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GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

DEPARTMENT OF ARTS, CULTURE, SCIENCE AND TECHNOLOGY DEPARTEMENT VAN KUNS, KULTUUR, WETENSKAP EN TEGNOLOGIE

No. R. 1458

20 November 2002

NATIONAL ARCHIVES AND RECORD SERVICE OF SOUTH AFRICA ACT (ACT NO. 43 OF 1996)

NATIONAL ARCHIVES AND RECORD SERVICE OF SOUTH AFRICA REGULATIONS

The Minister of Arts, Culture, Science and Technology, under section 18 read with sections 6(3), 6(6), 11(3), 12(4), 13(3) and 13(5) of the National Archives and Record Service of South Africa Act, 1996 (Act No. 43 of 1996),-

- (a) has made the regulations in the Schedule;
- (b) hereby repeals the Regulations published by Government Notice No. 126 of 24 January 1997.

SCHEDULE PART I

DEFINITIONS

1. In these regulations any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context otherwise indicates -

"chairperson" means the chairperson of the Council;

"committee" means a committee of the Council appointed in terms of section 6(5) of the Act;

"head of an archives repository" means the chief executive officer of an archives repository or the person who is acting as such;

"strongroom" means a room or place in an archives repository where records are stored; and

"the Act" means the National Archives and Record Service of South Africa Act, 1996 (Act No. 43 of 1996).

PART II COUNCIL

2. (1) The Minister shall appoint members of the Council through a process of public nomination.

(2) (a) The Minister shall, by notice in the gazette and at least two newspapers circulating throughout the Republic, request nominations of suitably qualified persons.

(b) The notice referred to in paragraph (a) shall specify the qualifying requirements for the appointment, as well as the manner, place and time within which the nomination must be submitted.

(3) In appointing a member of the Council from the nominees, the Minister shall ensure that -

(a) the member has the necessary experience and that stakeholder interests are taken into account; and

(b) the Council reflects to a reasonable degree the demographic and gender realities of the Republic of South Africa.

3. (1) A term of office of a member of the Council shall be a period of three years.

(2) Any person whose term of office as a member of the Council has expired may be reappointed for one additional term.

(3) A person appointed in the place of a member who has vacated office, shall hold office for the unexpired term of office of the member in whose place he/she is appointed.

(4) The term of office contemplated in subregulation (3) shall not be considered as a term of office for the purposes of re-appointment under subregulation (2).

4. The Minister may remove a member of the Council from office if -

(1) the member is absent from two consecutive ordinary meetings of the Council without leave of such absence having been granted by the Council;

(2) such removal is requested by at least two thirds of the other members of the Council;

(3) The member is found to be of unsound mind by a competent court; or

(4) The member is found guilty of misconduct.

5. (1) The Minister shall appoint the chairperson and the Council shall elect from among its members a deputy chairperson.

(2) The deputy chairperson shall perform all the functions of the chairperson in the absence of the chairperson.

(3) Whenever both the chairperson and the deputy chairperson are not available, the members must, from among themselves, elect a member to act as chairperson.

6. (1) Ordinary meetings of the Council shall be held at least twice a year.

(2) Special meetings of the Council shall be held -

(a) by order of the Minister; or

(b) on a written request signed by at least half of the members of the Council.

(3) The chairperson shall determine the venue, date and time of ordinary and special meetings.

(4) The secretary shall dispatch the agenda of an ordinary meeting of the Council at least six weeks prior to the date of the meeting to all members of the Council.

(5) The secretary shall dispatch the agenda of a special meeting of the Council at least two weeks prior to the date of such meeting.

(6) A quorum for a meeting of the Council shall be the majority of its members

(7) If there is no quorum at a meeting the meeting must be postponed for at least two weeks. The members at the second meeting shall form a quorum for that meeting.

(8) A decision of the majority of the members present at any meeting constitutes a decision of the Council and, in the event of an equality of votes, the presiding member shall have a casting vote in addition to his or her deliberative vote.

(9) No decision of Council shall be invalid merely by reason of a casual vacancy in the Council.

(10) The secretary shall record the minutes of every meeting of the Council, and shall circulate the draft minutes among members.

(11) Minutes of the proceedings of each meeting shall be submitted at the next meeting of the Council and, if passed as correct, shall be confirmed by the signatures of the chairperson and the secretary.

7. (1) A committee of the Council shall elect a chairperson and, if necessary, a secretary for that committee from among its members.

(2) The chairperson of a committee shall -

(a) determine the venue, date and time of a meeting of that committee;

(b) table minutes of any meeting held by that committee since the last meeting of the Council at the next ordinary meeting of the Council; and

(c) provide a written report of the activities of the committee at the Council meeting.

PART III TRANSFER OF PUBLIC RECORDS

8. (1) The transfer of public records may take place on the initiative of either the National Archivist or the head of the governmental body under whose control those records fall.

(2) The National Archivist may enter into an agreement with the head of a governmental body for the planned and systematic transfer of public records.

(3) When a governmental body wishes to transfer public records, the head of such a body shall submit a written request to do so to the head of the archives repository concerned, subject to the following conditions:

(a) Where such records are covered by a disposal authority, the request must include –

- (i) a duplicate transfer list of such records in which each item is identified by reference number, description and opening and closing dates; and
- (ii) an indication of the extent of such records in linear metres;
and

(b) Where such records are not covered by a disposal authority, the request must include –

- (i) a summarised identification of such records by type, period and office of origin;
- (ii) an indication of the nature of the records classification system, whether such system has been approved by the National Archivist, and whether such system is still in use; and
- (iii) an indication of the extent of such records in linear metres.

(4) Subject to section 13(2)(a) of the Act a governmental body may transfer public records to an archives repository after receiving written authorization to do so from the head of such repository.

(5) In addition to any special condition that may apply to any transfer –

- (a) the public records concerned shall be deposited in the archives repository determined by the National Archivist;
- (b) the public records concerned shall be ordered precisely in accordance with the transfer list contemplated in subregulation 3(a)(i);
- (c) containers or packages used for the transfer must be clearly labeled in the sequence determined by the transfer list; and
- (d) receipt of the transfer shall be acknowledged by the dispatch to the governmental body concerned of an endorsed copy of the transfer list.

(6) Subject to such conditions as the head of an archives repository may determine, public records in the custody of the National Archives may be returned temporarily to the governmental body which transferred them to the National Archives, or to such body's legal successor: - Provided that those records shall be returned to the archives repository concerned within 60 days of receipt, unless the head of that repository has authorised an extended period in writing.

(7) All costs relating to the transfer and temporary return of public records as provided for in this regulation shall be borne by the governmental body transferring the records to or borrowing the records from the National Archives.

PART IV ACCESS AND USE

9. (1) Consultation of records in an archives repository shall take place in the reading rooms of that repository.

(2) A member of the public may be admitted to the strongrooms of an archives repository with the approval of the head of such repository and subject to the conditions laid down by such head.

(3) A member of the public admitted to a strongroom or other place in an archives repository where records are stored or processed shall not eat, drink, smoke, strike a match or use a lighter in the strongroom or such place, and shall not carry any bag, receptacle or any other container into the strongroom or such place.

(4) The head of an archives repository may require a member of the public to -

(a) present his or her identity document or passport;

(b) record in the repository register referred to in subregulation

7(a): -

(i) the subject of his or her research;

(ii) the purpose of the research;

(iii) his or her permanent residential address;

(iv) such other information as the head of the archives repository may require;

(c) notify the head of any subsequent changes to the information contemplated in paragraph (b).

(5) (a) The head of an archives repository may deny a member of public access to a reading room if such person does not comply with these regulations or persists with improper conduct.

(b) A denial of access referred to in paragraph (a) shall, as soon as possible, be reported in writing to the National Archivist.

(6) Reading rooms of archives repositories shall be open to the public at such times as the National Archivist may determine.

- (7) (a) A member of public shall write and sign his/her name in a register provided for the purpose every day on which records are consulted.
- (b) A member of public shall request the delivery of records to a reading room for consultation in writing using a form, following a procedure, and at times determined by the National Archivist.
- (c) The head of an archives repository shall determine the number of records which may be consulted simultaneously by a member of public.
- (d) When consulting records a member of public shall observe all instructions pertaining to the handling of records laid down by the head of an archives repository, including but not limited to the following:
- (i) The greatest care in handling records shall at all times be exercised;
 - (ii) The order of records shall not be disturbed;
 - (iii) Any damage to a record or disturbance in the order of records caused or discovered by a member of public shall be reported to the reading room supervisor;
 - (iv) Writing or making of any mark on any record is prohibited;
 - (v) The use of fountain pens is prohibited; and
 - (vi) No bags, receptacles or containers of any kind may be retained in a reading room.
- (8) (a) The head of an archives repository may prohibit the copying of a record if such copying might damage the record.
- (b) The head of an archives repository may:
- (i) limit the length of time for which a member of public may utilize a copying machine, computer terminal or other facility provided by that repository; and
 - (ii) provide members of the public with copies of records, provided that the head may impose a limit on the number of copies.
- (c) Members of the public shall pay for any copies of records made in an archives repository according to the tariffs determined by the National Archivist.

**PART V
MANAGEMENT AND CARE OF RECORDS**

10 (1) The head of a governmental body shall be responsible for ensuring that all records of such body -

- (a) receive appropriate physical care;
- (b) are protected by appropriate security measures; and
- (c) are managed in terms of standing orders of that body and other relevant legislation.

(2) The head of a governmental body shall supply the National Archivist with such information related to the management of records under his/her control as the National Archivist may require.

(3) The head of a governmental body shall comply with all directives and instructions issued by the National Archivist and pertaining to the management and care of public records.

(4) The appraisal of the records of a governmental body may take place on the initiative of either the National Archivist or the head of the governmental body concerned.

(5) The transfer to an archives repository, destruction or other disposal of such records shall be effected in terms of a disposal authority.

(6) Procedures for the issuing of a disposal authority shall be as determined by the National Archivist in directives and instructions.

(7) The preparation of records for destruction in terms of a disposal authority shall be done under the supervision of the records manager of the governmental body concerned.

(8) Whenever records are destroyed in terms of a disposal authority, the head of a governmental body shall submit to the National Archivist a certificate of destruction as prescribed by the National Archivist unless an exemption from this obligation has been received from the National Archivist.

(9) The head of a governmental body shall report to the National Archivist without delay all cases of serious damage, loss or unauthorized destruction of that body's records.

11. (1) No governmental body shall use a records classification system unless it has been approved by the National Archivist.

(2) Any application for the approval of a records classification system shall follow procedures determined by the National Archivist.

(3) Any revision of and additions to an approved records classification system shall be submitted to the National Archivist for approval in accordance with procedures set out by the National Archivist.

(4) The head of a governmental body shall report to the National Archivist such body's intention to microfilm records or to introduce an electronic records system and such notification shall follow procedures set out by the National Archivist.

12. The official designated as the records manager of a governmental body in terms of section 13(5) of the Act shall -

(a) be in possession of an appropriate university or technikon qualification, and/or have appropriate professional experience;

(b) have successfully completed the National Archives' Records Management Course;

(c) possess a thorough knowledge of the body's organizational structure, functions and records system; and

(d) be responsible for promoting the effective, efficient and accountable management of the body's records and ensuring, by inspections and other means, the body's compliance with the Act and all other relevant legislation.

TITLE

13. These regulations shall be called the National the National Archives and Record Service of South Africa Regulations, 2002

No. R. 1458

20 November 2002

WET OP DIE NASIONALE ARGIEF EN REKORDSDIENS VAN SUID-AFRIKA
(WET NO. 43 VAN 1996)

REGULASIES BETREFFENDE DIE NASIONALE ARGIEF EN REKORDSDIENS
VAN SUID-AFRIKA

Kragtens artikel 18, gelees met artikels 6(3), 6(6), 11(3), 12(4), 13(3) en 13(5), van die Wet op die Nasionale Argief en Rekordsdiens van Suid-Afrika, 1996 (Wet No. 43 van 1996) –

- (a) het die Minister van Kuns, Kultuur, Wetenskap en Tegnologie die regulasies in die Bylae uitgevaardig;
- (b) herroep die Minister van Kuns, Kultuur, Wetenskap en Tegnologie hierby die Regulasies wat by Goewermentskennisgewing No. 126 van 24 Januarie 1997 gepubliseer is.

BYLAE
DEEL 1

WOORDOMSKRYWING

1. In hierdie regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet toegeken is, daardie betekenis, en, tensy die samehang anders aandui, beteken –

"brandkluis" 'n kamer of plek in 'n argiefbewaarplek waar rekords geberg word;

"die Wet" die Wet op die Nasionale Argief en Rekordsdiens van Suid-Afrika (Wet No. 43 van 1996);

"hoof van 'n argiefbewaarplek" die hoof uitvoerende beampte van 'n argiefbewaarplek of die persoon wat as sodanig optree;

"komitee" 'n komitee van die Raad wat ingevolge artikel 6(5) van die Wet aangestel is; en

"voorsitter" die voorsitter van die Raad.

DEEL II
RAAD

2. (1) Die Minister stel lede van die Raad deur 'n proses van openbare nominasie aan.

(2)(a) Die Minister versoek, by kennisgewing in die Staatskoerant en in minstens twee koerante wat in die hele Republiek versprei word, nominasies van toepaslik gekwalifiseerde persone.

(b) Die kennisgewing bedoel in paragraaf (a) moet spesifiseer wat die kwalifiserende vereistes vir die aanstelling is, asook die wyse waarop, die plek waar, en die tyd waarbinne die nominasie voorgelê moet word.

(3) By die aanstelling van 'n lid van die Raad uit die genomineerdes moet die Minister toesien dat -

- (a) die lid die nodige ondervinding het en dat die belange van belanghebbers in ag geneem word; en
- (b) die Raad in redelike mate die demografiese en geslagswerklikhede van die Republiek van Suid-Afrika weerspieël.

3. (1) 'n Ampstermyn van 'n lid van die Raad is 'n tydperk van drie jaar.

(2) Enigeen wie se ampstermyn as lid van die Raad verstryk het, kan vir een bykomende termyn heraaangestel word.

(3) Iemand wat aangestel is in die plek van 'n lid wat sy of haar amp ontruim het, beklee die amp vir die oorblywende deel van die ampstermyn van die lid in wie se plek hy of sy aangestel is.

(4) Die ampstermyn bedoel in subregulasie (3) word vir die doeleindes van heraanstelling ingevolge subregulasie (2) nie as 'n ampstermyn beskou nie.

4. Die Minister kan 'n lid van die Raad van sy of haar amp onthef indien -

(1) die lid van twee opeenvolgende gewone vergaderings van die Raad afwesig is sonder dat die Raad verlof vir sodanige afwesigheid toegestaan het;

(2) sodanige ontheffing deur minstens twee derdes van die ander lede van die Raad versoek word;

(3) die lid deur 'n bevoegde hof geestesongesteld bevind word; of

(4) die lid aan wangedrag skuldig bevind word.

5. (1) Die Minister stel die voorsitter aan en die Raad kies uit hulle eie geledere 'n ondervoorsitter.

(2) Die ondervoorsitter verrig in die afwesigheid van die voorsitter al die werksaamhede van die voorsitter.

(3) Wanneer die voorsitter en die ondervoorsitter altwee nie beskikbaar is nie, moet die lede uit hulle geledere 'n lid kies om as voorsitter op te tree.

6. (1) Gewone vergaderings van die Raad word minstens twee keer per jaar gehou.

(2) Spesiale vergaderings van die Raad word gehou -

(a) in opdrag van die Minister; of

(b) op skriftelike versoek wat deur minstens die helfte van die lede van die Raad onderteken is.

(3) Die voorsitter bepaal die plek, datum en tyd van gewone en spesiale vergaderings.

(4) Die sekretaris versend die agenda van 'n gewone vergadering van die Raad minstens ses weke voor die datum van die vergadering aan alle lede van die Raad.

(5) Die sekretaris versend die agenda van 'n spesiale vergadering van die Raad minstens twee weke voor die datum van sodanige vergadering.

(6) 'n Kworum vir 'n vergadering van die Raad is die meerderheid van sy lede.

(7) Indien daar by 'n vergadering geen kworum is nie, moet die vergadering vir minstens twee weke uitgestel word. Die lede by die tweede vergadering maak vir daardie vergadering 'n kworum uit.

(8) 'n Besluit van die meerderheid van die lede wat by enige vergadering teenwoordig is, maak 'n besluit van die Raad uit, en in die geval van 'n staking van stemme het die voorsittende lid 'n beslissende stem benewens sy of haar beraadslagende stem.

(9) Geen besluit van die Raad is bloot weens 'n toevallige vakature in die Raad ongeldig nie.

(10) Die sekretaris hou die notule van elke vergadering van die Raad, en versprei die konsepnotule onder lede.

(11) Die notule van die verrigtinge van elke vergadering word by die volgende vergadering aan die Raad voorgelê en indien dit as korrek aanvaar word, word dit bevestig deur die handtekeninge van die voorsitter en die sekretaris.

7. (1) 'n Komitee van die Raad verkies vanuit sy geledere 'n voorsitter en, indien nodig, 'n sekretaris vir daardie komitee.

(2) Die voorsitter van die komitee -

(a) bepaal die plek, datum en tyd van 'n vergadering van daardie komitee;

(b) lê die notule van enige vergadering wat daardie komitee sedert die laaste Raadsvergadering gehou het, by die volgende gewone vergadering van die Raad ter tafel; en

(c) lê by die Raadsvergadering 'n skriftelike verslag oor die werksaamhede van die komitee voor.

DEEL III

OORPLASING VAN PUBLIEKE REKORDS

8. (1) Die oorplasing van publieke rekords kan plaasvind op inisiatief van óf die Nasionale Argivaris óf die hoof van die regeringsliggaam onder wie se beheer daardie rekords val.

(2) Die Nasionale Argivaris kan met die hoof van 'n regeringsliggaam 'n ooreenkoms aangaan vir die beplande en sistematiese oorplasing van publieke rekords.

(3) Wanneer 'n regeringsliggaam publieke rekords wil oorplaas, lê die hoof van so 'n liggaam aan die hoof van die betrokke argiefbewaarplek 'n skriftelike versoek voor om dit te doen, onderworpe aan die volgende voorwaardes:

(a) Waar sodanige rekords deur 'n beskikkingsmagtiging gedek word, moet die versoek insluit -

(i) 'n duplikaat-oorplasingslys van sodanige rekords waarin elke item volgens verwysingsnommer, beskrywing en openings- en sluitingsdatums geïdentifiseer word; en

(ii) 'n aanduiding van die omvang van sodanige rekords in lineêre meter; en

(b) Waar sodanige rekords nie deur 'n beskikkingsmagtiging gedek word nie, moet die versoek insluit -

(i) 'n opgesomde identifisering van sodanige rekords volgens tipe, tydperk en kantoor van oorsprong;

(ii) 'n aanduiding van die aard van die rekordklassifikasiesstelsel, of sodanige stelsel deur die Nasionale Argivaris goedgekeur is, en of sodanige stelsel nog in gebruik is; en

(iii) 'n aanduiding van die omvang van sodanige rekords in lineêre meter.

(4) Onderworpe aan artikel 13(2)(a) van die Wet kan 'n regeringsliggaam publieke rekords na 'n argiefbewaarplek oorplaas nadat skriftelike magtiging om dit te doen, van die hoof van sodanige bewaarplek ontvang is.

(5) Benewens enige spesiale voorwaarde wat op enige oorplasing van toepassing kan wees -

(a) moet die betrokke publieke rekords geplaas word in die argiefbewaarplek wat die Nasionale Argivaris bepaal;

(b) moet die betrokke publieke rekords georden wees presies in ooreenstemming met die oorplasingslys in subregulasie 3(a)(i) bedoel;

(c) moet houters of pakkette wat vir die oorplasing gebruik word, duidelik met etikette gemerk wees in die volgorde wat deur die oorplasingslys bepaal word; en

(d) moet ontvangs van die oorplasing erken word deur die versending na die betrokke regeringsliggaam van 'n geëndosseerde afskrif van die oorplasingslys.

(6) Onderworpe aan die voorwaardes wat die hoof van 'n argiefbewaarplek kan bepaal, kan publieke rekords in bewaring van die Nasionale Argief tydelik terugbesorg word aan die regeringsliggaam wat hulle na die Nasionale Argief oorgeplaas het, of aan sodanige liggaam se wettige opvolger. Met dien verstande dat daardie rekords binne 60 dae na ontvangs na die betrokke argiefbewaarplek teruggestuur moet word, tensy die hoof van daardie bewaarplek skriftelik magtiging gegee het vir 'n verlengde tydperk.

(7) Alle onkoste wat verband hou met die oorplasing en tydelike terugbesorging van publieke rekords soos daar in hierdie regulasies voorvoorsiening gemaak word, word gedra deur die regeringsliggaam wat die rekords na die Nasionale Argief oorplaas of by die Nasionale Argief leen.

DEEL IV TOEGANG EN GEBRUIK

9. (1) Raadpleging van rekords in 'n argiefbewaarplek vind in die leeskamers van daardie bewaarplek plaas.

(2) 'n Lid van die publiek kan, met die toestemming van die hoof van sodanige bewaarplek en onderworpe aan die voorwaardes wat deur sodanige hoof gestel word, in die brandkluis van 'n argiefbewaarplek toegelaat word.

(3) 'n Lid van die publiek wat toegelaat word in 'n brandkluis of ander plek in 'n argiefbewaarplek waar rekords geberg of geprosesseer word, mag in die brandkluis of sodanige plek nie eet, drink, rook, 'n vuurhoutjie aansteek of 'n aansteker gebruik nie, en mag ook geen sak of enige ander houer in daardie brandkluis of sodanige plek inneem nie.

(4) Die hoof van 'n argiefbewaarplek kan van 'n lid van die publiek vereis om -

(a) sy of haar identiteitsdokument of paspoort te toon;

(b) in die bewaarplekregister bedoel in subregulasie 7(a) die volgende neer te skryf:

- (i) die onderwerp van sy of haar navorsing;
- (ii) die doel van die navorsing;
- (iii) sy of haar permanente woonadres;
- (iv) sodanige ander inligting as wat die hoof van die argiefbewaarplek kan verlang;

(c) die hoof in kennis te stel van enige latere veranderinge aan die inligting in paragraaf (b) bedoel.

(5) (a) Die hoof van 'n argiefbewaarplek kan 'n lid van die publiek toegang tot 'n leeskamer weier indien daardie persoon nie aan hierdie regulasies voldoen nie of aanhou met onbehoorlike gedrag.

(b) 'n Weiering van toegang bedoel in paragraaf (a) word so gou moontlik skriftelik aan die Nasionale Argivaris gerapporteer.

(6) Leeskamers van argiefbewaarplekke is vir die publiek oop op die tye wat die Nasionale Argivaris bepaal.

(7) (a) 'n Lid van die publiek skryf en teken op elke dag waarop hy of sy rekords in die bewaarplek raadpleeg, sy of haar naam in 'n register wat vir daardie doel verskaf word.

(b) 'n Lid van die publiek versoek skriftelik, op die vorm, volgens die prosedure, en op die tye wat die Nasionale Argivaris bepaal, dat rekords na 'n leeskamer gebring word sodat hy of sy dit kan raadpleeg.

(c) Die hoof van 'n argiefbewaarplek bepaal hoeveel rekords op een slag deur 'n lid van die publiek geraadpleeg kan word.

(d) Wanneer 'n lid van die publiek rekords raadpleeg, moet hy of sy alle opdragte gehoorsaam wat die hoof van 'n argiefbewaarplek rakende die hantering van rekords neergelê het, insluitende, maar nie beperk nie tot, die volgende:

- (i) Rekords moet te alle tye met die grootste sorg hanteer word;
- (ii) die volgorde van rekords moet nie versteur word nie;
- (iii) enige skade aan 'n rekord of versteuring van die volgorde van rekords wat deur 'n lid van die publiek veroorsaak of ontdek word, moet aan die toesighouer van die leeskamer gerapporteer word;
- (iv) dit is verbode om op enige rekord te skryf of 'n merk te maak;
- (v) die gebruik van vulpenne is verbode; en
- (vi) geen sakke of enige ander houters mag in 'n leeskamer gehou word nie.

(8) (a) Die hoof van 'n argiefbewaarplek kan iemand verbied om 'n afskrif van 'n rekord te maak as sodanige kopiëring die rekord kan beskadig.

(b) Die hoof van 'n argiefbewaarplek kan -

(i) 'n beperking stel aan hoe lank 'n lid van die publiek 'n kopieermasjien, rekenaarterminaal of ander fasiliteit wat deur daardie bewaarplek verskaf word, mag gebruik; en

(ii) aan lede van die publiek afskrifte van rekords voorsien, met dien verstande dat die hoof 'n perk op die hoeveelheid afskrifte kan stel.

(c) Lede van die publiek betaal vir enige afskrifte van rekords wat in 'n argiefbewaarplek gemaak word; in ooreenstemming met die tariewe wat deur die Nasionale Argivaris bepaal word.

DEEL V

BESTUUR EN VERSORGING VAN REKORDS

- 10 (1) Die hoof van 'n regeringsliggaam is daarvoor verantwoordelik om toe te sien dat alle rekords van sodanige liggaam -
- (a) gepaste fisieke versorging ontvang;
 - (b) deur gepaste sekerheidsmaatreëls beskerm word; en
 - (c) ingevolge staande opdragte van daardie liggaam en ander tersaaklike wetgewing bestuur word.
- (2) Die hoof van 'n regeringsliggaam voorsien die Nasionale Argivaris van sodanige inligting rakende die bestuur van rekords onder sy of haar beheer as wat die Nasionale Argivaris benodig.
- (3) Die hoof van 'n regeringsliggaam voldoen aan alle voorskrifte en instruksies wat deur die Nasionale Argivaris uitgereik word en wat op die bestuur en versorging van publieke rekords van toepassing is.
- (4) Die keuring van die rekords van 'n regeringsliggaam kan plaasvind op die inisiatief van óf die Nasionale Argivaris, óf die hoof van die betrokke regeringsliggaam.
- (5) Die oorplasing na 'n argiefbewaarplek of vernietiging van, of ander beskikking oor, sodanige rekords moet ingevolge 'n beskikkingsmagtiging geskied.
- (6) Prosedures vir die uitreiking van 'n beskikkingsmagtiging is soos deur die Nasionale Argivaris in voorskrifte en instruksies bepaal.
- (7) Die voorbereiding van rekords vir vernietiging ingevolge 'n beskikkingsmagtiging word onder die toesig van die rekordbestuurder van die betrokke regeringsliggaam gedoen.
- (8) Wanneer rekords ingevolge 'n beskikkingsmagtiging vernietig word, lê die hoof van 'n regeringsliggaam aan die Nasionale Argivaris 'n vernietigingssertifikaat soos deur die Nasionale Argivaris voorgeskryf, voor, tensy 'n vrystelling van hierdie verpligting van die Nasionale Argivaris verkry is.
- (9) Die hoof van 'n regeringsliggaam rapporteer sonder versuim aan die Nasionale Argivaris alle gevalle van ernstige skade aan of verlies of ongemagtigde vernietiging van daardie liggaam se rekords.
11. (1) Geen regeringsliggaam mag 'n rekordklassifikasiesistelsel gebruik tensy dit deur die Nasionale Argivaris goedgekeur is nie.
- (2) Enige aansoek om die goedkeuring van 'n rekordklassifikasiesistelsel moet die prosedures volg wat deur die Nasionale Argivaris bepaal is.
- (3) Enige hersiening van en byvoegings tot 'n goedgekeurde rekordklassifikasiesistelsel moet vir goedkeuring aan die Nasionale Argivaris voorgelê word in ooreenstemming met prosedures wat deur die Nasionale Argivaris uiteengesit is.
- (4) Die hoof van 'n regeringsliggaam moet die Nasionale Argivaris in kennis stel van daardie liggaam se voorneme om rekords op mikrofilm te plaas of om 'n elektroniese rekordstelsel in te stel, en sodanige kennisgewing moet die prosedures volg wat deur die Nasionale Argivaris uiteengesit is.
12. Die beampte wat ingevolge artikel 13(5) van die Wet as rekordbestuurder van 'n regeringsliggaam aangewys is, moet -

- (a) 'n toepaslike universiteits- of technikonkwalifikasie en/of toepaslike beroepsondervinding hê;
- (b) die Nasionale Argief se Rekordbestuurskursus suksesvol voltooi het;
- (c) 'n grondige kennis van die liggaam se organisatoriese struktuur, werksaamhede en rekordstelsel hê; en
- (d) verantwoordelik wees vir die bevordering van die doeltreffende, doelmatige en verantwoordingspligtige bestuur van die liggaam se rekords, en vir die versekering, deur inspeksies en ander maatreëls, dat die liggaam aan die Wet en alle ander tersaaklike wetgewing voldoen.

TITEL

13. Hierdie regulasies word die Nasionale Argief en Rekordsdiens van Suid Afrika Regulasies genoem.
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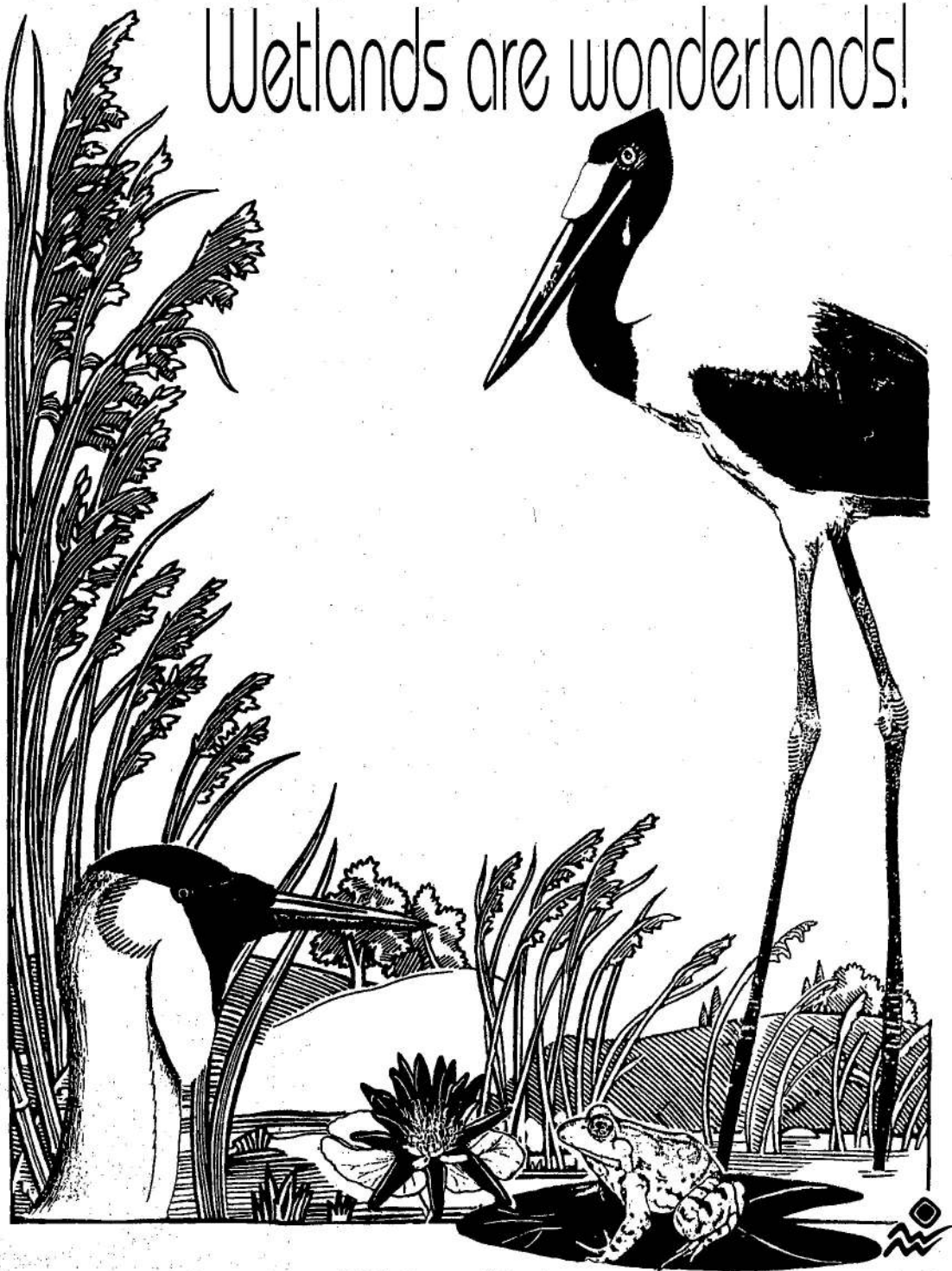
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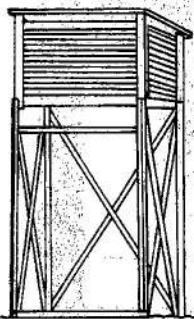
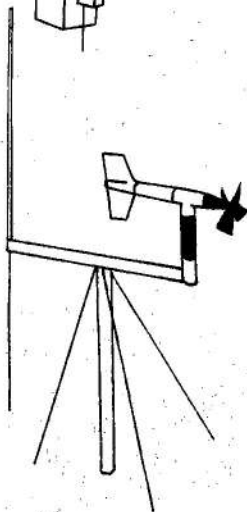
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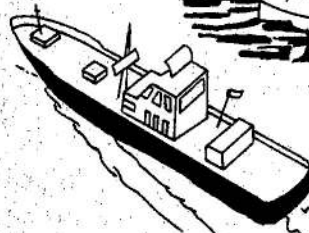
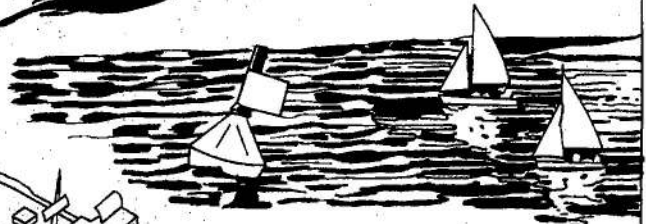
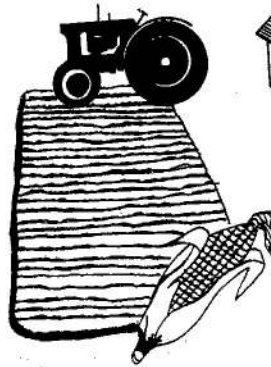
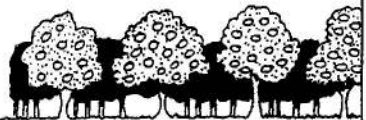
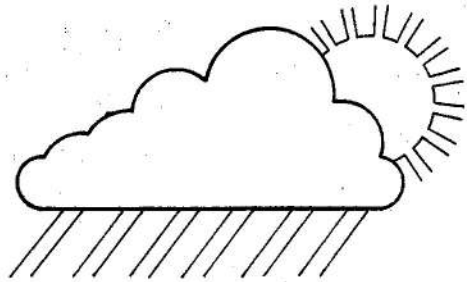


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