

*Numbered Documents*

*Ells. P. L. B. Lewis.*

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THE JOHANNESBURG CHAMBER OF COMMERCE

P.O. BOX 687

JOHANNESBURG

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OUTLINE OF LEGISLATION

AFFECTING

BANTU EMPLOYEES

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Prepared January, 1962.

THE JOHANNESBURG CHAMBER OF COMMERCE

Outline of Legislation affecting Bantu  
Employees

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The following information of interest and practical use to employers of Bantu labour has been made available through the assistance of the Non-European Affairs Department of the City of Johannesburg.

The outline contains the following Sections:

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| (1) Addresses and Telephone numbers of Government and Municipal Departments. | (Furnished by the Municipal Non-European Affairs Department) |
| (2) Tracing a Person who may have been arrested.                             | (Furnished by the Municipal Non-European Affairs Department) |
| (3) Native Labour (Settlement of Disputes) Act.                              | (Furnished by the Department of Labour)                      |
| (4) Bantu Taxation.  | (Furnished by the Bantu Affairs Commissioner)                |
| (5) Unemployment Insurance.  | (Furnished by the Bantu Affairs Commissioner)                |
| (6) Workmen's Compensation.  | (Furnished by the Bantu Affairs Commissioner)                |
| (7) Curfew Regulations.  | (Furnished by the Bantu Affairs Commissioner)                |
| (8) Hints to Employers or Prospective Employers of Native Labour.            | (Furnished by the Municipal Non-European Affairs Department) |

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(1) ADDRESSES AND TELEPHONE NUMBERS OF GOVERNMENT  
AND MUNICIPAL DEPARTMENTS:

Municipal Non-European Affairs Department:

The Registration and Employment Branch of this Department is responsible for all matters relating to influx control, employment, registration of service contracts, issue of daily labourer's, incapacitated, scholar's and visitor's permits and screening of applicants for housing.

The offices under the control of this Branch are -

- (a) Main Registration and Employment Branch, head office, 80, Albert Street, Marshallstown, Johannesburg - (telephone 23-7381).
- (b) Juvenile Employment Section, Room 2, 80, Albert Street, Marshallstown, Johannesburg - (telephone 23-7381).
- (c) Female Employment Section, 1 Polly Street, City and Suburban, Johannesburg - (telephone 22-4126).
- (d) Sub-office, Western Native Township - (telephone 27-1015).
- (e) Sub-office, Orlando - (telephone 981, ext. 111).
- (f) Sub-office, Moroka East - (telephone 980, ext. 421).
- (g) Sub-office, Jabavu - (telephone 980, ext. 421).
- (h) Sub-office, Tladi - (telephone 980, ext. 331).

Bantu Affairs Commissioner:

(a) Market and Bezuidenhout Streets:

(Telephone 33-2701: Extensions to sections)

General Administration and Control  
Civil and Maintenance Courts  
Estates, Registration Births, Marriages and Deaths  
Workmen's Compensation  
Accounts  
Unemployment Insurance  
Immigration, Passports and Permits  
Population Registration (Reference Books)  
Complaints (Domestic, wages and general)  
Maintenance (Deserted wives and children)  
Influx Control Appeals

(b) 10, Delvers Street (opposite the Municipal Non-European  
Affairs Department at 80, Albert Street):

(Telephone 22-3513)

Bantu/... ..

Bantu Taxation  
District Labour Bureau

(c) Carr Street, Fordsburg: (Telephone 33-0731):

Criminal Courts  
Children's Court  
Bantu Welfare, including -

Probation Officers  
Social Benefit Pensions  
Paupers

Bantu Townships:

The telephone numbers given are of the Superintendents in charge.

To telephone an Orlando number from the Johannesburg automatic system, subscribers should dial 981 and for the Kliptown exchange, 980.

*Central Western Jabavu (Nguni area)	Ø Orlando 128 or 149.
*Central Western Jabavu (Sotho area)	Ø 32-3363, Kliptown 421.
*Chiawelo	Ø 23-2000 or Kliptown 56 or 414.
*Dhlamini	Ø As above.
Dube	Ø Orlando 41.
Eastern Native Township	24-2940
*Emdeni	Ø Kliptown 277/8.
George Goch (See Eastern Native Township)	
Jabavu	Ø 32-3363 or Kliptown 421.
(See also Central Western Jabavu)	
*Jabulani	Ø Kliptown 277/8
*Mapetla	Ø 23-2000 or Kliptown 56 or 414.
*Mofolo Village (includes Mofolo North, Central and South)	Ø Kliptown 128 or 149.
*Molapo	Ø 32-3363 or Kliptown 421.
*Moletsane	Ø Kliptown 331/2
Moroka (under construction)	Ø 32-3363 or Kliptown 421.
*Moroka North	Ø As above.
Orlando East	Ø 22-5468 or 32-2285, or Orlando 111.
Orlando West	Ø As above.
Orlando West Extension	Ø Orlando 41.
*Phiri	Ø 23-2000 or Kliptown 56 or 414.
Pimville	Kliptown 9.
*Senaoane	Ø 23-2000 or Kliptown 56 or 414.
*Tladi	Ø Kliptown 331/2.
Western Native Township	27-1015
White City may be either Orlando West or Jabavu.	

\*Zola/.. ..

Ø Kliptown 277/8  
Ø Orlando 128 or 149

(Site and Service may be any of the townships marked \*)

Bantu Men's Hostels:

Denver	25-5600.
Dube	Ø Orlando 41
Eastern Native Township	24-2940
George Goch (See Eastern Native Township Men's Hostel)	
Jabulani (No telephone at present, messages can be left with Superintendent, Central Western Jabavu Township)	
Mai-Mai	22-5772
Nancefield	Ø 22-5469, 32-2285 or Orlando 111
Wemmer	33-3062
Wolhuter	24-2433

Bantu Women's Hostels:

Mofolo    b Orlando 128 or 149  
Wolhuter                                        24-3790

(Telephone numbers marked ø serve more than one Superintendent. It is necessary to give the switchboard operator the house number and the name of the township in order that he can connect callers to the correct Superintendent).

Bantu Resettlement Board:

(Armada House, 261, Bree Street, telephone 22-1355):

Diepkloof Location Superintendent	981, Ext. 101
Meadowlands Location Superintendent	989, Ext. 72/3
Alexandra Township	40-5278 (This is controlled by the Peri-Urban Areas Health Board).

Department of Labour:

Native Labour Officer under the Native Labour  
(Settlement of Disputes) Act. Telephone - 835-8041.

The Department is at 180, Bree Street, P.O. Box 4560,  
Johannesburg.

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(2) TRACING A PERSON WHO MAY HAVE BEEN ARRESTED:

The employer should contact the undermentioned offices in the order given:

- (a) Bantu Affairs Commissioner's Court, Fordsburg. 33-0731  
(Must be contacted between 8 a.m. and 9.30 a.m.)

Marshall Square/.. ..



- (b) Marshall Square 33-2222
- (c) Non-European Affairs Department 23-2101 Ext.48
- (d) Kliptown Court and ask to speak to  
the Municipal Prosecutors 980 Ext 268

In all instances the Bantu's name and Identity  
number MUST be given.

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(3) NATIVE LABOUR (SETTLEMENT OF DISPUTES) ACT:

The Department of Labour has furnished the following  
information:

"Your attention is drawn to the Proclamation which  
appeared in the Government Gazette of the 30th April, 1954,  
proclaiming the date of coming into operation of the  
remaining Sections of the abovementioned Act and the  
establishment of the Central Native Labour Board as from  
the 1st May, 1954. The Regulations under the Act were  
published in the same Gazette.

Notices also appeared, notifying the establishment  
of Regional Native Labour Committees and the appointment  
of Native Labour Officers. Government Notice No. 160,  
which appeared in the Government Gazette of 28th January,  
1955, notifies the cancellation of the appointment of  
Native Labour Officers at Benoni, Germiston, Krugersdorp  
and Vereeniging and the appointment of one Native Labour  
Officer for the whole of the Witwatersrand Inspectorate.

Your attention is particularly invited to the  
provisions of Sections 6(1) and 8(2) of the Act, which  
prescribe the functions of Native Labour Committees and  
the duties of Native Labour Officers respectively.

In terms of Section 8(2) the following duties are,  
inter alia, assigned to a Native Labour Officer:

- (a) He shall acquaint himself with the wishes, aspirations  
and requirements of employees in the area in respect  
of which he has been appointed;
- (b) he shall maintain close contact with Native  
Commissioners and the Divisional Inspector of  
Labour and keep them advised of any developments  
in that area in regard to Native labour matters;
- (c) he shall, in collaboration with Native Commissioners,  
act as an intermediary between employees in that  
area and their employers; and
- (d) he shall keep the Divisional Inspector and the  
Regional Committee concerned informed of any  
labour dispute which exists or may arise in that  
area, and in collaboration with the said Inspector,

endeavour/.. ..

endeavour to settle any such dispute.

In accordance with the provisions of Section 6(1) a Regional Committee shall in the area in respect of which it has been established endeavour to further the interests of Natives in relation to their employment and for the purpose shall:

- (a) maintain contact with employees with a view to keeping itself informed as to the conditions of employment of employees in its area generally and in particular trades;
- (b) from time to time submit reports to the Divisional Inspector of Labour in regard to any labour disputes which may exist or are, in the opinion of the Committee, likely to arise; and
- (c) assist the Native Labour Officer in his endeavours to effect, in collaboration with the Divisional Inspector of Labour, a settlement of matters which form or might form the subject of a labour dispute.

Bearing in mind the aforesaid duties and functions which devolve upon the Officer and the Committee concerned and having regard to the intention of the Act that the first-named should act as liaison officer between Industry and the existing machinery, I have no doubt that you will readily appreciate the urgent need for close co-operation between all employers of Native labour and the Officer.

In the interests of the successful administration of the Act it is, therefore, essential for employers to keep close observation on the behaviour of Bantu employees in their establishments and to advise the Native Labour Officer immediately of any signs of unrest. It is emphasised that timeous advice will ensure prompt attention from this office and may forestall minor disputes developing into major issues.

Your attention is also directed to Section 9 and in particular sub-section (3) thereof, which visualises the presence of the Central Labour Board in the person of the Native Labour Officer at all meetings of Industrial Councils, Conciliation Boards and the Wage Board wherever conditions of employment involving Bantu are being discussed.

You are also referred to Section 7(1) of the Act which provides that in any establishment where more than twenty employees are employed the employees may, if they so desire, elect a Works Committee with a view to maintaining contact with the Regional Committee established in the area concerned. The procedure prescribed provides that the employees should communicate their desire to their employer, who is then required to convey the request to the Divisional Inspector of Labour, upon whom the responsibility devolves to arrange for the election of the proposed Committee under the Chairmanship of the Native Labour Officer. This method of negotiation has proved itself in many business establishments in the past and the Department is of the opinion that it should form a useful liaison between Committees and employers.

In conclusion/.. ..

In conclusion I wish to mention that the Native Labour Officer is visiting all the larger employers of Native labour systematically and explaining the provisions of the Act in an attempt to give the widest possible publicity thereto. His address is: Arbeidgebou, Bree Street, Johannesburg - telephone 835-8041."

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(4) BANTU TAXATION:

The Bantu Affairs Commissioner, Johannesburg, has made available the following information:

- (a) The basic General Tax, is payable by all adult male Bantu over the age of 18 years, resident in the Republic, unless exempted therefrom, and the rate is R3-50 per calendar year.
- (b) Local Tax: Bantu domiciled in rural Bantu areas (i.e. not urban areas, where even if resident in a township, they are not permanently domiciled), are liable for the payment of Local Tax, at the rate of one Rand for each hut (calculated according to the number of wives) in the area.
- (c) From the 1st January, 1960, an additional General Tax was imposed, which is erroneously described as and commonly known as "Income Tax", upon all Bantu liable for basic general tax, which is an amount calculated according to the earnings for the period July to June of the year preceding the calendar year for which general tax is due; the additional amount so calculated is added to the amount of R3-50 due for general tax, and payable at the same time.
- (d) Additional General Tax is calculated on income exceeding R360 per annum, as follows:

<u>Income:</u>	<u>Additional Tax:</u>
Up to R360	Nil
Over R360 to R480	50c
Over R480 to R600	R2
Over R600 to R720	R3-50
Over R720 to R840	R5
Over R840 -	R5 in respect of the amount of R840 plus R2 in respect of each amount of R120 or portion thereof in excess of R840.

It should be noted that Bantu females, although not liable for the Basic Tax of R3-50, are liable for payment of additional tax, as follows:

<u>Income</u>	<u>Additional Tax</u>
Up to R360	Nil
Over R360 to R480	R2
	Over R480/.. .. .



Income (Continued)

Additional Tax (Continued)

Over R480 -

R2 in respect of the amount of R480 plus R2 in respect of each amount of R120 or portion thereof in excess of R480.

Further, the amounts of additional tax as detailed above, is reduced by the amount of normal, or normal and super Income Tax which the taxpayer is liable to pay under the Income Tax Act in respect of the year of assessment ended 30th June, in the year immediately preceding the calendar year for which additional tax is payable.

- (e) Basic General Tax and Additional Tax, are both payable within three months from the 1st January in each year, but in practise collections continue throughout the year, as no interest is charged for late payments; defaulters are, however, liable to arrest and prosecution after the 1st April each year.

The tax position of any Bantu liable can be ascertained by reference to portion "C" of the Reference Book, where tax payments are represented by receipts in the form of large size stamps.

- (f) Taxable Income: This is determined on cash receipts, excluding payments in kind such as free board and lodging. The separate income of a woman married in or out of community of property, or by Bantu Custom, is not to be added to that of her husband in determining income. Each spouse pays separately on his or her income if in excess of R360.

- (g) Procedure: Additional Tax:

The prescribed forms are:

B.A. 591: Return of Income to be rendered by employer, in respect of Bantu employees who earn more than R360 per annum or an average of R30 per month.

B.A. 592: The return of income by Taxpayer.

The Employers return must be rendered within three months from the 1st January in each calendar year; the onus is on the taxpayer to render a return of income (if liable) not later than the 31st March of each calendar year. The employer is required to supply each employee with a duplicate of form B.A. 591 for the purpose of completing his return of income; determination of tax assessed as payable is notified to the taxpayer by the receiver of tax on form B.A. 593.

- (h) Collection of Taxes: The Tax Collection offices in Johannesburg are at 10, Delvers Street (Postal Address Private Bag 15, Johannesburg, telephone 22-3513) - payment can be made during office hours, and in addition, collections are done at outside points such as Railway Stations and Bus Termini.

In the case/... ..

In the case of firms or factories where large numbers of Bantu are employed, tax collectors will on request visit these places of employment at times and dates to be arranged, to facilitate collections.

This arrangement is recommended for consideration by all employers, to minimise loss of man-hours caused by taxpayers attending personally at the tax offices in Delvers Street.

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(5) UNEMPLOYMENT INSURANCE:

The Bantu Affairs Commissioner, Johannesburg, has made available the following information:

- (a) Bantu employees in certain categories, are contributors to the Unemployment Insurance Fund, and entitled to benefits prescribed in the Act. These do not include:
- (i) Bantu whose earnings including C.O.L.A. does not exceed R546 per annum.
  - (ii) Bantu employed on gold or coal mines receiving from employers food and quarters;
  - (iii) Bantu whose earnings exceed R546 but who are employed outside a municipal area;
  - (iv) Domestic servants in private households;
  - (v) Certain other classes which may be ascertained by referring to the Act.

It may be mentioned that earnings includes cost of living allowance and the value of food and quarters which must be taken into account is prescribed in the regulations.

- (b) Benefits: Employers are required to hand to Bantu contributors on discharge, the Record Card U.F. 74 duly completed, which must be produced at office No. 20 at the Market Street Offices of the Bantu Affairs Commissioner.

The Claims Officer there, who acts on behalf of the Department of Labour, carries out all the required formalities, in collaboration with the Employment Officer of the Local Labour Bureau (Registering Officer, Non-European Affairs Department, 80, Albert Street) with whom Bantu workseekers must first register for employment. The Claims Officer (Office No. 20) investigates the claims, on which if admitted, payment of the prescribed benefits are authorised. These payments are made also at the

Bantu/.. ..

Bantu Affairs Commissioner's Offices. Contributors are advised in regard to procedure, at which times and dates to report to sign the register, and on all other relevant matters.

(c) Conditions re Unemployment Benefits:

Unemployed Bantu claiming benefits are required to be capable of, and available for, work, and must have contributed to the Fund for at least 13 weeks. On reporting to the Claims Officer (Office No. 20) an application for benefits is completed on the prescribed form, from which date the period of unemployment is deemed to commence.

A maximum of 26 weeks benefits is payable in any period of 52 consecutive weeks; no benefits are payable for the first week of unemployment unless the commencement of such period occurs within nine weeks of any previous period of unemployment, but if the unemployment continues into the second week, benefits may be paid in respect of the same number of days during the first week, as the number of days on which the contributors was unemployed during the second week.

If the opinion of the Claims Officer, a contributor has voluntarily left his employment without just cause, or has lost his employment through his own misconduct, he is not entitled to receive benefits during a period of six weeks from the date he lodged his application. This may be reduced by the Claims Officer in special circumstances.

Contributors who refused to accept or to apply for suitable work notified to them by the Employment Officer, or of which they may become aware, or to comply with any specific reasonable direction given by, or on behalf of, the Claims Officer with a view to assisting them to find work also forfeit rights for six weeks or less.

In the case of all contributors in Groups IV - XI "suitable work" is work of a similar class, and in the same group, as the work and group in which the contributors is ordinarily employed and which the contributor is physically able to perform and will not cause undue hardship, or any work in a higher group.

After thirteen weeks the contributor would not be entitled to receive benefits, if he refused any work deemed suitable by the Claims Officer.

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(6) WORKMEN'S COMPENSATION:

The Bantu Affairs Commissioner, Johannesburg, has

made/.. ..



made available the following information:

- (a) Act No. 30 of 1941 applies to Bantu who fall within the definitions of "workman" and the Bantu Affairs Commissioner's Office (No. 8) handles all matters pertaining to claims by Bantu thus representing the Workmen's Compensation Commissioner.

The definition of "accident" giving rise to claims under the Act is "an accident arising out of and in the course of the workmen's employment and resulting in personal injury". Claims must therefore comply with both legal and medical requirements before it can be accepted.

The term "workman" includes nearly all employees engaged in industry, trade, commerce and administration, with specific exceptions, notably domestic servants and farm labourers not employed in connection with power driven machinery.

- (b) Procedure: It is the duty of the workman to report to his employer the occurrence of an accident or a scheduled disease, and it is the duty of the employer to report this on the prescribed form.

In the case of Bantu, the form to be completed is W.C.L. 100, which incorporates both the employers accident report and the first medical report; this completed form should be forwarded to the Bantu Affairs Commissioner, Private Bag 15, Johannesburg, who registers the accident and finalises the claim.

- (c) Payment of Claims: The Compensation Section of the Bantu Affairs Commissioner's Office advises employers of compensation awarded and the prescribed form provides for the insertion by employers of amounts due to the latter as refund for periodical payments which may have been made in the meantime. These are deducted before payment of the balance due direct to the Bantu beneficiary, by the Accounts Section in office No. 5.

Correspondence and enquiries, concerning both employers and Bantu workmen, in all compensation matters, should be addressed to the Bantu Affairs Commissioner, Private Bag 15, Johannesburg. (Telephone 33-2701).

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(7) CURFEW REGULATIONS:

The following information has been made available by the Bantu Affairs Commissioner, Johannesburg:

.. In most areas a Bantu employee who is in a public

place/.. .. .



place between the hours of 10 p.m. and 5 a.m. requires a special pass. In Johannesburg these times are 11 p.m. to 4 a.m. The pass must be signed by the employer and must grant permission to the Bantu by name to proceed from origin to destination, and should be dated. Any special circumstances should be mentioned in the pass.

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(8) HINTS TO EMPLOYERS, OR PROSPECTIVE  
EMPLOYERS, OF NATIVE LABOUR:

A. GENERAL:

The Department operates a Local Labour Bureau in respect of male Bantu workseekers at 80, Albert Street, Marshallstown, and a Local Labour Bureau in respect of Bantu female workseekers at 1 Polly Street, City and Suburban. These labour bureaux were established in terms of regulations promulgated by the Governor General (Government Notice No. 63 of 9th January, 1959), and the aims of these bureaux can briefly be summarised as follows:

- (i) To ensure, insofar as it is possible, that workseekers are placed in the employment for which they are best suited in order to provide the fullest measure of satisfaction to both employer and employee;
- (ii) To secure the co-operation of employers and workseekers in connection with the labour bureaux and to promote mutual confidence and goodwill between employer and employee.

B. REPORTING VACANCIES AND LABOUR REQUIREMENTS:

Employers are required to advise the Department of any vacancies that may occur and it should be noted that failure to report a vacancy is an infringement of the law which may result in a heavy fine. Employers should make their labour requirements known at the same time as they report vacancies. All matters of this nature should be addressed to the Employment Officer, Non-European Affairs Department, City Council of Johannesburg, P.O. Box 5382. The telephone numbers of the sections concerned are 23-7381, in the case of male Bantu, and 22-4126 in the case of female Bantu.

The practice of obtaining labour off the streets should be discontinued and instead the required labour should be obtained direct from the labour bureaux of the Department. Facilities exist for the handling of some 1,000 work-seekers per day.

C. THE REFERENCE BOOK:

- (a) Document of Identification: A Bantu's reference book is primarily a document of identification and the mere fact that a Bantu is in

possession/.. ..

possession of a reference book does not entitle him to take up employment in an urban area like Johannesburg.

It is a requirement of the law that all male Bantu of 16 years of age and over should be in possession of a reference book.

(b) Duplicate Reference Books:

In cases where reference books are lost, applicants for duplicate books should submit their applications to the Bantu Affairs Commissioner, Market Street West, Johannesburg. Undue delay in dealing with these applications would be eliminated if applicants could in these instances supply their national identity numbers.

Pending the arrival of a duplicate book from Pretoria, the Bantu Affairs Commissioner will issue a Temporary Identification Certificate on which the Non-European Affairs Department will make the necessary endorsement in respect of the service contract registered. This document should be signed by the employer on the reverse side in the space provided and should be retained by the worker until such time as he is in receipt of his duplicate reference book.

It is absolutely essential that workers report the loss of their reference books and apply for a duplicate without delay. Unofficial documents which are sometimes resorted to in cases where reference books are lost are illegal.

(c) Mutilated Reference Books:

A Bantu may at any time make application for a duplicate reference book if his book is mutilated, soiled or written up in full, and the same procedure as in (b) above is to be adopted.

(d) Monthly Signature:

The employer's name and address and the dates of engagement and discharge should be clearly written in the 'B' section of the employee's reference book and should be signed by the employer monthly before the 7th day of each month. In the case of female Bantu the monthly signature is not required.

(e) Personal Remarks:

It should be noted that it is a contravention of the law to make personal remarks, derogatory or otherwise, about a Bantu in his reference book. The only particulars that may be entered by employers in reference books are those called for by the headings set out in section 'B' of the reference book.

D. ENGAGEMENTS AND DISCHARGES:

- (a) Procedure: In response to an application for labour a suitable workseeker for

the vacancy/.. ..



the vacancy will be sent to the prospective employer for interview. The workseeker will be in possession of form R.129 addressed to the employer concerned, as well as Notification of Engagement (E) and Notification of Discharge (F) Cards.

The employer is required to endorse the R.129 form in the space provided to the effect that he is either desirous or not desirous of employing the workseeker. If he decides to employ bearer he is also required to complete the "E" card in full. He must then hand the completed R.129 form and the completed "E" card to the Bantu and instruct him or her to report to the Department at 80, Albert Street, in the case of males and 1, Polly Street, in the case of females.

The necessary authority for the workseeker concerned to take up employment with the specific employer will be stamped in his or her reference book and the registration of a service contract in respect of such employment is then complete.

Fees are not to be sent in with the "E" card, but can be paid in the usual way. Accounts will be rendered to new employers.

The "F" card should be kept by the employer until his employee leaves his service. Then it should be completed in full and posted to the address printed on the card.

It should be stressed that it is an offence for employers to employ Bantu, whether male or female, without the necessary authority in the 'A' section of the worker's reference book, and employers should, therefore, carefully check whether such an endorsement has in fact been made in the reference book.

- (b) Important: A prospective employer should not take into his employment a Bantu, whether male or female, who has either no endorsement at all in section 'A' of his or her reference book or any of the following endorsements:
- (i) An endorsement stating that the bearer is permitted to take up employment with a specific employer whose name is mentioned. A permission of that kind is not transferable until the bearer has been officially discharged by the employer concerned.
  - (ii) An endorsement stating that the bearer is required to report to the Local Labour Bureau before a certain date which has already expired. In such cases, the prospective employer should first ascertain from the labour bureau whether bearer would still be eligible for employment in the area. This can either be

done/.. ..

done by referring the Bantu concerned to the bureau with a letter offering him employment, or it can be done by telephone.

- (iii) An endorsement stating that the Bantu is registered as a workseeker with the District Labour Bureau, Johannesburg. This Bureau is concerned only with the supply of Bantu labour outside the urban area (Municipal area), but within the district of Johannesburg. A Bantu registered as a workseeker with this bureau is not in possession of any authority to take up employment in the urban area of Johannesburg, and will normally also be in possession of a green card which states that bearer is authorised to take up employment in the non-prescribed area of Johannesburg.
- (iv) An endorsement stating that bearer must report to an office, other than the local labour bureau, within a stipulated time.
- (c) A Bantu who is the holder of an "X" document (or "MX") should not be engaged as he is a foreign Bantu and prohibited from taking up employment in an urban area.

E. NOTIFICATION OF ENGAGEMENT ('E') CARDS AND NOTIFICATION OF DISCHARGE ('F') CARDS:

- (a) Information to be given on the Notification of Engagement ('E') Card:

Employers should note that the 'E' and 'F' cards call for certain important information, which is required to be supplied in full. Much inconvenience and delay can be obviated if the information asked for is adequately supplied, namely:

- (i) Date on which the Bantu is engaged.
- (ii) The type of business or activity in which the Bantu is to be employed, for example:

Factories and Industries  
Building  
Government Departments  
Railways  
Municipalities  
Provincial Administration  
Commerce  
Hotels, Flats and Boarding Houses  
Domestic Service

The employer should quote the category of labour concerned.

- (iii) The actual occupation of the Bantu, e.g. labourer, delivery boy, garden boy.

(iv) Wages/.. .. .



- (iv) Wages payable from the date of the worker's employment. This information should include details of privileges with which he is provided, such as quarters, food, travelling allowances.
  - (v) The residential address of the Bantu must be given in full. This assists the Department and the Bantu Affairs Commissioner's office if the Bantu should die, or suffer severe injury, or otherwise run into trouble, and is also important from a statistical point of view. It is of assistance to the employer in cases of crime or desertion.
  - (vi) Area in which Bantu is employed: When stating this the actual suburb concerned should be given, e.g. Marshallstown, Denver, Rosebank.
  - (vii) Name and Address of Employer: What is required here is the name and address of the actual business and not the name and address of any individual.
  - (viii) Signature of Employer: As legislation requires it to be given, no registration of a service contract can be effected without the full signature of the employer.
- (b) Information to be given on the Notification of Discharge ('F') Card:
- When it comes to completing the 'F' card, the following particulars must be supplied by the employer:
- (i) What has happened to employee - whether the employee has been discharged, has resigned, has died, or has deserted.
  - (ii) The date of the discharge or other event ending the employment must be given accurately, otherwise both employer and employee may be penalised.
  - (iii) Employee's rate of pay on discharge: When a Bantu has worked for a concern for some time his wages have probably increased. This fact should be accurately stated.
  - (iv) The name and address of the employer's business should be given.
  - (v) The Signature of the Employer: Here again, this is essential.
- (c) Duplicate 'F' Cards:

In cases where 'F' cards are lost or mislaid application can be made to the Department for the issue of duplicates,

which/.. ..

which are provided free of charge.

F. EMPLOYEES WHO ARE GRANTED LEAVE:

When a Bantu employee is granted leave by the employer, (which should not exceed a period of 6 months), the 'B' section of his reference book should be endorsed as follows:

"Proceeding on leave to .....  
until .....when he will return to  
my employ.

Date: .....Signature: ....."

The employee can then proceed on leave without reference to this Department or any other office, and provided this endorsement is shown to any authorised officer who may have occasion to inspect his documents, he is free to travel to the destination shown in the endorsement without any further permit, if he or she is a South African Bantu.

All Bantu who are subject to the provisions of Section 12 of the Natives (Urban Areas) Consolidation Act, Act No. 25 of 1945, as amended, (Bantu who were born in areas outside the four provinces of South Africa and South West Africa) are required to report to these offices at 80, Albert Street or 1, Polly Street, as the case may be for recommendation to the Bantu Affairs Commissioner for the purposes of obtaining re-entry permits which are required in terms of the Immigration Regulations, and which is valid for a period of 6 months only. Re-entry permits are not issued by the Bantu Affairs Commissioner in respect of Portuguese East African Bantu.

All Bantu who desire to enter the Protectorates on leave, are in addition also required to apply to the Agent for the High Commission Territories for the necessary permission.

The Registration fee of 2/- per month is payable in respect of all employees who proceed on leave, but no charge is made in respect of Native Services Levy.

G. INTRODUCTION OF BANTU:

- (a) Facilities exist for the introduction of labour from areas outside Johannesburg, provided the Bantu concerned is over 20 years old, and he is required for employment in a category of labour which is in short supply. Personal application should be made at these offices on a prescribed form on which all particulars regarding the Native are required to be recorded. These applications are then submitted to the Regional Employment Commissioner, Witwatersrand Area, for consideration, as his approval to those applications is necessary.
- (b) Procedure is also in existence for the introduction of labour in bulk, in cases where it is not desired to introduce any specific Bantu. As in (a) above personal application should be made and the prospective employer

must/... ..

must be prepared to advance a deposit to cover rail fare and rations to Johannesburg.

- (c) No such application can be made in respect of Bantu born in areas outside the Republic of South Africa and South West Africa (foreign Bantu) as no permission for foreign Bantu to enter the Republic of South Africa for employment purposes in urban areas is ever granted.
- (d) Provision is made in the law for South African Bantu to return to an urban area within a period of 12 months for employment by the employer by whom, and in the class of work in which, they were last employed before leaving the area.
- (e) Members of the public should carefully note that it is a very serious violation of the law to introduce a Bantu into an urban area who is not in possession of the necessary permission. It is always the best policy to make application to this Department in respect of the introduction or re-introduction of Bantu into the area.

#### H. THE EMPLOYMENT OF BANTU IN THE URBAN AREA:

- (a) A foreign Bantu whose service contract in the urban area of Johannesburg has expired is not normally eligible for further employment in the area and applications for further permission in terms of Section 12 of the Act are very rarely granted. Prospective employers of foreign Bantu are requested to make enquiries at this Department, however, when representations may be made to the Bantu Affairs Commissioner, depending on the merits of the case.
- (b) Bantu under the taxable age of 18 years are required to be in possession of the consent of their parents or legal guardian and the Bantu Affairs Commissioner before they can be permitted to take up employment in the urban area.
- (c) Bantu between the ages of 15 and 16 years and who are therefore not yet in possession of reference books, are eligible for employment and a service contract is registered by means of a C.I. document, which is similar to the old service contract which was used before the advent of reference books. The employee's copy of this document must be signed before the 7th day of each month.
- (d) Many employers are under the impression that Bantu who are exempted from the Service Contract Regulations are not required to have permission to seek or take up employment. This impression is erroneous: all

exempted/... ..



exempted Bantu who desire to seek or take up employment should have the necessary permission from this Department.

Provided the fact that they are exempted is clearly endorsed in the 'E' section of their reference books, the monthly signature of the employer is not required, but in order to protect the employee it is essential for the name and address of the employer and the dates of engagement or discharge to be recorded in the 'B' section of the book.

Since the recent amendment of legislation affecting exempted Bantu the classes of Bantu who are still exempted have been considerably reduced.

I. FEES:

The fees payable in respect of the employment of Bantu in an urban area are as follows:

- (a) The Labour Bureau Fee of 2/6 payable at the engagement of an employee. This fee is payable in respect of the engagement of all Bantu whether male or female.
- (b) The Registration Fee of 2/- per month (or 1/- if employment commenced after the 15th of the month). Exempted Bantu and female Bantu are exempt from payment of the Registration Fee, but proof of exemption must be produced in respect of exempted Bantu.
- (c) The Native Services Levy based on the actual days worked per month. The Levy is not payable in respect of female Bantu, bona fide domestic servants or in cases where employers physically provide accommodation approved by the Council.

J. MEDICAL EXAMINATION:

- (a) Facilities exist for the medical examination and vaccination of all Bantu workseekers or workers. This service is entirely free and it should be made use of in the interests of public health. Arrangements can be made at any time for a worker to undergo both a clinical and X-ray examination merely by telephoning the medical officer at 23-7381.
- (b) Compulsory medical examination in respect of all male Bantu workseekers is required.
- (c) In view of the fact that it takes some time to develop X-ray plates in order to read the results of an X-ray examination, workseekers cannot be registered in employment on the same day that they undergo the medical examination.

(d) For/.. ..



- (d) For the general guidance of the public, this Department stipulates that a workseeker should be medically examined and X-rayed at least once a year.

K. LEGAL AND MORAL DUTIES:

- (a) Much inconvenience is suffered by Bantu workers because their employers fail to provide the information required to be stated in section 'B' of the reference book. The name and address of the employer is often scribbled in the book illegibly, whilst in many cases the dates of engagement and discharge are completely omitted. The Bantu concerned has then to return to his last employer in order to have the information properly recorded in his reference book.
- (b) In many other cases employers proceed on leave for lengthy periods without having provided for the monthly signature in their employees' books.
- (c) In order not to pay the monthly registration fee during the period that an employee has been granted leave, many employers discharge the employee concerned and he is then prejudiced in his chances to return to the employer. It should be noted that where a Bantu has been discharged he cannot return to the area without a valid permit which can only be issued by this office, and on arrival in the area he is required to be re-registered.
- (d) Inadequate information supplied on the Notification of Engagement ('E') and Notification of Discharge ('F') cards, the monthly returns and other documents causes a tremendous amount of inconvenience and work not only to the officials of this Department, but also to the employers involved.
- (e) It is not only a legal duty but also a moral and social one for the employing public to strictly adhere to the procedure and regulations in regard to the engagement and discharge of Bantu labour and the co-operation of the public in this matter is earnestly sought.

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