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SUID-AFRIKA



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PRETORIA, 31 JANUARIE 1992
JANUARY

No. 13747

PROKLAMASIE

van die

Staatspresident

van die Republiek van Suid-Afrika

No. R. 2, 1992

DATUM VAN INWERKINGTREDING VAN DIE WYSIGINGSWET OP OPHEFFING VAN BEPERKINGS (VOLKSRAAD), 1991 (WET No. 84 VAN 1991)

Kragtens die bevoegdheid my verleen by artikel 3 van die Wysigingswet op Opheffing van Beperkings (Volksraad), 1991 (Wet No. 84 van 1991), bepaal ek hierby, na oorlegpleging met die Administrateur van Transvaal, die datum waarop hierdie Proklamasie in die *Staatskoerant* gepubliseer word as die datum waarop genoemde Wet in die provinsie Transvaal in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria, op hede die Dertiende dag van Desember Eenduisend Negehoenderd Een-en-negentig.

F. W. DE KLERK,

Staatspresident.

Op las van die Staatspresident-in-Rade (Ministersraad van die Volksraad):

L. WESSELS,

Minister van die Ministersraad van die Volksraad.

104—A

PROCLAMATION

by the

State President

of the Republic of South Africa

No. R. 2, 1992

DATE OF COMMENCEMENT OF THE REMOVAL OF RESTRICTIONS AMENDMENT ACT (HOUSE OF ASSEMBLY), 1991 (ACT No. 84 OF 1991)

Under the powers vested in me by section 3 of the Removal of Restrictions Amendment Act (House of Assembly), 1991 (Act No. 84 of 1991), I hereby, after consultation with the Administrator of Transvaal, fix the date on which this Proclamation is published in the *Gazette* as the date on which the said Act shall come into operation in the Province of the Transvaal.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this Thirteenth day of December, One thousand Nine hundred and Ninety-one.

F. W. DE KLERK,

State President.

By Order of the State President-in-Council (Ministers' Council of the House of Assembly):

L. WESSELS,

Minister of the Ministers' Council of the House of Assembly.

13747—1

GOEWERMENSKENNISGEWINGS**ADMINISTRASIE:
VOLKSRAAD****DEPARTEMENT VAN LANDBOU-ONTWIKKELING****No. R. 330****31 Januarie 1992**

UMFULI-BESPROEIINGSDISTRIK, DISTRIK LOWER UMFOLOZI, NATAL: UITBREIDING VAN GRENSE KRAGTENS ARTIKEL 76 (1) VAN DIE WATERWET, 1956 (WET 54 VAN 1956)

Ek, André Isak van Niekerk, Minister van Landbou-ontwikkeling, brei hierby kragtens artikel 76 (1) van die Waterwet, 1956 (Wet 54 van 1956), die grense van die Umfuli-besproeiingsdistrik uit deur die insluiting van die plaas Nogeya 11872, welke distrik steeds as die Umfuli-besproeiingsdistrik bekend staan.

A. I. VAN NIEKERK,

Minister van Landbou-ontwikkeling.

DEPARTEMENT VAN LANDBOU-ONTWIKKELING**No. R. 331****31 Januarie 1992**

HEATONVILLE-BESPROEIINGSDISTRIK, DISTRIK LOWER UMFOLOZI, NATAL: WYSIGING VAN GRENSE INGEVOLGE ARTIKEL 76 (1) VAN DIE WATERWET, 1956 (WET 54 VAN 1956)

Ek, André Isak van Niekerk, Minister van Landbou-ontwikkeling, wysig hierby kragtens artikel 76 (1) van die Waterwet, 1956 (Wet 54 van 1956) die grense van die Heatonville-besproeiingsdistrik deur die gebied beskryf in die Aanhangsels by Proklamasie 15 van 1972 en Goewermenskennisgewing R. 1655 van 1990, deur die gebied in die Bylae hiervan te vervang, welke distrik steeds as die Heatonville-besproeiingsdistrik bekend staan.

A. I. VAN NIEKERK,

Minister van Landbou-ontwikkeling.

BYLAE

HEATONVILLE-BESPROEIINGSDISTRIK DISTRIK LOWER UMFOLOZI, NATAL: BESKRYWING VAN DIE GEBIED WAT DIE DISTRIK UITMAAK

Die volgende plase met alle onderverdelings:

- Lot 229, Empangeni 9983.
- Lot 244, Empangeni 10574.
- Hlangasa 10963.
- Prospect Estate 10974.
- Piccadilly 10985.
- Lot 241, Empangeni 11058.
- Ezulwini 11065.
- Arcadia 11079.
- Atherfold 11162.
- Lot 231, Empangeni 11295.
- Inyoka 11366.
- Needmore 11386.
- Blackwood 11394.

GOVERNMENT NOTICES**ADMINISTRATION:
HOUSE OF ASSEMBLY****DEPARTMENT OF AGRICULTURAL
DEVELOPMENT****No. R. 330****31 January 1992**

UMFULI IRRIGATION DISTRICT, DISTRICT OF LOWER UMFOLOZI, NATAL: EXTENSION OF BOUNDARIES IN TERMS OF SECTION 76 (1) OF THE WATER ACT, 1956 (ACT 54 OF 1956)

I, André Isak van Niekerk, Minister of Agricultural Development, hereby, in terms of section 76 (1) of the Water Act, 1956 (Act 54 of 1956), extend the boundaries of the Umfuli Irrigation District by the inclusion of the farm Nogeya 11872, which district shall still be known as the Umfuli Irrigation District.

A. I. VAN NIEKERK,

Minister of Agricultural Development.

**DEPARTMENT OF AGRICULTURAL
DEVELOPMENT****No. R. 331****31 January 1992**

HEATONVILLE IRRIGATION DISTRICT, DISTRICT OF LOWER UMFOLOZI, NATAL: AMENDMENT OF BOUNDARIES IN TERMS OF SECTION 76 (1) OF THE WATER ACT, 1956 (ACT 54 OF 1956)

I, André Isak van Niekerk, Minister of Agricultural Development, hereby, in terms of section 76 (1) of the Water Act, 1956 (Act 54 of 1956), amend the boundaries of the Heatonville Irrigation District by substituting for the area described in the Annexures to Proclamation 15 of 1972 and Government Notice R. 1655 of 1990 the area described in the Schedule hereto, which district shall still be known as the Heatonville Irrigation District.

A. I. VAN NIEKERK,

Minister of Agricultural Development.

SCHEDULE

HEATONVILLE IRRIGATION DISTRICT, DISTRICT OF LOWER UMFOLOZI, NATAL: DESCRIPTION OF THE AREA COMPRISING THE DISTRICT

The following farms with all subdivisions:

- Lot 229, Empangeni 9983.
- Lot 244, Empangeni 10574.
- Hlangasa 10963.
- Prospect Estate 10974.
- Piccadilly 10985.
- Lot 241, Empangeni 11058.
- Ezulwini 11065.
- Arcadia 11079.
- Atherfold 11162.
- Lot 231, Empangeni 11295.
- Inyoka 11366.
- Needmore 11386.

Coulton 11420.
 The Pyramids 11425.
 River View 11459.
 Curragh 11470.
 Ellingham 11478.
 Thorncreek 11542.
 Glenmore 11543.
 Shorrocks Hill 11561.
 Bolarum 11571.
 Wallenton 11582.
 Majatcha 11583.
 Newlands 11588.
 Confluence 11728.
 Hill Top 11745.
 Lot 227, Empangeni 12061.
 Merchiston 12085.
 Lot 231, Empangeni 12094.
 Lot 263, Empangeni, 12144.
 Handley Cross 12187.
 Lot 239, Empangeni 12280.
 Lot 272, Empangeni 12922.
 Lot 252, Empangeni 13313.
 Lot 291, Empangeni 13387.
 Lot 290, Empangeni 13388.
 Lot 292, Empangeni 13399.
 Lot 264, Empangeni 13548.
 Lot 254, Empangeni 14014.
 Lot 278, Empangeni 14015.
 Shorragh 14625.
 Dube Ridge 15223.
 Lot 271, Empangeni 15728.

Blackwood 11394.
 Coulton 11420.
 The Pyramids 11425.
 River View 11459.
 Curragh 11470.
 Ellingham 11478.
 Thorncreek 11542.
 Glenmore 11543.
 Shorrocks Hill 11561.
 Bolarum 11571.
 Wallenton 11582.
 Majatcha 11583.
 Newlands 11588.
 Confluence 11728.
 Hill Top 11745.
 Lot 227, Empangeni 12061.
 Merchiston 12085.
 Lot 231, Empangeni 12094.
 Lot 263, Empangeni 12144.
 Handley Cross 12187.
 Lot 239, Empangeni 12280.
 Lot 272, Empangeni 12922.
 Lot 252, Empangeni 13313.
 Lot 291, Empangeni 13387.
 Lot 290, Empangeni 13388.
 Lot 292, Empangeni 13399.
 Lot 264, Empangeni 13548.
 Lot 254, Empangeni 14014.
 Lot 278, Empangeni 14015.
 Shorragh 14625.
 Dube Ridge 15223.
 Lot 271, Empangeni 15728.

DEPARTEMENT VAN FINANSIES

No. R. 328

31 Januarie 1992

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/168)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

J. A. VAN WYK,

Adjunkminister van Finansies.

DEPARTMENT OF FINANCE

No. R. 328

31 January 1992

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/168)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

J. A. VAN WYK,

Deputy Minister of Finance.

BYLAE

I Korting- item	II				III Mate van Korting	Annota- sies
	Tarief- Pos	Korting- Kode	T. S.	Beskrywing		
316.11	"32.08	01.04	47	Deur na tariefpos No. 32.06 die volgende in te voeg: Emaljes, gebaseer op sintetiese polimere of chemies gemodifiseerde natuurlike polimere, gedispergeer of opgelos in 'n nie-watermedia, vir die vervaardiging van geïsoleerde elektriese koperdraad	Volle reg"	

Opmerking.—'n Voorsiening word gemaak vir 'n volle korting op reg op emaljes, gebaseer op sintetiese polimere of chemies gemodifiseerde natuurlike polimere, gedispergeer of opgelos in 'n nie-watermedia, vir die vervaardiging van geïsoleerde elektriese koperdraad.

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.	Description		
316.11	"32.08	01.04	47	By the insertion after tariff heading No. 32.06 of the following: Enamels, based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium, for the manufacture of insulated electric copper wire	Full duty"	

Note.—Provision is made for a rebate of the fully duty on enamels, based on synthetic polymers or chemically modified natural polymers, dispersed or dissolved in a non-aqueous medium, for the manufacture of insulated electric copper wire.

No. R. 329

31 Januarie 1992

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/436)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 6 September 1991, in die mate in die Bylae hiervan aange-
toon.

J. A. VAN WYK,

Adjunkminister van Finansies.

No. R. 329

31 January 1992

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/436)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended, with retrospective effect to 6 September 1991, to the extent set out in the Schedule hereto.

J. A. VAN WYK,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
23.01	"2301.20	5	Deur subpos No. 2301.20 deur die volgende te vervang: Fynmeel, meel en pille, van vis of van skaaldierte, weekdiere of ander ongewerwelde waterdiere	kg	vry"	
23.04 "23.04	2304.00	7	Deur pos No. 23.04 deur die volgende te vervang: Oliekoek en ander vaste oorblyfsels, hetsy gemaal of in die vorm van pille al dan nie, afkomstig van die winning van sojaboonolie.	kg	20c/kg"	
23.06	"2306.10	9	Deur subpos No. 2306.10 deur die volgende te vervang: Van katoensaad	kg	25c/kg"	

Opmerkings.— 1. Die uitwerking van hierdie wysiging is dat die skaal van reg op—

- fynmeel, meel en pille, van vis of van skaaldierte, weekdiere of ander ongewerwelde waterdiere van 2,5c/kg na vry verlaag word;
- oliekoek en ander vaste oorblyfsels, hetsy gemaal of in die vorm van pille al dan nie, afkomstig van die winning van sojaboonolie van 24c/kg na 20c/kg verlaag word; en
- oliekoek en ander vaste oorblyfsels, hetsy gemaal of in die vorm van pille al dan nie, afkomstig van die winning van plantaardige vette of olies van katoensaad van 27c/kg na 25c/kg verlaag word.

2. Die wysiging het terugwerkende krag tot 6 September 1991.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
23.01	"2301.20	5	By the substitution for subheading No. 2301.20 of the following: Flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates	kg	free"	
23.04 "23.04	2304.00	7	By the substitution for heading No. 23.04 of the following: Oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil.	kg	20c/kg"	
23.06	"2306.10	9	By the substitution for subheading No. 2306.10 of the following: Of cotton seeds	kg	25c/kg"	

Notes. — 1. The effect of this amendment is that the rate of duty on —

- (a) flours, meals and pellets, of fish or of crustaceans, molluscs or other aquatic invertebrates is reduced from 2,5c/kg to free;
- (b) oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of soya-bean oil is reduced from 24c/kg to 20c/kg; and
- (c) oil-cake and other solid residues, whether or not ground or in the form of pellets, resulting from the extraction of vegetable fats or oils of cotton seeds is reduced from 27c/kg to 25c/kg.

2. The amendment has retrospective effect to 6 September 1991.

DEPARTEMENT VAN JUSTISIE

No. R. 368

31 Januarie 1992

VERBETERINGSKENNISGEWING

REÛLS KRAGTENS ARTIKEL 17A (7) VAN DIE WET OP ARBEIDSVERHOUDINGE, 1956 (WET No. 28 VAN 1956), MET BETREKKING TOT DIE VOER VAN VERRIGTINGE IN DIE ARBEIDSAPPELHOOF

Goewermentskennisgewing No. R. 161 gepubliseer in *Staatskoerant* No. 13717 van 10 Januarie 1992 word hiermee gewysig deur op bladsy 8 in die Engelse teks in paragraaf (b) (iii) die uitdrukking "subparagraphs (1) and (ii)" te vervang met die uitdrukking "subparagraphs (i) and (ii)".

DEPARTEMENT VAN MANNEKRAG

No. R. 326

31 Januarie 1992

WET OP ARBEIDSVERHOUDINGE, 1956

SIVIELE INGENIEURSNYWERHEID: WYSIGING VAN ORDER

Ek, Daniel Pieter Antonie Schutte, Adjunkminister van Mannekrag wysig hierby, kragtens artikel 51 (A) (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, die Order vir die Siviele Ingenieursnywerheid, gepubliseer by Goewermentskennisgewing R. 2462 van 19 November 1982, soos gewysig by Goewermentskennisgewings R. 1258 van 17 Junie 1983, R. 583 van 30 Maart 1984, R. 1870 van 24 Augustus 1984, R. 403 van 22 Februarie 1985, R. 1988 van 6 September 1985, R. 381 van 28 Februarie 1986, R. 445 van 6 Maart 1987, R. 1837 van 28 Augustus 1987, R. 369 van 4 Maart 1988, R. 1784 van 2 September 1988, R. 555 van 31 Maart 1989, R. 1863 van 1 September 1989, R. 2069 van 31 Augustus 1990, en R. 2121 van 30 Augustus 1991 ooreenkomstig die Bylae hiervan en bepaal die tweede Maandag na die datum van publikasie van hierdie kennisgewing as die datum waarop genoemde wysiging bindend word.

D. P. A. SCHUTTE,

Adjunkminister van Mannekrag.

AANHANGSEL A

INHOUD

1. Gebied en omvang.
2. Woordomskraving.
3. Besoldiging.
4. Betaling van besoldiging.
5. Werkure, gewone en oortyd-, betaling vir oortydwerk.
6. Jaarlikse verlof.
7. Siekteverlof.
8. Betaling ten opsigte van Sondae in betaalde vaksiedae.
9. Stukwerk.

DEPARTMENT OF JUSTICE

No. R. 368

31 January 1992

CORRECTION NOTICE

RULES IN TERMS OF SECTION 17A (7) OF THE LABOUR RELATIONS ACT, 1956 (ACT No. 28 OF 1956), REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE LABOUR APPEAL COURT

Government Notice No. R. 161 published in *Government Gazette* No. 13717 of 10 January 1992 is hereby amended by the substitution of the expression "subparagraphs (i) and (ii)" for the expression "subparagraphs (1) and (ii)" on page 8 in paragraph (b) (iii) of the English version.

DEPARTMENT OF MANPOWER

No. R. 326

31 January 1992

LABOUR RELATIONS ACT, 1956

CIVIL ENGINEERING INDUSTRY: AMENDMENT OF ORDER

I, Daniel Pieter Antonie Schutte, Deputy Minister of Manpower, hereby, in terms of section 51 A (4) (a) (ii) of the Labour Relations Act, 1956, amend the Order for the Civil Engineering Industry, published under Government Notice R. 2462 of 19 November 1982, as amended by Government Notices R. 1258 of 17 June 1983, R. 583 of 30 March 1984, R. 1870 of 24 August 1984, R. 403 of 22 February 1985, R. 1988 of 6 September 1985, R. 381 of 28 February 1986, R. 445 of 6 March 1987, R. 1837 of 28 August 1987, R. 369 of 4 March 1988, R. 1784 of 2 September 1988, R. 555 of 31 March 1989, R. 1863 of 1 September 1989, R. 2069 of 31 August 1990, and R. 2121 of 30 August 1991 in accordance with the Schedule hereto and fix the second Monday after the date of publication of this notice as the date from which the said amendment shall be binding.

D. P. A. SCHUTTE,

Deputy Minister of Manpower.

ANNEXURE A

CONTENTS

1. Area and scope.
2. Definitions.
3. Remuneration.
4. Payment of remuneration.
5. Hours of work, ordinary and overtime, and payment for overtime.
6. Annual leave.
7. Sick leave.
8. Payment for work on Sundays and paid holidays.
9. Piece work.

10. Beskermende klere.
11. Verbod op indiensneming.
12. Beëindiging.
13. Dienssertifikaat.
14. Los werknemers.

BYLAE

1. GEBIED EN OMVANG VAN DIE ORDER

1.1 Hierdie Order is van toepassing op alle werkgewers en al hul werknemers, uitgesonderd bestuurders, in die siviele ingenieursnywerheid soos in subklousule 1.2 omskryf, in die Republiek van Suid-Afrika uitgesonderd die hawe en nedersetting van Walvisbaai.

1.2 "Siviele ingenieursnywerheid" beteken (behoudens die bepalings van die Afbakeningvasstelling gepubliseer by Goewermmentskennisgewing R. 1831 van 11 Oktober 1968) die nywerheid waarin werkgewers (uitgesonderd plaaslike owerhede) en werknemers met mekaar geassosieer is vir die verrigting van werk van siviele ingenieursaard en omvat sodanige werk wat verband hou met een of meer van die volgende werksaamhede:

1.2.1 Die konstruksie van vliegveldaanloopbane of vaste blaaië; waterkanale; opgaarkuile of brandstofruime, brûe; kabelgange; caissons, vlotte of ander skeepstrukture; kanale; koelwater- of ander torings; damme; dokke, hawens of kaaie; grondwerke; bedekkings, omhulsels of stutte vir installasies, masjinerie of uitrusting, fabriek- of werkeskoorstene; filterbeddings; land- of seeverdedigingswerke; mynskagtorings; pyplyne; pierse; treinspore; reservoirs; rivierwerke; paaie of strate; rioolwerke; riele; skagte of tonnels; silo's; sportvelde of terreine; swembaddens; viadukte of waterbehandelingsinstallasies;

1.2.2 uitgrawingswerk of die konstruksie van fondamente, hyserskagte, stapeling, keermure, trapkuile, ondergrondse parkeergarages of ander ondergrondse strukture;

1.2.3 die asfaltering, betonnering, begruising, gelykmaking of bestrating van parkeergebiede, syaadjies, paaie, strate, vliegveldaanloopbane of vaste blaaië, persele of terreine;

en omvat verder—

1.2.4 enige werk van 'n soortgelyke aard of werk wat gepaard gaan met of voortspruit uit enige van voormelde werksaamhede; en

1.2.5 die maak, herstel, nagaan of opknapping van gereedskap, voertuie, installasies, masjinerie of uitrusting in werkwinkels wat gedoen word deur werkgewers wat betrokke is by enige van die werksaamhede wat in paragraaf 1.2.1 tot en met 1.2.4 bedoel word;

maar uitgesonderd—

1.2.6 werk wat verband hou met een of meer van die werksaamhede wat in paragraaf 1.2.2 uiteengesit word, waar sodanige werk, wanneer dit onderneem word in verband met die oprigting van strukture wat die algemene kenmerke van geboue het, en ongeag of sodanige werk probleme van siviele ingenieursaard behels al dan nie, deur die werkgewers wat sodanige strukture oprig, gedoen word;

1.2.7 werk wat verband hou met een of meer van die werksaamhede wat in paragraaf 1.2.3 uiteengesit word, wanneer dit onderneem word as 'n bykomstige werksaamheid in verband met die oprigting van strukture wat die algemene kenmerk van geboue het of wanneer dit deur die werkgewers wat sodanige strukture oprig, onderneem word; en

1.2.8 enige werk wat binne die bestek van die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid val, soos omskryf in die ooreenkoms wat by Goewermmentskennisgewing R. 479 van 29 Maart 1974 gepubliseer is.

10. Protective clothing.
11. Prohibition of employment.
12. Termination.
13. Certificate of service.
14. Casual employees.

SCHEDULE

1. AREA AND SCOPE OF THE ORDER

1.1 This order shall apply to all the employers and all their employees, other than managers, in the Civil Engineering Industry as defined in subclause 1.2, in the Republic of South Africa excluding the port and settlement of Walvis Bay.

1.2 "Civil Engineering Industry" means (subject to the provision of the Demarcation Determination published under Government Notice R. 1831 of 11 October 1968) the industry in which employers (other than local authorities) and employees are associated for the purpose of carrying out work of a civil engineering character and includes such work in connection with any one or more of the following activities:

1.2.1 The construction of aerodrome runways or aprons; aqueducts; bins or bunkers; bridges; cable ducts; caissons; rafts or other marine structures; canals; cooling, water or other towers; dams; docks; harbours; quays or wharves; earthworks; encasements; housings or supports for plant, machinery or equipment; factory or works chimneys; filter beds; land or sea defence works; mine headgears; pipelines; piers; railways; reservoirs; river works; roads or streets; sewerage works; sewers; shafts or tunnels; silos; sportsfields or grounds; swimming baths; viaducts or water treatment plants;

1.2.2 excavation work or the construction of foundations, lift shafts, piling, retaining walls, stairwells, underground parking garages or other underground structures;

1.2.3 the asphaltting, concreting, gravelling, levelling or paving of parking areas, pavements, roads, streets, aerodrome runways or aprons, premises or sites;

and further includes—

1.2.4 any work of a similar nature or work incidental to or consequent on any of the aforesaid activities; and

1.2.5 the making, repairing, checking or overhauling of tools, vehicles, plant, machinery or equipment in workshops which are conducted by employers engaged in any of the activities referred to in paragraphs 1.2.1 to 1.2.4 inclusive;

but excluding—

1.2.6 work in connection with any one or more of the activities specified in paragraph 1.2.2 where such work, when undertaken in connection with the erection of structures having the general character of buildings and irrespective of whether or not such work involves problems of a civil engineering character, is carried out by the employers erecting such structures;

1.2.7 work in connection with any one or more of the activities specified in paragraph 1.2.3 when undertaken as an incidental operation in connection with the erection of structures having the general character of buildings or when undertaken by the employers erecting such structures; and

1.2.8 any work falling within the scope of the Iron, Steel, Engineering and Metallurgical Industries as defined in the agreement published under Government Notice R. 479 of 29 March 1974.

2. WOORDOMSKRYWING

Tensy die sinsverband anders aandui, het elke uitdrukking wat in hierdie Order gebesig word en in die Wet op Arbeidsverhoudinge, 1956, omskryf word, dieselfde betekenis as in daardie Wet; voorts, tensy dit strydig met die sinsverband is, beteken—

2.1 **"alle ander werknemers"** alle werknemers buiten wagte;

2.2 **"bediener"** 'n werknemer wat selfgedrewe of vaste masjinerie bedien, en dit aan- of afskakel deur die meganismes en kontroles van sodanige masjinerie te gebruik sodat dit die funksies verrig waarvoor dit ontwerp of aangepas is, wat die gang van en die werk wat deur so 'n masjien gedoen word, nagaan, noukeurig ondersoek of reguleer en wat ook lopende verstellings en kleinere herstelwerk kan doen aan sodanige masjinerie, of die daaglikse onderhoudswerk aan sodanige masjinerie kan verrig; en in die geval van selfgedrewe masjinerie omvat "bedien" die dryf van sodanige masjinerie, en by die toepassing van hierdie woordomskrywing omvat "bedien" alle tydperke waarin die bediener verplig is om op sy pos te bly, gereed om sodanige masjien te bedien;

2.3 **"bedryfsinrigting"** 'n perseel of konstruksieperseel of 'n deel daarvan waarin of in verband waarmee een of meer werknemers in die Siviele Ingenieursnwyerheid in diens is;

2.4 **"bestuurder"** 'n werknemer wat deur sy werkgever belas is met die algemene toesig oor, verantwoordelikheid vir, en leiding van die werksaamhede van 'n bedryfsinrigting of 'n afdeling van 'n bedryfsinrigting en die werknemers wat daarin werk;

2.5 **"betaalde vakansiedag"** Nuwejaarsdag (of die daaropvolgende Maandag wanneer Nuwejaarsdag op 'n Sondag val), Goeie Vrydag, Hemelvaartdag, Republiekdag, Geloftedag en Kersdag, en kan dit 'n vakansiedag insluit soos deur 'n werkgever en sy werknemer of werknemers ooreengekom tot 'n maksimum van 4 dae per kalenderjaar;

2.6 **"betaling"** betaling van besoldiging in kontant of per tjek of op 'n ander wyse;

2.7 **"drywer"** 'n werknemer wat 'n motorvoertuig dryf, en by die toepassing van hierdie woordomskrywing omvat die uitdrukking "'n motorvoertuig dryf" alle tydperke wat hy dryf, alle tyd wat hy bestee aan werk in verband met die voertuig of die vraag en alle tydperke wat hy verplig is om op sy pos te bly, gereed om te dryf;

2.8 **"gesalarieerde werknemer"** 'n werknemer wie se besoldiging op 'n maandelikse grondslag bereken word ondanks die aantal ure of dae wat werklik gewerk is, wat werk verrig wat algemeen verstaan word as synde dié van 'n gesalarieerde werknemer en wat nie 'n "uurliks besoldigde werknemer" is nie;

2.9 **"korttyd"** 'n tydelike vermindering van die getal gewone werke weens weersomstandighede, 'n slapte in die bedryf, 'n tekort aan materiaal, 'n onklaarraking van masjinerie of masjiene, of weens die feit dat strukture onbruikbaar is of dreig om dit te word, of enige onvoorsiene gebeurlikhede en/of omstandighede buite die werkgever se beheer of 'n tydelike vermindering in die aantal gewone werke weens onluste, onrus of dade van terrorisme of wanorde, wat die werkgever se vermoë om werk te verskaf, direk beïnvloed;

2.10 **"loon"** die bedrag wat ingevolge klousule 3.1 aan 'n werknemer betaalbaar is ten opsigte van sy gewone werke soos by klousule 5 voorgeskryf: Met dien verstande dat—

2.10.1 as 'n werkgever 'n werknemer ten opsigte van sodanige gewone werke gereeld 'n hoër bedrag betaal as dié by klousule 3.1 voorgeskryf, dit sodanige hoër bedrag beteken;

2. DEFINITIONS

Unless the context otherwise indicates, any expression which is used in this order and which is defined in the Labour Relations Act, 1956, has the same meaning as in that Act; further, unless inconsistent with the context—

2.1 **"all other employees"** means all employees other than watchmen;

2.2 **"casual employee"** means an employee who is employed by the same employer on not more than 18 consecutive work days;

2.3 **"CEITS"** means the Civil Engineering Industry Training Scheme;

2.4 **"driver"** means an employee who is engaged in driving a motor vehicle and for the purposes of this definition the expression "driving a motor vehicle" includes all periods of driving and any time spent by the driver on work connected with the vehicle or the load and all periods during which he is obliged to remain at his post in readiness to drive;

2.5 **"emergency work"** means any work which, owing to unforeseen circumstances such as fire, storm, land subsidence, accident, epidemic, act of violence, theft, a breakdown of plant, motor vehicles or machinery or a breakdown or threatened breakdown of structures, or any critical operational requirement must be done without delay;

2.6 **"establishment"** means any premises or construction site or part thereof in, on or in connection with which one or more employees are employed in the Civil Engineering Industry;

2.7 **"foreman"** means an employee who is in charge of the employees in an establishment or section of an establishment, who exercises control over such employees and who is responsible for the efficient performance by them of their duties;

2.8 **"hourly-rated employee"** means an employee whose remuneration is calculated on an hourly basis notwithstanding the frequency of the payment thereof, and who is not a salaried employee;

2.9 **"law"** includes the common law;

2.10 **"local authority"** means any institution or body contemplated in section 84 (1) (f) (ii) of the Provincial Government Act, 1961 (Act No. 32 of 1961), and includes—

2.10.1 a board of management or board referred to in section 1 of the Rural Areas Act (House of Representatives), 1987 (Act No. 9 of 1987);

2.10.2 a regional services council established under section 3 of the Regional Services Councils Act, 1985 (Act No. 109 of 1985);

2.10.3 any local government body established by virtue of the provisions of section 30 (2) (a) of the Black Administration Act, 1927 (Act No. 38 of 1927), or

2.10.4 a local authority as defined in the Black Local Authorities Act, 1982 (Act No. 102 of 1982);

2.11 **"manager"** means an employee who is charged by his employer with the overall supervision over, responsibility for, and direction of the activities of an establishment or a department of an establishment and the employees engaged therein;

2.12 **"motor vehicle"** means a powerdriven self-propelled vehicle which is designed or adapted principally for the conveyance or haulage of goods or persons on a public road and includes a bitumen or tar distributor, concrete mixing truck, crane carrier, mechanical horse and water tanker, but excludes a motor cycle and self-propelled plant;

2.10.2 die eerste voorbehoudsbepaling nie so uitgelê mag word nie dat dit besoldiging bedoel of omvat wat 'n werknemer wat in diens is op enige grondslag waarvoor daar in klousule 9 voorsiening gemaak word, ontvang bo en behalwe die bedrag wat hy sou ontvang het as hy nie op sodanige grondslag in diens was nie;

2.11 **"los werknemer"** 'n werknemer wat hoogstens 18 opeenvolgende werkdae by dieselfde werkgever in diens is;

2.12 **"motorvoertuig"** 'n kragaangedrewe selfgedrewe voertuig wat hoofsaaklik ontwerp of aangepas is vir die vervoer of sleep van goedere of persone op 'n openbare pad, en sluit dit ook 'n bitumen- of teersproeier, betonmengvragmotor, hyskraandraer, voorhaker en watertenkwa in, maar nie 'n motorfiets en selfgedrewe masjinerie nie;

2.13 **"noodwerk"** enige werk wat weens onvoorsiene omstandighede, soos 'n brand, storm, grondinsakking, ongeluk, epidemie, gewelddaad, diefstal, 'n onklaarraking van masjinerie, motorvoertuie of masjiene of wanneer strukture onbruikbaar is of dreig om dit te word, of 'n kritieke bedryfsvereiste sonder versuim gedoen moet word;

2.14 **"oortyd"** die gedeelte van 'n tydperk wat 'n werknemer werk verrig vir sy werkgever gedurende 'n week of op 'n dag, na gelang van die geval, en wat langer is as die onderskeie gewone werkure wat vir sodanige werknemer voorgeskryf is by klousule 5.1 maar omvat dit geen tydperk wat 'n werknemer wie se werkure by klousule 5.1 voorgeskryf is, op 'n Sondag vir sy werkgever werk nie;

2.15 **"OSSIN"** die Opleidingskema van die Siviële Ingenieursnywerheid;

2.16 **"plaaslike owerheid"** 'n instelling of liggaam in artikel 84 (1) (f) (ii) van die Wet op Provinsiale Bestuur, 1961 (Wet No. 32 van 1961), bedoel en sluit dit in—

2.16.1 'n bestuursraad of raad in artikel 1 van die Wet op Landelike Gebiede (Raad van Verteenwoordigers), 1987 (Wet No. 9 van 1987), bedoel;

2.16.2 'n streeksdiensteraad ingestel kragtens artikel 3 van die Wet op Streeksdiensterade, 1985 (Wet No. 109 van 1985);

2.16.3 'n plaaslike bestuursliggaam ingestel kragtens die bepalings van artikel 30 (2) (a) van die Swart Administrasie Wet, 1927 (Wet No. 38 van 1927); of

2.16.4 'n plaaslike owerheid soos in die Wet op Swart Plaaslike Owerhede, 1982 (Wet No. 102 van 1982), omskryf;

2.17 **"selfgedrewe masjinerie"** 'n kragaangedrewe selfgedrewe voertuig, uitgesonderd 'n motorvoertuig, wat hoofsaaklik ontwerp of aangepas is om, met of sonder 'n sleephegstuk, een of meer funksies te verrig terwyl dit beweeg en ook sodanige funksies kan verrig terwyl dit stilstaan, en omvat dit 'n asfaltplaveier, verdigter, betonplaveier, rusper- of loopkraan, stootskraper, sleepgraaf, stortwa, uitgraafmasjiene, vorkhefswa, padskraper, laaier, roller, skraper, skopgraaf, trekker, loophefser of loopgraafmasjiene, maar nie selfgedrewe masjinerie wat deur 'n operateur te voet bedien word nie;

2.18 **"selfgedrewe masjinerie wat deur 'n operateur te voet bedien word"** 'n selfgedrewe voertuig of ander selfgedrewe toestel wat deur 'n werknemer bedien word langs die voertuig of ander toestel loop, of wat hoofsaaklik ontwerp of aangepas is om een of meer funksies te verrig terwyl dit beweeg, en omvat dit 'n betonsnymasjiene, slootgraafmasjiene, grassnyer, draaiploeg, loopsteier, trilplaatverdiger of trilroller, maar nie 'n betonafstryk- of vibreermasjiene, grondstamper of bikhamer nie;

2.19 **"senior bestuurs- of administratiewe personeel"** werknemers wat in opdrag van die werkgever werk verrig wat verantwoordelikheid meebring vir die neem van besluite van 'n administratiewe aard by die uitvoering van werksaamhede;

2.13 **"operator"** means an employee who is engaged in operating, including starting or stopping, self-propelled or stationary plant by employing the mechanisms and controls of such plant to perform the functions for which it was designed or adapted, who checks, scrutinises or regulates the running of and the work done by such plant and who may make running adjustments and minor repairs to such plant or perform the daily maintenance of such plant; and in the case of self-propelled plant "operating" includes the driving of such plant, and for the purpose of this definition "operating" includes all periods during which the operator is obliged to remain at his post in readiness to operate such plant;

2.14 **"overtime"** means that portion of any period which an employee works for his employer during any week or on any day, as the case may be, and which is in excess of the respective ordinary hours of work prescribed for such employee in clause 5.1, but does not include any period during which an employee whose ordinary hours of work are prescribed in clause 5.1, works for his employer on a Sunday;

2.15 **"paid holiday"** means New Year's Day (or the succeeding Monday whenever New Year's Day falls on a Sunday), Good Friday, Ascension Day, Republic Day, Day of the Vow and Christmas Day, and may include a holiday agreed between an employer and his employee or employees up to a maximum of 4 days per calendar year;

2.16 **"pay"** means payment of remuneration in cash or by cheque or by other means;

2.17 **"pedestrian-operated self-propelled plant"** means a self-propelled vehicle or other self-propelled device which is operated by an employee who walks next to it and which is designed or adapted principally to perform one or more functions while moving and includes a concrete cutting machine, ditcher, mower, rotovator, travelling gantry, vibrating plate compactor or vibrating roller, but excludes a concrete floating or vibrating machine, earthhammer or scabbler;

2.18 **"piece-work"** means any system under which an employee's remuneration is based on the quantity of work done;

2.19 **"salaried employee"** means an employee whose remuneration is calculated on a monthly basis notwithstanding the number of hours or days actually worked, who performs work generally understood to be that of a salaried employee, and who is not an "hourly-rated employee";

2.20 **"self-propelled plant"** means a power-driven self-propelled vehicle other than a motor vehicle which is designed or adapted principally to perform, with or without a towed attachment, one or more functions while moving and may also perform such functions while standing still and includes an asphalt paver, compactor, concrete paver, crawler or travelling crane, dozer, dragline, dumper, excavator, fork lift truck, grader, loader, roller, scraper, shovel, tractor, travelling hoist or trencher, but excludes pedestrian-operated self-propelled plant;

2.21 **"senior managerial and administrative personnel"** means employees who are charged by the employer with the performance of work entailing responsibility for taking decisions of an administrative nature in the conduct of any activity.

2.22 **"short-time"** means a temporary reduction in the number of ordinary hours of work owing to vagaries of the weather, a slackness of trade, a shortage of materials, a breakdown of plant or machinery or a breakdown or threatened breakdown of structures, or any unforeseen contingencies and/or circumstances beyond the control of the

2.20 "**stukwerk**" 'n stelsel waarvolgens 'n werknemer se besoldiging gegrond word op die hoeveelheid werk wat verrig is;

2.21 "**tegnyse en professionele personeel**" werknemers wat in opdrag van die werkgewer werk van 'n tegnyse of professionele aard verrig;

2.22 "**uurliks besoldigde werknemer**" 'n werknemer wie se besoldiging op 'n uurlikse grondslag bereken word ondanks die frekwensie van die betaling daarvan, en wat nie 'n gesalarieerde werknemer is nie;

2.23 "**vaste masjinerie**" 'n kragaaangedrewe toestel, ongeag daarvan of dit gemonteer is op 'n selfgedrewe of niefselfgedrewe voertuig of nie, wat hoofsaaklik ontwerp of aangepas is om een of meer funksies uit te voer terwyl dit stilstaan, en omvat dit 'n awegaar, asfalt- of betonmenger, asfalt- of betonlotmeter, kompressor, vervoerstoesel, klipbreekmasjien, booruitrusting, opwekker, hystoelstel, heil, pomp, sifinstallasies, swaaiskoffelmasjien, swaaiskopgraaf, toringkraan, wastoesel of 'n windas, maar nie 'n spoorstaafbuig-, sny- of boormasjien, wapeningbuig- of -snymasjien of sweismasjien nie;

2.24 "**voorman**" 'n werknemer wat aan die hoof staan van die werknemers in 'n bedryfsinrigting of afdeling daarvan, wat beheer uitoefen oor sodanige werknemers en daarvoor verantwoordelik is dat hulle hulle pligte doeltreffend uitvoer;

2.25 "**wag**" 'n werknemer wat betrokke is by een of meer van die volgende werksaamhede:

2.25.1 Goedere, persele, geboue, strukture of roerende of vaste eiendom bewaak of beskerm;

2.25.2 persele, geboue, strukture of eiendom patroleer, of

2.25.3 honde hanteer in die uitvoering van een of meer van die werksaamhede genoem in paragraaf 2.25.1 of 2.25.2;

2.26 "**wet**" ook die gemene reg.

3. BESOLDIGING

3.1 Die minimumloon wat 'n werkgewer aan elke lid van ondergenoemde klasse werknemers in sy diens moet betaal, is dié hieronder uiteengesit: Met dien verstande dat hierdie vereiste nie van toepassing is op 'n werkgewer wat slegs by die Siviele Ingenieursnwyerheid betrokke is nie en altesaam nie meer as twintig werknemers te alle tye in diens het in of in verband met sodanige besigheid nie en wie se jaarlikse omset in sodanige besigheid op enige datum gedurende die voorafgaande 12 maande nie R1 000 000 oorskry het nie.

3.1.1 Bylae vir die minimum lone vir "wag" en "alle ander werknemers" in provinsiale kolomme verskyn hier.

3.2 **Loonberekening:** 'n Werknemer se loon word bereken soos hieronder uiteengesit:

3.2.1 Die uurloon van 'n werknemer is sy weekloon gedeel deur die getal gewone werkure wat vir sodanige werknemer in enige week voorgeskryf is.

3.2.2 Die dagloon van 'n werknemer is sy weekloon gedeel deur—

3.2.2.1 vyf, in die geval van 'n werknemer wat normaalweg vyf dae per week werk;

3.2.2.2 ses, in die geval van enige ander werknemer.

3.2.3 Die weekloon van 'n werknemer in sy uurloon vermenigvuldig met die getal gewone werkure wat vir sodanige werknemer in enige week voorgeskryf is.

3.2.4 Die maandloon van 'n werknemer is vier en 'n derde maal sy weekloon.

employer or a temporary reduction in the number of ordinary hours of work owing to riots, unrest or acts of terrorism or disorder, which directly affect the employer's ability to provide work;

2.23 "**stationary plant**" means a power-driven device, whether or not mounted on a self-propelled or non-self-propelled vehicle, which is designed or adapted principally to perform one or more functions while standing still and includes an auger, asphalt or concrete mixer, asphalt or concrete batching plant, compressor, conveyor, crusher, drilling rig, generator, hoist, pile driver, pump, screening plant, slewing hoe, slewing shovel, tower crane, washing plant or winch but excludes a rail bending, cutting or drilling machine, reinforcement bending or cutting machine or welding machine;

2.24 "**technical and professional personnel**" means employees who are charged by the employer with the performance of work of a technical or professional nature;

2.25 "**wage**" means the amount of money payable to an employee in terms of clause 3.1 in respect of his ordinary hours of work as prescribed in clause 5: Provided that—

2.25.1 if an employer regularly pays an employee in respect of such ordinary hours of work an amount higher than that prescribed in clause 3.1, it means such higher amount;

2.25.2 the first proviso shall not be so construed as to refer to or include any remuneration which an employee who is employed on any basis provided for in clause 9 receives over and above the amount which he would have received if he had not been employed on such a basis;

2.26 "**watchman**" means an employee who is engaged in any one or more of the following activities:

2.26.1 Guarding or protecting goods, premises, buildings, structures or movable or immovable property;

2.26.2 patrolling premises, structures or property; or

2.26.3 handling dogs in the performance of any one or more of the activities specified in paragraphs 2.26.1 or 2.26.2.

3. REMUNERATION

3.1 The minimum wage which an employer shall pay to each member of the undermentioned classes of his employees shall be as set out hereunder: Provided that this requirement shall not apply to an employer who is engaged in the Civil Engineering Industry only and employs altogether not more than twenty employees at all times in or in connection with such business and whose annual turnover in such business, at any date during the preceding 12 months, does not exceed R1 000 000.

3.1.1 Schedule of minimum wages, for 'watchman' and 'all other employees' in provincial columns appears here.

3.2 **Calculation of wages:** The wage of an employee shall be calculated as set out hereunder:

3.2.1 The hourly wage of an employee shall be his weekly wage divided by the number of ordinary hours of work prescribed for such employee in any week.

3.2.2 the daily wage of an employee shall be his weekly wage divided by—

3.2.2.1 five, in the case of an employee who normally works a five-day week;

3.2.2.2 six, in the case of any other employee.

3.2.3 The weekly wage of an employee shall be his hourly wage multiplied by the number of ordinary hours of work prescribed for such employee in any week.

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

4. BETALING VAN BESOLDIGING

4.1 Behoudens klousule 6.5 moet elke bedrag verskuldig aan 'n werknemer, weekliks of tweewekliks of maandeliks betaal word gedurende die werkure op die gewone betaaldag van die bedryfsinrigting vir sodanige werknemer of sy diensbeëindiging, as dit voor die gewone betaaldag geskied, en sodanige bedrag moet deur 'n staat geverifieer word of in 'n verseëelde koevert of houer wees waarop, of wat vergesel gaan van 'n staat waarop, gemeld word—

4.1.1 die werkgewer se naam;

4.1.2 die werknemer se naam en/of sy nommer op die betaalstaat en sy kategorie;

4.1.3 die getal gewone werkure wat die werknemer gewerk het;

4.1.4 die getal ure wat die werknemer oortyd gewerk het;

4.1.5 die getal ure wat die werknemer op 'n Sondag of 'n betaalde vakansiedag, in klousule 8 bedoel, gewerk het;

4.1.6 die werknemer se loon;

4.1.7 besonderhede van enige ander besoldiging wat uit die werknemer se diens voortspruit;

4.1.8 besonderhede van enige bedrag wat afgetrek is;

4.1.9 die werklike bedrag wat aan die werknemer betaal word; en

4.1.10 die tydperk waarvoor die betaling geskied;

en sodanige koevert houer of staat waarop hierdie inligting aangeteken is, word die eiendom van die werknemer. Met dien verstande dat—

4.1.11 op die skriftelike versoek van 'n werknemer, die bedrag aan hom verskuldig, gestort kan word in sy bouvereniging- of bankrekening deur die werkgewer, wat voormelde staat, aan hom moet oorhandig;

4.1.12 voormelde inligting betreffende tyd gewerk nie verstrek hoef te word aan 'n werknemer wat ingevolge klousule 5.6.1 van die werkurebepalings uitgesluit is nie.

4.2 **Premies:** Geen bedrag mag regstreeks of onregstreeks vir die indiensneming of opleiding van 'n werknemer aan 'n werkgewer betaal of deur hom aangeneem word nie, behalwe soos deur die Opleidingskema van die Siviële Ingenieursnywerheid bepaal.

4.3 **Aftekings:** 'n Werkgewer mag sy werknemer geen boetes ople of enige bedrae van sy werknemer se besoldiging aftrek nie: Met dien verstande dat hy die volgende kan aftrek:

4.3.1 Met die skriftelike toestemming van die werknemer enige bedrag wat verband hou met sy diensvoorwaardes, diensverhouding met die werkgewer en ledegelde van 'n vakvereniging;

4.3.2 behoudens andersluidende bepalinge in hierdie order, telkens wanneer 'n werknemer om 'n ander rede as op las of versoek van sy werkgewer van sy werk afwesig is, 'n bedrag eweredig aan die tydperk van sy afwesigheid en bereken op die grondslag van die loon wat sodanige werknemer ten tyde van sodanige afwesigheid ten opsigte van sy gewone werkure ontvang het;

4.3.3 enige bedrag wat 'n werkgewer volgens die wet of ingevolge 'n bevel van 'n bevoegde hof moet of mag aftrek; en

4.3.4 wanneer die gewone werkure by klousule 5 voorgeskryf, weens korttyd verminder word, 'n bedrag van hoogstens die werknemer se uurloon vir elke uur van sodanige vermindering: Met dien verstande dat—

4.3.4.1 sodanige afrekkings hoostens 'n derde van die werknemer se weekloon is, ongeag die getal ure waarmee die gewone werkure aldus verminder word;

4. PAYMENT OF REMUNERATION

4.1 Save as provided in clause 6.5, any amount due to an employee, shall be paid weekly, fortnightly or monthly during the hours of work, on the usual pay-day of the establishment for such employee or on termination of employment if this takes place before the usual pay-day, and such amount shall be verified by a statement, or contained in a sealed envelope or container on which shall be recorded, or which shall be accompanied by a statement showing—

4.1.1 the employer's name;

4.1.2 the employee's name and/or his number on the pay-roll and his category;

4.1.3 the number of ordinary hours of work by the employee;

4.1.4 the number of overtime hours worked by the employee;

4.1.5 the number of hours worked by the employee on a Sunday or a paid holiday referred to in clause 8;

4.1.6 the employee's wage;

4.1.7 the details of any other remuneration arising out of the employee's employment;

4.1.8 the details of any deductions made;

4.1.9 the actual amount paid to the employee; and

4.1.10 the period in respect of which payment is made;

and such envelope, container or statement on which these particulars are recorded shall become the property of the employee: Provided that—

4.1.11 at the written request of an employee, the amount due to him may be paid into his building society or bank account by his employer who shall hand to him the aforementioned statement;

4.1.12 the aforementioned information relating to time worked need not be furnished in respect of an employee who is excluded from the hours of work provisions by virtue of clause 5.6.1.

4.2 **Premiums:** No payment shall be made to or accepted by an employer, either directly or indirectly, in respect of the employment or training of an employee, except as provided for by the Civil Engineering Industry Training Scheme.

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

4.3.1 With the written consent of the employee any deduction that relates to his conditions of employment, employment relationship with the employer and subscriptions to a trade union;

4.3.2 except where otherwise provided in this order, whenever an employee is absent from work, other than on the instructions or at the request of his employer, a deduction proportionate to the period of his absence and calculated on the basis of the wage which such employee was receiving in respect of his ordinary hours of work at the time of such absence;

4.3.3 a deduction of any amount which an employer is by law or order of any competent court required or permitted to make; and

4.3.4 whenever the ordinary hours of Work prescribed in clause 5 are reduced on account of short-time, a deduction not exceeding the amount of the employee's hourly wage in respect of each hour of such reduction: Provided that—

4.3.4.1 such deduction shall not exceed one-third of the employee's weekly wage, irrespective of the number of hours by which the ordinary hours of work are thus reduced;

4.3.4.2 geen aftrekking geskied nie ten opsigte van korttyd wat uit 'n slapte in die bedryf of 'n tekort aan grondstowwe ontstaan, tensy die werkgewer sy werknemer op die vorige werkdag kennis gegee het van sy voorneme om die gewone werkure te verminder.

4.3.4.3 geen aftrekking ten opsigte van korttyd geskied nie vir die eerste uur waarin daar nie gewerk word nie weens 'n onklaarraking van installasie of masjinerie of weens die feit dat die geboue of strukture onbruikbaar is of dreig om dit te word, tensy die werkgewer sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie; en

4.3.4.4 as die werknemer vir werk aangemeld het, geen aftrekking ten opsigte van korttyd geskied vir die eerste twee uur waarin daar nie gewerk word nie weens swak weer, tensy die werkgewer sy werknemer op die vorige dag kennis gegee het dat daar geen werk sal wees nie weens swak weer.

4.3.5 met die skriftelike toestemming van 'n werknemer, 'n bedrag wat 'n werkgewer betaal het of onderneem het om te betaal aan—

4.3.5.1 enige bankinstelling, bougenootskap, versekeringsbesigheid, plaaslike owerheid of geregistreerde finansiële instelling ten opsigte van 'n paaiement op 'n lening wat aan sodanige werknemer toegestaan is om 'n woning te bekom;

4.3.5.2 enige ander organisasie of liggaam ten opsigte van 'n woning of huisvesting in 'n hostel wat sodanige werknemer bewoon indien die woning of hostel voorsien is deur bemiddeling van sodanige organisasie of liggaam uitsluitlik of gedeeltelik uit fondse wat vir daardie doel deur die Staat, 'n bougenootskap of 'n plaaslike owerheid voorgeskiet is.

5. WERKURE, GEWONE EN OORTYD-, EN BETALING VIR OORTYDWERK

5.1 **Gewone werkure, ens.:** 'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om meer gewone werkure te werk nie as—

5.1.1 die volgende klasse werknemers as hulle vyf dae per week van Maandag tot en met Vrydag werk:

5.1.1.1 'n Wag, 72 in 'n week en 14½ in vier dae en 14 op een dag;

5.1.1.2 enige ander werknemer, 46 in 'n week en 9½ op 'n dag;

5.1.2 die volgende klasse werknemers as hulle ses dae per week van maandag tot en met Saterdag werk:

5.1.2.1 'n Wag, 72 in 'n week en 12 op 'n dag;

5.1.2.2 enige ander werknemer, 46 in 'n week en 8 op 'n dag, tensy die ure op een dag hoogstens vyf is, wanneer die ure op enigiens van die ander dae tot 8½ verleng kan word.

5.2 **Etenspouse ens.:** 'n Werkgewer mag nie van 'n werknemer vereis of hom toelaat om meer as vyf uur aaneen sonder 'n etenspouse van minstens 'n halfuur te werk nie, en gedurende sodanige pouse mag daar nie van sodanige werknemer vereis word of mag hy nie toegelaat word om enige werk te verrig nie, en sodanige pouse maak nie deel van die gewone werkure of oortydure uit nie: Met dien verstande dat—

5.2.1 werktydperke wat deur pouses van minder as 'n halfuur onderbreek word, uitgesonderd waar voorbehoudbepaling 525 van toepassing is, geag word aaneenlopend te wees;

5.2.2 as sodanige pouse langer as 'n halfuur is, enige tyd wat een uur te bowe gaan, geag word werktyd te wees;

5.2.3 slegs een sodanige pouse gedurende 'n werknemer se gewone werkure op 'n dag nie deel van die gewone werkure maak nie;

5.2.4 wanneer daar, vanweë oortyd wat gewerk word, van 'n werkgewer vereis word om op enige dag 'n tweede etenspouse aan 'n werknemer toe te staan, sodanige pouse op versoek van die werknemer tot minstens 15 minute verkort mag word;

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

4.3.4.3 no deduction shall be made in the case of short-time owing to a breakdown of plant or machinery or a breakdown or threatened breakdown of buildings or structures, in respect of the first two hours not worked, unless the employer has given his employee notice on the previous day that no work will be available due to such breakdown; and

4.3.4.4 if the employee has reported for work, no deduction shall be made in the case of short-time owing to inclement weather in respect of the first two hours not worked, unless the employer has given his employee notice on the previous day that no work will be available due to inclement weather.

4.3.5 with the written consent of an employee, a deduction of any amount which the employer has paid or has undertaken to pay to—

4.3.5.1 any banking institution, building society, insurance business, local authority or registered financial institution in respect of a payment on a loan granted to such employee to acquire a dwelling;

4.3.5.2 any other organisation or body in respect of a dwelling or accommodation in a hostel occupied by such employee if such dwelling or hostel is provided through the instrumentality of such organisation or body wholly or partially from funds advanced for that purpose by the State, a building society or a local authority.

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

5.1 **Ordinary hours of work etc.:** An employer shall not require or permit an employee to work more ordinary hours of work than—

5.1.1 the following classes of employees when working a five-day week from Monday to Friday inclusive:

5.1.1.1 A watchman, 72 in any week and 14½ on four days and 14 on one day;

5.1.1.2 any other employee, 46 in any week and 9½ on any day;

5.1.2 the following classes of employees when working a six-day week from Monday to Saturday inclusive:

5.1.2.1 A watchman, 72 in any week and 12 on any day;

5.1.2.2 any other employee, 46 in any week and 8 on any day, unless the hours on one day do not exceed five, in which case the hours on any of the other days may be extended to 8½.

5.2 **Meal intervals etc.:** An employer shall not require or permit an employee to work for more than five hours continuously without a meal interval of not less than half an hour during which interval such employee shall not be required or permitted to perform any work, and such interval shall not form part of the ordinary hours of work or overtime: Provided that—

5.2.1 periods of work interrupted by intervals of less than half an hour, except when proviso 5.2.5 applies, shall be deemed to be continuous;

5.2.2 if such interval shall be longer than half an hour, any period in excess of one hour shall be deemed to be time worked;

5.2.3 only one such interval during the ordinary hours of work of an employee on any day shall not form part of the ordinary hours of work;

5.2.4 when on any day by reason of overtime work an employer is required to give an employee a second meal interval, such interval may, at the request of the employee, be reduced to not less than 15 minutes;

5.2.5 'n drywer of 'n bediener van selfaangedrewe of vaste masjinerie wat gedurende sodanige pouse geen ander werk verrig as om in beheer van 'n voertuig of sodanige masjinerie te wees of te bly nie, by die toepassing van hierdie subklousule geag word nie gedurende sodanige pouse te gewerk het nie.

5.3 **Beperking van oortydwerk, ens.:** 'n Werkgewer mag van 'n werknemer vereis om oortyd te werk maar hoogstens—

5.3.1 in die geval van 'n wag, 12 uur in 'n week;

5.3.2 in die geval van 'n werknemer (uitgesonderd 'n wag) wat in diens is in of in verband met enige perseel wat 'n fabriek uitmaak binne die betekenis van artikel 1 van die Wet op Basiese Diensvoorwaardes, 1983, 10 uur in 'n week;

5.3.3 in die geval van enige ander werknemer, 15 uur in 'n week, mits die totale aantal ure op 'n dag gewerk, nie 12 uur oorskry sonder die ooreenkoms bedoel in subklousule 5.4 nie.

5.4 **Bykomende oortydwerk, ens.**—Verder mag 'n werknemer bykomende oortyd in subklousule 5.3.3 bedoel, werk met vergunning van die betrokke werknemer of werknemers: Met dien verstande dat die totale aantal ure oortydwerk wat in 'n week gewerk word, wat Sondae en betaalde vakansiedae uitsluit in die geval van werknemers wat ses dae per week werk, en in die geval van werknemers wat vyf dae per week werk, Saterdae, Sondae en betaalde vakansiedae uitsluit, nie 25 uur oorskry nie.

5.5 **Betaling vir oortydwerk, ens.:** 'n Werkgewer moet 'n werknemer wat oortyd werk, betaal teen minstens een en 'n derde maal sy gewone loon ten opsigte van Saterdae vir werknemers wat vyf dae per week werk, en die eerste 15 uur oortyd in subklousule 5.3.3 bedoel met dien verstande dat as 'n werknemer hierdie eerste 15 uur oortyd per week oorskry, hy teen minstens een en 'n half maal sy gewone loon ten opsigte van 'n verdere maksimum van 10 uur werk: Met dien verstande dat die oortydgelde in ooreenstemming met klousule 5.4 hierbo en klousule 8 betaal word ten opsigte van Saterdae, Sondae en betaalde vakansiedae.

5.6 **Voorbehoudsbepalings:** (a) Hierdie klousule is nie van toepassing nie op 'n voorman, 'n senior bestuurs- of administratiewe werknemer of 'n tegniese of professionele werknemer as en solank sodanige werknemer gereeld 'n loon ontvang van minstens R1 200 per maand.

5.7 Subklousules 5.2, 5.3 en 5.4 is nie op 'n werknemer van toepassing terwyl hy noodwerk verrig nie.

6. JAARLIKSE VERLOF

6.1 'n Werkgewer moet ten opsigte van elke voltooide tydperk van 12 maande diens by hom, verlof soos volg verleen en die werknemer moet sodanige verlof neem—

6.1.1 in die geval van 'n wag, 25 werkdae verlof teen volle betaling waarvan 15 agtereenvolgend geneem moet word en die oorblywende dae kan verleen en geneem word, na gelang van die geval, op 'n betaalde vakansiedag soos in klousule 2.15 bedoel;

6.1.2 in die geval van enige ander werknemer, 20 werkdae teen volle betaling waarvan 10 agtereenvolgend geneem moet word en die oorblywende dae kan geneem en verleen word, na gelang van die geval, op 'n betaalde vakansiedag soos in klousule 2.15 bedoel.

6.2 Die verlof by klousule 6.1 voorgeskryf, moet verleen of geneem word, na gelang van die geval, op 'n tyd wat die werkgewer bepaal: Met dien verstande dat—

6.2.1 as sodanige verlof nie eerder verleen of geneem is nie, dit, behoudens klousule 6.3 so verleen en geneem moet word dat dit binne vier maande begin na voltooiing van die 12 maande diens waarop dit betrekking het of, as die werkgewer en sy werknemer voor die verstryking van genoemde tydperk van vier maande skriftelik daartoe ooreengekom het, die

5.2.5 a driver or an operator of self-propelled or stationary plant who during such interval does no work other than being or remaining in charge of a vehicle or such plant shall be deemed for the purposes of this subclause not to have worked during such interval.

5.3 **Limitation of overtime, etc.:** An employer may require an employee to work overtime but not more than in the case of—

5.3.1 a watchman, 12 hours in any week;

5.3.2 an employee (other than a watchman) who is employed in or in connection with any premises which constitutes a factory within the meaning of section 1 of the Basic Conditions of Employment Act, 1983, 10 hours in any week;

5.3.3 any other employee, 15 hours in any week provided that the total number of hours worked on any one day shall not exceed 12 hours without the agreement referred to in subclause 5.4.

5.4 **Additional overtime, ens.**—Furthermore additional overtime to that referred to in subclause 5.3.3 may be worked by an employee by agreement with the employee or employees affected: Provided that the total hours of overtime worked in any week does not exceed 25 hours, which excludes Sundays and paid holidays in the case of employees working a six-day week, and in the case of employees working a five-day week, Saturdays, Sundays and paid holidays.

5.5 **Payment for overtime, etc.:** An employer shall pay an employee who works overtime at a rate of not less than one and one third times his ordinary wage in respect of Saturdays for employees working a five-day week, and first 15 hours overtime referred to in subclause 5.3.3, provided that if an employee exceeds this first 15 hours overtime per week he shall be paid at a rate of not less than one and one half times his ordinary wage in respect of a further maximum 10 hours: Provided that the overtime rates are paid in accordance with clause 5.4 above and clause 8 with respect to Saturdays, Sundays and paid holidays.

5.6 **Savings:** This clause shall not apply to a foreman, a senior managerial or administrative employee or a technical or professional employee if and for so long as such an employee is in receipt of a regular wage at a rate of not less than R1 200 per month.

5.7 Subclauses 5.2., 5.3 and 5.4 shall not apply to an employee while engaged on emergency work.

6. ANNUAL LEAVE

6.1 An employer shall grant to his employee, and the employee shall take, in respect of each completed period of 12 months of employment with him—

6.1.1 in the case of a watchman, 25 work-days' leave on full pay of which 15 shall be taken consecutively and the remaining days may be granted and be taken, as the case may be, on a paid holiday, as referred to in clause 2.15;

6.1.2 in the case of any other employee, 20 workdays' leave on full pay of which 10 shall be taken consecutively and the remaining days may be granted and be taken, as the case may be, on a paid holiday, as referred to in clause 2.15.

6.2 The leave prescribed in clause 6.1 shall be granted and be taken, as the case may be, at a time to be fixed by the employer: Provided that—

6.2.1 if such leave has not been granted and taken earlier, it shall, save as provided in clause 6.3 be granted and be taken so as to commence within four months after the completion of the 12 months of employment to which it relates or, if the employer and employee have agreed thereto in writing before the expiration of the said period of four

werkgewer sodanige verlof aan die werknemer moet verleen en die werknemer dit moet neem met ingang van 'n datum uiterlik twee maande na die verstryking van genoemde tydperk van genoemde tydperk van vier maande; en

6.2.2 die tydperk van verlof nie mag saamval nie met—

6.2.2.1 siekteverlof wat ingevolge klousule 7 toegestaan is of met afwesigheid van werk weens ongeskiktheid in die omstandighede uiteengesit in klousule 7.4.1 of 7.4.2 en wel tot 'n totaal in enige tydperk van 12 maande van hoogstens 10 weke;

6.2.2.2 enige tydperk waarin die werknemer kennisgewing van diensbeëindiging ingevolge klousule 12 uitdien; of

6.2.2.3 enige tydperk waarin die werknemer militêre opleiding of diens kragtens die Verdedigingswet, 1957, ondergaan.

6.3 Op die skriftelike versoek van sy werknemer kan 'n werkgewer toelaat dat die verlof oor 'n tydperk van hoogstens 24 maande diens oploop: Met dien verstande dat—

6.3.1 sodanige werknemer so 'n versoek rig uiterlik vier maande na verstryking van die eerste tydperk van 12 maande diens waarop die verlof betrekking het; en

6.3.2 die werkgewer die datum van ontvangs van die versoek daarop aanbring oor sy handtekening, en hy moet dit tot minstens na verstryking van die verloftydperk bewaar.

6.4 Klousule 6.2 is *mutatis mutandis* van toepassing op die verlof in klousule 6.3 bedoel.

6.5 Die besoldiging ten opsigte van die verlof voorgeskryf by klousule 6.1 gelees met klousule 6.3 moet uiterlik op die laaste werkdag voor die aanvangsdatum van die verlof betaal word.

6.6 By diensbeëindiging moet die werkgewer aan sy werknemer sy betaling ten opsigte van enige verlof wat opge-loop het, maar nie voor die datum van diensbeëindiging aan hom verleen is nie, betaal.

6.7 By die toepassing van hierdie klousule word die uitdrukking "diens" geag te omvat—

6.7.1 enige tydperk wat 'n werknemer afwesig is vir militêre opleiding of diens ingevolge die Verdedigingswet, 1957: Met dien verstande dat 'n werknemer nie geregtig is om meer as vier maande van een sodanige opleidings- of dienstydsperk as diens te eis nie; en

6.7.2 enige tydperk wat 'n werkgewer van sy werknemer vereis om nie te werk nie weens weersomstandighede, 'n slapte in die bedryf of 'n onklaarraking van masjinerie.

6.8 Ondanks andersluidende bepalings in hierdie klousule, kan 'n werkgewer vir die doel van jaarlikse verlof, te eniger tyd maar hoogstens een maal in 'n tydperk van 12 maande, sy bedryfsinrigting of 'n gedeelte van sy bedryfsinrigting vir 15 agtereenvolgende werkdade sluit,

plus 'n addisionale dag vir elke dag bedoel in klousule 2.5 wat binne die tydperk van sluiting val: Met dien verstande dat sodanige dag op 'n dag wat gewoonlik 'n werkdag is, val.

6.9 'n Werknemer wat op die sluitingsdatum van 'n bedryfsinrigting of die gedeelte daarvan waarin hy werksaam is, nie geregtig is op die volle tydperk van jaarlikse verlof by klousule 6.1 voorgeskryf nie, moet ten opsigte van enige verlof wat aan hom verskuldig is, deur sy werkgewer betaal word op die grondslag in klousule 6.6 uiteengesit, en vir die doel van jaarlikse verlof daarna word sy diens geag te begin op die datum waarop die bedryfsinrigting of gedeelte van die bedryfsinrigting, na gelang van die geval, aldus sluit.

months, the employer shall grant such leave to the employee and the employee shall take the leave from a date not later than two months after the expiration of the said period of four months; and

6.2.2 the period of leave shall not be concurrent with—

6.2.2.1 sick leave granted in terms of clause 7 or with absence from work owing to incapacity in the circumstances set out in clause 7.4.1 or 7.4.2 amounting in the aggregate to not more than 10 weeks in any one period of 12 months;

6.2.2.2 any period during which the employee is under notice of termination of employment in terms of clause 12; or

6.2.2.3 any period during which the employee is doing military training or service under the Defence Act, 1957.

6.3 At the written request of his employee, an employer may permit the leave to accumulate over a period of not more than 24 months of employment: Provided that—

6.3.1 the request is made by such employee not later than four months after the expiration of the first period of 12 months of employment to which the leave relates; and

6.3.2 the date of the receipt of the request is endorsed on the request over his signature by the employer, who shall retain the request at least until after the expiration of the period of leave.

6.4 Clause 6.2 shall *mutatis mutandis* apply to the leave referred to in clause, 6.3.

6.5 The remuneration in respect of the leave prescribed in clause 6.1, read with clause 6.3, shall be paid not later than the last work-day before the date of commencement of the leave.

6.6 Upon termination of employment the employer shall pay his employee his pay in respect of any period of leave which has accrued to him but was not granted to him before the date of termination of the employment.

6.7 For the purpose of this clause the expression "employment" shall be deemed to include—

6.7.1 any period during which an employee is absent for military training or service in pursuance of the Defence Act, 1957: Provided that an employee shall not be entitled to claim as employment more than four months of any one period of such training or service; and

6.7.2 any time during which an employee is required by his employer not to work because of the vagaries of the weather, slackness of trade or a breakdown of machinery or plant.

6.8 Notwithstanding anything to the contrary contained in this clause, an employer may for the purposes of annual leave at any time, but not more than once in any period of 12 months, close his establishment or a portion of his establishment for 15 consecutive workdays,

plus an additional day for each day referred to in clause 2.15 falling within such closed period: Provided such day falls on a day which is normally a work-day.

6.9 An employee who at the date of the closing of an establishment or the portion thereof in which he is employed, is not entitled to the full period of annual leave prescribed in clause 6.1 shall, in respect of any leave due to him be paid by his employer on the basis set out in clause 6.6, and for the purposes of annual leave thereafter his employment shall be deemed to commence on the date of such closing of the establishment or portion of the establishment, as the case may be.

7. SIEKTEVERLOF

7.1 Behoudens klousule 7.2 moet 'n werkgewer aan sy werknemer, uitgesonderd 'n los werknemer, wat weens ongeskiktheid van die werk afwesig is, siekteverlof verleen van—

7.1.1 in die geval van 'n wag altesaam minstens 24 werkdade; en

7.1.2 in die geval van enige ander werknemer, altesaam minstens 20 werkdade,

gedurende elke tydkring van 24 agtereenvolgende maande diens by hom, en moet hy sodanige werknemer ten opsigte van enige tydperk van afwesigheid ingevolge hierdie subklousule minstens die loon betaal wat hy sou ontvang het as hy gedurende sodanige tydperk gewerk het: Met dien verstande dat—

7.1.1.1 'n werknemer gedurende die eerste 24 agtereenvolgende maande diens nie op meer siekteverlof met volle betaling geregtig is nie as, in die geval van 'n wag, een werkdag ten opsigte van elke voltooide maand diens en, in die geval van enige ander werknemer, een werkdag ten opsigte van elke voltooide tydperk van vyf weke diens;

7.1.1.2 wanneer in die eerste tydkring van 24 maande diens by dieselfde werkgewer, 'n werknemer afwesig weens ongeskiktheid is vir 'n langer tydperk as die siekteverlof wat hom ten tyde van sodanige ongeskiktheid toekom, die werknemer geregtig is op betaling vir slegs die siekteverlof wat hom dan toekom, maar die werkgewer moet, indien hy dit nie reeds gedoen het nie, by verstryking van genoemde dienstryking of by diensbeëindiging voor sodanige verstryking, die werknemer betaal ten opsigte van sodanige langer tydperk van afwesigheid weens ongeskiktheid, vir sover die siekteverlof wat hom by sodanige verstryking of diensbeëindiging toekom, nog nie geneem is nie;

7.1.1.3 waar 'n werkgewer ingevolge 'n wet vir hospitaal- of mediese behandeling ten opsigte van 'n werknemer moet betaal en sodanige gelde wel betaal, die bedrag wat aldus betaal is, afgetrek kan word van die bedrag wat ingevolge hierdie klousule ten opsigte van afwesigheid weens ongeskiktheid verskuldig is.

7.2 'n Werkgewer kan, as 'n opskortende voorwaarde vir die betaling deur hom van 'n bedrag wat 'n werknemer kragtens hierdie klousule eis ten opsigte van enige afwesigheid van sy werk—

7.2.1 vir langer as drie agtereenvolgende werkdade;

7.2.2.2 op die werkdag onmiddellik voor of die werkdag onmiddellik na 'n Sondag of 'n betaalde vakansiedag;

van die werknemer vereis om 'n sertifikaat voor te lê wat deur 'n geregistreerde mediese praktisyn onderteken is en waarin die aard en duur van die werknemer se ongeskiktheid vermeld word: Met dien verstande dat, wanneer 'n werknemer gedurende enige tydperk van hoogstens agt weke by twee of meer geleenthede betaling ingevolge hierdie klousule ontvang het sonder om so 'n sertifikaat voor te lê, die werkgewer gedurende die tydperk van agt weke onmiddellik na die laaste sodanige geleentheid van hom kan vereis om so 'n sertifikaat ten opsigte van enige afwesigheid voor te lê. Verder kan 'n werkgewer van 'n werknemer vereis om 'n sertifikaat te verkry wat deur 'n mediese praktisyn uitgereik is wat deur die werkgewer genomineer is, maar op die werkgewer se koste, om aan die vereistes van hierdie klousule te voldoen.

7.3 By die toepassing van hierdie klousule—

7.3.1 word die uitdrukking “diens” geag te omvat—

7.3.1.1 enige tydperk wat 'n werknemer afwesig is—

7.3.1.1.1 met verlof ingevolge klousule 6;

7.3.1.1.2 op las of versoek van sy werkgewer;

7.3.1.1.3 met siekteverlof ingevolge klousule 7.1;

en wat in enige tydperk van 12 maande altesaam hoogstens 10 weke beloop; en

7. SICK LEAVE

7.1 Subject to clause 7.2, an employer shall grant to his employee, who is absent from work through incapacity—

7.1.1 in the case of a watchman, not less than 24 work-days; and

7.1.2 in the case of any other employee, not less than 20 work-days;

sick leave in the aggregate during each cycle of 24 consecutive months of employment with him, and shall pay such employee in respect of any period of absence in terms of this subclause not less than the wage which would have been paid had the employee worked during such period: Provided that—

7.1.1.1 in the first 24 consecutive months of employment an employee shall not be entitled to sick leave on full pay at a rate of more than, in the case of a watchman, one work-day in respect of each completed month of employment, and in the case of any other employee one work-day in respect of each completed period of five weeks of employment;

7.1.1.2 where, in the first cycle of 24 months of employment with the same employer, an employee is absent owing to incapacity for a period in excess of any sick leave accrued at the time of such incapacity, the employee shall be entitled to be paid in respect of only such leave as has so accrued, but the employer shall, if he has not previously done so, at the expiration of the said cycle of employment or on termination of employment before such expiration, pay the employee in respect of such excess period of absence owing to incapacity, to the extent to which sick leave, accrued at such expiration or termination, had not been taken;

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

7.2 An employer may, as a condition precedent to the payment by him of any amount claimed in terms of this clause by an employee in respect of absence from work—

7.2.1 for more than three consecutive work-days; or

7.2.2.2 on the work-day immediately preceding or the work-day immediately succeeding a Sunday or a paid holiday;

require the employee to produce a certificate signed by a registered medical practitioner stating the nature and duration of the employee's incapacity: Provided that, when an employee has, during any period of up to eight weeks, received payment in terms of this clause on two or more occasions without producing such a certificate, the employer may, during the period of eight weeks immediately succeeding the last such occasion, require the production of such certificate in respect of any absence. Furthermore, an employer may require an employee to obtain a certificate issued by a medical practitioner nominated by the employer but at the employer's expense in order to satisfy the requirements of this clause.

7.3 For the purposes of this clause the expression—

7.3.1 “employment” shall be deemed to include—

7.3.1.1 any period during which an employee is absent—

7.3.1.1.1 on leave in terms of clause 6;

7.3.1.1.2 on the instructions or at the request of his employer;

7.3.1.1.3 on sick leave in terms of clause 7.1;

amounting in the aggregate, in any period of 12 months to not more than 10 weeks; and

7.3.1.2 enige tydperk wat 'n werknemer afwesig is vir militêre opleiding of diens ingevolge die Verdedigingswet, 1957: Met dien verstande dat 'n werknemer nie geregtig is om meer as vier maande van enige tydperk van sodanige opleidings- of dienstydsperk as diens te eis nie;

7.3.1.3 enige tydperk wat 'n werkgewer van 'n werknemer vereis om nie te werk nie weens weersomstandighede, 'n slapte in die bedryf of 'n onklaarraking van masjinerie; en word enige tydperk van diens by dieselfde werkgewer onmiddellik voordat hierdie order bindend geword het, by die toepassing van hierdie klousule geag diens ingevolge hierdie order te wees, en word alle siekteverlof wat met volle betaling aan so 'n werknemer gedurende sodanige tydperk verleen is, geag ingevolge hierdie order verleen te wees;

7.3.2 beteken "ongeskiktheid" onvermoë om te werk weens siekte of besering, behalwe siekte of besering wat deur 'n werknemer se eie wangedrag veroorsaak is: Met dien verstande dat sodanige onvermoë om te werk wat veroorsaak is deur 'n ongeluk of vergoedingspligtige siekte waarvoor vergoeding kragtens die Ongevalwet, 1941, betaalbaar is, as ongeskiktheid beskou word slegs gedurende 'n tydperk ten opsigte waarvan geen ongeskiktheidsbetaling ingevolge daardie Wet betaalbaar is nie.

7.4 **Voorbehoudsbepalings:** Hierdie klousule is nie van toepassing nie—

7.4.1 op 'n werknemer op wie se skriftelike versoek 'n werkgewer bydraes wat minstens gelyk is aan dié wat die werknemer self bydra, aan 'n fonds of organisasie betaal wat die werknemer aanwys en wat die werknemer waarborg dat, in geval van sy ongeskiktheid in die omstandighede in hierdie klousule vermeld, altesaam minstens die ekwivalent van sy loon vir 20 of 24 werkdade, na gelang van die geval, in elke tydkring van 24 maande diens aan hom betaal sal word, behalwe dat die gewaarborgde koers gedurende die eerste 24 maande wat die werknemer bydraes betaal, verlaag kan word, maar tot minstens die aanwaskoers uiteengesit in die eerste voorbehoudsbepaling van klousule 7.1;

7.4.2 op enige tydperk van ongeskiktheid van 'n werknemer waarvoor daar by 'n ander wet vereis word om die werknemer minstens sy volle loon te betaal.

8. BETALING TEN OPSIGTE VAN SONDAG EN BETAALDE VAKANSIEDAE

8.1 Wanneer 'n werknemer op 'n Sondag werk, moet sy werkgewer of—

8.1.1 die werknemer—

8.1.1.1 indien hy aldus vir 'n tydperk van hoogstens vier uur werk, minstens sy dagloon betaal;

8.1.1.2 indien hy aldus vir 'n tydperk van meer as vier uur werk, teen minstens dubbel sy gewone loon ten opsigte van die hele tydperk wat hy op sodanige Sondag werk, of minstens dubbel sy dagloon betaal, en wel die bedrag wat die grootste is; of

8.1.2 hom teen minstens een en 'n derde maal sy gewone loon betaal ten opsigte van die hele tydperk wat hy op sodanige Sondag werk en hom binne sewe dae vanaf sodanige Sondag een dag verlof verleen en hom ten opsigte daarvan minstens sy dagloon betaal: Met dien verstande dat waar daar van sodanige werknemer vereis of hy toegelaat word om minder as vier uur op sodanige Sondag te werk, daar geag moet word dat hy vier uur gewerk het.

8.2 As 'n werknemer nie op 'n verpligte betaalde vakansiedag in klousule 2 bedoel, werk nie, moet die werkgewer hom minstens sy weekloon betaal vir die week waarin sodanige dag val.

8.3 Wanneer 'n werknemer op 'n verpligte betaalde vakansiedag 'n klousule 2 bedoel, werk, moet sy werkgewer hom vir die week waarin daardie dag val, minstens sy weekloon betaal, plus sy uurloon vir elke uur of deel van 'n uur wat

7.3.1.2 any period during which an employee is absent from work owing to military training or service in pursuance of the Defence Act, 1957: Provided that an employee shall not be entitled to claim as employment more than four months of any one period of such training or service;

7.3.1.3 any time during which an employee is required by the employer not to work because of the vagaries of the weather, slackness of trade or a breakdown of machinery or plant; and any period of employment which an employee has had with the same employer immediately before the date on which this order became binding shall for the purposes of this clause, be deemed to be employment under this order, and any sick leave on full pay granted to such an employee during such period shall be deemed to have been granted under this order;

7.3.2 "incapacity" means inability to owing to any sickness or injury other than sickness or injury caused by an employee's own misconduct: Provided that any such inability to work, caused by an accident or a scheduled disease for which compensation is payable under the Workmen's Compensation Act, 1941, shall only be regarded as incapacity during any period in respect of which no disablement payment is payable in terms of that Act.

7.4 **Savings:** This clause shall not apply—

7.4.1 to an employee at whose written request the employer makes contributions, at least equal to those made by the employee, to any fund or organisation nominated by the employee, which fund or organisation guarantees to the employee in the event of incapacity in the circumstances set out in this clause, the payment to him of not less than in the aggregate the equivalent of his wage for 20 or 24 work-days, as the case may be, in each cycle of 24 months of employment, except that during the first 24 months of the payment of contributions by the employee the guaranteed rate may be reduced, but not less than the rate of accrual set out in the first proviso to clause 7.1; and

7.4.2 in respect of any period of incapacity of an employee for which the employer is required by any other law to pay to the employee not less than his full wages.

8. PAYMENT IN RESPECT OF SUNDAYS AND PAID HOLIDAYS

8.1 Whenever an employee works on a Sunday, his employer shall either—

8.1.1 pay the employee—

8.1.1.1 if he so works for a period not exceeding four hours, not less than his daily wage; and

8.1.1.2 if he so works for a period exceeding four hours, at a rate of not less than double his ordinary wage in respect of the total period worked by him on such Sunday, or not less than double his daily wage, whichever is the greater; or

8.1.2 pay the employee at a rate of not less than one and a third times his ordinary wage in respect of the total period worked by him on such Sunday, and grant him within seven days of such Sunday one day's leave and pay him in respect thereof not less than his daily wage: Provided that where such an employee is required or permitted to work for less than four hours on such Sunday he shall be deemed to have worked for four hours.

8.2 If an employee does not work on an obligatory paid holiday referred to in clause 2, his employer shall pay him for the week in which such day falls not less than his weekly wage.

8.3 Whenever an employee works on an obligatory paid holiday referred to in clause 2, his employer shall pay him for the week in which such day falls not less than his weekly wage plus his hourly wage for each hour or part of an hour

die werknemer altesaam op so 'n dag gewerk het: Met dien verstande dat wanneer daar van 'n werknemer vereis of hy toegelaat word om minder as vier uur op sodanige dag te werk, hy geag moet word vier uur te gewerk het.

8.4 Hierdie klousule is nie van toepassing nie op 'n werknemer wat ingevolge klousule 5.6.1 van die werkerebepalings uitgesluit is.

9. STUKWERK

9.1 'n Werkgewer kan, nadat hy minstens een week vooraf kennis aan sy werknemer gegee het, 'n stukwerkstelsel invoer, en sodanige werkgewer moet, behoudens klousule 9.3, sodanige werknemer besoldig teen die tariewe wat ooreenkomstig sodanige stelsel van toepassing is: Met dien verstande dat die werkgewer ongeag die hoeveelheid werk wat verrig is, sodanige werknemer moet betaal vir elke week waarin stukwerk verrig word, minstens die bedrag wat hy so 'n werknemer vir daardie week sou moes betaal het as hy hom 'n tydloon betaal het.

9.2 'n Werkgewer moet 'n lys van die besoldiging in klousule 9.1 bedoel, op 'n opvallende plek in sy bedryfsinrigting opgeplak hou.

9.3 'n Werkgewer wat voornemens is om 'n bestaande stukwerkstelsel of die besoldiging wat daarvolgens van toepassing is, af te skaf of te wysig, moet aan sy werknemer wat volgens sodanige stelsel werk, minstens een week kennis van sodanige voorneme gee: Met dien verstande dat 'n werkgewer en sy werknemer oor 'n langer kennisgewingstermyn ooreen kan kom, en in so 'n geval mag die werkgewer nie vir 'n korter termyn as dié waaroor daar ooreengekom is, kennis gee nie.

10. BESKERMENDE KLERE

10.1 'n Werkgewer moet alle beskermende kleres wat hy van sy werknemer vereis om te dra of wat hy ingevolge enige wet verplig is om aan sy werknemer te verskaf gratis verskaf en in 'n bruikbare toestand hou, en alle sodanige artikels bly die eiendom van die werkgewer.

11. VERBOD OP INDIENSNEMING

'n Werkgewer mag niemand onder die leeftyd van 15 jaar in diens neem nie.

12. BEÏNDIGING VAN DIENSKONTRAK

12.1 'n Werkgewer of sy werknemer wat die dienskontrak wil beëindig, moet —

12.1.1 in die geval van 'n gesalarieerde werknemer;

12.1.1.1 gedurende die eerste vier weke diens, minstens een werkdag;

12.1.1.2 na die eerste vier weke diens, minstens een week; en

12.1.2 in die geval van 'n uurliks besoldigde werknemer, minstens een werkdag;

vooraf kennis van die beëindiging van die kontrak gee, of 'n werkgewer of 'n werknemer kan die kontrak sonder kennisgewing beëindig deur, in plaas van sodanige kennisgewing, aan die werknemer of die werkgewer, na gelang van die geval, te betaal in die geval van —

12.1.3 een werkdag kennisgewing, minstens die dagloon;

12.1.4 een week kennisgewing, minstens die weekloon; wat die werknemer ten tyde van sodanige beëindiging ontvang: Met dien verstande dat —

12.1.4.1 die werking van 'n verbeuring of boete wat regens van toepassing mag wees op 'n werknemer wat dros, nie hierdeur geraak word nie; en

worked by the employee on such day: Provided that where such an employee is required or permitted to work for less than four hours on such day he shall be deemed to have worked for four hours.

8.4 This clause shall not apply to an employee who is excluded from the hours of work provisions by virtue of clause 5.6.1.

9. PIECE WORK

9.1 An employer may, after at least one week's notice to his employee, introduce a piece-work system and, save as provided in clause 4.3, such employer shall pay such employee remuneration at the rate applicable under such system: Provided that, irrespective of the quantity of work done, the employer shall pay such employee not less than in respect of each week in which piece-work is performed, the amount which he would have been required to pay such employee for that week had the employee been remunerated on the basis of time worked.

9.2 An employer shall keep posted up in a conspicuous place in his establishment a schedule of the rates referred to in clause 9.1.

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

10. PROTECTIVE CLOTHING

10.1 An employer shall supply and maintain in serviceable condition, free of charge, any protective clothing which he requires his employee to wear or which by any law he is compelled to provide to his employee and any such article shall remain the property of the employer.

11. PROHIBITION OF EMPLOYMENT

An employer shall not employ any person under the age of 15 years.

12. TERMINATION OF CONTRACT OF EMPLOYMENT

12.1 An employer or his employee, who desires to terminate the contract of employment, shall give notice of termination of contract of —

12.1.1 in the case of a salaried employee,

12.1.1.1 during the first four weeks of employment, not less than one workday's;

12.1.1.2 after the first four weeks of employment, not less than one week's and;

12.1.2 in the case of an hourly-rated employee, not less than one work-day's;

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

12.1.3 one work-day's notice, the daily wage;

12.1.4 one week's notice, the weekly wage;

the employee is receiving at the time of such termination: Provided that —

12.1.4.1 this shall not affect the operation of any forfeitures penalties which by law may be applicable in respect of an employee who deserts; and

12.1.4.2 indien die loon van 'n werknemer op die datum van die beëindiging verminder is deur aftrekkings ten opsigte van korttyd, die uitdrukking "ten tyde van sodanige diensbeëindiging ontvang", wanneer 'n werkgever 'n werknemer betaal in plaas van kennis te gee, geag word te beteken "ten tyde van sodanige beëindiging sou ontvang het as geen bedrag weens korttyd afgetrek was nie".

12.2 Indien daar 'n ooreenkoms ingevolge die tweede voorbehoudsbepaling van klousule 12.1 bestaan, moet die betaling in plaas van kennisgewing eweredig wees aan die kennisgewingstermyn waarvoor daar ooreengekom is.

12.3 Die kennisgewing by klousule 12.1 voorgeskryf, moet op enige werkdag geskied: Met dien verstande dat—

12.3.1 die kennisgewingstermyn nie mag saamval nie met, en die kennisgewing nie mag geskied nie gedurende 'n werknemer se afwesigheid—

12.3.1.1 met verlof ingevolge klousule 6;

12.3.1.2 terwyl militêre opleiding of diens ingevolge die Verdedigingswet, 1957, ondergaan word;

12.3.2 daar nie kennis gegee mag word nie gedurende 'n werknemer se afwesigheid met siekteverlof ingevolge klousule 7 of weens ongeskiktheid in die omstandighede uiteengesit in klousule 7.4;

en wel tot 'n totaal, ten opsigte van afwesigheid in paragrawe 12.3.1.1 en 12.3.2 bedoel, in enige tydperk van 12 maande, van hoogstens 10 weke.

12.4 Ondanks andersluidende bepalings in hierdie order, in die geval waar 'n werknemer sy dienskontrak beëindig deur sy diens te verlaat sonder om kennis te gee en sonder om die kennisgewingstermyn uit te dien of sonder om sy werkgever te betaal in plaas van kennis te gee, mag sy werkgever uit enige geld wat hy aan sodanige werknemer uit hoofde van enige bepaling van hierdie order skuld, hom 'n bedrag toeëien van hoogstens dit wat sodanige werknemer hom sou moes betaal het in plaas van kennis te gee: Met dien verstande dat wanneer 'n werkgever hom aldus 'n bedrag toeëien het in plaas van kennisgewing, daar by die toepassing van klousule 6.5 geag word dat die werknemer die werkgever betaal het in plaas van kennis te gee.

13. DIENSSERTIFIKAAT

Behalwe waar 'n werknemer se dienskontrak op grond van diensverlating beëindig word, moet die werkgever by beëindiging van enige dienskontrak die werknemer van 'n dienssertifikaat voorsien wat wesenlik in die volgende vorm is en waarop die volle name van die werkgever en die werknemer, die werknemer se klas, die aanvangsdatum en die datum van beëindiging van die kontrak en die weekloon van die werknemer op die datum van sodanige beëindiging vermeld word.

DIENSSERTIFIKAAT

Ek/Ons (13.1)
 wat die Siviele Ingenieursbedryf beoefen te
 sertifiseer hierby dat
 by my/ons (13.1) in diens was vanaf die
 dag van 19..... tot die
 dag van 19..... as (13.2)
 By beëindiging van diens was sy/haar (13.1) loon R
 per week/maand (13.1).

(Handtekening van werkgever of gemagtigde verteenwoordiger)

Datum 19.....

13.1 Skrap wat nie van toepassing nie.

13.2 Meld klas waarin werknemer uitsluitlik of hoofsaaklik in diens was.

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

12.2 Where there is an agreement in terms of the second proviso to clause 12.1, the payment in lieu of notice shall be commensurate with the period of notice agreed upon.

12.3 The notice prescribed in clause 12.1 shall be given on any work-day: Provided that—

12.3.1 the period of notice shall not run concurrently with nor shall notice be given during an employee's absence—

12.3.1.1 on leave in terms of clause 6;

12.3.1.2 on military training or service in pursuance of the Defence Act, 1957;

12.3.2 notice shall not be given during an employee's absence on sick leave in terms of clause 7 or absence owing to incapacity in the circumstances set out in clause 7.4;

amounting in the aggregate, in respect of absences referred to in paragraphs 12.3.1.1 and 12.3.2 to not more than 10 weeks in any period of 12 months.

12.4 Notwithstanding anything to the contrary in this order, where an employee terminates his contract of employment by leaving his employment without having given and served the required period of notice or without paying his employer in lieu of notice, his employer may appropriate to himself, from any moneys which he owes to such employee by virtue of any provisions of this order, an amount of not more than that which such employee would have had to pay him in lieu of notice: Provided that where an employer has so appropriated an amount in lieu of notice, the employee shall for the purposes of clause 6.5 be deemed to have paid the employer in lieu of notice.

13. CERTIFICATE OF SERVICE

Except when a contract of employment of an employee is terminated on the grounds of desertion the employer shall, upon termination of any contract of employment, furnish the employee with a certificate of service substantially in the following form, showing the full names of the employer and the employee, the class of the employee, the date of commencement and the date of commencement and the date of termination of the contract and the weekly wage of the employee on the date of such termination.

CERTIFICATE OF SERVICE

I/We (13.1)
 carrying on trade in the Civil Engineering Industry at
 hereby certify that
 was employed by me/us (13.1) from the
 day of 19..... to the
 day of 19..... as (13.2)
 At the termination of employment his/her (13.1) wage was R
 per week/month (Z13.1).

(Signature of employer of authorised representative)

Dated 19.....

13.1 Delete whichever is inapplicable.

13.2 State class in which employee was wholly or mainly engaged.

14. LOS WERKNEMERS

Tensy die sinsverband anders aandui, is die diensvoorwaardes wat in hierdie Order voorgeskryf word, op los werknemers van toepassing, behalwe in die volgende omstandighede:

14.1 Besoldiging:

14.1.1 Wanneer 'n werkgewer van 'n los werknemer vereis om vir 'n tydperk van nie meer as vier agtereenvolgende ure op 'n dag te werk, kan sy loon met nie meer as 50 persent ten opsigte van dié dag verminder word.

14.2 Betaling van besoldiging:

14.2.1 Die bepalinge van klousule 4.1 is nie van toepassing nie.

14.2.2 'n Werkgewer moet die besoldiging wat aan 'n los werknemer verskuldig is, by diensbeëindiging betaal, maar minstens weekliks.

14.3 Betaling van oortydwerk:

14.3.1 'n Werkgewer moet 'n los werknemer wat oortyd werk, teen minstens een en 'n derde keer sy gewone loon betaal ten opsigte van die totale tydperk wat deur sodanige werknemer op 'n dag gewerk is.

14.4 Jaarlikse verlof:

Klousule 6 is nie van toepassing nie.

14.5 Siekteverlof:

Klousule 7 is nie van toepassing nie.

14.6 Beëindiging van dienskontrak:

Klousule 12 is nie van toepassing nie.

14.7 Dienssertifikaat:

Klousule 13 is nie van toepassing nie.

14. CASUAL EMPLOYEES

Unless the context otherwise indicates, the conditions of employment prescribed in this Order shall apply to casual employees, except in the following circumstances:

14.1 Remuneration:

14.1.1 Where and employer requires a casual employee to work for a period of not more than four consecutive hours on any day, his wage may be reduced by not more than 50 per cent in respect of that day.

14.2 Payment of remuneration:

14.2.1 The provisions of clause 4.1 do not apply.

14.2.2 An employer shall pay the remuneration due to a casual employee on termination of his employment but not less than weekly.

14.3 Payment for overtime:

14.3.1 An employer shall pay a casual employee who works overtime at a rate of not less than one and a third times his ordinary wage in respect of the total period so worked by such employee on any day.

14.4 Annual leave:

Clause 6 shall not apply.

14.5 Sick leave:

Clause 7 shall not apply.

14.6 Termination of contract of employment:

Clause 12 shall not apply.

14.7 Certificate of service:

Clause 13 shall not apply.

No. R. 327**31 Januarie 1992****WET OP ARBEIDSVARHOUDINGE, 1956****KORREKSIEKENNISGEWING****BOUNYWERHEID, KIMBERLEY: WYSIGING VAN HOOFOOREENKOMS**

Onderstaande verbeterings aan Goewermementskennisgewing No. R. 3136 wat in Staatskoerant No. 13684 van 20 Desember 1991 verskyn, word hierby vir algemene inligting gepubliseer:

In die Engelse sowel as die Afrikaanse teks, vervang die woorde "Sent per uur" met "Rand per uur" waar dit in klousule 24 (1) (a)-(d) en 24 (2) (a)-(d) voorkom.

No. R. 356**31 Januarie 1992****WET OP ARBEIDSVARHOUDINGE, 1956****VERBETERINGSKENNISGEWING****YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID: HERBEKRAKTIGING VAN HOOFOOREENKOMS**

Onderstaande verbeterings aan Goewermementskennisgewing No. R. 2658 wat in Staatskoerant No. 13612 van 8 November 1991 verskyn, word hierby vir algemene inligting gepubliseer:

1. In die Afrikaanse teks van die Bylae:**(a) 6. KLOUSULE 4: WERKURE**

In item (2), die eerste paragraaf van subklousule "(3)" voeg die uitdrukking: "Behoudens dat:" in na die woorde "... 10 ure per week wees ..."

(b) 25 BYLAE A**WERKSEKURITEIT****No. R. 327****31 January 1992****LABOUR RELATIONS ACT, 1956****CORRECTION NOTICE****BUILDING INDUSTRY, KIMBERLEY: AMENDMENT OF MAIN AGREEMENT**

The undermentioned corrections to Government Notice No. R. 3136 appearing in Government Gazette No. 13684 of 20 December 1991, are published herewith for general information:

In the English as well as the Afrikaans texts, substitute the words "Rand per hour" for "Cent per hour" where it appears in clause 24 (1) (a)-(d) and 24 (2) (a)-(d).

No. R. 356**31 January 1992****LABOUR RELATIONS ACT, 1956****CORRECTION NOTICE****IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY: RE-ENACTMENT OF MAIN AGREEMENT**

The following corrections to Government Notice No. R. 2658 appearing in Government Gazette No. 13612 of 8 November 1991 are hereby published for general information:

1. In the Afrikaans text to the Schedule:**(a) 6. KLOUSULE 4: WERKURE**

In item "(2)" the first paragraph of subsection "(3)" insert the expression: "Behoudens dat:" after the expression "... 10 ure per week wees..."

(b) 25 BYLAE A**WERKSEKURITEIT**

By item "3. Tydelike diensbeëindiging (a) Woord-omskrywing" voeg die woord "opeenvolgende" in tussen die woorde "volle" en "skofte".

2. In die Engelse teks van die Bylae:

(a) 6. SECTION 4: HOURS OF WORK

In item (2) die eerste paragraaf van subklousule "(3)" voeg die uitdrukking "Provided that" in na die woorde "... 10 hours per week ..."

(b) 25 ANNEXURE A

SECURITY OF EMPLOYMENT

(i) In die sesde en sewende reël van item "2. Re-employment of retrenched employees" skrap die uitdrukking "... who are retrenched in the industry ..."

(ii) By item "3. Lay Offs (a) Definition" voeg die woord "consecutive" in tussen die woorde "full" en "shifts".

(c) ANNEXURE TO SECTION 35

In die opskrif vervang die woord "ANNEXURE" met die woord "SCHEDULE".

At item 3, in the third line of the Definition "Tydelike diensbeëindiging" insert the word "opeenvolgende" between the words "volle" and "skofte".

2. In the English text to the Schedule:

(a) 6. SECTION 4: HOURS OF WORK

In item (2), the first paragraph of subsection "(3)" insert the expression "Provided that" after the expression "... 10 hours per week..."

(b) 25 ANNEXURE A

SECURITY OF EMPLOYMENT

(i) At the sixth and seventh lines of item "2, Re-employment of retrenched employees" delete the phrase "... who are retrenched in the industry ..."

(ii) At item "3: Lay Offs (a) Definition" insert the word "consecutive" between the words "full" and "shifts".

(c) ANNEXURE TO SECTION 35

In the heading, substitute the word "SCHEDULE" for the word "ANNEXURE".

No. R. 357

31 Januarie 1992

WET OP BASIESE DIENSVOORWAARDES, 1983

AANEENLOPENDE WERK

Ek, Izak Jacobus van Zyl, Hoofdirekteur: Arbeidsverhoudinge, behoorlik daartoe gemagtig deur die Minister van Mannekrag, verklaar hierby kragtens artikel 33 (1) van die Wet op Basiese Diensvoorwaardes, 1983, dat die vervaardiging van Margarine, die uitdruk van eetbare olie uit oliesade en die raffineer van olie, soos uitgevoer deur SA Oil Mills te Randfontein, 'n bedrywigheid is met betrekking waartoe daar aaneenlopend in drie skofte per 24 uur, sewe dae per week, gewerk kan word: Met dien verstande dat die diensvoorwaardes, soos gepubliseer by Goewermentskennisgewing R. 2167 van 28 September 1984, of enige Goewermentskennisgewing gepubliseer ter vervanging daarvan, nagekom word.

I. J. VAN ZYL,

Hoofdirekteur: Arbeidsverhoudinge.

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS- ONTWIKKELING

No. R. 338

31 Januarie 1992

WET OP VOEDINGSMIDDELS, SKOONHEIDSMIDDELS EN ONTSMETTINGSMIDDELS, 1972 (WET 54 VAN 1972)

REGULASIES: VOEDSELKLEURSTOWWE: WYSIGING

Die Minister van Nasionale Gesondheid is voornemens om kragtens artikel 15 (1) van die Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels, 1972 (Wet 54 van 1972), die regulasies vervat in die Bylae hiervan uit te vaardig.

No. R. 357

31 January 1992

BASIC CONDITIONS OF EMPLOYMENT ACT, 1983

CONTINUOUS WORKING

I, Izak Jacobus van Zyl, Chief Director: Labour Relations, duly authorised thereto by the Minister of Manpower, hereby in terms of section 33 (1) of the Basic Conditions of Employment Act, 1983, declare the manufacture of Margarine, the expressing of edible oil from oil-seeds and the refining of oil, as carried out by SA Oil Mills at Randfontein, to be an activity with respect to which work may be performed continuously in three shifts per 24 hours, seven days a week: Provided that the conditions of employment, as published under Government Notice R. 2167 of 28 September 1984, or any Government Notice published in substitution thereof, are adhered to.

I. J. VAN ZYL,

Chief Director: Labour Relations.

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 338

31 January 1992

FOODSTUFFS, COSMETICS AND DISINFECTANTS ACT, 1972 (ACT 54 OF 1972)

REGULATIONS: FOOD COLOURANTS: AMENDMENT

The Minister of National Health intends, in terms of section 15 (1) of the Foodstuffs, Cosmetics and Disinfectants Act, 1972 (Act 54 of 1972), to make the regulations contained in the Schedule hereto.

Belanghebbendes word versoek om binne drie maande na die datum van publikasie van hierdie kennisgewing gemotiveerde kommentaar oor of vertoë in verband met die voorgestelde regulasies in te dien by die Direkteur-generaal: Nasionale Gesondheid en Bevolkingsontwikkeling, Privaatsak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Voedsel, Kosmetika, Ontsmettingsmiddels en Gevaarhoudende Stowwe).

BYLAE

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 756 van 6 Mei 1977, soos gewysig.

Wysiging van Aanhangsel 1 van die Regulasies

2. Aanhangsel 1 van die Regulasies word hierby gewysig deur die volgende besonderhede in die korrekte alfabetiese posisie in te voeg:

I Voedingsmiddel	Kleurindeks- nommer	II Naam van kleurstof	III Voorwaardes en perke (mg/kg)
Alle voedingsmiddels waar toepaslik maar uitgesonderd voedingsmiddels waar kleurstowwe beperk of verbied word	47005	Kinolingeel	100

I Foodstuff	Colour index number	II Name of colourant	III Conditions and limits (mg/kg)
All foodstuffs, where applicable, excepting foodstuffs where colourants are controlled or prohibited	47005	Quinoline yellow	100

Interested persons are invited to submit any substantiated comments on the proposed regulations or representations they wish to make in regard thereto to the Director-General of National Health and Population Development, Private Bag X828, Pretoria, 0001 (for the attention of the Director of Foodstuffs, Cosmetics, Disinfectants and Hazardous Substances), within three months of the date of publication of this notice.

SCHEDULE

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice No. R. 756 of 6 May 1977, as amended.

Amendment of Annex 1 to the Regulations

2. Annex 1 to the Regulations is hereby amended by the insertion in the correct alphabetical order of the following particulars:

No. R. 339

31 Januarie 1992

DIE SUID-AFRIKAANSE APTEKERSRAAD

REÛLS BETREFFENDE HANDELINGE OF VERSUIME TEN OPSIGTE WAARVAN DIE RAAD TUGSTAPPE KAN DOEN: WYSIGING

Die Minister van Nasionale Gesondheid het kragtens artikel 41 (2) van die Wet op Aptekers, 1974 (Wet No. 53 van 1974), die wysiging van die reëls uiteengesit in die Bylae hiervan, wat deur die Suid-Afrikaanse Aptekersraad ingevolge artikel 41 (1) van die Wet uitgevaardig is, goedgekeur.

BYLAE

1. In hierdie reëls beteken "die Reëls" die reëls afgekondig by Goewermentskennisgewing No. R. 599 van 31 Maart 1989, soos gewysig by Goewermentskennisgewing No. R. 1549 van 5 Julie 1991.

2. Reël 5 van die Reëls word hierby deur die volgende reël vervang:

"5. (1) Die advertering van medisyne of van sy professionele diens op 'n wyse—

- (a) wat nie feitelik korrek is nie;
- (b) wat misleidend is;
- (c) wat die waardigheid of die aansien van die beroep skaad.

5. (2) Die advertering van medisyne op 'n wyse—

- (a) wat neerhalend is van 'n ander produk, medisyne of stof;

No. R. 339

31 January 1992

THE SOUTH AFRICAN PHARMACY COUNCIL

RULES RELATING TO ACTS OR OMISSIONS IN RESPECT OF WHICH THE COUNCIL MAY TAKE DISCIPLINARY STEPS: AMENDMENT

The Minister of National Health has, in terms of section 41 (2) of the Pharmacy Act, 1974 (Act No. 53 of 1974), approved the amendment to the rules set out in the Schedule hereto, made by the South African Pharmacy Council under section 41 (1) of the Act.

SCHEDULE

1. In these rules "the Rules" means the rules published under Government Notice No. R. 599 of 31 March 1989, as amended by Government Notice No. R. 1549 of 5 July 1991.

2. The following rule is hereby substituted for rule 5 of the Rules:

"5. (1) The advertising of medicines or of his professional services in a manner—

- (a) that is not factually correct;
- (b) that is misleading;
- (c) that harms the dignity or honour of the profession.

5. (2) The advertising of medicines in a manner—

- (a) that disparages and other product, medicine or substance;

- (b) wat verwys na afslag op die prys van medisyne sonder dat die finale prys van die betrokke geadverteerde medisyne ook daarmee saam geadverteer word;
- (c) wat ten doel het, of geïnterpreteer of beskou kan word om ten doel te hê, die bevordering van die wangebruik of misbruik of nadelige of onoordeelkundige of onveilige gebruik van medisyne.
5. (3) Die advertering van sy professionele diens op 'n wyse—
- (a) wat neerhalend is van 'n ander apteker;
- (b) wat daarop bereken is om te kenne te gee dat sy professionele behendigheid of bekwaamheid of sy fasiliteite vir die beoefening van sy beroep of sy professionele dienslewering beter is as dié van ander aptekers.”
3. Reël 6 van die Reëls word hierby deur die volgende reël vervang:
- “6. Die werwing of poging tot werwing van voorskrifte of besigheid betreffende die verkoop van medisyne deur op te tree op enige van die wyses soos in reël 5 bedoel.”
4. Die volgende reël word hierby na reël 22 van die Reëls ingevoeg:
- “23. Die verkoop of bevordering van die verkoop van medisyne op enige wyse wat ten doel het om, of geïnterpreteer of beskou kan word om ten doel te hê, die bevordering van die wangebruik of misbruik of nadelige of onoordeelkundige of onveilige gebruik van medisyne.”

No. R. 360

31 Januarie 1992

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD

REGULASIES BETREFFENDE DIE GEBRUIK VAN SEKERE NAME SLEGS DEUR GEREGISTREERDE PERSONE

Die Minister van Nasionale Gesondheid het, op aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, kragtens artikel 61 (1) (mA) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), die regulasies in die Bylae hiervan uiteengesit, uitgevaardig.

BYLAE

1. In hierdie Bylae beteken “die Wet” die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974).
2. Vir die doeleindes van artikel 40 (c) van die Wet word hierby bepaal dat die naam “paramedies” nie gebruik mag word deur iemand wat nie kragtens artikel 32 van die Wet geregistreer is nie.

No. R. 362

31 Januarie 1992

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD

REGULASIES BETREFFENDE DIE SAMESTELLING, WERKSAAMHEDE, BEVOEGDHEDE EN PLIGTE VAN DIE BEROEPSRAAD VIR TANDTERAPIE

Die Minister van Nasionale Gesondheid het, kragtens artikel 15 (5) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), die regulasies in die Bylae hiervan uiteengesit, uitgevaardig.

- (b) that refers to a discount on the price of medicines without also advertising the final price of the advertised medicines;
- (c) that is aimed at, or may be interpreted or regarded as having as its aim, the promotion of the misuse or abuse or the detrimental or injudicious or unsafe use of medicines.
5. (3) The advertising of his professional services in a manner—
- (a) that disparages another pharmacist;
- (b) that is calculated to suggest that his professional skill or ability or his facilities for practising his profession or rendering his professional services are superior to those of other pharmacists.”
3. The following rule is hereby substituted or rule 6 of the Rules:
- “6. Touting or attempting to tout for prescriptions or business with regard to the sale of medicines by acting in a manner referred to in rule 5.”
4. The following rule is hereby inserted after rule 22 of the Rules:
- “23. The sale or promotion of the sale of medicines in any manner that has as its aim or may be interpreted or regarded as having as its aim, the promotion of the misuse or abuse or the detrimental or injudicious or unsafe use of medicines.”

No. R. 360

31 January 1992

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

REGULATIONS RELATING TO THE USE OF CERTAIN NAMES BY REGISTERED PERSONS ONLY

The Minister of National Health has, in terms of section 61 (1) (mA) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), on the recommendation of the South African Medical and Dental Council, made the regulations set out in the Schedule hereto.

SCHEDULE

1. In this Schedule “the Act” means the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974).
2. For the purposes of section 40 (c) of the Act it is hereby determined that the name “paramedic” shall not be used by any person who is not registered in terms of section 32 of the Act.

No. R. 362

31 January 1992

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

REGULATIONS RELATING TO THE CONSTITUTION, FUNCTIONS, POWERS AND DUTIES OF THE PROFESSIONAL BOARD FOR DENTAL THERAPY

The Minister of National Health has in terms of section 15 (5) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), made the regulations set out in the Schedule hereto.

BYLAE

1. In hierdie regulasies beteken "die Wet" die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), en het 'n uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

"artikel" 'n artikel van die Wet;

"beroepsraad" die Beroepsraad vir Tandterapie;

"lid" 'n lid van die Beroepsraad vir Tandterapie.

Samestelling van die beroepsraad

2. Die beroepsraad bestaan uit sewe lede en word soos volg saamgestel:

(a) Een persoon wat lid van die raad is, word deur die raad aangewys;

(b) vyf tandterapeute word verkies deur tandterapeute;

(c) een persoon wat 'n geneesheer of tandarts is en wat besondere kennis van tandterapie dra, word deur die raad aangewys.

3. Behoudens die bepalinge van regulasie 4 is die dienstermyn van lede van die beroepsraad vyf jaar, gereken vanaf die datum van die verkiesing en aanwysing bedoel in regulasie 2 (b) en (c): Met dien verstande dat sodanige lede herkiesbaar is of weer aangewys kan word, na gelang van die geval.

4. (1) 'n Lid ontruim sy amp—

(a) as hy insolvent raak of van sy boedel afstand doen ten voordele van sy skuldeisers of met hulle 'n skikking aangaan; of

(b) as hy sonder die toestemming van die beroepsraad van meer as twee agtereenvolgende gewone vergaderings van die beroepsraad afwesig is; of

(c) as hy ingevolge die Wet onbevoeg geword het om sy beroep te beoefen; of

(d) as hy, as 'n verkose lid, sy bedanking skriftelik aan die beroepsraad mededeel; of

(e) as hy, as 'n aangewese lid, ophou om aanwysbaar te wees of skriftelik kennis gee aan die raad van sy wens om te bedank en sy bedanking aangenem word.

(2) Elke sodanige vakature en elke vakature wat deur die dood van 'n lid ontstaan, word aangevul deur aanwysing of verkiesing, na gelang die lid wat sodanige amp ontruim, aangewys of verkies is, en elke aldus aangewese of verkose lid beklee sy amp slegs gedurende die onverstreke gedeelte van die tydperk waarvoor die lid wat sodanige amp ontruim, aangewys of verkies is.

Bevoegdhede van die beroepsraad

5. Die beroepsraad kan—

(a) vertoë tot of deur bemiddeling van die raad rig vir die uitvaardiging, wysiging of intrekking van 'n regulasie of reël wat op die beroepsraad of op tandterapeute van toepassing is;

(b) deur bemiddeling van die raad vertoë tot die Minister rig omtrent die omskrywing van die omvang van die beroep van tandterapeut indien die

SCHEDULE

1. In these regulations "the Act" means the Medical, Dental and Supplementary health Service Professions Act, 1974 (Act 56 of 1974), and any expression to which a meaning has been assigned in the Act shall bear such meaning and, unless the context otherwise indicates—

"member" means a member of the Professional Board for Dental Therapy;

"professional board" means the Professional Board for Dental Therapy;

"section" means a section of the Act.

Constitution of the professional board

2. The professional board shall consist of seven members and shall be constituted as follows:

(a) One person, who shall be a member of the council, shall be designated by the council;

(b) five dental therapists shall be elected by dental therapists;

(c) one person, who shall be a medical practitioner or a dentist and who shall have special knowledge of dental therapy, shall be designated by the council.

3. Subject to the provisions of regulation 4, the period of service of members of the professional board shall be five years, reckoned from the date of the election and designation referred to in regulation 2 (b) and (c): Provided that such members shall be eligible for re-election or redesignation, as the case may be.

4. (1) A member shall vacate his office—

(a) if he becomes insolvent or assigns his estate for the benefit of or compounds with his creditors; or

(b) if he is absent from more than two consecutive ordinary meetings of the professional board without the professional board's leave; or

(c) if he has been disqualified under the Act from practising his profession; or

(d) if, as an elected member, he notifies the professional board, in writing, of his resignation; or

(e) if, as a designated member, he ceases to be eligible for designation or gives notice, in writing, to the council of his desire to resign from office and his resignation is accepted.

(2) Every such vacancy and every vacancy arising from the death of a member shall be filled by designation or election, depending on whether the member vacating such office was designated or elected, and every member so designated or elected shall hold office only for the unexpired portion of the period for which the member vacating such office was designated or elected.

Powers of the professional board

5. The professional board may—

(a) make, to or through the council, representations for the making, amendment or withdrawal of any regulation or rule that applies to the professional board or to dental therapists;

(b) submit, through the council, representations to the Minister in regard to the definition of the scope of the profession of dental therapist should the council

raad ingevolge artikel 33 (1) by die Minister sou aanbeveel dat die omvang van die beroep van tandterapeut omskryf word deur die handeling te bepaal wat vir doeleindes van die Wet geag word handeling te wees wat by die beroep van tandterapeut tuishoort.

Wersaamhede en pligte van die beroepsraad

6. Dit is die plig van die beroepsraad om—

(a) 'n hoë peil van professionele onderrig en professionele gedrag by tandterapeute te bevorder;

(b) aan die raad verslag te doen oor enige aangeleentheid rakende tandterapeute wat deur die raad na hom verwys word;

(c) die raad te adviseer oor die skruppel, kragtens die bepalings van artikel 19 of artikel 32 (2), van die naam van 'n persoon uit die register van tandterapeute wat kragtens artikel 32 gehou word; en

(d) aanbevelings by die raad te doen omtrent die erkenning van inrigtings vir die voorgeskrewe praktiese opleiding van tandterapeute en omtrent die erkenning van kwalifikasies van tandterapeute wie se name kragtens artikel 32 op die register geplaas word.

No. R. 363

31 Januarie 1992

DIE SUID-AFRIKAANSE GENEESKUNDIGE EN TANDHEELKUNDIGE RAAD

INSTELLING VAN 'N BEROEPSRAAD VIR TANDTERAPIE

Kragtens die bevoegdheid my verleen by artikel 15 (4) van die Wet op Geneesher, Tandartse en Aanvullende Gesondheidsdiensberoep, 1974 (Wet 56 van 1974), en na oorweging van 'n aanbeveling van die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad, stel ek, Elizabeth Hendrina Venter, Minister van Nasionale Gesondheid, hierby 'n beroepsraad in wat as die Beroepsraad vir Tandterapie bekend staan en wat behoudens die bepalings van artikel 15 (6) (a) en (c) bestaan uit persone wie se name op die register van tandterapeute verskyn wat kragtens artikel 32 van genoemde Wet gehou word.

E. H. VENTER,

Minister van Nasionale Gesondheid.

DEPARTEMENT VAN POS- EN TELEKOMMUNIKASIEWESE

No. R. 324

31 Januarie 1992

POSWET, 1958
(WET No. 44 VAN 1958)

WYSIGING VAN DIE BEVOEGDHEDE VAN DIE TELEKOMMUNIKASIEMAATSKAPPY

Ek, Peter Johannes Welgemoed, Minister van Vervoer en van Pos- en Telekommunikasiewese, bepaal hierby kragtens artikel 90A van die Poswet, 1958 (Wet No. 44 van 1958), dat die bevoegdhe in die Bylae uiteengesit wat kragtens die vermeldde bepalings van bedoelde Wet verleen word aan die telekommunikasie-maatskappy omskryf in die betrokke Wet, met ingang van 1 Februarie 1992 by die Posmeester-generaal berus.

recommend to the Minister, in terms of section 33 (1), that the scope of the profession of dental therapist be defined by specifying the acts which shall, for the purposes of the Act, be deemed to be acts pertaining to the profession of dental therapist.

Functions and duties of the professional board

6. It shall be the duty of the professional board to—

(a) promote a high standard of professional education and professional conduct among dental therapists;

(b) report to the council on any matter affecting dental therapists referred to it by the council;

(c) advise the council on the removal under the provisions of section 19 or section 32 (2) of the name of any person from the register of dental therapists kept under section 32; and

(d) make recommendations to the council in regard to the recognition of institutions for the prescribed practical training of dental therapists and in regard to the recognition of qualifications of dental therapists whose names are entered in the register kept under of section 32.

No. R. 363

31 January 1992

THE SOUTH AFRICAN MEDICAL AND DENTAL COUNCIL

ESTABLISHMENT OF A PROFESSIONAL BOARD FOR DENTAL THERAPY

Under the powers vested in me by section 15 (4) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act 56 of 1974), and after considering a recommendation of the South African Medical and Dental Council, I, Elizabeth Hendrina Venter, Minister of National Health, hereby establish a professional board to be known as the Professional Board for Dental Therapy which shall, subject to the provisions of section 15 (6) (a) and (c), consist of persons whose names appear in the register of dental therapists kept under section 32 of the said Act.

E. H. VENTER,

Minister of National Health.

DEPARTMENT OF POSTS AND TELECOMMUNICATIONS

No. R. 324

31 January 1992

POST OFFICE ACT, 1958
(ACT No. 44 OF 1958)

AMENDMENT OF THE POWERS OF THE TELECOMMUNICATIONS COMPANY

I, Peter Johannes Welgemoed, Minister of Transport and of Posts and Telecommunications, hereby determine under section 90A of the Post Office Act, 1958 (Act No. 44 of 1958), that the powers set out in the Schedule which under the provisions mentioned of the said Act are granted to the telecommunications company defined in the Act concerned, shall with effect from 1 February 1992 vest in the Postmaster General.

BYLAE

Bepaling van die Poswet, 1958	Beskrywing van bevoegdhede
78 (2)	Om, onderworpe aan voorwaardes wat in die algemeen of in enige geval spesiaal voorgeskryf word deur die Posmeester-generaal, teen betaling van die lisensiegeld wat aldus voorgeskryf word, aan enigiemand 'n lisensie uit te reik om 'n telekommunikasielyn soos in die Poswet, 1958, omskryf waarop artikel 78 van bedoelde Wet van toepassing is (hierna in hierdie Bylae 'n "telekommunikasielyn" genoem), op te rig, in stand te hou of op die wyse en vir die doeleindes wat bepaal word te gebruik, of om iemand anders toe te laat om dit aldus te gebruik.
78 (5)	Om enigiemand te magtig om op die bedinge en voorwaardes wat voorgeskryf word deur die Posmeester-generaal, 'n telekommunikasielyn te gebruik om telegramme (soos in die Poswet, 1958, omskryf) of telefoniese mededelings vir die publiek te versend of te bestel, en om alle kantore te inspekteer wat aldus gemagtig is om openbare telegramme of telefoniese mededelings te ontvang, te versend of te bestel.
106.....	Om iemand wat sonder die magtiging van die Posmeester-generaal 'n telekommunikasielyn oprig, in stand hou of gebruik, aan te sê om daardie lyn te verwyder of om sodanige bedrae (as daar is) wat van tyd tot tyd voorgeskryf mag word ten opsigte daarvan te betaal; en om by ontstentenis van voldoening aan sodanige aanseggings, sonder om skadevergoeding te betaal die lyn of 'n gedeelte daarvan in besit te neem, weg te ruim of te vernietig, deur algehele verseëling buite werking te stel, of gedeeltelik te verseël op voorwaarde dat, solank dit aldus gedeeltelik verseël is, dit nie vir oorsending of ontvangs gebruik mag word nie.

P. J. WELGEMOED,

Minister van Vervoer en van Pos- en Telekommunikasiewese.

SCHEDULE

Provision of the Post Office Act, 1958	Description of power
78 (2)	To issue, subject to conditions prescribed generally or specially prescribed in any case by the Postmaster General, a licence to any person, against payment of the licence fee so prescribed, to erect, maintain or use in the manner and for the purposes determined any telecommunications line as defined in the Post Office Act, 1958, to which section 78 of the said Act applies (hereafter in this Schedule referred to as a "telecommunications line"), or to permit any other person so to use it.
78 (5)	To authorize any person to use a telecommunications line, on the terms and conditions prescribed by the Postmaster General, for transmitting or delivering telegrams (as defined in the Post Office Act, 1958) or telephonic communications for the public, and to inspect all offices that have been so authorized to transmit or deliver public telegrams or telephonic communications.
106.....	To serve notice on any person who, without the authority of the Postmaster General, erects, maintains or uses any telecommunications line, to remove that line or to pay in respect of it such charges (if any) as may from time to time be prescribed; and in the absence of compliance with such notice, without paying compensation to take absolute possession of, or cut down or destroy, the whole or any part of that line, or to put it out of operation by totally sealing it, or partially to seal it on condition that, while it is so partially sealed, it may not be used for transmission or reception.

P. J. WELGEMOED,

Minister of Transport and of Posts and Telecommunications.

DEPARTEMENT VAN VERVOER

No. R. 367

31 Januarie 1992

HANDELSKEEPVAARTWET, 1951
(WET No. 57 VAN 1951)WYSIGING VAN DIE REGULASIES IN VERBAND
MET HANDELSKEEPVAARTGELDE, 1990

Die Minister van Vervoer het kragtens artikel 356 (1) van die Handelskeepvaartwet, 1951 (Wet No. 57 van 1951), die regulaies in die Bylae hiervan vervat, afgekondig.

DEPARTMENT OF TRANSPORT

No. R. 367

31 January 1992

MERCHANT SHIPPING ACT, 1951
(ACT No. 57 OF 1951)AMENDMENT OF THE MERCHANT SHIPPING FEES
REGULATIONS, 1990

The Minister of Transport has under section 356 (1) of the Merchant Shipping Act, 1951 (Act No. 57 of 1951), made the regulations contained in the Schedule hereto.

BYLAE

1. In hierdie regulasies beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 2438 van 19 Oktober 1990.

2. Regulasie 32 van die Regulasies word hierby gewysig deur die volgende subregulasie by te voeg:

"32 (6) 'n Heffing van R40 is betaalbaar vir die uitreiking van 'n gesertifiseerde afskrif van 'n verlore bekwaamheid- of dienssertifikaat: Met dien verstande dat geen heffing betaalbaar is indien die sertifikaat verlore geraak het weens skipbreuk of brand aan boord van die skip nie."

3. Regulasie 45 van die Regulasies word hierby gewysig deur die volgende subregulasie by te voeg:

"45. (3) Wanneer die dienste van 'n opnemer verlang word te eniger tyd buite die tydperke ingevolge regulasie 44 (2) deur die Direkteur-generaal bepaal, moet die persoon wat sodanige diens aanvra die opnemer se reiskoste en verblyftoelae betaal."

P. J. WELGEMOED,
Minister van Vervoer.

SCHEDULE

1. In these regulations "the Regulations" means the regulations published under Government Notice No. R. 2438 of 19 October 1990.

2. Regulation 32 of the Regulations is hereby amended by the addition of the following subregulation:

"32 (6) A fee of R40 shall be paid for the issue of a certified copy of a lost certificate of competency or lost certificate of service: Provided that no fee shall be paid if the certificate was lost through shipwreck or fire on board ship."

3. Regulation 45 of the Regulations is hereby amended by the addition of the following subregulation:

"45. (3) When the services of a surveyor are required at any time outside the periods specified by the Director-General in terms of regulation 44 (2), the person requesting such services shall pay the surveyor's travelling expenses and subsistence allowance."

P. J. WELGEMOED,
Minister of Transport.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

Die "Onderstepoort Journal of Veterinary Research" word deur die Staatsdrukker, Pretoria, gedruk en is verkrygbaar van die Direkteur, Afdeling Landbou-inligting, Privaatsak X144, Pretoria, 0001, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Hierdie publikasie is 'n voortsetting van die "Reports of the Government Veterinary Bacteriologist of the Transvaal" wat terugdateer tot 1903 en waarvan 18 verskyn het tot 1932. Dit is gevolg deur 52 volumes van die "Onderstepoort Journal". Tans bestaan elke volume uit vier nommers wat teen R12,50 per kopie of R50 per jaar (BTW ingesluit) binnelands en R15 per kopie of R60 per jaar buitelands van bogenoemde adres posvry verkrygbaar is.

Direkteure van laboratoriums ens. wat begerig is om publikasies om te ruil moet in verbinding tree met die Direkteur, Navorsingsinstituut vir Veeartsenykunde, Pk. Onderstepoort, 0110, Republiek van Suid-Afrika.

THE ONDERSTEPSPOORT JOURNAL OF VETERINARY RESEARCH

The Onderstepoort Journal of Veterinary Research is printed by the Government Printer, Pretoria, and is obtainable from the Director, Division of Agricultural Information, Private Bag X144, Pretoria, 0001, to whom all communications should be addressed.

This publication is a continuation of the Reports of the Government Veterinary Bacteriologist of the Transvaal which date back to 1903 and of which 18 have appeared up to 1932. These were followed by 52 volumes of the Onderstepoort Journal. At present each volume comprises four numbers which are obtainable from the above address at R12,50 per copy or R50 per annum (VAT included) local or other countries R15 per copy or R60 per annum.

Directors of laboratories etc. desiring to exchange publications are invited to communicate with the Director, Veterinary Research Institute, P.O. Onderstepoort, 0110, Republic of South Africa.

BELANGRIK!!

Plasing van tale:

Staatskoerante

1. Hiermee word bekendgemaak dat die omruil van tale in die *Staatskoerant* jaarliks geskied met die eerste uitgawe in Oktober.
2. Vir die tydperk 1 Oktober 1991 tot 30 September 1992 word Afrikaans EERSTE geplaas.
3. Hierdie reëling is in ooreenstemming met dié van die Parlement waarby koerante met Wette ens. die taalvolgorde deurgaans behou vir die duur van die sitting.
4. *Dit word dus van u, as adverteerder, verwag om u kopie met bogenoemde reëling te laat strook om onnodige omskakeling en stylredigering in ooreenstemming te bring.*

—oOo—

IMPORTANT!!

Placing of languages:

Government Gazettes

1. Notice is hereby given that the interchange of languages in the *Government Gazette* will be effected annually from the first issue in October.
2. For the period 1 October 1991 to 30 September 1992, Afrikaans is to be placed FIRST.
3. This arrangement is in conformity with Gazettes containing Act of Parliament etc. where the language sequence remains constant throughout the sitting of Parliament.
4. *It is therefore expected of you, the advertiser, to see that your copy is in accordance with the above-mentioned arrangement in order to avoid unnecessary style changes and editing to correspond with the correct style.*

BELANGRIKE AANKONDIGING

Sluitingstye

- (1) AANSOEKE OM DRANKLISENSIES
- (2) AANSOEKE OM VERPLASINGS VAN LISENSIES

Hiermee word bekendgemaak dat kennisgewings vir aanname die Vrydag, twee kalenderweke voor datum van publikasie, ingedien moet word.

Die sluitingstyd is stiptelik 15:00 op die volgende dae:

- ▷ 19 Desember 1991, vir die uitgawe van Vrydag 3 Januarie 1992.
- ▷ 24 Januarie 1992, vir die uitgawe van Vrydag 7 Februarie 1992.
- ▷ 21 Februarie 1992, vir die uitgawe van Vrydag 6 Maart 1992.
- ▷ 20 Maart 1992, vir die uitgawe van Vrydag 3 April 1992.
- ▷ 23 April 1992, vir die uitgawe van Vrydag 8 Mei 1992.
- ▷ 21 Mei 1992, vir die uitgawe van Vrydag 5 Junie 1992.

L.W.: Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word.

Gegewens word presies weergegee soos verstrek op Vorm 2 en Vorm 28 van voornemende aansoeker.

IMPORTANT ANNOUNCEMENT

Closing Times

- (1) APPLICATIONS FOR LIQUOR LICENCES
- (2) APPLICATIONS FOR REMOVAL OF LICENCES

Notice is hereby given that notices are to be submitted for acceptance on the Friday, two calendar weeks before date of publication.

The closing time is 15:00 sharp on the following days:

- ▷ 19 December 1991, for the issue of Friday 3 January 1992.
- ▷ 24 January 1992, for the issue of Friday 7 February 1992.
- ▷ 21 February 1992, for the issue of Friday 6 March 1992.
- ▷ 20 March 1992, for the issue of Friday 3 April 1992.
- ▷ 23 April 1992, for the issue of Friday 8 May 1992.
- ▷ 21 May 1992, for the issue of Friday 5 June 1992.

Note: Late notices will be placed in the subsequent issue.

Information will be reflected exactly as furnished on Form 2 and Form 28 of prospective applicant.

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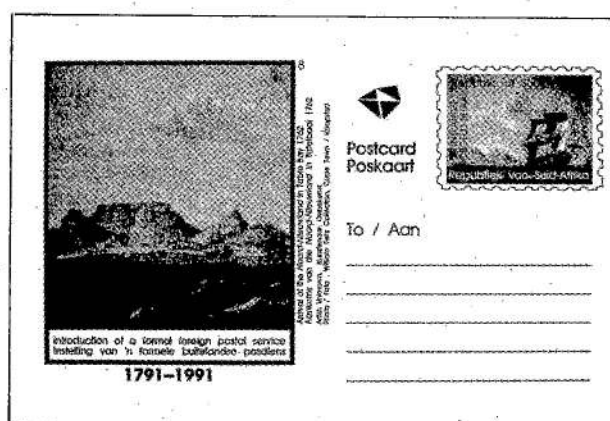
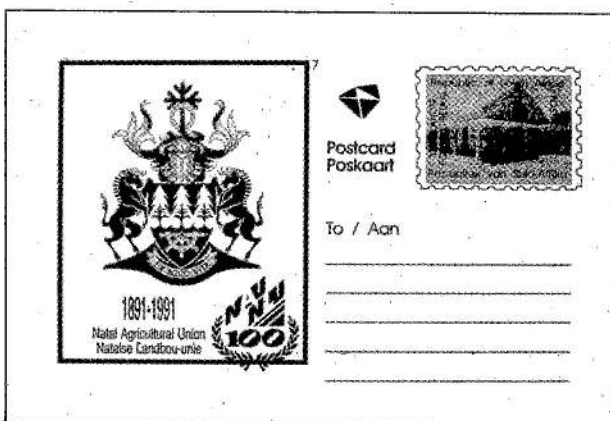
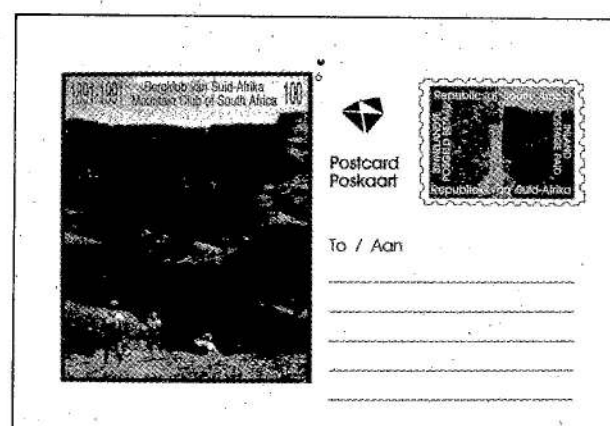
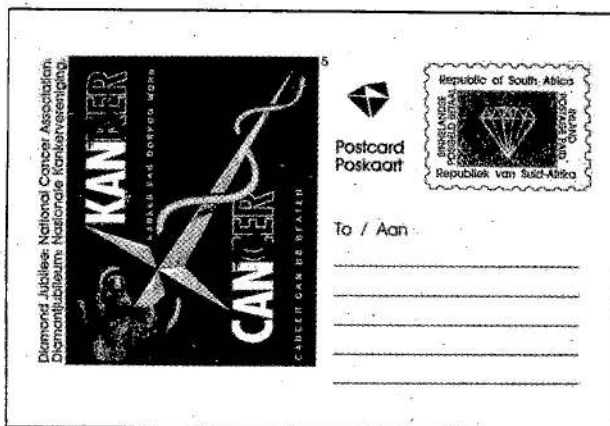
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INHOUD

CONTENTS

No.	Bladsy No.	Koerant No.
PROKLAMASIE		
R. 2 Wysigingswet op Opheffing van Beperkings (Volksraad) (84/1991): Inwerking-treding.....	1	13747
GOEWERMENSKENNISGEWINGS		
Administrasie: Volksraad		
<i>Goewermenskennisgewings</i>		
R. 330 Waterwet (54/1956): Umfuli-besproeiingsdistrik, distrik Lower Umfolozi, Natal: Uitbreiding van grense kragtens artikel 76 (1)	2	13747
R. 331 do.: Heatonville-besproeiingsdistrik, distrik Lower Umfolozi, Natal: Wysiging van grense ingevolge artikel 76 (1)	2	13747
Finansies, Departement van		
<i>Goewermenskennisgewings</i>		
R. 328 Doeane- en Aksynswet (91/1964): Wysiging van Bylae 3 (No. 3/168)	3	13747
R. 329 do.: Wysiging van Bylae 1 (No. 1/1/436) ..	4	13747
Justisie, Departement van		
<i>Goewermenskennisgewing</i>		
R. 368 Wet op Arbeidsverhoudinge (28/1956): Reëls met betrekking tot die voer van verrigtinge in die Arbeidsappèlhof	5	13747
Mannekrag, Departement van		
<i>Goewermenskennisgewings</i>		
R. 326 Wet op Arbeidsverhoudinge (28/1956): Siviele Ingenieursnywerheid: Wysiging van Order	5	13747
R. 327 do.: Bounywerheid, Kimberley: Wysiging van, Hoofdooreenkoms: Korreksiekennis-gewing	18	13747
R. 356 do.: Verbeteringskennisgewing: Yster-, staal-, Ingenieurs- en Metallurgiese Nywerheid: Herbekragting van Hoofdooreenkoms	18	13747
R. 357 Wet op Basiese Diensvoorwaardes (3/1983): Aaneenlopende werk	19	13747
Nasionale Gesondheid en Bevolkingsontwikkeling, Departement van		
<i>Goewermenskennisgewings</i>		
R. 338 Wet op Voedingsmiddels, Skoonheidsmiddels en Ontsmettingsmiddels (54/1972): Regulasies: Voedselkleurstowwe: Wysiging	19	13747
R. 339 Wet op Aptekers (53/1974): Reëls betreffende handelinge of versuime ten opsigte waarvan die Raad tugstappe kan doen: Wysiging	20	13747
R. 360 Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoepes (56/1974): Regulasies betreffende die gebruik van sekere name slegs deur geregistreerde persone	21	13747
R. 362 do.: Die Suid-Afrikaanse Geneeskundige en Tandheelkundige Raad: Regulasies betreffende die samestelling, werksaamhede, bevoegdhede en pligte van die Beroepsraad vir Tandterapie	21	13747
R. 363 do.: do.: Instelling van 'n Beroepsraad vir Tandterapie	23	13747
Pos- en Telekommunikasiewese, Departement van		
<i>Goewermenskennisgewing</i>		
R. 324 Poswet (44/1958): Wysiging van die bevoegdhede van die telekommunikasiemaatskappy	23	13747

No.	Page No.	Gazette No.
PROCLAMATION		
R. 2. Removal of Restrictions Amendment Act (House of Assembly) (84/1991): Commencement	1	13747
GOVERNMENT NOTICES		
Administration: House of Assembly		
R. 330 Water Act (54/1956): Umfuli Irrigation District, District of Lower Umfolozi, Natal: Extension of boundaries in terms of section 76 (1)	2	13747
R. 331 Heatonville Irrigation District, District of Lower Umfolozi, Natal: Amendment of boundaries in terms of section 76 (1)	2	13747
Finance, Department of		
<i>Government Notices</i>		
R. 328 Customs and Excise Act (91/1964): Amendment of Schedule 3 (No. 3/168)	3	13747
R. 329 do.: Amendment of Schedule 1 (No. 1/1/436)	4	13747
Justice, Department of		
<i>Government Notice</i>		
R. 368 Labour Relations Act (28/1956): Rules regulating the conduct of the proceedings of the Labour Appeal Court	5	13747
Manpower, Department of		
<i>Government Notices</i>		
R. 326 Labour Relations Act (28/1956): Civil Engineering Industry: Amendment of Order do.: Building Industry, Kimberley: Amendment of Main Agreement: Correction Notice	5	13747
R. 327 do.: Building Industry, Kimberley: Amendment of Main Agreement: Correction Notice	18	13747
R. 356 do.: Correction Notice: Iron, Steel, Engineering and Metallurgical Industry: Re-enactment of Main Agreement	18	13747
R. 357 Basic Conditions of Employment Act (3/1983): Continuous working	19	13747
National Health and Population Development, Department of		
<i>Government Notices</i>		
R. 338 Foodstuffs, Cosmetics and Disinfectants Act (54/1972): Regulations: Food Colourants: Amendment	19	13747
R. 339 Pharmacy Act (53/1974): Rules relating to acts or omissions in respect of which the Council may take disciplinary steps: Amendment	20	13747
R. 360 Medical, Dental and Supplementary Health Service Professions Act (56/1974): Regulations relating to the use of certain names by registered persons only	21	13747
R. 362 do.: The South African Medical and Dental Council: Regulations relating to the constitution, functions, powers and duties of the Professional Board for Dental Therapy	21	13747
R. 363 do.: do.: Establishment of a Professional Board for Dental Therapy	23	13747
Posts and Telecommunications, Department of		
<i>Government Notice</i>		
R. 324 Post Office Act (44/1958): Amendment of the powers of the telecommunications company	23	13747

No.	Bladsy No.	Koerant No.	No.	Page No.	Gazett. No.		
Vervoer, Departement van			Transport, Department of				
Goewermentskennisgewing			Government Notice				
R. 367	Handelskeepvaartwet (57/1951): Wysiging van die regulasies in verband met handelskeepvaartgelde, 1990.....	25	13747	R. 367	Merchant Shipping Act (57/1951): Amendment of the merchant Shipping fees of regulations, 1990.....	25	13747