE

The respective Trade Representatives shall have the right to use the flag and emblem of the sending State on the premises of the respective missions