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IMPORTANT ANNOUNCEMENT**Closing times *PRIOR TO PUBLIC HOLIDAYS* for
GOVERNMENT NOTICES, GENERAL NOTICES,
REGULATION NOTICES AND PROCLAMATIONS****2009**

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

- ▶ **10 December**, Thursday, for the issue of Friday **18 December 2009**
- ▶ **15 December**, Tuesday, for the issue of Thursday **24 December 2009**
- ▶ **21 December**, Monday, for the issue of Thursday **31 December 2009**
- ▶ **30 December**, Wednesday, for the issue of Friday **8 January 2010**

Late notices will be published in the subsequent issue. If under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a SEPARATE Government Gazette must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING**Sluitingstye *VOOR VAKANSIEDAE* vir
GOEWERMENTS-, ALGEMENE- & REGULASIE-
KENNISGEWINGS ASOOK PROKLAMASIES****2009**

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

- ▶ **10 Desember**, Donderdag, vir die uitgawe van Vrydag **18 Desember 2009**
- ▶ **15 Desember**, Dinsdag, vir die uitgawe van Donderdag **24 Desember 2009**
- ▶ **21 Desember**, Maandag, vir die uitgawe van Donderdag **31 Desember 2009**
- ▶ **30 Desember**, Woensdag, vir die uitgawe van Vrydag **8 Januarie 2010**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n APARTE Staatskoerant verlang word moet die kope drie kalenderweke voor publikasie ingedien word

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

**DEPARTMENT OF AGRICULTURE, FORESTRY AND FISHERIES
DEPARTEMENT VAN LANDBOU, BOSBOU EN VISSERYE**

No. R. 954

9 October 2009

**MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT NO. 47 OF 1996), AS AMENDED**

**ESTABLISHMENT OF STATUTORY MEASURE AND DETERMINATION OF
GUIDELINE PRICE: LEVIES RELATING TO BROILER CHICKENS AND PACKED
EGGS**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries, acting under sections 13 and 15 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the attached Schedule.



25/9/2009

**TINA JOEMAT-PETTERSSON
MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES**

SCHEDULE

1. DEFINITIONS

In this schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context indicates otherwise –

“breeder” means a breeder of day old female parent broiler chickens of the species *Gallus domesticus* for commercial purposes, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“broiler” means a chicken of the species *Gallus domesticus* hatched for the purpose of producing meat;

“eggs” means eggs laid by the species *Gallus domesticus*;

“hatchery” means a facility where eggs of the species *Gallus domesticus* are hatched for commercial purposes as broiler chickens, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“levy administrator” means the Southern African Poultry Association which is entrusted with the implementation, administration and enforcement of the statutory measure established under this regulation;

“supplier of packaging material” means a supplier of packaging material for the packing of commercial eggs of the species *Gallus domesticus*; excluding those entities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), as amended.

2. PURPOSE AND AIMS OF THE STATUTORY MEASURE AND THE RELATION THEREOF TO OBJECTIVES OF THE ACT

The statutory levy is required by the poultry industry to fund –

- (a) Empowerment and development of black emerging poultry producers;
- (b) Consumer education;
- (c) Consumer assurance;
- (d) Research and development; and

- (e) Industry liaison, information and training.

The levy is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the poultry industry.

The levy is necessary to finance the above-mentioned functions and the levy shall be utilised in accordance with the levy application. The Auditor-General shall also be responsible for auditing the statutory levies collected.

3. EMPLOYMENT OF STATUTORY LEVIES

It is hereby determined that, in respect of levies collected –

- a) approximately 70% of the funds shall be used to finance functions relating to consumer education, consumer assurance, research and development; and industry liaison, information and training;
- b) approximately 20% of the funds shall be used for transformation; and
- c) not more than 10% of the funds shall be used for administration.

4. PRODUCT TO WHICH STATUTORY MEASURE APPLIES

This statutory measure shall apply to –

- Day old female parent broiler chickens sold by breeders for commercial use other than for own consumption, and
- Packed eggs for commercial use other than for own consumption,

5. AREA IN WHICH STATUTORY MEASURE APPLIES

This statutory measure shall apply within the geographical area of the Republic of South Africa.

6. DETERMINATION OF GUIDELINE PRICE

The guideline price (excluding VAT) for 2008 is determined as follows:

- (a) Female parent broiler chicken: R36.50 per day old female parent sold or placed; and
- (b) Packed eggs: R9.50 per dozen

7. AMOUNT OF LEVY

The amount of the levy (excluding VAT) payable:

(a) Per day old female parent broiler chicken sold or placed

From date of implementation until December 2010	R1.32
From January until December 2011	R1.45
From January until December 2012	R1.60
From January until December 2013	R1.76

(b) Per one dozen packaged eggs sold

From date of implementation until December 2010	2.23 cents
From January until December 2011	2.45 cents
From January until December 2012	2.70 cents
From January until December 2013	2.97 cents

8. PERSONS BY WHOM LEVY IS PAYABLE

The levy imposed in terms of this notice shall be paid by—

- a) the breeder of day old female parent broiler chickens at the sale of such chickens and the breeder will then pay it over to the levy administrator; and
- b) the supplier of packaging material for the packing of eggs at the sale of such packaging material and the supplier will then pay it over to the levy administrator on behalf of the egg producers.

9. PAYMENT AND ENFORCEMENT OF LEVY

- (1) The levy shall be paid to the levy administrator before the 30th day of the month following the month in which the day old chickens or packed eggs were sold;
- (2) Payments shall be made by means of a cheque or electronic bank transfer in favour of the levy administrator, and shall –
 - a) When paid by cheque, be addressed to –

The Levy Administrator
P O Box 1202
HONEYDEW
2040

- b) When electronically transferred, be paid to the account number obtainable from the levy administrator.
- (3) The implementation, administration and enforcement of the statutory measure established in this regulation are entrusted to the levy administrator in terms of section 14 of the Act.

10. **COMMENCEMENT AND PERIOD OF VALIDITY**

This statutory measure shall come into operation on the date of publication hereof and shall lapse four years later.

-ooOoo-

No. R. 954

9 Oktober 2009

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET 47 VAN 1996), SOOS GEWYSIG

**INSTELLING VAN STATUTÊRE MAATREËL EN BEPALING VAN RIGLYNPRYSE:
HEFFINGS TEN OPSIGTE VAN BRAAIKUIKENS EN VERPAKTE EIERS**

Ek, Tina Joemat-Pettersson, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 15 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet 47 van 1996), stel hiermee die statutêre heffing in soos in die aangehegte Bylae uiteengesit is.

**TINA JOEMAT-PETTERSSON
MINISTER VAN LANDBOU, BOSBOU EN VISSERYE**

BYLAE

1. WOORDOMSKRYWINGS

In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken -

"broeiery" 'n fasiliteit waar eiers van die spesies *Gallus domesticus* uitgebroei word vir kommersiële doeleindes met die uitsondering van daardie fasiliteite wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos voorsien in die registrasiekennisgewing;

"braaikuiken" 'n kuiken van die spesies *Gallus domesticus* uitgebroei vir doeleindes van vleisproduksie;

"die Wet" die Wet op die Bemaking van Landbouprodukte, 1996 (Wet 47 van 1996), soos gewysig;

"eiers" eiers van die spesies *Gallus domesticus*;

"heffingadministrateur" die Suider-Afrikaanse Pluimveevereniging wat verantwoordelik is vir die implementering, administrasie en toepassing van die statutêre heffing soos ingevolge hierdie regulasie ingestel;

"teler" 'n teler van vroulike ouer braaikuiken kuikens van die spesies *Gallus domesticus* vir kommersiële doeleindes met die uitsondering van daardie fasiliteite wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos voorsien in die registrasiekennisgewing;

"verskaffer van verpakkingsmateriaal" 'n verskaffer van materiaal vir die verpakking van eiers van die spesies *Gallus domesticus* met die uitsondering van daardie ondernemings wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos voorsien in die registrasiekennisgewing;

2. DOEL EN DOELSTELLINGS VAN DIE STATUTÊRE HEFFINGS EN BETREKKING DAARVAN OP DIE DOELSTELLINGS VAN DIE WET

Die heffing word deur die pluimveebedryf benodig om die volgende te befonds:

- (a) Bemagtiging en ontwikkeling van swart opkomende pluimveeprodusente;
- (b) Verbruikeropvoeding;

- (c) Verbruikersgemoedrus;
- (d) Navorsing en ontwikkeling; en
- (e) Bedryfskakeling, inligting en opleiding.

Die heffing sal nie die doelstellings van die Wet benadeel nie, en sal veral nie 'n nadelige invloed op die getal werksgeleenthede of billike arbeidspraktyk in die pluimveebedryf hê nie.

Die statutêre maatreël word benodig om die bogenoemde funksies te finansier en sal gebruik word soos in die heffingsaansoek uiteengesit is. Die Ouditeur-Generaal sal ook verantwoordelik wees vir die ouditering van die statutêre heffings wat ingesamel word.

3. AANWENDING VAN STATUTÊRE HEFFINGS

Daar word hiermee bepaal dat, ten opsigte van heffings wat versamel word –

- a) ongeveer 70% van die fondse sal vir verbruikeropvoeding, verbruikersgemoedrus, navorsing en ontwikkeling; en bedryfskakeling, inligting en opleiding aangewend word;
- b) ongeveer 20% van die fondse sal vir transformasiedoeleindes aangewend word; en
- c) hoogstens 10% van die fondse sal vir administrasiedoeleindes aangewend word.

4. PRODUK WAAROP DIE STATUTÊRE MAATREËL VAN TOEPASSING SAL WEES

Hierdie statutêre heffing sal van toepassing wees op-

- Dag oud vroulike ouer braaikuikens geteël vir kommersiële doeleindes, anders as vir eie gebruik, en
- Eiers geproduseer vir kommersiële doeleindes, anders as vir eie gebruik,

5. GEBIED WAARIN DIE STATUTÊRE MAATREËL VAN TOEPASSING SAL WEES

Hierdie statutêre heffing sal binne die geografiese gebied van die Republiek van Suid-Afrika van toepassing wees.

6. BEPALING VAN RIGLYNPRYSE

Die riglynpryse (uitgesluit BTW) vir 2008 word soos volg bepaal:

- (a) Dag oud vroulike ouer braaikuikens: R36.50 per kuiken verkoop of geplaas; en
- (b) Verpakte eiers: R9.50 per dosyn

7. HEFFINGSBEDRAG

Die heffingsbedrag (uitgesluit BTW) wat betaalbaar is:

- a) Per vroulike ouer braaikuiken verkoop of geplaas

Van datum van publikasie tot Desember 2010	R1.32
Van Januarie tot Desember 2011	R1.45
Van Januarie tot Desember 2012	R1.60
Van Januarie tot Desember 2013	R1.76

- b) Per dosyn verpakte eiers verkoop

Van datum van publikasie tot Desember 2010	2.23 sent
Van Januarie tot Desember 2011	2.45 sent
Van Januarie tot Desember 2012	2.70 sent
Van Januarie tot Desember 2013	2.97 sent

8. PERSONE DEUR WIE DIE HEFFING BETAALBAAR IS

Die heffing wat ingestel word ingevolge hierdie kennisgewing sal betaalbaar wees deur -

- a) die teler van dag oud vroulike ouer braaikuikens tydens die verkoop van dag oud kuikens en die teler sal dit dan oorbetal aan die heffingsadministrateur; en
- b) die verskaffer van verpakkingsmateriaal vir die verpakking van eiers tydens die verkoop daarvan en die verskaffer sal dit dan namens eierprodusente aan die heffingsadministrateur oorbetal.

9. BETALING EN TOEPASSING VAN DIE HEFFING

- (1) Die heffing sal teen die dertigste dag van die maand wat volg op die maand waarin die dag oud kuikens of verpakte eiers verkoop is, aan die heffingadministrateur oorbetal word.
- (2) Betalings sal per tjek of elektroniese bankoorplasing ten gunste van die heffingadministrateur geskied, en sal –
 - a) Waar per tjek betaal word, gerig word aan –

Die Heffingadministrateur
Posbus 1202
HONEYDEW
2040

- b) In die geval van 'n elektronies bankoorplasing, betaalbaar wees in die rekening nadat die rekeningnommer by die heffingadministrateur verkry is.
- (3) Die implementering, administrasie en toepassing van die statutêre heffing wat volgens hierdie regulasie ingestel word, word aan die heffingadministrateur ingevolge artikel 14 van die Wet toevertrou.

10. **INWERKINGTREDING EN GELDIGHEIDSDUUR**

Die instelling van hierdie statutêre heffing tree in werking op die datum van publikasie en sal vier jaar later verval.

-ooOoo-

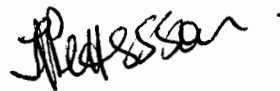
No. R. 955

9 October 2009

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT NO. 47 OF 1996), AS AMENDED

**ESTABLISHMENT OF STATUTORY MEASURE: REGISTRATION OF BREEDERS
OF BROILER CHICKENS AND SUPPLIERS OF PACKAGING MATERIAL FOR THE
PACKING OF EGGS**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries, acting under sections 13 and 19 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the attached Schedule.



25/9/2009

TINA JOEMAT-PETTERSSON
MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES

SCHEDULE

1. DEFINITIONS

In this schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context indicates otherwise –

“breeder” means a breeder of day old female parent broiler chickens of the species *Gallus domesticus* for commercial purposes, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in this regulation;

“broiler” means a chicken of the species *Gallus domesticus* hatched for the purpose of producing meat;

“eggs” means eggs laid by the species *Gallus domesticus*;

“hatchery” means a facility where eggs of the species *Gallus domesticus* are hatched for commercial purposes as broiler chickens, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in this regulation;

“levy administrator” means the Southern African Poultry Association which is entrusted with the implementation, administration and enforcement of the statutory measure established under this regulation;

“supplier of packaging material” means a supplier of packaging material for the packing of commercial eggs of the species *Gallus domesticus*; excluding those entities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), as amended.

2. PURPOSE AND AIMS OF THE STATUTORY MEASURES AND THE RELATION THEREOF TO OBJECTIVES OF THE ACT

The purpose and aims of this statutory measure is to compel breeders of day old female parent broiler chickens and suppliers of packaging material for the packing of eggs, to register with the levy administrator. This is necessary to ensure that continuous, timeous and accurate market information relating to day old female parent broiler chickens bred and marketed as well as packed eggs sold, is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions.

The establishment of the statutory measure should assist in promoting the efficiency of the marketing of poultry products. The viability of the local poultry industry should thus be enhanced.

The measure is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the poultry industry.

Confidential information of any person subject to this statutory measure obtained by the levy administrator through the implementation, administration and enforcement of this statutory measure shall be dealt with in accordance with section 23(2) of the Act.

3. PRODUCT TO WHICH THE STATUTORY MEASURE SHALL APPLY

This statutory measure shall apply to –

- Day old female parent broiler chickens bred by breeders for commercial use other than for own consumption, and
- Packed eggs for commercial use other than for own consumption,

4. AREA IN WHICH STATUTORY MEASURE SHALL APPLY

This statutory measure shall apply within the geographical area of the Republic of South Africa.

5. REGISTRATION AND ENFORCEMENT

- (1) Any breeder of day old female parent broiler chickens and supplier of packaging material for the packing of eggs shall on an annual basis register and re-register with the levy administrator.
- (2) Registration shall be done immediately upon receipt of a registration form obtainable free of charge for this purpose from the levy administrator, and shall -

- a) be submitted, when forwarded by mail, to

The Levy Administrator
PO Box 1202
HONEYDEW
2040

- b) When sent by telefax, be addressed to 011 795 3180.

- (3) Any breeder of day old female parent broiler chickens and user of packaging material for the packing of eggs as defined, may apply to the levy administrator for exemption from the provisions of clause 5(1) and 5(2) of this regulation on the grounds that it is a welfare organisation as defined in terms of section 1 of the Value Added Tax Act, 1998 (Act no 89 of 1998).
- (4) The implementation, administration and enforcement of the statutory measure established in terms of this regulation are entrusted to the levy administrator in terms of section 14 of the Act.

6. COMMENCEMENT AND PERIOD OF VALIDITY

This statutory measure shall come into operation from date of publication hereof and shall lapse four years later.

-ooOoo-

No. R. 955

9 Oktober 2009

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996
(WET 47 VAN 1996), SOOS GEWYSIG

**INSTELLING VAN STATUTÊRE MAATREËL: REGISTRASIE VAN TELERS VAN
BRAAIKUIKENS EN VERSKAFFERS VAN VERPAKKINGSMATERIAAL VIR DIE
VERPAKKING VAN EIERS**

Ek, Tina Joemat-Pettersson, Minister van Landbou, Bosbou en Visserye, handelende ingevolge artikels 13 en 19 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet 47 van 1996), stel hiermee die statutêre maatreël in soos in die aangehegte Bylae uiteengesit is.

**TINA JOEMAT-PETTERSSON
MINISTER VAN LANDBOU, BOSBOU EN VISSERYE**

BYLAE

1. WOORDOMSKRYWINGS

In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken -

"broeiery" 'n fasiliteit waar eiers van die spesies *Gallus domesticus* uitgebroei word vir kommersiële doeleindes met die uitsondering van daardie fasiliteite wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos in hierdie regulasie voorsien;

"braaikuiken" 'n kuiken van die spesies *Gallus domesticus* uitgebroei vir doeleindes van vleisproduksie;

"die Wet" die Wet op die Bemaking van Landbouprodukte, 1996 (Wet 47 van 1996), soos gewysig;

"eiers" eiers van die spesies *Gallus domesticus*;

"heffingadministrateur" die Suider-Afrikaanse Pluimveevereniging wat verantwoordelik is vir die implementering, administrasie en toepassing van die statutêre maatreël soos ingevolge hierdie regulasie ingestel is;

"teler" 'n teler van vroulike ouer braaikuiken kuikens van die spesies *Gallus domesticus* vir kommersiële doeleindes met die uitsondering van daardie fasiliteite wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos in hierdie regulasie voorsien; en

"verskaffer van verpakkingsmateriaal" 'n verskaffer van materiaal vir die verpakking van eiers van die spesies *Gallus domesticus* met die uitsondering van daardie ondernemings wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos voorsien in die registrasiekennisgewing.

2. DOEL EN DOELSTELLINGS VAN DIE STATUTÊRE MAATREËL EN DIE BETREKKING DAARVAN OP DIE DOELSTELLINGS VAN DIE WET

Die doel van hierdie statutêre maatreël is om telers van dag oud vroulike ouer braaikuikes en verskaffers van verpakkingsmateriaal vir die verpakking van eiers te verplig om by die heffingadministrateur te registreer. Dit is nodig om te verseker dat aaneenlopende, tydig en akkurate markinligting ten opsigte van

dag oud kuikens wat geteël en bemark word aan alle rolspelers beskikbaar is. Markinligting word as noodsaaklik geag vir alle rolspelers om hulle in staat te stel om ingeligte besluite te neem.

Die instelling van hierdie statutêre maatreël behoort te help om die doeltreffendheid van die bemarking van pluimveeprodukte te verbeter. Die lewensvatbaarheid van die plaaslike pluimveebedryf behoort dus verhoog te word.

Die maatreël is nie nadelig vir enige doelstelling ingevolge hierdie Wet nie en sal, in besonder, nie 'n nadelige invloed op die getal werksgeleenthede of billike arbeidspraktyk in die pluimveebedryf hê nie.

Vertroulike inligting oor enige persoon wat onderhewig is aan hierdie statutêre maatreël wat verkry word deur die heffingadministrateur deur middel van die implementering, administrasie en toepassing van hierdie statutêre maatreël sal ingevolge artikel 23(2) van die Wet hanteer word.

3. PRODUK WAAROP DIE STATUTÊRE MAATREËL VAN TOEPASSING SAL WEES

Hierdie statutêre maatreël sal van toepassing wees op -

- Dag oud vroulike ouer braaikuikens wat vir kommersiële doeleindes, anders as vir eie gebruik, geteël word; en
- Verpakte eiers vir kommersiële gebruik anders as vir eie gebruik

4. GEBIED WAARIN DIE STATUTÊRE MAATREËL VAN TOEPASSING SAL WEES

Hierdie statutêre maatreël sal binne die geografiese gebied van die Republiek van Suid-Afrika van toepassing wees.

5. REGISTRASIE EN TOEPASSING

- (1) Alle telers van dag oud vroulike ouer braaikuikes en verskaffers van verpakkingsmateriaal vir die verpakking van eiers moet op 'n jaarlikse basis by die heffingadministrateur registreer en her-registreer.

- (2) Registrasie sal geskied onmiddellik na ontvangs van 'n registrasievorm wat by die heffingadministrateur vir hierdie doel verkry kan word, en sal soos volg ingestuur word:
- a) indien per pos, aan -
- Die Heffingadministrateur
Posbus 1202
HONEYDEW
2040
- b) Indien per telefaks gestuur, na 011 795 3180.
- (3) Enige teler van dag oud vroulike ouer braaikuikes of verbruiker van verpakkingsmateriaal vir die verpakking van eiers soos omskryf in hierdie regulasie, mag by die heffingadministrateur aansoek doen om vrystelling van die bepalings van klousule 5(1) en 5(2) van hierdie regulasies op grond daarvan dat dit 'n welsynsorganisasie is soos omskryf in artikel 1 van die Wet op Belasting op Toegevoegde Waarde, 1998 (Wet 89 van 1991).
- (4) Die implementering, administrasie en toepassing van die statutêre maatreël wat volgens hierdie regulasie ingestel word, word aan die heffingadministrateur ingevolge artikel 14 van die Wet toevertrou.

6. INWERKINGTREDING EN GELDIGHEIDSDUUR

Die instelling van hierdie statutêre maatreël tree in werking op datum van publikasie en sal vier jaar later verval.

-ooOoo-

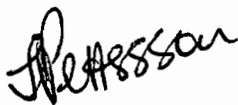
No. R. 956

9 October 2009

MARKETING OF AGRICULTURAL PRODUCTS ACT, 1996
(ACT NO. 47 OF 1996), AS AMENDED

**ESTABLISHMENT OF STATUTORY MEASURE: RECORDS AND RETURNS BY
BREEDERS OF BROILER CHICKENS AND SUPPLIERS OF PACKAGING
MATERIAL FOR PACKING EGGS**

I, Tina Joemat-Pettersson, Minister of Agriculture, Forestry and Fisheries, acting under sections 13 and 18 of the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), hereby establish the statutory measure set out in the attached Schedule.



25/9/2009
TINA JOEMAT-PETTERSSON
MINISTER OF AGRICULTURE, FORESTRY AND FISHERIES

SCHEDULE

1. DEFINITIONS

In this schedule any word or expression to which a meaning has been assigned in the Act shall have that meaning and, unless the context indicates otherwise –

“breeder” means a breeder of day old female parent broiler chickens of the species *Gallus domesticus* for commercial purposes, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“broiler” means a chicken of the species *Gallus domesticus* hatched for the purpose of producing meat;

“eggs” means eggs laid by the species *Gallus domesticus*;

“hatchery” means a facility where eggs of the species *Gallus domesticus* are hatched for commercial purposes as broiler chickens, excluding those facilities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“levy administrator” means the Southern African Poultry Association which is entrusted with the implementation, administration and enforcement of the statutory measure established under this regulation;

“supplier of packaging material” means a supplier of packaging material for the packing of commercial eggs of the species *Gallus domesticus*; excluding those entities that have been exempted by the levy administrator after application to the levy administrator as provided for in the registration notice;

“the Act” means the Marketing of Agricultural Products Act, 1996 (Act No. 47 of 1996), as amended.

2. PURPOSE AND AIM OF STATUTORY MEASURE AND THE RELATION THEREOF TO OBJECTIVES OF THE ACT

The purpose and aim of this statutory measure is to compel breeders of day old female parent broiler chickens and suppliers of packaging material for the packing of eggs to render records and returns to the levy administrator. This is necessary to ensure that continuous, timeous and accurate information relating to day old chickens bred and marketed as well as packaging material supplied for the packing of eggs is available to all role players. Market information is deemed essential for all role players in order for them to make informed decisions. By prescribing the keeping of records with the rendering of returns on an individual

basis, market information for the whole of the industry can be processed and disseminated. The establishment of the statutory measure should assist in promoting the efficiency of the marketing of poultry products. The viability of the local poultry industry should thus be enhanced.

This measure is not detrimental to any of the objectives of the Act and, in particular, shall not be detrimental to the number of employment opportunities or fair labour practice in the poultry industry.

Confidential information of any person subject to this statutory measure obtained by the levy administrator through the implementation, administration and enforcement of this statutory measure shall be dealt with in accordance with section 23(2) of the Act.

3. PRODUCTS TO WHICH THE STATUTORY MEASURE APPLIES

This statutory measure shall apply to –

- Day old female parent broiler chickens bred by breeders for commercial use other than for own consumption, and
- Eggs for commercial use other than for own consumption,

4. AREA IN WHICH STATUTORY MEASURE SHALL APPLY

This statutory measure shall apply within the geographical area of the Republic of South Africa.

5. RECORDS TO BE KEPT, RETURNS TO BE RENDERED AND THE ENFORCEMENT THEREOF

(1) Records must be kept and returns rendered in respect of the following-

- Day old female parent broiler chickens bred by breeders for commercial use other than for own consumption, and
- Packaging material equivalent to dozens of packed eggs sold for commercial use other than for own consumption.

(2) The records referred to in sub-clause (1) shall –

- (a) be recorded on a computer or with ink in a book; and
- (b) be kept at the registered premises of the person required to keep such records for a period of at least three years.

(3) The returns referred to in sub-clause (1) shall be rendered on a form obtainable free of charge for this purpose from the levy administrator, and shall –

(a) be submitted, when forwarded by post, to

The Levy Administrator
P O Box 1202
HONEYDEW
2060

(b) when sent by telefax, be addressed to – 011 795 3180

(4) The implementation, administration and enforcement of the statutory measure established in this regulation are entrusted to the levy administrator in terms of section 14 of the Act.

6. **COMMENCEMENT AND PERIOD OF VALIDITY**

This statutory measure shall come into operation from date of publication hereof and shall lapse four years later.

-ooOoo-

No. R. 956

9 Oktober 2009

WET OP DIE BEMARKING VAN LANDBOUPRODUKTE, 1996 (WET NO. 47 VAN 1996), SOOS GEWYSIG

**INSTELLING VAN STATUTÊRE MAATREËL: AANTEKENINGE EN OPGAWES
DEUR TELERS VAN BRAAIKUIKENS EN VERSKAFFERS VAN
VERPAKKINGSMATERIAAL VIR DIE VERPAKKING VAN EIERS**

Ek, Tina Joemat-Pettersson, Minister van Landbou, Bosbou en Visserye, handelende kragtens artikels 13 en 18 van die Wet op die Bemarking van Landbouprodukte, 1996 (Wet No. 47 van 1996), stel hiermee die statutêre maatreël in soos in die aangehegte Bylae uiteengesit is.

**TINA JOEMAT-PETTERSSON
MINISTER VAN LANDBOU, BOSBOU EN VISSERYE**

BYLAE

1. WOORDOMSKRYWINGS

In hierdie Bylae het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg is, daardie betekenis en, tensy uit die samehang anders blyk, beteken -

"broeiery" 'n fasiliteit waar eiers van die spesies *Gallus domesticus* uitgebroei word vir kommersiële doeleindes met die uitsondering van daardie fasiliteite wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos voorsien in die registrasiekennissgewing;

"braaikuiken" 'n kuiken van die spesies *Gallus domesticus* uitgebroei vir doeleindes van vleisproduksie;

"die Wet" die Wet op die Bemaking van Landbouprodukte, 1996 (Wet 47 van 1996), soos gewysig;

"eiers" eiers van die spesies *Gallus domesticus*

"heffingadministrateur" die Suider-Afrikaanse Pluimveevereniging wat verantwoordelik is vir die implementering, administrasie en toepassing van hierdie statutêre maatreël soos ingevolge hierdie regulasie ingestel is;

"teler" 'n teler van vroulike ouer braaikuiken kuikens van die spesies *Gallus domesticus* vir kommersiële doeleindes met die uitsondering van daardie fasiliteite wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos voorsien in die registrasiekennissgewing;

"verskaffer van verpakkingsmateriaal" 'n verskaffer van materiaal vir die verpakking van komersiële eiers van die spesies *Gallus domesticus* met die uitsondering van daardie ondernemings wat deur die heffingadministrateur uitgesluit word op grond van 'n aansoek gerig aan die heffingadministrateur soos voorsien in die registrasiekennissgewing;

2. DOEL EN DOELWITTE VAN STATUTÊRE MAATREËL EN DIE VERBAND DAARVAN MET DIE OOGMERKE VAN DIE WET

Die doel van hierdie statutêre maatreël is om broeiers van dag oud vroulike ouer braaikuikens en verskaffers van verpakkingsmateriaal vir die verpakking van eiers te verplig om aantekeninge en opgawes aan die heffingsadministrateur te verskaf. Dit is nodig ten einde te verseker dat aaneenlopende, tydige en akkurate inligting betreffende dag oud vroulike ouer braaikuikens geteel en bemark asook verpakkingsmateriaal vir die verpakking van eiers verskaf, beskikbaar is. Markinligting word as belangrik geag ten einde alle rolspelers in staat te stel om ingeligte besluite te neem. Deur die

verpligte hou van rekords en indiening van opgawes op 'n individuele basis word die beskikbaarstelling van inligting aan all rolspeleers moontlik gemaak. Die instelling van hierdie statutêre maatreël sal bydra tot die bevordering van die doeltreffendheid van die bemarking van pluimveeprodukte. Die lewensvatbaarheid van die plaaslike pluimveebedryf sal dus verbeter word.

Die maatreël is nie nadelig vir enige doelstelling ingevolge die Wet nie en sal, in besonder, nie 'n nadelige invloed op die getal werksgeleenthede of billike arbeidspraktyk in die pluimveebedryf hê nie.

Die inligting wat ingewin word, sal op so 'n wyse hanteer word dat daar voldoen word aan die bepalings van artikel 23(2) van die Wet op Bemarking van Landbouprodukte, saamgelees met die bepalings van die Grondwet en die Wet op Bevordering van Toegang tot Inligting.

3. PRODUK WAAROP STATUTÊRE MAATREËL VAN TOEPASSING IS

Hierdie statutêre maatreël is van toepassing op:

- Dag oud vroulike ouer braaikuikens wat vir kommersieële doeleindes, anders as vir eie gebruik, geteël word; en
- Verpakte eiers vir kommersiële gebruik anders as vir eie gebruik

4. GEBIED WAARIN STATUTÊRE MAATREËL VAN TOEPASSING IS

Hierdie statutêre maatreël sal in die geografiese gebied van Suid-Afrika van toepassing wees.

5. AANTEKENINGE WAT GEHOU MOET WORD EN OPGAWES WAT VERSTREK MOET WORD EN DIE AFDWINGBAARHEID DAARVAN

(1) Aantekeninge moet gehou word en opgawes verstrekkend word ten opsigte van die volgende:-

- Dag oud vroulike ouer braaikuikens wat vir kommersieële doeleindes, anders as vir eie gebruik, geteël word; en
- Verpakkingsmateriaal ekwiwalent van verpakte eiers verkoop vir kommersiële gebruik anders as vir eie gebruik.

(2) Die aantekeninge waarna verwys word in sub klousule (1) sal –

- (a) op 'n rekenaar gehou of met ink in 'n boek aangeteken word;
- (b) op die geregistreerde perseel van die persoon verantwoordelik vir die hou van die aantekeninge, vir 'n tydperk van ten minste drie jaar, gehou word.

- (3) Die opgawe waarna verwys word in sub-klousule (1) moet ingedien word op 'n vorm wat gratis verkrygbaar is vir hierdie doel van die heffingsadministrateur en moet -

- (a) wanneer dit per pos gestuur word, geadresseer word aan –

Die Heffingadministrateur
Posbus 1202
HONEYDEW
2040

- (b) Indien per faks gestuur word, na faksnommer – 011 795 3180

- (4) Die implementering ,administrasie en toepassing van die statutêre maatreël wat volgens hierdie regulasie ingestel word, word aan die heffingsadministrateur ingevolge die bepalings van artikel 14 van die Wet toevertrou.

6. INWERKINGTREDING EN TYDPERK VAN GELDIGHEID

Die instelling van hierdie statutêre maatreël tree in werking op datum van publikasie en sal vier jaar later verval.

-ooOoo-

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 957**9 October 2009**

**LABOUR RELATIONS ACT, 1995
CANCELLATION OF GOVERNMENT NOTICES**

**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: SICK PAY
FUND COLLECTIVE AGREEMENT**

I, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister of Labour, hereby, in terms of section 32(7) of the Labour Relations Act, 1995, cancel Government Notice No. R. 1205 of 14 November 2008 with effect from19 October 2009.....

**MMS MDLADLANA
MINISTER OF LABOUR**

**No. R. 957****9 Oktober 2009**

WET OP ARBEIDSVERHOUDINGE, 1995

INTREKKING VAN GOEWERMENTSKENNISGEWINGS

**METAAL-EN INGENIEURSNYWERHEDE BEDINGINGSRAAD:
SIEKTEBYSTANDSFONDS KOLLEKTIEWE OOREENKOMS**

Ek, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister van Arbeid, trek hierby, kragtens artikel 32(7) van die Wet op Arbeidsverhoudinge, 1995, Goewermentskennisgewing No. R. 1205 of 14 November 2008 in, met ingang van19 Oktober 2009.....

**MMS MDLADLANA
MINISTER VAN ARBEID**

No. R. 958

9 October 2009

LABOUR RELATIONS ACT, 1995**LABOUR RELATIONS ACT, 1995: METAL AND ENGINEERING
INDUSTRIES BARGAINING COUNCIL: EXTENSION TO NON-PARTIES
OF THE SICK PAY FUND COLLECTIVE RE-ENACTING AND AMENDING
AGREEMENT**

I, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister of Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the Metal and Engineering Industries Bargaining Council and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that Industry with effect from19 October 2009..... and for the period ending 20 November 2011.

MMS MDLADLANA
MINISTER OF LABOUR

No. R. 958

9 Oktober 2009

WET OP ARBEIDSVERHOUDINGE, 1995**METAAL-EN INGENIEURSNYWERHEDE BEDINGINGSRAAD:
UITBREIDING NA NIE-PARTYE VAN SIEKTEBYSTANDSFONDS
KOLLEKTIEWE HERBEKRAGTIGING- EN WYSIGINGSOORENKOMS**

Ek, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister van Arbeid, verklaar hierby, kragtens artikel 32(2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Ooreenkoms wat in die Bylae hiervan verskyn en wat in die Metaal- en Ingenieursnywerhede Bedingingsraad aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van19 Oktober 2009..... , en vir die tydperk wat op 20 November 2011 eindig.

**MMS MDLADLANA
MINISTER VAN ARBEID**

SCHEDULE**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL
RE-ENACTING AND AMENDING SICK PAY FUND COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, No.66 of 1995, made and entered into by and between the –

Association of Electric Cable Manufacturers of S.A.
Association of Metal Service Centres of South Africa
Bright Bar Association
Cape Engineers' and Founders' Association
Consolidated Association of Employers of South Africa (CAESAR)
Constructional Engineering Association (South Africa)
Covered Conductor Manufacturers' Association
Electrical Engineering and Allied Industries' Association
Electrical Manufacturers' Association of South Africa (EMASA)
Electronics and Telecommunications Industries' Association
Federated Employers' Organisation of South Africa (FEOSA)
Ferro Alloy Producers Association
Gate and Fence Association
Hand Tool Manufacturers' Association (HATMA)
Iron and Steel Producers' Association of South Africa (ISPA)
Kwa-Zulu Natal Engineering Industries' Association
Lift Engineering Association of South Africa
Light Engineering Industries' Association of South Africa
National Employers' Association of South Africa (NEASA)
Non-Ferrous Metal Industries' Association of South Africa
Plastic Convertors' Association of South Africa

Plumbers and Engineers Brassware Manufacturers' Association
Port Elizabeth Engineers' Association
Pressure Vessel Manufacturers' Association of South Africa
Radio, Appliance and Television Association of South Africa (RATA)
Refrigeration and Air Conditioning Manufacturers' and Suppliers' Association
Sheetmetal Industries' Association of South Africa
S.A. Electro-Plating Industries' Association
S.A. Engineers and Founders' Association
S.A. Fasteners Manufacturers' Association (SAFMA)
S.A. Refrigeration and Air Conditioning Contractors' Association (SARACCA)
S.A. Post Tensioning Association (SAPTA)
S.A. Reinforced Concrete Engineers' Association (SARCEA)
S.A. Valve and Actuator Manufacturers' Association (SAVAMA)

(hereinafter referred to as the “employers” or the “employers’ organisations”), of the one part, and the –

Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union (CEPPWAWU)
Metal and Electrical Workers' Union of South Africa
Solidariteit / MWU – Solidarity / MWU
United Association of S.A. (UASA)
National Union of Metalworkers of South Africa (NUMSA)
S.A. Equity Workers' Association

(hereinafter referred to as the “employees” or the “trade unions”), of the other part, being the parties to the Metal and Engineering Industries Bargaining Council, to amend the Agreement published under Government Notice No. R. 533 of 6 July 2007, as amended by Government Notice No. R. 1205 of 14 November 2008.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed –
- (a) throughout the Republic of South Africa; and
 - (b) by all employers in the Iron, Steel, Engineering and Metallurgical Industries who are members of the employers' organisations and by all employees who are members of the trade unions, respectively.
- (2) Clauses 1(1)(b), 2 and 15 of this Agreement shall not apply to employers and employees who are not members of the employers' organisations and trade unions, respectively.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 20 November 2011.

3. SPECIAL PROVISIONS

The provisions contained in clause 15 of the Agreement published under Government Notice No. R.1205 of 14 November 2008, (hereinafter referred to as "the Former Agreement") shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 14 and 16 to 21 of the Former Agreement shall apply to employers and employees.

5. CLAUSE 7: CONTRIBUTIONS

Delete subclause (7).

6. CLAUSE 8: BENEFITS

Delete subclause (1)(c).

Thus signed at Johannesburg for and on behalf of the parties this 12th day of August 2009.

Lucio Trentini
Member

V Mabho
Member

A Smith
Chief Executive Officer

No. R. 959

9 October 2009

LABOUR RELATIONS ACT, 1995**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: EXTENSION
TO NON-PARTIES OF LIFT ENGINEERING COLLECTIVE AMENDING
AGREEMENT**

I, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister of Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the Metal and Engineering Industries Bargaining Council, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that Industry, with effect from19 October 2009..... , and for the period ending 30 June 2010.

MMS MDLADLANA
MINISTER OF LABOUR

No. R. 959

9 Oktober 2009

WET OP ARBEIDSVERHOUDINGE, 1995**METAAL- EN INGENIEURSNIWERHEDE BEDINGINGSRAAD: UITBREIDING NA
NIE-PARTYE VAN HYSBAKINGENIEURS KOLLEKTIEWE
WYSIGINGSOOREENKOMS**

Ek, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister van Arbeid, verklaar hierby, kragtens artikel 32(2) van die Wet op Arbeidsverhoudinge, 1995 dat die kollektiewe ooreenkoms wat in die Bylae hierby verskyn en wat in die Metaal-En Ingenieursnywerhede Bedingingsraad aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van19 Oktober 2009....., en vir die tydperk wat op 30 Junie 2010 eindig.

**MMS MDLADLANA
MINISTER VAN ARBEID**

SCHEDULE**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL****LIFT ENGINEERING COLLECTIVE AMENDING AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1995, made and entered into by
and between the

Lift Engineering Association of South Africa

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part,
and the

South African Equity Workers' Association

(hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being the parties to the Metal and Engineering Industries Bargaining Council, to amend the Agreement published under Government Notice No. R. 405 of 31 March 1998, as renewed, amended and re-enacted by Government Notices Nos. R.160 and R.161 of 12 February 1999, R.1314 of 12 November 1999, R.1125 of 17 November 2000, R.1013 of 12 October 2001, R.1242 of 30 November 2001, R. 529 of 3 May 2002, R.1249 of 4 October 2002, R. 669 of 23 May 2003, R.1829 of 24 December 2003, R.1021 of 3 September 2004, R.1181 of 15 December 2005, R.1182 of 15 December 2005, R.1136 of 17 November 2006, R.1137 of 17 November 2006, R. 1173 of 14 December 2007, R. 1174 of 14 December 2007 and R. 36 of 23 January 2009.

1. CLAUSE 1: SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed –

- (a) in the Iron, Steel, Engineering and Metallurgical Industry throughout the Republic of South Africa;

- (b) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions, in respect of the maintenance and/or assembly and/or installation and/or repair of electrical and hydraulic lifts, escalators, moving walkways and goods lifts.
- (2) The provisions of clauses 1(1)(b) and 2 of this Agreement shall not apply to employers and employees who are not members of the employers' organisation and trade unions, respectively.

2. CLAUSE 2: PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 30 June 2010.

3. CLAUSE 5: OVERTIME AND PAYMENT FOR WORK ON SUNDAYS

- (1) Substitute the following for subclause (6):

"(6)(a) 'Normal shift' means one-fifth of the ordinary weekly hours of work of an establishment working a five-day week.

(b) 'Usual starting time' means the starting time on an ordinary working day.

(c) 'Overtime payment' shall be made in accordance with the provisions of this clause.

(d) Unless otherwise agreed overtime shall be worked on a voluntary basis."

4. CLAUSE 6: STAND-BY DUTIES AND CALL-OUTS

Substitute the following for subclauses (d), (e) and (f):

- “(d) An employee who is required to be on stand-by on Monday to Friday shall receive a stand-by allowance of R66,09 per day, excluding Saturdays, Sundays and public holidays.
- (e) An employee who is required to be on stand-by on a Saturday shall receive a stand-by allowance of R99,13 per day.
- (f) An employee who is required to be on stand-by on a Sunday or public holiday shall receive a stand-by allowance of R132,19 per day.

Note: The daily amounts specified in subclauses 1(d), (e) and (f) shall apply for the period 1 July 2009 to 30 June 2010,”.

5. CLAUSE 7: PAYMENT OF EARNINGS

- (1) Insert the following new subclause (1)(c):

“(c) An employer and elected shop stewards shall communicate the prevailing method of payment observed in an establishment to a newly employed employee and draw the employee’s attention to subclause (2)(e), if applicable.”.

- (2) Substitute the following for subclause (2)(c)(i):

“(i) All payments due to the employee(s) in terms of this Agreement shall be payable to the employee(s) two banking days before the last working day of each calendar month.”.

6. CLAUSE 12: LEAVE PAY

Substitute the following for the existing subclause 2(c):

- “(c) Should an employee proceed on leave, the employer shall, for each public holiday which falls within the employee’s period of leave and which otherwise would have

been an ordinary working day for such an employee, extend the leave period by one working day with full pay.”.

7. **CLAUSE 36: WAGES**

(For the period 1-07-09 to 30-06 -2010)

Substitute the following for the existing Clause 36:

“(1) No employer shall pay to any employee engaged on work classified in the schedules to this Agreement, wages lower than those stipulated and no employees shall accept wages lower than those stipulated, namely –

- (a) Category 1 : R63,02 per hour
- Category 2 : R46,22 per hour
- Category 3 : R29,45 per hour
- Category 4 : R23,88 per hour

(b) **Apprentices:**

- First year : R22,06 per hour
- Second year : R25,21 per hour
- Third year : R31,51 per hour
- Fourth year : R50,42 per hour

(2) Every employee who on the date of coming into operation of this Agreement is employed by an employer on work classified in this Agreement shall, while in the employ of the same employer and whether or not his actual rate of pay immediately prior to the said date was in excess of the rate specified for his class of work in this Agreement, be paid not less than the actual rate he was receiving immediately prior to the said date, plus an additional amount for his wage group as follows:

<i>Class of work</i>	<i>Amount per hour</i>
(a) Category 1 employees	535 cents
Category 2 employees	392 cents
Category 3 employees	251 cents
Category 4 employees	202 cents
(b) Apprentices	
First year	190 cents
Second year	217 cents
Third year	268 cents
Fourth year	431 cents

OR

9,3% of the actual hourly rate of pay he was receiving on 30 June 2009, whichever additional amount is the greater: Provided that –

- (i) the additional amount payable in terms of this subclause to an employee for his class of work may be reduced by the amount of any increase granted to such employees on or subsequent to 1 July 2009: Provided further that any employee to whom no increase or only a part of the prescribed increase was granted on or after 1 July 2009, shall be remunerated by the payment of an amount within 16 weeks after the date of coming into operation of this Agreement on the basis stated below:

Amount per hour for the	}		{Amount per hour of
employee's class of work	}	Less (if any)	{any increase granted
prescribed above	}		{to the employee on
			{or after 1 July 2009

multiplied by the number of hours for which the employee concerned was entitled to payment of this wage or the period from the start of the first shift

on or after 1 July 2009 to the first shift for which the amount per hour of the employee's class of work as prescribed above is paid or the date of coming into operation of this Agreement, whichever is the later;

- (ii) any employee who was engaged after 1 July 2009 at a rate of pay not less than the rate of pay prescribed for his class of work at the date of coming into operation of this Agreement shall not be entitled to be paid the additional amount specified in this subsection for his class of work;
- (iii) no employer shall reduce the rate of pay of any employee to whom an increase in excess of the additional amount specified in this subsection for his class of work was awarded on or subsequent to 1 July 2009 and no employee shall be paid wages at a rate less than the rate for his class of work specified in this Agreement;
- (iv) an employer who intends to grant increases to all employees or to a particular category of employees in excess of the guaranteed personal minimum increase provided for above at the date of coming into operation of this Agreement shall consult the trade unions of which the employees concerned are members.

Where an employer, following such consultation, grants such increases over and above those provided for in this Agreement, the Bargaining Council shall be notified of the increases granted.

- (3) Operators may be employed on Category 2 and Category 3 work only if they have passed (a) training programme(s) recognized by the Bargaining Council and are in possession of a certificate of proficiency issued by the employer covering the functions that they are allowed to perform under the schedules to this Agreement.
- (4) The employers who are party to this Agreement have undertaken to distinguish clearly, at the time of awarding wage increases, between the wage increase

component negotiated in terms of this Agreement and any other increases, such as merit increases which may be granted to employees.

- (5)(a) No employee shall be employed in more than one occupation scheduled in this Agreement at different rates of pay in any one week including any overtime worked at a higher-paid occupation, unless payment is made as if such employee had been employed for the whole of that week in the higher-paid occupation: Provided that where a lower-paid employee is temporarily substituted for a higher-paid employee who is absent from his work and not employed elsewhere in the establishment, such substituted employee shall be paid at the higher rate only for the period he actually worked at the higher-paid occupation. Any period of substitution of less than one-half shift in the aggregate in any one week shall not count for payment at the higher rate.
- (b) Where a lower-paid employee is temporarily substituted for a higher-paid employee —
- (i) such substitution shall be part of career development aimed at developing the employee by providing exposure to the higher-level job; and
 - (ii) such substitution is to be an integral part of the development programme and therefore a pre-requisite for successful completion of the programme.
- (6) An employer who intends to grant increases to all employees or a particular category of employees shall consult the trade unions of which the employees concerned are members.”.

ANNEXURE A: SECURITY OF EMPLOYMENT AND SEVERANCE PAY

Substitute the following for subclause 2(a)(i):

“(a) **Notice of proposed retrenchment**

- (l) An employer must notify all relevant consulting parties and the Regional Bargaining Councils when that employer contemplates terminating the employment of one or more employees for reasons related to its operational requirements."

Signed at Johannesburg for and on behalf of the parties, this 12th day of August 2009.

L Trentini

Member

.....

L de Welzim

Member

.....

Alistair Smith

Chief Executive Officer

.....

No. R. 960

9 October 2009

LABOUR RELATIONS ACT, 1995
CANCELLATION OF GOVERNMENT NOTICES
METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: THE
DISPUTE RESOLUTION COLLECTIVE AGREEMENT

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby, in terms of section 32(7) of the Labour Relations Act, 1995, cancel Government Notice No 418 of 17 April 2009 with effect from19 October 2009.....

MMS MDLADLANA
MINISTER OF LABOUR

No. R. 960

9 Oktober 2009

WET OP ARBEIDSVERHOUDINGE, 1995
INTREKKING VAN GOEWERMENSKENNISGEWINGS
METAAL-EN INGENIEURSNYWERHEDE BEDINGINGSRAAD:
GESKILBESLEGTIGINGS KOLLEKTIEWE OOREENKOMS

EK, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, trek hierby, kragtens artikel 32(7) van die wet op Arbeidsverhoudinge, 1995, Goewermenskennisgewing No 418 van 17 April 2009 in, met ingang van19 October 2009.....

MMS MDLADLANA
MINISTER VAN ARBEID

No. R. 961

9 October 2009

LABOUR RELATIONS ACT, 1995**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL:
EXTENSION TO NON-PARTIES OF DISPUTE RESOLUTION COLLECTIVE
RE-ENACTING AND AMENDING AGREEMENT**

I, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister of Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the Metal and Engineering Industries Bargaining Council, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that Industry with effect from19 October 2009..... and for the period ending 31 March 2010.

**MMS MDLADLANA
MINISTER OF LABOUR**

No. R. 961

9 Oktober 2009

WET OP ARBEIDSVERHOUDINGE, 1995**METAAL-EN INGENIEURSNYWERHEDE BEDINGINGSRAAD:
UITBREIDING NA NIE-PARTYE VAN GESKILBESLEGTIGINGS
KOLLEKTIEWE HERBEKRAGTIGING- EN WYSIGINGSOORENKOMS**

Ek, MEMBATHISI MPHUMZI SHEPHERD MDLADLANA, Minister van Arbeid, verklaar hierby, kragtens artikel 32(2) van die Wet op Arbeidsverhoudinge, 1995 dat die kollektiewe ooreenkoms wat in die Bylae hiervan verskyn en wat in die Metaal-en Ingenieursnywerhede Bedingindsraad aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van19 Oktober 2009.....en vir die tydperk wat op 31 March 2010 eindig.

**MMS MDLADLANA
MINISTER VAN ARBEID**

SCHEDULE**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL
DISPUTE RESOLUTION AGREEMENT**

in accordance with the provisions of the Labour Relations Act, No. 66 of 1995, made and entered into by and between the -

Association of Electric Cable Manufacturers of South Africa

Association of Metal Service Centres of South Africa

Bright Bar Association

Cape Engineers' and Founders' Association

Consolidated Association of Employers of Southern Africa Region (CAESAR)

Constructional Engineering Association (South Africa)

Covered Conductor Manufacturers' Association

Electrical Engineering and Allied Industries' Association

Electrical Manufacturers' Association of South Africa (EMASA)

Electronics and Telecommunications Industries Association

Federated Employers' Organisation of South Africa (FEOSA)

Ferro Alloy Producers' Association

Gate and Fence Association

Hand Tool Manufacturers' Association (HATMA)

Iron and Steel Producers' Association of South Africa (ISPA)

KwaZulu Natal Engineering Industries' Association

Lift Engineering Industries' Association of South Africa

Light Engineering Industries Association of South Africa

National Employers' Association of South Africa (NEASA)

Non-Ferrous Metal Industries' Association of South Africa

Plastics Convertors Association of South Africa

Plumbers and Engineers Brassware Manufacturers' Association

Port Elizabeth Engineers' Association

Pressure Vessel Manufacturers' Association of South Africa

Radio, Appliance and Television Association of South Africa (RATA)

Refrigeration and Air Conditioning Manufacturers' and Suppliers' Association (RAMSA)

Sheet Metal Industries' Association of South Africa

South African Electro-Plating Industries Association

South African Engineers' and Founders' Association

South African Fasteners Manufacturers' Association

South African Refrigeration and Air Conditioning Contractors' Association (SARACCA)

South African Post Tensioning Association (SAPTA)

South African Pump Manufacturers' Association

South African Reinforced Concrete Engineers' Association (SARCEA)

South African Valve and Actuators Manufacturers' Association (SAVAMA)

(hereinafter referred to as the "employers" or the "employers' organisations"), of the one part
and the —

Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union (CEPPWAWU)

Metal and Electrical Workers' Union of South Africa

Solidarity

United Association of S.A. (UASA The Union)

National Union of Metalworkers of South Africa (NUMSA)

South African Equity Workers' Association (SAEWA)

(hereinafter referred as the "employees" or the "trade unions") of the other part, being the
parties to the Metal Engineering Industries Bargaining Council, to amend the Agreement

published under Government Notice No. R. 836 of 18 August 2006, as re-enacted by Government Notice No. R. 418 of 17 April 2009.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Iron, Steel, Engineering and Metallurgical Industry —
 - (a) by all employers who are members of the employers' organisations and by all employees who are members of the trade unions;
 - (b) throughout the Republic of South Africa.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to —
 - (a) apprentices or learners only to the extent to which these provisions are not inconsistent with the provisions of the Manpower Training Act, 1981, or the Skills Development Act, No. 97 of 1998, or any contract entered into or any conditions fixed thereunder; and
 - (b) trainees under training in terms of section 30 of the Manpower Training Act, 1981, or section 19 of the Skills Development Act, No. 97 of 1998, only in so far as these provisions are not inconsistent with the provisions of the Act or any conditions fixed thereunder.
- (3) Notwithstanding the provisions of clauses 1(1)(a) and 2, this Agreement shall not apply to employers and employees who are not members of the employers' organisations and trade unions, respectively.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 31 March 2010.

3. SPECIAL PROVISIONS

The provisions contained in clause 2 of the Agreement published under Government Notice No. R 418 of 17 April 2009 (hereinafter referred to as the "Former Agreement"), as further amended and re-enacted from time to time, shall apply to employers and employees.

4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 6 of the Agreement published under Government Notice No. R. 418 of 17 April 2009 (as further amended and re-enacted from time to time) shall apply to employers and employees.

5. ANNEXURE A:

RULES FOR CONCILIATING AND ARBITRATING DISPUTES IN THE METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL

1. Arrangements of Rules (index)

Under Part B; "Conciliation of Disputes" delete rule 10.

2. Part B. Conciliation of Disputes

Delete Rule 10.

3. Part E: Rules that apply to Conciliations and Arbitrations and Con-Arbs

Substitute the following for Rule 17.

"17. Who may represent a party at the Council

- (1) In conciliation proceedings a party to the dispute may appear in person or be represented only by -
- (a) A director or employee of that party and, if a close corporation, also a member thereof; or
 - (b) A member, official or office bearer of a registered employers' organisation or registered employers' federation representing registered employers' organisations party to Collective Agreements concluded by, or under the auspices, of the Metal and Engineering Industries Bargaining Council;
 - (c) any member, office bearer or official of that party's registered trade union or registered employers' organisation.
- (2) In any arbitration proceedings, a party to the dispute may appear in person or be represented only by —
- (a) a legal practitioner;
 - (b) a director or employee of that party and, if a close corporation, also a member thereof;
 - (c) a member, official or office bearer of a registered employers' organisation or registered employers' federation representing registered employers' organisations party to Collective Agreements concluded by, or under the auspices of, the Metal and Engineering Industries Bargaining Council;
 - (d) any member, office bearer or official of that party's registered trade union or registered employers' organisation.

- (3) If the dispute being arbitrated is about the fairness of a dismissal and a party has alleged that the reason for the dismissal relates to the employee's conduct or capacity, the parties, notwithstanding subrule 2(a), are not entitled to be represented by a legal practitioner in the proceedings unless -
- (a) the commissioner and all the other parties consent;
 - (b) the commissioner concludes that it is unreasonable to expect a party to deal with the dispute without legal representation, after considering –
 - (i) the nature of the questions of law raised by the dispute;
 - (ii) the complexity of the dispute;
 - (iii) the public interest; and
 - (iv) the comparative ability of the opposing parties or their representatives to deal with the dispute.”.
- (4) Substitute the following for rule 22, “What happens if a Party fails to attend proceedings before the Council.
- “22 What happens if a party fails to attend proceedings before the Council**
1. If a party to a dispute fails to attend in person or be represented at Arbitration or Con-Arb proceedings before the Council, and that party -
- (a) has referred the dispute to the Council, a council commissioner may dismiss the matter by issuing a written ruling; or
 - (b) has not referred the matter to the Council, the council commissioner may –
 - (i) continue with the proceedings in the absence of that party;
- or

- (ii) adjourn the proceedings to a later date.
2. A council commissioner must be satisfied that the party has been properly notified of the date, time and venue of the proceedings, before making any decision in terms of subrule (1).
3. If a matter is dismissed, the Council must send a copy of the ruling to the parties.”.

Signed at Johannesburg for and on behalf of the parties this 12th day of August 2009.

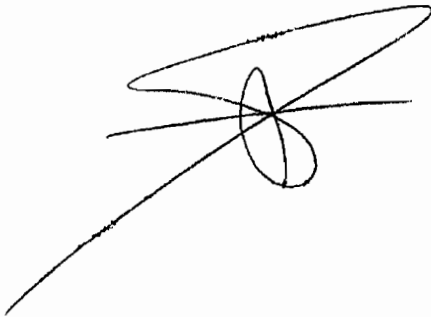
L Trentini
Member

V Mabho
Member

A Smith
Chief Executive Officer

**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS****No. R. 950****9 October 2009****CUSTOMS AND EXCISE ACT, 1964
AMENDMENT OF RULES (DAR/62)**

Under Section 120 of the Customs and Excise Act, 1964, the rules published in Government Notice R. 1874 of 8 December 1995 are amended to the extent set out in the Schedule hereto.



**GEORGE NGAKANE VIRGIL MAGASHULA
COMMISSIONER FOR THE SOUTH AFRICAN REVENUE SERVICE**

SCHEDULE

(a) By the substitution for rule 120.04(d)(i) of the following rule:

“120.04(d)(i) Attendance charges must be paid to the Controller in cash, by bank guaranteed cheque or by electronic funds transfer”.

(b) By the substitution in item 202.00 in the Schedule to the Rules for form DA 73 of the following form:

“DA 73 Application for Special/Extra Attendance”

APPLICATION FOR *SPECIAL / *EXTRA ATTENDANCE (Rules 120.01 to 120.07)					DA 73 Serial Number:	
(*Delete which is not applicable and sign in full)						
The Controller of Customs and Excise:			Client Particulars: SARS Client No.: Name: Postal address: Contact person: Telephone No.: Fax No.:			
I, (full name in block letters), *client / being duly authorised by the client, hereby (1) apply for the attendance of (number) officer(s) at (physical address) between the hours of and on (yy/mm/dd) for (state nature of service required); (2) (a) *agree to pay the amount due for such attendance / *require such attendance for purposes stated in rule 120.06 for which no attendance charge is prescribed. (b) *The amount due must be paid in cash or by bank guaranteed cheque or through the electronic transfer of funds. (If application is not made in a representative capacity, delete "being duly authorised by the client")						
Date			Signature / Capacity		Application for attendance of officers *approved / *not approved Signed for Controller (*Delete which is not applicable)	
(*Delete which is not applicable and sign in full)						
Name and Rank of Officer(s)	Source document number and date (Bill of entry or other prescribed document, letter, invoice, etc.)	Date and time of actual attendance (see rule 120.04(c))	Number of hours	Rate per hour	Amount Due	
					R	c
Total						
*We,, declare that – (a) we were present during the stated time of actual attendance for the service requested in the application for *special / *extra attendance; (b) the service was duly completed in accordance with the applicable customs and excise laws and procedures. (1) (2) Signature(s) of officer(s) Signature of *client / client's representative (1) (2) Name(s) in block letters Name in block letters and capacity Date (* Delete which is not applicable and sign in full)						
NOTE: If more than two officers were present, only the team leader and one officer must sign the declaration						
For Official Use: 1. Payments per *cash / cheque / EFT (*Delete which is not applicable) 2. Copy of report by team leader or officer received and attached (except for certification or photocopying)						
(Name in Block letters)		Signed for Controller			Date	

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 2 (NO. 2/320)

Under section 56 of the Customs and Excise Act, 1964, Schedule No. 2 to the said Act is hereby amended, with retrospective effect from 25 June 2009, to the extent set out in the Schedule hereto



N NENE
DEPUTY MINISTER OF FINANCE

By the deletion of code 03.06 in item 211.06 of the following tariff headings:

Item	Tariff Heading	Code	C D	Description	Rebate Items	Imported from or originating in	Rate of Duty
211.06	5512.21	03.06	62	Woven fabrics of synthetic staple fibres, containing 85 per cent or more by mass of acrylic fibres		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	5512.29	03.06	68	Woven fabrics of synthetic staple fibres, containing 85 per cent or more by mass of acrylic fibres		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	5515.29	03.06	67	Woven fabrics of synthetic staple fibres, containing acrylic fibres		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	5515.91	03.06	62	Woven fabrics of synthetic staple fibres, containing acrylic fibres		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	5801.34	03.06	64	Woven warp pile fabrics, épingle (uncut) containing acrylic fibres		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg

Item	Tariff Heading	Code	C D	Description	Rebate Items	Imported from or originating in	Rate of Duty
211.06	5801.35	03.06	62	Other woven warp pile fabrics, cut (excluding fabrics of headings 58.02 or 58.06) containing acrylic fibres		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	6001.10	03.06	60	"Long pile" fabrics, knitted or crocheted, containing acrylic fibres		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	6001.22	03.06	64	Looped pile fabrics, knitted or crocheted, containing acrylic fibres (excluding fabrics of a mass not exceeding 250 g/m ²)		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	6001.92	03.06	65	Other pile fabrics and terry fabrics, knitted or crocheted, containing acrylic fibres		The People's Republic of China (excluding that imported from Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg

DOUANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 2 (NO. 2/320)

Kragtens artikel 56 van die Douane- en Aksynswet, 1964 word Bylae No. 2 by bogenoemde Wet hiermee gewysig, met terugwerkende krag vanaf 25 Junie 2009, in die mate in die Bylae hierby aangetoon.



N NENE
ADJUNKMINISTER VAN FINANSIES

Deur die skraping van kode 03.06 by item 211.06 by die volgende tariefposte:

Item	Tariefpos	Kode	T S	Beskrywing	Korting Items	Ingevoer vanaf of oorspronklik van	Skaal van Reg
211.06	5512.21	03.06	62	Weefstowwe van sintetiese stapelwesels, met 'n inhoud van 85 persent of meer by massa van akriliese wesels		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	5512.29	03.06	68	Weefstowwe van sintetiese stapelwesels, met 'n inhoud van 85 persent of meer by massa van akriliese wesels		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	5515.29	03.06	67	Weefstowwe van sintetiese stapelwesels, wat akriliese wesels bevat		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	5515.91	03.06	62	Weefstowwe van sintetiese stapelwesels, wat akriliese wesels bevat		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	5801.34	03.06	64	Geweefde skeringpoolstowwe, epinglee (ongesny) wat akriliese wesels bevat		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg

Item	Tariefpos	Kode	T S	Beskrywing	Korting Items	Ingevoer vanaf of oorspronklik van	Skaal van Reg
211.06	5801.35	03.06	62	Ander geweeftde skeringpoolstowwe, gesny (uitgesonderd weefstowwe van poste 58.02 of 58.06) wat akriliese vesels bevat		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	6001.10	03.06	60	"Langpoolstowwe", gebrei of gehekel, wat akriliese vesels bevat		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	6001.22	03.06	64	Gefabriseerde vesels, gebrei of gehekel, wat akriliese vesels bevat (uitgesonderd stowwe met 'n massa van hoogstens 250 g/m ²)		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg
211.06	6001.92	03.06	65	Ander gefabriseerde vesels en handdoekstof, gebrei of gehekel, wat akriliese vesels bevat		Die Volksrepubliek van China (uitgesonderd daardie ingevoer vanaf Linyi Xinguang Blanket Co. Ltd.)	1 191c/kg

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 4 (NO. 4/321)**

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended, with retrospective effect from 25 June 2009, to the extent set out in the Schedule hereto.



**N NENE
DEPUTY MINISTER OF FINANCE**

By the deletion of code 02.06 in rebate item 460.11 of the following tariff headings:

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of rebate
460.11	5512.21	02.06	60	Woven fabrics of synthetic staple fibres, containing 85 per cent or more by mass of acrylic fibres, originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after the Commission is satisfied that such fabrics will not be used for the manufacture of blankets	The full anti-dumping duty
460.11	5512.29	02.06	66	Woven fabrics of synthetic staple fibres, containing 85 per cent or more by mass of acrylic fibres, originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after the Commission is satisfied that such fabrics will not be used for the manufacture of blankets	The full anti-dumping duty
460.11	5515.29	02.06	65	Woven fabrics of synthetic staple fibres, containing acrylic fibres, originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after that Commission is satisfied that such fabrics will not be used for the manufacture of blankets	The full anti-dumping duty
460.11	5515.91	02.06	60	Woven fabrics of synthetic staple fibres, containing acrylic fibres, originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after that Commission is satisfied that such fabrics will not be used for the manufacture of blankets.	The full anti-dumping duty
460.11	5801.34	02.06	62	Woven warp pile fabrics, épingle (uncut) containing acrylic fibres, originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after that Commission is satisfied that such fabrics will not be used in for the manufacture of blankets	The full anti-dumping duty
460.11	5801.35	02.06	60	Other woven warp pile fabrics, cut (excluding fabrics of headings 58.02 or 58.06) containing acrylic fibres, originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after that Commission is satisfied that such fabrics will not be used for the manufacture	The full anti-dumping duty

Rebate Item	Tariff Heading	Rebate Code	C D	Description	Extent of rebate
				of blankets	
460.11	6001.10	02.06	69	"Long pile" fabrics, knitted or crocheted, containing acrylic fibres, originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after that Commission is satisfied that such fabrics will not be used for the manufacture of blankets	The full anti-dumping duty
460.11	6001.22	02.06	62	Looped pile fabrics, knitted or crocheted, containing acrylic fibres (excluding fabrics of a mass not exceeding 250 g/m ²), originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after that Commission is satisfied that such fabrics will not be used for the manufacture of blankets	The full anti-dumping duty
460.11	6001.92	02.06	63	Other pile fabrics and terry fabrics, knitted or crocheted, containing acrylic fibres, originating in or imported from the People's Republic of China, in such quantities, at such times and subject to such conditions as the International Trade Administration Commission may allow by specific permit, after the Commission is satisfied that such fabrics will not be used in the manufacture of blankets	The full anti-dumping duty

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 4 (NO. 4/321)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by bogenoemde Wet hiermee gewysig, met terugwerkende krag vanaf 25 Junie 2009, in die mate in die Bylae hierby aangetoon



N NENE
ADJUNKMINISTER VAN FINANSIES

Deur die skraping van kode 02.06 by korting item 460.11 van die volgende tariefposte:

Korting Item	Tariefpos	Korting Kode	T S	Beskrywing	Mate van Korting
460.11	5512.21	02.06	60	Weefstowwe van sintetiese stapelwesels, met 'n inhoud van 85 persent of meer by massa van akriliese wesels, afkomstig van of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en op die voorwaardes soos die Internasionale Handelsadministrasie Kommissie by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word vir die vervaardiging van komberse nie	Die volle anti-dumpingreg
460.11	5512.29	02.06	66	Weefstowwe van sintetiese stapelwesels, met 'n inhoud van 85 persent of meer by massa van akriliese wesels, afkomstig van of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en onderhewig aan sodanige voorwaardes as wat die Internasionale Handelsadministrasie Kommissie by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word vir die vervaardiging van komberse nie	Die volle anti-dumpingreg
460.11	5515.29	02.06	65	Weefstowwe van sintetiese stapelwesels, wat akriliese wesels bevat, afkomstig van of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en onderhewig aan sodanige voorwaardes as wat die Internasionale Handelsadministrasie Kommissie by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word vir die vervaardiging van komberse nie	Die volle anti-dumpingreg
460.11	5515.91	02.06	60	Weefstowwe van sintetiese stapelwesels, wat akriliese wesels bevat, afkomstig van of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en op die voorwaardes soos die Internasionale Handelsadministrasie Kommissie by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word vir die vervaardiging van komberse nie	Die volle anti-dumpingreg
460.11	5801.34	02.06	62	Geweefde skeringpoolstowwe, epinglee (ongesny) wat akriliese wesels bevat, afkomstig van of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en onderhewig aan die voorwaardes wat die Internasionale Handelsadministrasie Kommissie, by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word vir die vervaardiging van komberse nie	Die volle anti-dumpingreg

Korting Item	Tariefpos	Korting Kode	T S	Beskrywing	Mate van Korting
460.11	5801.35	02.06	60	Ander geweeftde skeringpoolstowwe, gesny (uitgesonderd weefstowwe van poste 58.02 of 58.06) wat akriliese vesels bevat, afkomstig van of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en onderhewig aan die voorwaardes wat die Internasionale Handelsadministrasie Kommissie by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word vir die vervaardiging van komberse nie	Die volle anti-dumpingreg
460.11	6001.10	02.06	69	"Langpoolstowwe", gebrei of gehekel, wat akriliese vesels bevat, afkomstig van of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en onderhewig aan die voorwaardes wat die Internasionale Handelsadministrasie Kommissie by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word in die vervaardiging van komberse nie	Die volle anti-dumpingreg
460.11	6001.22	02.06	62	Gefabriseerde vesels, gebrei of gehekel, wat akriliese vesels bevat (uitgesonderd stowwe met 'n massa van hoogstens 250 g/m ²), afkomstig van of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en onderhewig aan die voorwaardes wat die Internasionale Handelsadministrasie Kommissie by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word vir die vervaardiging van komberse nie	Die volle anti-dumpingreg
460.11	6001.92	02.06	63	Ander gefabriseerde vesels en handdoekstof, gebrei of gehekel, wat akriliese vesels bevat, afkomstig of ingevoer vanaf die Volksrepubliek van China, in die hoeveelhede, op die tye en op die voorwaardes soos die Internasionale Handelsadministrasie Kommissie by bepaalde permit toelaat, nadat daardie Kommissie tevrede gestel is dat sulke weefstowwe nie gebruik sal word in die vervaardiging van komberse nie	Die volle anti-dumpingreg

No. R. 953

9 October 2009

CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 3 (NO. 3/649)

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.


N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the insertion after rebate item 318.02 of the following:

Rebate Item	Tariff heading	Rebate Code	C D	Description	Extent of Rebate
319.00				ARMS AND AMMUNITION; PARTS AND ACCESSORIES THEREOF:	
319.01				Industry: Cartridges and other ammunition and projectiles and parts thereof, including shot and cartridge wads:	
319.01	9306.29	01.06	67	Cartridge cases with a length of 78 mm and wads (power pistons) with a diameter of 23 mm and with a length of 24 mm or more but not exceeding 32 mm, depending on the slug loaded (zinc or lead) for use in the manufacture of cartridges classifiable in tariff subheading 9306.21	Full duty

No. R. 953

9 Oktober 2009

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 3 (NO. 3/649)**

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



**N NENE
ADJUNKMINISTER VAN FINANSIES**

BYLAE

Deur die invoeging na kortingitem 318.02 van die volgende:

Kortingitem	Tariefpos	Kortingkode	T S	Beskrywing	Mate van Korting
319.00				WAPENS EN AMMUNISIE; ONDERDELE EN BYBEHOORSELS DAARVAN:	
319.01				Nywerheid: Patrone en ander ammunisie en projektele en onderdele daarvan, met inbegrip van hael en patroonpluisies:	
319.01	9306.29	01.06	67	Patroondoppe met 'n lengte van 78 mm en patroonpluisies (krag suiers) met 'n dwarsdeursnee van 23 mm en met 'n lengte van 24 mm of meer maar hoogstens 32 mm, afhangend van die koeël lading (sink of lood) vir gebruik in die vervaardiging van patrone, indeelbaar in tarief subpos 9306.21	Volle reg

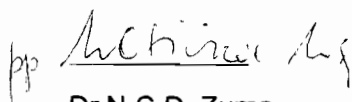
**DEPARTMENT OF HOME AFFAIRS
DEPARTEMENT VAN BINNELANDSE SAKE**

No. R. 968**9 October 2009****PUBLIC SERVICE ACT, 1994**

(Promulgated under Proclamation No. 103 of 1994)

ADMINISTRATION AND OPERATIONS: GOVERNMENT PRINTING WORKS

Under section 7A(4) of the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994), read with Proclamation No. 58, of 11 September 2009. I hereby, with effect from the date of publication of this Notice, set out the provisions of legislation which confer power and impose duties on the Head of the Government Printing Works and determine provision to apply to the reporting, administrative, organisational, oversight and other management objects, processes and procedures of the Government Printing Works.



Dr N C D Zuma

Minister of Home Affairs

Date: 19 Aug 2009

SCHEDULE

PART 1

Definitions

1. In this Schedule, unless the context otherwise indicates:

"Board" means the Advisory Board appointed in accordance with paragraph 5;

"Cabinet" means the Cabinet contemplated in section 91 of the Constitution of the Republic of South Africa, 1996;

"CEO" means the Chief Executive Officer of the GPW as contemplated in Column 2 of Part A of Schedule 3 to the Public Service Act, 1994;

"CFO" means the Chief Financial Officer of the GPW;

"Deputy Minister" means the Deputy Minister of Home Affairs;

"DG" means the Director-General: Home Affairs;

"DHA" means the Department of Home Affairs;

"goods" means any product manufactured or sold, or service provided by the GPW, or any ancillary service;

"government component" means a government component as defined in section 1 of the Public Service Act, 1994;

"GPW" means the government component identified in Column 1 of Part A of Schedule 3 to the PSA as the Government Printing Works;

"Minister" means the Minister of Home Affairs;

"National Treasury" means the National Treasury established by section 5 of the PFMA;

"PFMA" means the Public Finance Management Act, 1999 (Act No. 1 of 1999);

"PSA" means the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994);

"public entity" means a public entity as defined in section 1 of the PFMA;

"public service" means the public service contemplated in section 8 of the PSA; and

"working day" means any day other than a Saturday or Sunday or public holiday provided for in terms of the Public Holidays Act, 1994 (Act No. 36 of 1994).

PART 2

Powers conferred and duties imposed on CEO

- 2.(1) Section 8 of the Legal Deposit Act, 1997 (Act No. 54 of 1997) directly confers powers and imposes duties on the CEO.
- (2) The PFMA and the PSA confer powers and impose duties on the CEO.

PART 3

Function of GPW

- 3.(1) The function of the GPW is to provide security printing and ancillary services to all organs of state in all spheres of government.
- (2) The GPW performs its function subject to general guidance provided by the Minister.

Compliance

4. The GPW must comply with any applicable law, and in the event of a conflict between any law and the provisions of this Schedule, such law prevails.

PART 4

Advisory Board

- 5.(1) An advisory Board for the GPW is hereby established.
- (2) The function of the Board is to advise the Minister and the CEO on the governance and the performance of the GPW and on any other matter which the Minister may from time to time determine in writing, but the Board does not have any executive functions, duties or powers.
- (3) The Minister must appoint Board members based on the following principles:
- (a) appointments must be governed by the overriding principle of selection based on merit, determined by an assessment of -

- (i) the functions and the operations of the GPW;
 - (ii) the competencies collectively required by the Board, including the relevant skills, expertise and experience relating to the printing or imaging industries and to managing and transforming a business;
 - (iii) the needs and range of clients of the GPW, including DHA;
 - (iv) the qualifications, skills, expertise and experience of each individual prospective candidate;
 - (b) after the appointment of the individual members the Board must broadly reflect the demographics of the Republic and the majority of its members may not be employees of organs of state.
- (4) The Minister may not appoint more than eight members to the Board, excluding the CEO and the CFO who are *ex officio* members of the Board, and must include representatives of the GPW's client base and the DHA.
- (5) The Minister must appoint:
- (a) any Board member other than the CEO or the CFO as Chairperson of the Board;
 - (b) any Board member other than the CEO or the CFO as Chairperson of any subcommittee of the Board.
- (6) The Minister may not appoint a person to the Board:
- (a) who is a member of Parliament, a member of a provincial legislature, a member of Cabinet or a Deputy Minister, a member of a house or council of traditional leaders, or a member of a municipal council;
 - (b) who is not a South African citizen or permanent resident;
 - (c) who or whose spouse, life partner, business partner or associate, holds an office in or is employed by or has any other interest whatsoever in a company or other entity which also provides printing or related services or which provides goods or renders services to the GPW;
 - (d) who is disqualified to act as a Director of a company incorporated in terms of the Companies Act, 1973 (Act No. 61 of 1973);
 - (e) who has been convicted, whether in the Republic or elsewhere, of an offence involving dishonesty or of any other offence for which such person has been sentenced to imprisonment without the option of a fine; or
 - (f) who is an unrehabilitated insolvent.
- (7) A Board member other than the CEO or the CFO:

- (a) serves as Board member on the terms and conditions determined by the Minister after consultation with the Minister for the Public Service and Administration; and
 - (b) may resign by giving one month's written notice to the Minister.
- (8) The Board serves at the Minister's pleasure, and the Minister may at any time:
 - (a) dissolve the Board and appoint a new Board;
 - (b) terminate the Board membership of an individual Board member,but the Minister must when so dissolving the Board or terminating Board membership of an individual Board member immediately provide any affected Board member with written reasons for the dissolution or termination, as the case may be.
- (9) The Minister must upon appointing the Board for public information and in any appropriate manner publish the profile of the Board members.
- (10) The Board has all powers necessary for its functioning as an advisory body without executive functions, duties or powers, and it in particular:
 - (a) subject to subparagraphs (13) and (14), may establish its own subcommittees;
 - (b) has immediate access to any information held by the GPW, except information designated in writing by the Minister from time to time as not being included in this category;
 - (c) has immediate access to any information held by the DHA in relation to the GPW, except information designated in writing by the Minister from time to time as not being included in this category;
 - (d) may receive copies of any document submitted by the CEO or the CFO to the Minister or the DG in terms of or under this Notice, as the case may be;
 - (e) may request any employee of the GPW or the DHA to attend any meeting of the Board or any of its subcommittees and to provide written or oral evidence at such a meeting, and unless the Minister in writing excuses such a person from attending that meeting, such an employee must accordingly attend the meeting and must provide written or oral evidence as requested by the Board.
- (11) The Board may at any time, with or without the agreement or support of the CEO, the CFO or the DG, as the case may be, directly approach the Minister or the Deputy

Minister, or the DG, and submit any relevant report to any or all of those persons on any matter related to the Board's function.

(12) Subject to subparagraphs (13) and (14), the Minister may at any time direct the Board in writing to establish a particular subcommittee, and the Minister appoints the Chairperson of that subcommittee, but this does not prevent the Board from establishing its own subcommittees as provided for in subparagraph (10)(a).

(13) The Board must at all times have subcommittees to advise on audit and risk management issues in respect of the GPW.

(14) Any committee or other body established or prescribed in respect of a government component by an Act of Parliament or in terms of or under secondary legislation must be established and managed as prescribed, but -

(a) such a committee or body does not constitute a subcommittee of the Board;

(b) the Board has access to any document produced by or on behalf of such a committee or body, unless the Minister in writing directs otherwise.

(15) The CEO and the CFO may attend any meeting of the Board or that of any of its subcommittees and must receive all documents tabled or distributed at any such meeting.

(16) Subject to the subparagraphs (17) to (20) and any applicable law, the Board determines its own meeting rules, proceedings and procedures.

(17) Without in any way derogating from the provisions of any applicable law, the Board must as far as may be practicable adhere to any policy, code, protocol, guideline or similar document on governance or ethics in the public sector approved by Cabinet.

(18) The meetings, minutes and reports of the Board or any of its subcommittees are confidential, unless:

(a) the Minister or the Chairperson of the Board in writing directs otherwise;
or

(b) no strategic or commercial interests of the GPW or the DHA are likely to be compromised in the event of its publication.

(19) The Board does not vote on matters before it, but must strive to render advice to the Minister or the CEO based on sufficient consensus excluding the CEO and the CFO. If an individual board member, other than the CEO or the CFO, strongly differs from what appears to be the Board's consensus, he or she may record his or her dissent and

the reasons for such dissent, and such dissenting opinion must be included in any report on the relevant matter to the Minister, Deputy Minister, DG or CEO, as the case may be.

(20) The GPW must provide all the facilities and all reasonable administrative, secretarial and logistical support reasonably required by the Board, and the CEO must after consultation with the Chairperson of the Board designate a particular employee of the GPW as Secretary to the Board.

(21) The GPW is responsible and the CEO is accountable for the Board's expenses.

(22) The CEO and the CFO in the absence of other members do not constitute the Board.

(23) No remuneration is payable to an employee of an organ of state in respect of his or her membership of the Board, but the CEO may for any purpose directly related to any board activity reimburse all board members in respect of any reasonably incurred travel, parking, accommodation and subsistence costs.

Responsibilities of and restrictions on Board members

6.(1) A member of the Board, including the CEO and the CFO, who at any time during his or her term of office becomes disqualified to be a Board member on any one of the grounds contemplated in paragraph 5(6):

- (a) must immediately in writing inform the Minister and the Chairperson of the Board of that disqualification, and the Minister must then forthwith remove that member from the Board; and
- (b) does not have a right to attend a Board meeting from the time he or she has so become disqualified until he or she is removed by the Minister.

(2) A member of the Board who in any way, directly or indirectly, acquires or intends to acquire an interest in a transaction or project of the GPW must immediately in writing disclose the nature of his or her interest or intention to the Chairperson, or if that member is the Chairperson, to the Minister, as well as to the Board at its next meeting.

(3) The disclosure to the Board contemplated in subparagraph (2) must be recorded in the minutes of the meeting.

(4) A member of the Board who has acquired or intends to acquire an interest contemplated in subparagraph (2) may not take part in any discussion or deliberation of the Board relating to that transaction or project contemplated in subparagraph (2).

Reporting requirements in respect of Board

- 7.(1) If the Minister has in writing requested the Board's advice on a particular issue, the Board must as soon as may be practicable submit a report with its advice to the Minister.
- (2) The Board must submit a report to the Minister on its advice or activities as often as the Board deems necessary, whether or not the Minister has specifically requested such advice.
- (3) The Board must record any oral advice rendered to the CEO or the CFO, as the case may be, in the minutes of that Board meeting.
- (4) The CEO must forward the minutes of every Board meeting to the DG within 10 working days after those minutes have been approved by the Board.

PART 5**Reporting requirements of CEO and responsibilities of DG**

- 8.(1) The provisions of this paragraph do not in any way exempt the CEO from compliance with all relevant provisions of the PFMA or any other law on or in respect of reporting requirements.
- (2) The CEO must:
- (a) forthwith after receipt of a written request from the Minister or the Deputy Minister for information held by the GPW, the CEO or the Board submit all requested and other information which may also be relevant to the Minister or the Deputy Minister, as the case may be; and
 - (b) on a quarterly basis submit a report to the Minister, detailing all the instances where he or she has performed a duty or exercised a power in terms of or under delegation from the Minister, as well as all the instances where a person to whom the CEO has further delegated such a power or duty has so performed a duty or exercised a power.
- (3) The DG oversees the operations of the GPW for purposes of:
- (a) supporting, promoting and implementing applicable Government policies as well as the Minister's strategic vision in respect of his or her portfolio; and

- (b) advising the Minister on policy implementation, performance, integrated planning, budgeting and service delivery, and the efficient, economic and effective use of resources by or in respect of the GPW,

but the DG has no further functions, duties, powers, responsibilities or accountability in respect of the GPW, other than as provided for in this Notice or as may be prescribed by or in law.

(4) The CEO must submit to the DG:

- (a) on a quarterly basis, all relevant reports and performance information of the GPW which will enable the DG to advise the Minister as contemplated in subparagraph (3)(b);
- (b) on a quarterly basis, a copy of the document contemplated in subparagraph (2)(b); and
- (c) annually, the GPW's strategic plan, annual report and annual financial statements,

and the DG may in writing question the CEO on or request further information in respect of any report or statement so submitted.

(5) For purposes of subparagraph (3), the CEO must monthly within 10 working days after the end of a calendar month in writing submit an operational and performance report to the Chairperson of the Board and to the DG in respect of that month, containing details of all work undertaken by the GPW during that month and any other relevant information the Chairperson or the DG may require, in the format so required. The format may include information broken down into individual projects, indicating the nature of the work, the name of the client, the monetary value of the work, the quantity of goods or services manufactured, provided or sold during the reporting period, whether such work has been completed, whether the goods involved have been delivered to the client and whether service level agreements or standards have in the opinion of the CEO been met.

(6) If the DG invites the CEO to attend a meeting of the DHA's Executive Committee, the CEO must do so unless he or she has other compelling prior commitments, in which case the CEO must inform the DG that he or she cannot attend and who his or her representative at the meeting will be.

(7) The provisions of this Notice do not in any way derogate from the equal status that the DG and the CEO enjoy in terms of or under the PSA or the PFMA as Heads of a Department and of a Government Component, respectively.

PART 6

Financial reporting arrangements

9. All financial, policy and procedural arrangements for the GPW provided for in or in terms of or under the PFMA or any other applicable law must on the date of establishment of the GPW as a Government Component by the President of the Republic, continue on the same basis as that applicable to a Trading Entity, and the GPW must annually declare any surplus or deficit, as the case may be, to the National Treasury and seek National Treasury approval should it need to retain the surplus.

No. R. 968

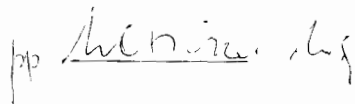
9 Oktober 2009

STAATSDIENSWET, 1994

(Afgekondig by Proklamasie Nr. 103 van 1994)

ADMINISTRASIE EN WERKSAAMHEDE: STAATSDRUKKERY

Kragtens artikel 7A(4) van die Staatsdienswet (afgekondig by Proklamasie Nr. 103 van 1994), gelees met Proklamasie Nr 58, van 11 September 2009, lys ek hiermee die bepalings van wetgewing wat met ingang van die publikasiedatum van hierdie Kennisgewing bevoegdhede verleen en pligte aan die Hoof van die Staatsdrukkery oplê, en ek stel bepalings vas wat op die verslagdoenings-, administratiewe, organisatoriese, toesighoudings- en ander bestuursoogmerke, -prosesse en -prosedures van die Staatsdrukkery van toepassing is.



Dr. N C D Zuma

Minister van Binnelandse Sake

Datum: 19 Aug 2009

BYLAE**DEEL 1****Woordomskrywings**

1. In hierdie Bylae, tensy uit die samehang anders blyk, beteken:

“Adjunk-minister” die Adjunk-minister van Binnelandse Sake;

“DG” Direkteur-Generaal: Binnelandse Sake;

“goedere” enige produk wat vervaardig of verkoop word of diens wat deur die Staatsdrukkery verskaf word, of enige ander aanvullende diens;

“handelsonderneming” ‘n handelsonderneming omskryf in artikel 1 van die Wet op Openbare Finansiële Bestuur, 1999;

“Hoof- Finansiële Beampte” die Hoof- Finansiële Beampte van die Staatsdrukkery;

“Hoof- Uitvoerende Beampte” die Hoof- Uitvoerende Beampte van die Staatsdrukkery beoog in Kolom 2 van Deel A van Bylae 3 tot die Staatsdienswet, 1994;

“Kabinet” die Kabinet beoog in artikel 91 van die Grondwet van die Republiek van Suid-Afrika, 1996;

“Minister” die Minister van Binnelandse Sake;

“Nasionale Tesourie” beteken die Nasionale Tesourie ingestel kragtens artikel 5 van die Wet op Openbare Finansiële Bestuur, 1999;

“staatsdiens” beteken die staatsdiens beoog in artikel 8 van die Staatsdienswet, 1994;

“openbare instelling” ‘n openbare instelling omskryf in artikel 1 van die Wet op Openbare Finansiële Bestuur, 1999;

“Wet op Openbare Finansiële Bestuur, 1999” die Wet op Openbare Finansiële Bestuur, 1999 (Wet No. 1 van 1999);

“Staatsdienswet, 1994,” die Staatsdienswet, 1994 (afgekondig by Proklamasie Nr. 103 van 1994);

“Raad” die Adviesraad ooreenkomstig paragraaf 5 aangestel;

“regeringskomponent” ‘n regeringskomponent soos omskryf in artikel 1 van die Staatsdienswet, 1994;

“Staatsdrukkery” die regeringskomponent wat in Kolom 1 van Deel A van Bylae 3 tot die Staatsdienswet, 1994, as die Staatsdrukkery geïdentifiseer is;

“werksdag” beteken enige dag anders as Saterdag en Sondag of ‘n openbare vakansiedag soos omskryf in die Wet op Openbare Vakansiedae, 1994 (Wet 36 van 1994).

DEEL 2

Bevoegdhede verleen en pligte opgelê aan Hoof- Uitvoerende Beampte

2.(1) Artikel 8 van die Wet op Pliglewering, 1997 (Wet No. 54 van 1997) verleen direk bevoegdhede aan en lê pligte op die Hoof- Uitvoerende Beampte.

(2) Die Wet op Openbare Finansiële Bestuur, 1999, en die Staatsdienswet, 1994, verleen bevoegdhede aan en lê pligte op die Hoof- Uitvoerende Beampte.

DEEL 3

Funksie van Staatsdrukkery

3.(1) Die funksie van die Staatsdrukkery is om sekuriteitsdrukwerk en aanvullende dienste aan alle staatsorgane in alle regeringsfere te verskaf.

(2) Die Staatsdrukkery voer sy funksie uit onderhewig aan die Minister se algemene leiding.

Voldoening

4. Die Staatsdrukkery moet aan enige toepaslike reg voldoen, en in geval van konflik tussen enige reg en die bepalinge van hierdie Bylae, geld sodanige reg.

DEEL 4

Adviesraad

5.(1) ‘n Adviesraad vir die Staatsdrukkery word hierby ingestel.

(2) Die funksie van die Raad is om die Minister en die Hoof- Uitvoerende Beampte ten opsigte van die bestuur en werkverrigting van die Staatsdrukkery te adviseer, en ten

opsigte van enige ander saak wat die Minister van tyd tot tyd skriftelik kan bepaal, maar die Raad beskik nie oor enige uitvoerende funksies, pligte of bevoegdhede nie.

(3) Die Minister moet Raadslede aan hand van die volgende beginsels aanstel:

(a) aanstellings moet deur die oorheersende beginsel van uitverkiesing gebaseer op meriete beheers word, vasgestel by wyse van 'n waardebeoordeling van -

(i) die funksies en werksaamhede van die Staatsdrukkery;

(ii) die vaardighede wat gesamentlik deur die Raad vereis word, insluitende die toepaslike bekwaamhede, kundigheid en ervaring met betrekking tot die druk- of beeldskeppingsnywerhede en die bestuur en omskepping van 'n besigheid;

(iii) die behoeftes van en die verskeidenheid kliënte van die Staatsdrukkery, insluitende die Department van Binnelandse Sake;

(iv) die kwalifikasies, bekwaamhede, kundigheid en ervaring van elke individuele voornemende kandidaat,

(b) na die aanstelling van die individuele lede moet die Raad die demografie van die Republiek naastenby weerspieël en die meerderheid van lede mag nie werknemers van staatsorgane wees nie.

(4) Die Minister mag nie meer as agt lede in die Raad aanstel nie, uitgesluit die Hoof- Uitvoerende Beampte en die Hoof- Finansiële Beampte wat uit hoofde van hulle amp lede van die Raad is, en moet verteenwoordigers van die Staatsdrukkery se klandisie en die Department van Binnelandse Sake insluit.

(5) Die Minister moet die volgende aanstel:

(a) as Voorsitter van die Raad, enige Raadslid uitgesonderd die Hoof- Uitvoerende Beampte of die Hoof- Finansiële Beampte;

(b) as Voorsitter van enige subkomitee van die Raad, enige Raadslid uitgesonderd die Hoof- Uitvoerende Beampte of die Hoof- Finansiële Beampte;

(6) Die Minister mag nie 'n persoon in die Raad aanstel nie wat -

(a) 'n lid van die Parlement, 'n provinsiale wetgewer, die Kabinet of 'n Adjunk-minister, 'n huis of raad van tradisionele leiers, of 'n munisipale raad is;

(b) nie 'n Suid-Afrikaanse burger of permanente inwoner is nie;

- (c) self of wie se eggenoot of eggenote, lewensmaat, sakevennoot of assosiaat 'n betrekking beklee by of in die diens is van of enige belange hoegenaamd het in 'n maatskappy of ander instelling wat ook drukwerk of verwante dienste lewer of verskaf, of wat goedere verskaf of dienste aan die Staatsdrukkery lewer;
 - (d) onbevoeg is om as Direkteur te dien van 'n maatskappy wat ingevolge die Maatskappyyewet, 1973 Wet 61 van 1973) geïnkorporeer is;
 - (e) in die Republiek of op enige ander plek aan 'n oortreding skuldig bevind is waarby oneerlikheid betrokke was, of aan enige ander oortreding waarvoor sodanige persoon tot tronkstraf sonder keuse van 'n boete gevonnis is; of
 - (f) 'n ongerehabiliteerde insolvent is.
- (7) Enige Raadslid uitgesonderd die Hoof- Uitvoerende Beampte of die Hoof-Finansiële Beampte:
- (a) dien as Raadslid ooreenkomstig die bepalings en voorwaardes wat die Minister na oorlegpleging met die Minister vir die Staatsdiens en Administrasie vasgestel het; en
 - (b) kan bedank deur een maand se skriftelike kennis aan die Minister te gee.
- (8) Die Raad dien vir solank dit die Minister behaag, en die Minister kan te enige tyd:
- (a) die Raad ontbind en 'n nuwe Raad aanstel;
 - (b) die Raadslidmaatskap van 'n individuele Raadslid beëindig,
- maar wanneer die Raad aldus ontbind of die Raadslidmaatskap van 'n individuele Raadslid beëindig word, moet die Minister onmiddellik enige getroffe Raadslid voorsien van skriftelike redes vir die ontbinding of beëindiging, na gelang van die geval.
- (9) Die Minister moet by die aanstelling van die Raad die profiel van die Raadslede op enige gepaste wyse vir openbare inligting publiseer.
- (10) Die Raad beskik oor alle noodsaaklike bevoegdhede vir sy funksionering as 'n adviserende liggaam sonder uitvoerende funksies, pligte of bevoegdhede, en die Raad kan in die besonder -
- (a) onderhewig aan subparagrafe (13) en (14), sy eie subkomitees instel;
 - (b) onmiddellike toegang verkry tot enige inligting waarvoor die Staatsdrukkery beskik, behalwe inligting wat skriftelik van tyd tot tyd deur die Minister aangewys word as inligting wat nie tot hierdie kategorie behoort nie;

- (c) onmiddellike toegang verkry tot enige inligting waaroor die Department van Binnelandse Sake met betrekking tot die Staatsdrukkery beskik, behalwe inligting wat skriftelik van tyd tot tyd deur die Minister aangewys word as inligting wat nie tot hierdie kategorie behoort nie;
 - (d) afskrifte ontvang van enige dokument wat deur die Hoof- Uitvoerende Beampte of die Hoof- Finansiële Beampte ingevolge of kragtens hierdie Kennisgewing voorgelê is aan die Minister of die DG, na gelang van die geval;
 - (e) enige werknemer van die Staatsdrukkery of die Department van Binnelandse Sake versoek om enige vergadering van die Raad of enige van die subkomitees daarvan by te woon en om skriftelike of mondelinge getuienis tydens sodanige vergadering te lewer, en tensy die Minister sodanige persoon skriftelik van die bywoning van daardie vergadering verskoon, moet sodanige werknemer dienooreenkomstig die vergadering bywoon en skriftelike of mondelinge getuienis lewer soos deur die Raad versoek.
- (11) Die Raad kan te enige tyd, met of sonder die instemming of ondersteuning van die Hoof- Uitvoerende Beampte, die Hoof- Finansiële Beampte of die DG, na gelang van die geval, die Minister of Adjunk-minister of die DG direk nader, en enige toepaslike verslag aan enige of aan al daardie persone voorlê aangaande enige aangeleentheid wat met die Raad se funksie verband hou.
- (12) Die Minister kan onderhewig aan subparagraawe (13) en (14) te enige tyd die Raad skriftelik gelas om 'n spesifieke subkomitee in te stel, en die Minister stel die Voorsitter van daardie subkomitee aan, maar dit verhoed nie die Raad om sy eie subkomitees in te stel nie, soos in subparagraaf (10)(a) bepaal.
- (13) Die Raad moet te alle tye subkomitees hê om ten opsigte van die Staatsdrukkery oor audit- en risikobestuurskwessies advies te gee.
- (14) Enige komitee of ander liggaam ten opsigte van 'n regeringskomponent wat deur 'n Parlements-wet of ingevolge of kragtens sekondêre wetgewing ingestel of voorgeskryf word, moet soos voorgeskryf ingestel en bestuur word, maar -
- (a) sodanige komitee of liggaam stel nie 'n subkomitee van die Raad daar nie;

- (b) die Raad het toegang tot enige dokument wat deur of namens sodanige komitee of liggaam opgestel word, tensy die Minister skriftelik anders gelas.
- (15) Die Hoof- Uitvoerende Beampte en die Hoof- Finansiële Beampte kan enige vergadering van die Raad of enige van sy subkomitees bywoon, en hulle moet alle dokumentasie ontvang wat tydens sodanige vergadering ter tafel gelê of versprei word.
- (16) Die Raad bepaal onderhewig aan subparagrafe (17) tot (20) en enige toepaslike reg sy eie vergaderingreëls, -verrigtinge en -prosedures.
- (17) Die Raad moet vir sover as wat dit prakties moontlik is enige beleid, kode, protokol, riglyn of soortgelyke dokument oor bestuur of etiek in die openbare sektor wat deur die Kabinet goedgekeur is, nakom, sonder om op enige manier aan die bepalinge van enige toepaslike reg afbreuk te doen.
- (18) Die vergaderings, notules en verslae van die Raad of enige van sy subkomitees is vertroulik tensy -
- (a) die Minister of die Voorsitter van die Raad skriftelik anders gelas; of
 - (b) geen strategiese of handelsbelange van die Staatsdrukkery of die Departement van Binnelandse Sake waarskynlik in gedrang sal kom indien dit gepubliseer word nie.
- (19) Die Raad stem nie oor sake wat voor hom dien nie, maar moet daarna streef om advies aan die Minister of die Hoof- Uitvoerende Beampte te lewer wat gegrond is op genoegsame eenstemmigheid, waarvan die Hoof- Uitvoerende Beampte en die Hoof- Finansiële Beampte uitgesluit is. Indien 'n individuele Raadslid uitgesonderd die Hoof- Uitvoerende Beampte of die Hoof- Finansiële Beampte ernstig verskil van wat die Raad se eenstemmigheid blyk te wees, kan hy of sy sy of haar meningsverskil laat notuleer asook die redes vir sodanige meningsverskil, en sodanige meningsverskil moet by enige verslag oor die betrokke saak aan die Minister, Adjunk-minister, DG of Hoof- Uitvoerende Beampte, na gelang van die geval, ingesluit word.
- (20) Die Staatsdrukkery moet al die fasiliteite en alle redelike administratiewe, sekretariële en logistieke ondersteuning verskaf wat redelikerwys deur die Raad vereis word, en die Hoof- Uitvoerende Beampte moet na oorlegpleging met die Voorsitter van die Raad 'n spesifieke werknemer van die Staatsdrukkery as Sekretaris van die Raad aanwys.
- (21) Die Staatsdrukkery is verantwoordelik vir en die Hoof- Uitvoerende Beampte is aanspreeklik ten opsigte van die Raad se uitgawes.

(22) Die Hoof- Uitvoerende Beampte en die Hoof- Finansiële Beampte maak nie in afwesigheid van ander lede die Raad uit nie.

(23) Geen vergoeding is aan enige werknemer van 'n staatsorgaan ten opsigte van sy of haar Raadslidmaatskap betaalbaar nie, maar die Hoof- Uitvoerende Beampte kan vir enige doel wat direk met enige Raadsbedrywigheid verband hou, alle raadslede ten opsigte van enige redelike reis-, parkeer-, akkommodasie- en onderhoudskoste vergoed wat redelikerwys aangegaan is.

Verantwoordelikhede van en beperkings op Raadslede

6.(1) 'n Lid van die Raad, insluitend die Hoof- Uitvoerende Beampte en die Hoof- Finansiële Beampte, wat te enige tyd tydens sy of haar dienstryd om enige van die redes beoog in paragraaf 5(6) as lid van die Raad onbevoeg word -

- (a) moet onmiddellik die Minister en die Voorsitter van die Raad skriftelik van daardie onbevoegdheid in kennis stel, en die Minister moet dan daardie lid onverwyld van die Raad verwyder; en
- (b) het nie die reg om 'n Raadsvergadering by te woon nie vanaf die oomblik wat hy of sy onbevoeg word totdat hy of sy deur die Minister verwyder word.

(2) 'n Lid van die Raad wat op enige manier, direk of indirek, belange in 'n transaksie of projek van die Staatsdrukkery bekom of van voorneme is om dit te bekom, moet die aard van sy of haar belange of voorneme onmiddellik skriftelik aan die Voorsitter openbaar, of indien daardie lid die Voorsitter is, aan die Minister, asook aan die Raad tydens die volgende Raadsvergadering.

(3) Die openbaring aan die Raad soos in subparagraaf (2) beoog moet in die notule van die vergadering aangeteken word.

(4) 'n Lid van die Raad wat 'n belang bekom het of van voorneme is om 'n belang te bekom soos in subparagraaf (2) beoog, mag aan geen bespreking of oorweging van die Raad deelneem nie wat verband hou met daardie transaksie of projek wat in subparagraaf (2) beoog is.

Verslagdoeningsvereistes ten opsigte van Raad

- 7.(1) Indien die Minister skriftelik die Raad se advies oor 'n spesifieke kwessie versoek het, moet die Raad so spoedig as wat prakties moontlik is 'n verslag met die Raad se advies daarin vervat aan die Minister voorlê.
- (2) Die Raad moet so dikwels as wat hy dit nodig ag 'n verslag oor sy advies of bedrywighede aan die Minister voorlê, ongeag of die Minister uitdruklik sodanige advies versoek het al dan nie.
- (3) Die Raad moet enige mondelinge advies wat gegee is aan die Hoof- Uitvoerende Beampte of die Hoof- Finansiële Beampte, na gelang van die geval, in die notule van die Raadsvergadering aanteken.
- (4) Die Hoof- Uitvoerende Beampte moet die notule van elke Raadsvergadering binne 10 werksdae nadat daardie notule deur die Raad goedgekeur is, aan die DG deurstuur.

DEEL 5**Verslagdoeningsvereistes van Hoof- Uitvoerende Beampte en verantwoordelikhede van DG**

- 8.(1) Die bepalings van hierdie paragraaf stel die DG in geen opsig kwyt daarvan om aan al die tersaaklike bepalings van die Wet op Openbare Finansiële Bestuur, 1999, of enige ander reg oor of ten opsigte van verslagdoeningsvereistes te voldoen nie.
- (2) Die Hoof- Uitvoerende Beampte moet-
- (a) onverwyld na ontvangs van 'n skriftelike versoek deur die Minister of Adjunk-minister om toegang tot inligting gehou deur die Staatsdrukkery, die Hoof- Uitvoerende Beampte of die Raad, alle inligting wat versoek is of wat tersaaklik kan wees, onverwyld voorlê aan die Minister of Adjunk-minister, na gelang van die geval;
 - (b) kwartaalliks 'n verslag aan die Minister voorlê waarin alle gevalle opgeteken is waar hy of sy 'n plig of 'n bevoegdheid kragtens of ingevolge 'n delegasie van die Minister nagekom of uitgeoefen het, asook al die gevalle waar 'n persoon aan wie die Hoof- Uitvoerende Beampte

sodanige bevoegdheid of plig verder gedelegeer het, aldus sodanige plig nagekom of bevoegdheid uitgeoefen het.

(3) Die DG hou toesig oor die werksaamhede van die Staatsdrukkery vir doeleindes van -

- (a) die ondersteuning, bevordering en implementering van toepaslike Regeringsbeleid sowel as die Minister se strategiese visie ten opsigte van sy of haar portefeulje; en
- (b) raadgewing aan die Minister ten opsigte van beleidsimplementering, werksverrigting, geïntegreerde beplanning, die begroting en dienslewering, en die doeltreffende, ekonomiese en effektiewe gebruik van hulpbronne deur of ten opsigte van die Staatsdrukkery,

maar die DG het geen verdere funksies, pligte, bevoegdhede, verantwoordelikhede of aanspreeklikheid ten opsigte van die Staatsdrukkery nie, anders as waarvoor daar in hierdie Kennisgewing voorsiening gemaak word of soos deur die reg of by wet voorgeskryf mag word.

(4) Die Hoof- Uitvoerende Beampte moet die volgende aan die DG voorlê:

- (a) kwartaalliks, alle tersaaklike verslae en werkverrigtingsinligting van die Staatsdrukkery wat die DG in staat sal stel om die Minister te adviseer soos in subparagraaf (3)(b) beoog;
- (b) kwartaalliks, 'n afskrif van die dokument in subparagraaf (2)(b) beoog; en
- (c) jaarliks, die Staatsdrukkery se strategiese plan, jaarverslag en jaarlikse finansiële state,

en die DG mag die Hoof- Uitvoerende Beampte skriftelik ten opsigte van enige verslag of staat wat aldus voorgelê is, ondervra of verdere inligting daaromtrent versoek.

(5) Vir doeleindes van subparagraaf (3) moet die Hoof- Uitvoerende Beampte maandeliks binne 10 werksdae na die einde van 'n kalendermaand skriftelik 'n bedryfs- en werkverrigtingsverslag ten opsigte van daardie maand aan die Voorsitter van die Raad en aan die DG in die vereiste formaat voorlê waarin besonderhede van alle werk wat deur die Staatsdrukkery gedurende daardie maand onderneem is, asook enige ander tersaaklike inligting wat die Voorsitter en DG mag vereis, vervat is. Die formaat kan inligting insluit wat ten opsigte van individuele projekte uiteengesit is, wat die aard van die werk, die naam van die kliënt, die monetêre waarde van die werk asook die hoeveelheid van goedere of dienste tydens die verslagtydperk vervaardig, verskaf of verkoop aandui, ongeag of daardie werk voltooi is, of die betrokke goedere aan die kliënt

gelewer is en of diensvlakkooreenkomste of -standaarde na die Hoof- Uitvoerende Beampte se mening nagekom is.

(6) Indien die DG die Hoof- Uitvoerende Beampte uitnooi om 'n vergadering van die Department van Binnelandse Sake se uitvoerende komitee by te woon, moet die Hoof- Uitvoerende Beampte daaraan gehoor gee, tensy hy of sy ander reeds ander dwingende verpligtinge het, in welke geval die Hoof- Uitvoerende Beampte die DG in kennis moet stel dat hy of sy nie die vergadering sal kan bywoon nie en wie sy of haar verteenwoordiger by die vergadering sal wees.

(7) Die bepalinge van hierdie Kennisgewing doen geensins afbreuk aan die gelyke status wat die DG en die Hoof- Uitvoerende Beampte kragtens of ingevolge die Staatsdienswet, 1994, of die Wet op Openbare Finansiële Bestuur, 1999, as hoofde van 'n departement en van 'n regeringskomponent onderskeidelik geniet nie.

DEEL 6

Finansiële verslagdoeningsreëlings

9. Alle finansiële, beleids- en prosedurereëlings van die Staatsdrukkery waarvoor daar kragtens of ingevolge die Wet op Openbare Finansiële Bestuur, 1999, of enige ander toepaslike reg voorsiening gemaak word, moet op die datum waarop die Staatsdrukkery deur die President van die Republiek as 'n regeringskomponent ingestel word, op dieselfde basis voortgaan as wat van toepassing is op 'n handelsonderneming, en die Staatsdrukkery moet jaarliks enige surplus of tekort, na gelang van die geval, aan die Nasionale Tesourie verklaar en die goedkeuring van die Nasionale Tesourie verkry indien die Staatsdrukkery beoog om die surplus te behou.
