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**GOVERNMENT NOTICES
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**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 1271

28 November 2008

LABOUR RELATIONS ACT, 1995

**FURNITURE BARGAINING COUNCIL: EXTENSION TO NON-PARTIES
OF THE 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 Furniture 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 from08-12-2008..... and for the period ending 30 June 2010.



MINISTER OF LABOUR

WET OP ARBEIDSVERHOUDINGE, 1995**MEUBEL NYWERHEDE BEDINGINGSRAAD: UITBREIDING NA NIE-
PARTYE VAN KOLLEKTIEWE 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 Meubel Nywerhede 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 van08-12-2008..... en vir die tydperk wat op 30 Junie 2010 eindig.



MINISTER VAN ARBEID

SCHEDULE**FURNITURE BARGAINING COUNCIL****COLLECTIVE AGREEMENT**

In accordance with the provisions of the Labour Relations Act 1995 (Act No 66 of 1995), made and entered into by and between the

Furniture, Bedding and Upholstery Manufacturers' Association (FBUMA)

and

Curtain Makers' and Allied Products Association (CMAPA)

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

National Union of Furniture and Allied Workers of South Africa (NUFAWSA)

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

being parties to the Furniture Bargaining Council

to amend the Agreement published under Government Notice No. R. 966 of 12 September 2008 as amended and extended by government notices no. R. 1100 of 17 October 2008.

CHAPTER 1

1. CLAUSE 1: SCOPE OF APPLICATION

Substitute the following for clause 1:

1.1 The terms of this Agreement shall be observed in the Furniture, Bedding, Upholstery and Curtain Manufacturing Industry-

1.1.1 by all employers who are members of the party employers' organisations, which are party to this Agreement and by all employees who are members of the party trade union, which is party to this Agreement, and who are engaged or employed in the Furniture, Bedding, Upholstery and Curtain Manufacturing Industry, respectively;

1.1.2 in the Provinces of Gauteng, North West, Mpumalanga, Limpopo and Free State.

1.2 Notwithstanding the provisions of clause 1.1 the provisions of this Agreement shall-

1.2.1 apply only to employees for whom wages are prescribed in this Agreement and to the employers of such employees;

1.2.2 apply to learners under the Skills Development Act, 1998, or any contracts entered into or any conditions fixed thereunder.

1.3 The following provisions shall not apply to non parties: Clauses 1.1.1, 2 and 3 of Chapter 1, Clause 2.2 of Chapter 2A and items 5.3 and 5.4 of Schedule 1.

1.4 Threshold – Trade union organisational rights

The terms of this Agreement and the application thereof shall be subject to the following in respect of trade union organisational rights threshold:

Any trade union duly registered in terms of section 96 of the Labour Relations Act and that can prove by means of reasonable identification, membership of employees in the Industry that it has a membership of at least 20% of the total number of employees in the Industry, shall be recognised as a sufficiently representative trade union entitled to exercise the rights set out in sections 12, 13 and 15 of the Labour Relations Act. As soon as sufficient representativeness has been proved to the parties, such sufficiently representative trade union shall be entitled to be treated for organisational purposes on an equal and fair footing with the other trade unions who are already members of the Bargaining Council.

2. CLAUSE 2: PERIOD OF OPERATION OF AGREEMENT

Substitute the following for clause 2:

This Agreement shall, in terms of section 31 of the Act, become binding on the above parties on 1 July 2008 and for non-parties on such date as may be fixed by the Minister of Labour in terms of section 32 of the Act and shall remain in force for the period ending 30 June 2010.

SCHEDULE 1**3. CLAUSE 1: LEAVE PAY MONEYS**

- (1) Substitute the following for clause 1:

"1. LEAVE PAY MONEYS

- 1.1 The amount payable by the employer shall be calculated at 5% of the ordinary hours worked by the employee and on the hours which would ordinarily have been worked by the employee on paid public holidays only.
- 1.2 The amount payable for working employers shall be 5% of a foreman's prescribed minimum weekly wage.
- 1.3 No Leave Pay moneys are payable on wages which are payable for overtime wages, Sunday work, allowances and on wages which are payable for sick leave days, study leave days, family responsibility leave days and trade union representative leave days."

- (2) Substitute the following for clause 2:

"2. HOLIDAY BONUS MONEYS

The amount payable by the employer shall be calculated on the ordinary hours worked by the employee and on the hours which would ordinarily have been worked by the employee on paid public holidays only and shall be determined as follows:

- 2.1 10% of the employee's ordinary weekly wages if the employee has lost 20 minutes or less of the full possible number of ordinary hours that the employee is entitled to be paid for in any specific

Agreement signed at Johannesburg on this 17th day of June 2008.



R MTHOMBENI

Chairman



P LUNGA

Vice-Chairman



WA JANSE VAN RENSBURG

General Secretary

**DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID**

No. R. 1265

28 November 2008

HEALTH PROFESSIONS COUNCIL OF SOUTH AFRICA

**REGULATIONS RELATING TO FINES WHICH MAY BE IMPOSED BY A
PROFESSIONAL BOARD AGAINST PRACTITIONERS FOUND GUILTY OF
UNPROFESSIONAL CONDUCT UNDER THE HEALTH PROFESSIONS
ACT, 1974**

The Minister of Health intends under section 42 (1) (d) of the Health Professions Act, 2005 (Act No. 56 of 1974), as amended by Act No. 29 of 2007, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General: Health Private Bag X828, Pretoria, 0001 (for the attention of the Director: Stakeholder Relations and Management), within 3 months of the date of publication of this notice.

SCHEDULE

Definitions

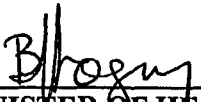
1. In these regulations “**the Act**” means the Health Professions Act (Act No. 56 of 1974), and any word or expression to which a meaning has been assigned in the Act shall have that meaning, unless the context otherwise indicates-

Fines which may be imposed by a professional board

2. A professional board may impose a fine, falling within the minimum and maximum fines stipulated for each category of offences indicated below, against a registered person who has been found guilty in respect of each charge of unprofessional conduct after an enquiry held by such professional board under chapter IV of the Act-

Category of offence	Minimum fine	Maximum fine
(a) Unethical advertising	R 2 500.00	R 10 000.00
(b) Bad Communication	R 3 000.00	R 15 000.00
(c) Supercession	R 1 000.00	R 8 000.00

(d) Itinerant practice	R 2 500.00	R 10 000.00
(e) Improper reports of certificates	R 2 000.00	R 10 000.00
(f) Reputation of colleague	R 1 000.00	R 8 000.00
(g) Overcharging (fees)	R 5 000.00	R 15 000.00
(h) Practising beyond scope/ employ unregistered person	R 5 000.00	R 15 000.00
(i) Refuse Assistance	R 5000.00	R 15 000.00
(j) Overservice	R 20 0000.00	Amount claimed for overservice +5% of such amount
(k) Exposure to danger / harm	R 5 000.00	R 20 000.00
(l) Insufficient Care	R 5 000.00	R 15 000.00
(m) Treatment without consent	R 2 000.00	R 10 000.00
(n) Consulting Room	R 5 000.00	R 15 000.00
(o) Exploitation	R 5 000.00	R 10 000.00
(p) Incompetence	R 10 000.00	R 50 000.00
(q) Negligence	R 20 000.00	R 70 000.00
(r) Fraud	R20 000.00	R 70 000.00
(s) Perverse incentives / kickbacks	R 20 000.00	Amount of incentive +5% of such amount
(t) Criminal conviction	R 10 000.00	R 50 000.00
(u) Prescriptions	R 5 000.00	R 20 000.00
(v) Unacceptable relationship	R 20 000.00	R 50 000.00
(x) Trade in medicine	R 5 000.00	R 15 000.00
(y) Practice models / Juristic person	R 10 000.00	R 30 000.00
(z) Divulging confidential information	R 10 000.00	R 30 000.00
(aa) Defeating or obstructing ends of justice	R 2 500.00	R 10 000.00


 MINISTER OF HEALTH
 DATE: 6/11/2008

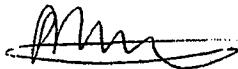
**DEPARTMENT OF LAND AFFAIRS
DEPARTEMENT VAN GRONDSAKE**

No. R. 1264

28 November 2008

**SECTIONAL TITLES ACT, 1986:
AMENDMENT OF REGULATIONS**

I, Lulama Xingwana, Minister for Agriculture and Land Affairs, under section 55 of the Sectional Titles Act, 1986 (Act No. 95 of 1986), after consultation with the sectional titles regulation board, hereby amend the Regulations promulgated by Government Notice No. R.664 of 8 April 1988, as set out in the Schedule hereto.



**L XINGWANA
MINISTER FOR AGRICULTURE AND LAND AFFAIRS**

SCHEDULE**Definitions**

1. In this Schedule "the Regulations" means the regulations promulgated by Government Notice No. R.664 of 8 April 1988 (as corrected by Government Notice No. R.991 of 27 May 1988), as amended by Government Notice No. R.1791 of 3 August 1990, Government Notice No. R.2345 of 5 October 1990 (as corrected by Government Notice No. R.2542 of 2 November 1990), Government Notice No. R.2653 of 8 November 1991 (as corrected by Government Notice No. R.2868 of 6 December 1991), Government Notice No. R.1562 of 12 June 1992, Government Notice No. R.60 of 15 January 1993, Government Notice No. R.1659 of 30 September 1994, Government Notice No. R.1422 of 31 October 1997, Government Notice No. R.1357 of 19 November 1999, Government Notice No. R.830 of 25 August 2000, Government Notice No. R.438 of 13 May 2005 and Government Notice No. R.1109 of 18 November 2005.

Substitution of regulation 16C

2. The Regulations are hereby amended by the substitution for regulation 16C of the following regulation:

"16C. The person who signs a preparation certificate contemplated in regulations 16A(1) or 16B(1) accepts responsibility for the correctness of the undermentioned facts stated in the deeds or documents concerned or which are relevant in connection with the registration or filing thereof, namely –

- (a) that all copies of the deeds or documents intended for execution or registration are identical at the date of lodgment;
- (b) that, in the case of a deed of transfer, certificate of title or certificate of registration, all the applicable conditions of title have been correctly brought forward in that deed of transfer, certificate of title or certificate of registration;
- (c) that, in the case of a document referred to in regulation 16B(1) signed by a person in his or her capacity as executor, trustee, tutor, curator, liquidator, judicial manager or a person in a representative capacity, from perusal of documents evidencing such appointment exhibited to him or her, such person has in fact been appointed in that capacity and acts in accordance with the powers granted to him or her and that any security required has been furnished to the Master of the High Court;
- (d) that, to the best of his or her knowledge and belief and after due enquiry, including but not limited to the examination of supporting documents, has been made –
 - (i) the names, identity number or date of birth and marital status of any natural person being a party to a deed or document, are correctly disclosed in such deed or document and in the case of any other person, its name and registered number, if any, are correctly disclosed in that deed or document;
 - (ii) in the case of a document referred to in regulation 16B(1) –
 - (aa) that unless appointed by special or general power of attorney, the necessary authority has been obtained for the signing of such document in a representative capacity on behalf of a company, close corporation,

- church, association, society, trust, other body of persons or an institution, whether created by statute or otherwise;
- (bb) that the transaction as disclosed therein, is authorized by and in accordance with the constitution, regulations, founding statement or trust instrument of a trust, as the case may be, of any church, association, close corporation, society, trust, other body of persons or any other institution, created by statute or otherwise, other than a company, except a share block company as defined in the Share Blocks Control Act, 1980 (Act 59 of 1980), being a party to such document;
- (cc) the person, entity, body of persons, whether created by statute or otherwise, is entitled to and contractually capable of concluding the transaction disclosed in the deed or document lodged for registration; and
- (e) that, in the case where a person signs the preparation certificate on a deed of transfer, certificate of title, certificate of registration, other deed conveying ownership in land or a sectional mortgage bond, he or she accepts responsibility that the particulars in the deed mentioned in paragraph (d)(i), have been brought forward correctly from the special power of attorney or application relating thereto.”

Amendment of regulation 30

3. The Regulations are hereby amended by the substitution in regulation 30 for subregulation (1) of the following subregulation:

“(1) Subject to subregulations (2) and (3), the management rules as contemplated in section 35(2)(a) of the Act, shall be those rules as set out in Annexure 8 of the Regulations, for which, except in the case of rules 1 to 6 inclusive, rules 10 to 13, inclusive, rule 15(3) and (4), rules 16 to 26, inclusive, rules 28 to 30 and 32 to 45, inclusive, rule 46(1), rules 47 to 56, inclusive, rule 57(1) and rules 59 to 70, inclusive, other rules may be substituted, added to, amended or withdrawn by the developer when submitting an application for the opening of a sectional title register.”

Deletion of regulation 44

4. The Regulations are hereby amended by the deletion of regulation 44.

Amendment of Annexure 1

5. Annexure 1 to the Regulations is hereby amended by the substitution for form V of the following form:

Form V

Registrar's number of Sectional Plan SS

Registrar of Deeds

NOTIFICATION UNDER SECTION 35(5) OF THE SECTIONAL TITLES ACT, 1986

We, and (only two trustees required to sign), the undersigned trustees of the body corporate of the scheme known as, No. situate at **

hereby give notice that on the body corporate made the following rules (set out in the Schedule) which have been initialled by the trustees for identification for the control and management of the buildings:

*(a) Management Rules († in substitution of, addition to, withdrawal of or in amendment of the existing rules).

*(b) Conduct Rules († in substitution of, addition to, withdrawal of or in amendment of the existing rules).

The rules referred to in paragraph (a) have been adopted by unanimous resolution of the members of the body corporate.

The rules referred to in paragraph (b) have been adopted by special resolution of the body corporate.

Address:.....
.....
.....

.....

Trustee

.....

Trustee

.....

Date

Filed at the Office of the Registrar of Deeds at.....
on.....

Signed at on

Registrar of deeds:..... Date:.....
(Seal of Office)

* Particulars not applicable in a particular case must be omitted.

** State name of township/suburb and local authority.

† Particulars not applicable in a particular case must be omitted.

Amendment of Annexure 8

6. Annexure 8 to the Regulations is hereby amended –

(a) by the insertion in rule 29 after subrule (3) of the following subrule:

“(4) The owner of a section is responsible for any excess payment in respect of his or her section payable in terms of a contract of insurance entered into by the body corporate: provided that owners may by special resolution determine that the body corporate is responsible for excess payments in respect of specified damage.”;

(b) by the insertion in rule 31 after subrule (4) of the following subrule:

“(4A) After the expiry of a financial year and until they become liable for contributions in respect of the ensuing financial year, owners are liable for contributions in the same amounts and payable in the same instalments as were due and payable by them during the expired financial year: provided that the trustees may, if they consider it necessary and by written notice to the owners, increase the contributions due by the owners by a maximum of 10 per cent to take account of the anticipated increased liabilities of the body corporate.”;

(c) by the substitution in rule 33 for subrule (1) of the following subrule:

“(1) The trustees may, if the owners by unanimous resolution so decide, effect or remove improvements of a luxurious nature on the common property.”;

(d) by the substitution in rule 33 for paragraph (a) of subrule (2) of the following paragraph:

“(a) Should the trustees wish to effect or remove any improvements to the common property, other than luxurious improvements referred to

in subrule (1), they shall first give written notice of such intention to all the owners and such notice shall -

(i) indicate the intention of the trustees to proceed with the improvement or removal thereof upon the expiry of a period of not less than thirty days reckoned from the date of posting such notice; and

(ii) provide details of the improvement or removal thereof as to -

(aa) the costs thereof;

(bb) the manner in which it is to be financed and the effect upon levies paid by owners; and

(cc) the need, desirability and effect thereof.”;

(e) by the substitution in rule 37 for subrule (1) of the following subrule:

“(1) The trustees shall cause to be prepared, and shall lay before every annual general meeting, for consideration in terms of rule 56(a), a financial statement in conformity with generally accepted accounting practice, which statement shall fairly present the state of affairs of the body corporate and its finances and transactions as at the end of the financial year concerned.”;

(f) by the substitution for rule 38 of the following rule:

“38. The trustees shall further cause to be prepared and shall lay before every annual general meeting a report signed by the chairman reviewing the affairs of the body corporate during the past year, for consideration in terms of rule 56(a).”; and

(g) by the substitution in rule 46 for subrule (1) of the following subrule:

“(1) (a) Notwithstanding anything to the contrary contained in rule 28, and subject to the provisions of section 39(1) of the Act, the trustees may from time to time, and shall if required by a registered mortgagee of 25 per cent of the units or by the members of the body corporate in a general meeting, appoint in terms of a written contract a managing agent to control, manage and administer the common property and the obligations to any public or local authority by the body corporate on behalf of the unit owners, and to exercise such powers and duties as may be entrusted to the managing agent, including the power to collect levies and to appoint a supervisor or caretaker.

(b) A managing agent is appointed for an initial period of one year and thereafter such appointment shall automatically be renewed from year to year unless the body corporate notifies the managing agent to the contrary: provided that notice of termination of the contract may be given by the trustees in accordance

with a resolution taken at a trustee meeting or an ordinary resolution taken at a general meeting.”.

7. These regulations shall come into effect on the date of publication thereof in the *Gazette*.

**WET OP DEELTITELS, 1986:
WYSIGING VAN REGULASIES**

Ek, Lulama Xingwana, Minister vir Landbou en Grondsaak, kragtens artikel 55 van die Wet op Deeltitels, 1986 (Wet No. 95 van 1986), na raadpleging met die deeltitelregulasieraad, wysig hiermee die Regulasies afgekondig by Goewermentskennisgewing No. R.664 van 8 April 1988, soos in die Bylae hiervan uiteengesit.

**L XINGWANA
MINISTER VIR LANDBOU EN GRONDSAAK**

BYLAE

WOORDOMSKRYWINGS

1. In hierdie Bylae beteken "die Regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R.664 van 8 April 1988, (soos verbeter deur Goewermentskennisgewing No. R.991 van 27 Mei 1988), en gewysig by Goewermentskennisgewing No. R.1791 van 3 Augustus 1990, Goewermentskennisgewing No. R.2345 van 5 Oktober 1990 (soos verbeter deur Goewermentskennisgewing No. R.2542 van 2 November 1990), Goewermentskennisgewing No. R.2653 van 8 November 1991, (soos verbeter deur Goewermentskennisgewing No. R.2868 van 6 Desember 1991), Goewermentskennisgewing No. R.1562 van 12 Junie 1992, Goewermentskennisgewing No. R.60 van 15 Januarie 1993, Goewermentskennisgewing No. R.1659 van 30 September 1994, Goewermentskennisgewing No. R.1422 van 31 Oktober 1997, Goewermentskennisgewing No. R.1357 van 19 November 1999, Goewermentskennisgewing No. R.830 van 25 Augustus 2000, Goewermentskennisgewing No. R.438 van 13 Mei 2005 en Goewermentskennisgewing No. R.1109 van 18 November 2005.

Vervanging van regulasie 16C

2. Die Regulasies word hierby gewysig deur regulasie 16C deur die volgende regulasie te vervang:

"16C. Die persoon wat 'n opstellingcertifikaat soos bedoel in regulasie 16A(1) of 16B(1) onderteken, aanvaar verantwoordelikheid vir die korrektheid van ondergenoemde feite wat in die betrokke aktes of dokumente vermeld word of wat relevant is met betrekking tot die registrasie of liassing daarvan, naamlik -

- (a) dat alle afskrifte van die aktes of dokumente wat bestem is vir verlyding of registrasie op die datum van indiening identies is;
- (b) dat, in die geval van 'n transportakte, titelsertifikaat of sertifikaat van registrasie, al die toepaslike titelvoorwaardes korrek oorgedra is in daardie transportakte, titelsertifikaat of sertifikaat van registrasie;
- (c) dat, in die geval van 'n dokument bedoel in regulasie 16B(1) wat onderteken is deur 'n persoon in sy of haar hoedanigheid van eksekuteur, trustee, voog, kurator, likwidateur, geregtelike bestuurder of 'n persoon in 'n verteenwoordigende hoedanigheid, uit ondersoek van dokumente wat aan hom of haar getoon is ter staving van sodanige aanstelling, sodanige persoon inderdaad in daardie hoedanigheid aangestel is en handel in ooreenstemming met die magte wat aan hom of haar verleen is en dat enige vereiste sekerheidstellings by die Meester van die Hoë Hof gestel is;
- (d) dat, na sy of haar beste wete en oortuiging en nadat behoorlik navraag gedoen is, met die insluiting van maar nie beperk nie tot die ondersoek van die ondersteunende dokumentasie -
 - (i) die name, identiteitsnommer of geboortedatum en huwelikstaats van 'n natuurlik persoon wat 'n party by 'n akte of dokument is, korrek weergegee is in sodanige akte of dokument en in die geval van enige ander persoon, die naam en registrasie-nommer, indien enige, korrek weergegee is in daardie akte of dokument;
 - (ii) in die geval van 'n dokument bedoel in regulasie 16B(1) -
 - (aa) dat, tensy aangestel deur spesiale of algemene prokurasie, die nodige magtiging verkry is vir die ondertekening van sodanige dokument in 'n verteenwoordigende hoedanigheid ten behoeve van 'n maatskappy, beslote korporasie, kerk, vereniging, genootskap, trust, ander liggaam van persone of 'n instelling, hetsy geskep kragtens wet of andersins;

- (bb) dat die transaksie soos dit daaruit blyk, gemagtig en in ooreenstemming is met die konstitusie, regulasies, stigtingsverklaring of trustdokument van 'n trust, na gelang van die geval, van enige kerk, vereniging, beslote korporasie, genootskap, trust, ander liggaam van persone of 'n ander instelling, geskep kragtens wet of andersins, as 'n maatskappy, behalwe 'n aandeleblok-maatskappy soos omskryf in die Wet op die Beheer van Aandeleblokke, 1980 (Wet 59 van 1980), wat 'n party by sodanige dokument is;
- (cc) die persoon, entiteit, liggaam van persone, hetsy geskep kragtens wet of andersins, geregtig is op en kontraktueel bevoeg is om die transaksie wat geopenbaar is in die akte of dokument wat ingedien is vir registrasie, te sluit; en
- (e) dat, in die geval waar 'n persoon die opstelling-sertifikaat op 'n transportakte, titelsertifikaat, sertifikaat van registrasie, ander akte wat eiendomsreg in grond oordra of 'n deelverband onderteken, hy of sy verantwoordelikheid aanvaar dat die besonderhede in die akte in paragraaf (d)(i) genoem, korrek oorgedra is vanaf die spesiale volmag of aansoek in verband daarmee.”.

Wysiging van regulasie 30

3. Die Regulasies word hierby gewysig deur in regulasie 30 subregulasie (1) deur die volgende subregulasie te vervang:

“(1) Onderworpe aan subregulasies (2) en (3) is die bestuursreëls bedoel in artikel 35(2)(a) van die Wet die reëls uiteengesit in Aanhangsel 8 tot die Regulasies, welke reëls, behalwe in die geval van reëls 1 tot en met 6, reëls 10 tot en met 13, reël 15(3) en (4), reëls 16 tot en met 26, reëls 28 tot 30 en 32 tot en met 45, reëls 46(1), reëls 47 tot en met 56, reël 57(1) en reëls 59 tot en met 70 deur die ontwikkelaar deur ander reëls vervang kan word of aangevul, gewysig of herroep kan word wanneer hy 'n aansoek om die opening van 'n deeltitelregister indien.”.

Skraping van regulasie 44

4. Die Regulasies word hierby gewysig deur regulasie 44 te skrap.

Wysiging van Aanhangsel 1

5. Aanhangsel 1 tot die Regulasies word hierby gewysig deur vorm V deur die volgende vorm te vervang:

Vorm V:

Registrateur se nommer van Deelplan SS

Die Registrateur van Aktes

KENNISGEWING INGEVOLGE ARTIKEL 35(5) VAN DIE WET OP DEELTITELS, 1986

Ons, en (slegs twee trustees vereis om te teken), die ondergetekende trustees van die regspersoon van die skema bekend as, No., geleë te**

gee hierby kennis dat die regspersoon op die volgende reëls (in die Bylae uiteengesit) wat deur die trustees vir identifikasie geparafeer is, vir die beheer en bestuur van die geboue gemaak het:

*(a) Bestuursreëls († ter vervanging van, aanvulling tot, herroeping of tot wysiging van die bestaande reëls).

*(b) gedragsreëls († ter vervanging van, aanvulling tot, herroeping of tot wysiging van die bestaande reëls).

Die reëls bedoel in paragraaf (a) is by eenparige besluit van die lede van die regspersoon aanvaar.

Die reëls bedoel in paragraaf (b) is by spesiale besluit van die regspersoon aanvaar.

Adres:
.....
.....

.....

Trustee

.....

Trustee

.....

Datum

Geliasseer in die Kantoor van die Registrateur van Aktes te
.....op

Geteken te op

Registrateur van Aktes: Datum:
(Ampseël)

- * Besonderhede wat nie op 'n bepaalde geval van toepassing is nie moet weggelaat word.
- ** Vermeld naam van dorp/voorstad en plaaslike bestuur.
- † Besonderhede wat nie op 'n bepaalde geval van toepassing is nie moet weggelaat word.

Wysiging van Aanhangsel 8

6. Aanhangsel 8 tot die Regulasies word hierby gewysig -

(a) deur die invoeging in reël 29 na subreël (3) van die volgende subreël:

“(4) Die eienaar van 'n deel is verantwoordelik vir enige bykomende betaling ten opsigte van sy of haar deel wat betaalbaar is ingevolge 'n versekeringskontrak wat aangegaan is deur die regspersoon: met dien verstande dat eienaars by spesiale besluit kan bepaal dat die regspersoon verantwoordelik is vir enige bykomende betalings ten opsigte van spesifieke skade.”;

(b) deur die invoeging in reël 31 na subreël (4) van die volgende subreël:

“(4A) Na verstryking van 'n finansiële jaar en totdat hulle aanspreeklik raak vir bydraes met betrekking tot die daaropvolgende finansiële jaar, is eienaars aanspreeklik vir bydraes tot dieselfde bedrag en betaalbaar in dieselfde paaiemente soos verskuldig en betaalbaar deur hulle gedurende die verstrykte finansiële jaar: met dien verstande dat die trustees, indien hulle dit nodig ag en met skriftelike kennisgewing aan die eienaars, die bydraes verskuldig deur die eienaars met 'n maksimum van 10 persent mag verhoog ten einde die beoogde verhoogde aanspreeklikheid van die regspersoon in berekening te bring.”;

(c) deur die vervanging in reël 33 van subreël (1) deur die volgende subreël:

“(1) Die trustees mag, indien die eienaars by eenparige besluit so besluit, verbeterings van 'n luukse-aard op die gemeenskaplike eiendom aanbring of verwyder.”;

(d) deur die vervanging in reël 33 van paragraaf (a) van subreël (2) deur die volgende paragraaf:

“(a) Indien die trustees begerig is om enige ander verbeterings as die luukseverbeterings in subreël (1) bedoel, op die gemeenskaplike eiendom aan te bring of te verwyder, moet hulle alle eienaars eers skriftelik kennis van sodanige voorneme gee en sodanige kennisgewing moet -

(i) die trustees se voorneme aandui om met die verbetering of verwydering daarvan voort te gaan by

verstryking van 'n tydperk van nie minder nie as dertig dae gereken vanaf die datum waarop die kennisgewing gepos is; en

(ii) die besonderhede verstrekkend van die verbetering of verwydering daarvan ten aansien van -

- (aa) die koste verbonde daaraan;
- (bb) die metode waarop dit gefinansier sal word asook die effek op heffings betaalbaar deur eienaars; en
- (cc) die behoefte, wenslikheid en resultaat daarvan.”;

(e) deur die vervanging in reël 37 van subreël (1) deur die volgende subreël:

“(1) Die trustee moet, ooreenkomstig algemeen aanvaarde rekeningkundige praktyk, 'n finansiële staat waarin die regs persoon se sake, finansies en transaksies soos aan die einde van die betrokke finansiële jaar redelik weerspieël word, laat opstel en sodanige staat vir oorweging kragtens reël 56(a) aan elke algemene jaarvergadering voorlê.”;

(f) deur reël 38 deur die volgende reël te vervang:

“38. Die trustee moet verder 'n verslag, deur die voorsitter onderteken, van die sake van die regs persoon oor die afgelope jaar laat opstel en sodanige verslag vir oorweging kragtens reël 56(a) aan elke algemene jaarvergadering voorlê.”; en

(g) deur die vervanging in reël 46 van subreël (1) deur die volgende subreël:

“(1) (a) Nieteenstaande enigiets tot die teendeel vervat in reël 28, en behoudens die bepalings van artikel 39(1) van die Wet, kan die trustee van tyd tot tyd, en moet indien vereis deur 'n geregistreerde verbandhouer van 25 persent van die eenhede of deur die lede van die regs persoon by 'n algemene vergadering, 'n bestuurder aanstel by wyse van 'n skriftelike kontrak om die gemeenskaplike eiendom asook die verpligtings deur die regs persoon namens die eienaars van eenhede teenoor enige publieke of plaaslike instansie te beheer, te bestuur en te administreer, en om sodanige bevoegdhede en pligte as wat aan die bestuurder toevertrou word, insluitende die bevoegdheid om heffings te vorder en om 'n opsigter of toesighouer aan te stel, uit te oefen.

(b) 'n Bestuurder word vir 'n aanvanklike tydperk van een jaar aangestel en daarna word sodanige aanstelling outomaties hernubaar tensy die bestuurder andersins deur die regs persoon in kennis gestel word: met dien verstande dat kennisgewing van beëindiging van die kontrak deur die trustee gegee mag word ooreenkomstig 'n besluit geneem op 'n trusteesvergadering of 'n gewone besluit geneem op 'n algemene vergadering.”.

7. Hierdie regulasies tree in werking op die datum van publikasie daarvan in die *Staatskoerant*.