

REPUBLIC
OF
SOUTH AFRICA



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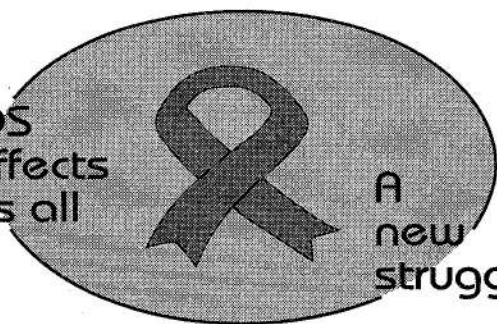
Vol. 410

PRETORIA, 27 AUGUST
AUGUSTUS 1999

No. 20394

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

0800 012 322

DEPARTMENT OF HEALTH

PROCLAMATION
by the
President of the Republic of South Africa

No. R. 92, 1999**SKILLS DEVELOPMENT LEVIES ACT, 1999 (ACT No. 9 OF 1999)**

In terms of section 24 of the Skills Development Levies Act, 1999 (Act No. 9 of 1999), I hereby determine **1 September 1999**, as the date on which the said Act shall take effect.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town, this Eleventh day of August, One thousand Nine hundred and Ninety-nine.

T. M. MBEKI**President**

By Order of the President-in-Cabinet:

T. MANUEL**Minister of the Cabinet**

ISIMEMEZELO
ngu
Mongameli wase Ripabliki Yeningizimu Afrika

No. R. 92, 1999**UMTHETHO WEZIBIZONTELA WOKUTHUTHUKISA AMAKHONO, 1999 (INO. 9 KA 1999)**

Njengokulaya kwesigaba 24 soMthetho weZibizontela wokuthuthukisa aMakhono, 1999 (uMthetho No. 9 ka 1999), ngalokhu ngingquma umhlaka 1 September 1999 njengosuku loMthetho oyoqala ukusebenza ngalo

Kunikwe ngaphansi kweSandla sami neSiqiniseko sase Riphabliki yase Ningizimu Afrika e Pitoli ngo usuku luka nkulungwane amakhulu ayisiShiyagalolunye namashumi ayisiShiyagalolunye nesiShiyagalolunye.

T. M. MBEKI**Umgongameli**

NgoMyalo kaMongameli-kuKhabhinethi:

T. MANUEL**Ungqongqoshe Wekhabhinethi**

GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE
DEPARTEMENT VAN LANDBOU

No. R. 1015**27 August 1999****PLANT IMPROVEMENT ACT, 1976 (ACT No. 53 OF 1976)****REGULATIONS RELATING TO ESTABLISHMENTS, VARIETIES, PLANTS AND PROPAGATING MATERIAL:
AMENDMENT***

The Minister of Agriculture, acting under section 34 of the Plant Improvement Act, 1976 (Act No. 53 of 1976), has made the regulations in the Schedule.

* Substitution of Table 1 of the Regulations.

SCHEDULE**Definition**

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1064 of 23 May 1980, as amended by Government Notices Nos. R. 1621 of 22 July 1983, R. 2173 of 28 September 1984, R. 1287 of 14 June 1985, (as corrected by Government Notice No. R. 1524 of 12 July 1985), R. 1522 of 12 July 1985, R. 256 of 14 February 1986, R. 1489 of 11 July 1986, R. 1903 of 12 September 1986, R. 1389 of 26 June 1987, R. 1700 of 7 August 1987, R. 86 of 22 January 1988, R. 2496 of 9 December 1988, R. 1518 of 14 July 1989, (as corrected by Government Notice No. R. 1976 of 15 September 1989), R. 2092 of 29 September 1989, R. 76 of 18 January 1991, R. 1638 of 12 July 1991 (as corrected by Government Notice No. R. 1971 of 16 August 1991), R. 2119 of 24 July 1992, R. 2618 of 18 September 1992, R. 891 of 28 May 1993, R. 1590 of 27 August 1993, R. 2057 of 29 October 1993, R. 513 of 18 March 1994, R. 1465 of 26 August 1994, R. 174 of 10 February 1995 (as corrected by Government Notice No. R. 319 of 3 March 1995), R. 1976 of 22 December 1995, R. 1177 of 19 July 1996, R. 97 of 24 January 1997, R. 1011 of 1 August 1997, R. 866 of 3 July 1998 (as corrected by Government Notice No. R. 949 of 24 July 1998) and R. 1284 of 16 October 1998.

Substitution of Table 1 of the Regulations

2. The following table is hereby substituted for Table 1 of the Regulations:

No. R. 1015**27 Augustus 1999**

PLANTVERBETERINGSWET, 1976 (WET No. 53 VAN 1976)

REGULASIES MET BETREKKING TOT ONDERNEMINGS, VARIËTEITE, PLANTE EN VOORTPLANTINGSMATERIAAL: WYSIGING*

Die Minister van Landbou, handelende kragtens artikel 34 van die Plantverbeteringswet, 1976 (Wet No. 53 van 1976), het die regulasies in die Bylae uitgevaardig.

* Vervanging van Tabel 1 van die Regulasies.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermmentskennisgewing No. R. 1064 van 23 Mei 1980, soos gewysig deur Goewermmentskennisgewings Nos. R. 1621 van 22 Julie 1983, R. 2173 van 28 September 1984, R. 1287 van 14 Junie 1985, (soos verbeter deur Goewermmentskennisgewing No. R. 1524 van 12 Julie 1985), R. 1522 van 12 Julie 1985, R. 256 van 14 Februarie 1986, R. 1489 van 11 Julie 1986, R. 1903 van 12 September 1986, R. 1389 van 26 Junie 1987, R. 1700 van 7 Augustus 1987, R. 86 van 22 Januarie 1988, R. 2496 van 9 Desember 1988, R. 1518 van 14 Julie 1989, (soos verbeter deur Goewermmentskennisgewing No. R. 1976 van 15 September 1989), R. 2092 van 29 September 1989, R. 76 van 18 Januarie 1991, R. 1638 van 12 Julie 1991 (soos verbeter deur Goewermmentskennisgewing No. R. 1971 van 16 Augustus 1991), R. 2119 van 24 Julie 1992, R. 2618 van 18 September 1992, R. 891 van 28 Mei 1993, R. 1590 van 27 Augustus 1993, R. 2057 van 29 Oktober 1993, R. 513 van 18 Maart 1994, R. 1465 van 26 Augustus 1994, R. 174 van 10 Februarie 1995 (soos verbeter deur Goewermmentskennisgewing No. R. 319 van 3 Maart 1995), R. 1976 van 22 Desember 1995, R. 1177 van 19 Julie 1996, R. 97 van 24 Januarie 1997, R. 1011 van 1 Augustus 1997, R. 866 van 3 Julie 1998 (soos verbeter deur Goewermmentskennisgewing No. R. 949 van 24 Julie 1998) en R. 1284 van 16 Oktober 1998.

Vervanging van Tabel 1 van die Regulasies

2. Tabel 1 van die Regulasies word hierby deur die volgende tabel vervang:

TABLE 1 • TABEL 1
FEES PAYABLE • GELDE BETAALBAAR

No.	Particulars of service/ Aard van diens	Purpose/Doel	Tariff/Tarief
1.	Issuing of export certificate under section 27/Uitreiking van uitvoersertifikaat inge- volg artikel 27	(a) Application for a certificate/Aansoek om 'n sertifikaat [Reg. 45A (2) (a)]	R30,00 per consignment in respect of seed exported/R30,00 per besending ten opsigte van saad wat uitgevoer word.
there-		(b) Inspection and sampling of seed lots/ Ondersoek en monsterneming van saad- lotte [Reg. 45 (3)]	R45,00 for 30 minutes or portion of, including travelling time, spent by each officer on the service/R45,00 vir 30 minute of gedeelte daarvan, reistyd ingesluit, deur elke beampte aan die diens gewy.

No.	Particulars of service/ Aard van diens	Purpose/Doel	Tariff/Tarief
		(c) Purity analysis/Suiwerheidsontleding (d) Germination or viability test/ Ontkemmings- of lewenskragtigheidstoets (e) Varietal examination of samples/Variëteitsonderzoek van monsters (Reg. 45 (3))	R30,00 each/elk. R130,00 each/elk. R80,00 per examination/per ondersoek.
2.	Registration of premises under section 7/Registrasie van persele ingevolge artikel 7	(a) Application for registration of premises in respect of a business/Aansoek om registrasie ten opsigte van 'n besigheid [Reg. 2 (2) (b)] (b) Application for renewal of registration of premises in respect of a business/Aansoek om hernuwing van registrasie van 'n perseel ten opsigte van 'n besigheid [Reg. 3 (2)]	R80,00 for one type of business plus R40,00 for each additional type of business/R80,00 vir een soort besigheid plus R40,00 vir elke bykomende soort besigheid. R80,00 for one type of business plus R40,00 for each additional type of business/R80,00 vir een soort besigheid plus R40,00 vir elke bykomende soort besigheid.
3.	Variety listing/Variëteitslysing	(a) Application fee in respect of the recognition of a variety/Aansoekgeld ten opsigte van die erkenning van 'n variëteit [Reg. 16 (b)] (b) Investigation fee for variety list placement/Ondersoekgeld vir variëteitslysing: [Reg. 17 (1)] (i) Category A (agronomic, vegetable, pasture crops and sweet corn)/Kategorie A (akkerbou-, groente-, weidingsgewasse en suiker mielies) (ii) Category B (white and yellow maize)/Kategorie B (wit- en geelmielies) (iii) Category C (fruit, vines and citrus)/Kategorie C (vrugte, wingerd en sitrus) (c) Application for the alteration or supplementation of the denomination of a variety/Aansoek om die wysiging of aanvulling van die benaming van 'n variëteit (Reg. 20A)	R220,00 each/elk. R880,00 each/elk. R1 100,00 each/elk. R1 320,00 each/elk. R3 300,00 each/elk.
4.	General/Algemeen	(a) Perusal of a document/Insae in 'n dokument [Reg. 52 (1)] (b) Application for a copy of a document/Aansoek om 'n afskrif van 'n dokument [Reg. 52 (3)] (c) Lodgment of appeal against decision, of, or steps taken by the Registrar/Indiening van appèl teen beslissing van, of stappe gedoen deur die Registrateur [Reg. 53 (1) (d)]	R25,00 per occasion/per geleentheid. R5,00 per page/per bladsy. R550,00 each/elk".

No. R. 1016

27 August 1999

AGRICULTURAL PESTS ACT, 1983 (ACT No. 36 OF 1983)

CONTROL MEASURES: AMENDMENT*

I, Angela Thokozile Didiza, Minister of Agriculture, acting under section 6 of the Agricultural Pests Act, 1983 (Act No. 36 of 1983), hereby amend the control measures set out in the Schedule.

A. T. DIDIZA**Minister of Agriculture**

- * To make provision that the sugar-cane variety N35 be released to be kept, planted or cultivated without the authorisation of a permit and to withdraw the sugar-cane variety N34 from Table 4 of the Control Measures.

SCHEDULE**Definition**

1. In this Schedule "the Control Measures" means the control measures published by Government Notice No. R. 110 of 27 January 1984, as amended by Government Notices Nos. R. 909 of 4 May 1984, R. 1770 of 17 August 1984, R. 845 of 12 April 1985, R. 1518 of 12 July 1985, R. 1442 of 11 July 1986, R. 87 of 22 January 1988, R. 1349 of 8 July 1988, R. 1954 of 30 September 1988, R. 2416 of 19 October 1990, R. 18 of 4 January 1991, R. 2840 of 29 November 1991, R. 2269 of 14 August 1992, R. 2876 of 16 October 1992, R. 1560 of 20 August 1993, R. 451 of 11 March 1994, R. 1373 of 5 August 1994, R. 1636 of 27 October 1995, R. 1977 of 22 December 1995, R. 1012 of 1 August 1997, R. 288 of 27 February 1998 and R. 1470 of 20 November 1998.

Amendment of Table 4 of the Control Measures

2. Table 4 of the Control Measures is hereby amended by—
- (a) the insertion in column 1 of the expression N35 after the expression N33; and
 - (b) the deletion of the expression N34 in column 1.

No. R. 1016

27 Augustus 1999

WET OP LANDBOUPPLAE, 1983 (WET No. 36 VAN 1983)

BEHEERMAATREËLS: WYSIGING*

Ek, Angela Thokozile Didiza, Minister van Landbou, handelende kragtens artikel 6 van die Wet op Landbouplae, 1983 (Wet No. 36 van 1983), wysig hierby die beheermaatreëls in die Bylae uiteengesit.

A. T. DIDIZA**Minister van Landbou**

- * Om voorsiening te maak dat die suikerrietvariëteit N35 vrygestel word om sonder magtiging van 'n permit gehou, geplant of gekweek te word en om die suikerrietvariëteit N34 te onttrek uit Tabel 4 van die Beheermaatreëls.

BYLAE**Woordskrywing**

1. In hierdie Bylae beteken "die Beheermaatreëls" die beheermaatreëls gepubliseer in Goewermentskennisgewing No. R. 110 van 27 Januarie 1984, soos gewysig deur Goewermentskennisgewings Nos. R. 909 van 4 Mei 1984, R. 1770 van 17 Augustus 1984, R. 845 van 12 April 1985, R. 1518 van 12 Julie 1985, R. 1442 van 11 Julie 1986, R. 87 van 22 Januarie 1988, R. 1349 van 8 Julie 1988, R. 1954 van 30 September 1988, R. 2416 van 19 Oktober 1990, R. 18 van 4 Januarie 1991, R. 2840 van 29 November 1991, R. 2269 van 14 Augustus 1992, R. 2876 van 16 Oktober 1992, R. 1560 van 20 Augustus 1993, R. 451 van 11 Maart 1994, R. 1373 van 5 Augustus 1994, R. 1636 van 27 Oktober 1995, R. 1977 van 22 Desember 1995, R. 1012 van 1 Augustus 1997, R. 288 van 27 Februarie 1998 en R. 1470 van 20 November 1998.

Wysiging van Tabel 4 van die Beheermaatreëls

2. Tabel 4 van die Beheermaatreëls word hiermee gewysig deur—
- (a) die invoeging van die uitdrukking N35 na die uitdrukking N33 in kolom 1; en
 - (b) die skapping van die uitdrukking N34 in kolom 1.

**DEPARTMENT OF LABOUR
DÉPARTEMENT VAN ARBEID****No. R. 1009****27 August 1999**

LABOUR RELATIONS ACT, 1995

**NATIONAL BARGAINING COUNCIL FOR THE ROAD FREIGHT INDUSTRY: EXTENSION OF PROVIDENT
FUND COLLECTIVE AMENDING AGREEMENT TO NON-PARTIES**

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 Amending Agreement which appears in the Schedule hereto, which was concluded in the National Bargaining Council for the Road freight Industry 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 from 6 September 1999 and for the period ending 29 February 2000.

M. M. S. MDLADLANA, Minister of Labour**SCHEDULE****NATIONAL BARGAINING COUNCIL FOR THE ROAD FREIGHT INDUSTRY
COLLECTIVE PROVIDENT FUND AGREEMENT**

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

Road Freight Employers' Association

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

Motor Transport Workers' Union (South Africa)
South African Transport Workers' Union
Professional Transport Workers' Union of South Africa
Transport and General Workers' Union
African Miners' and Allied Workers' Union
and the
Transport and Allied Workers' Union

(hereinafter referred to as the "employees" or the "trade union"), of the other part,
being the parties to the National Bargaining Council for the Road Freight Industry,

to amend the Agreement published under Government Notice No. R. 921 of 24 July 1998, as amended and extended by Government Notices Nos. R. 210 of 19 February 1999, R. 317 of 19 March 1999 and R. 450 of 16 April 1999.

1. SCOPE OF APPLICATION

- (1) The terms of this Agreement shall be observed in the Road Freight Industry—
 - (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions, and who are engaged and employed in the said Industry, respectively;
 - (b) in the Magisterial Districts of Alberton, Benoni, Boksburg, Brakpan (excluding those portions of the Magisterial Districts of Boksburg and Brakpan which, prior to the publication of Government Notice No. 1779 of 6 November 1964, fell within the Magisterial District of Heidelberg, and excluding those portions of the Magisterial District of Brakpan which, prior to 1 April 1966 and 1 July 1972 (Government Notices Nos. 498 and 871 of 1 April 1966 and 26 May 1972, respectively), fell within the Magisterial District of Nigel], Delmas, Germiston, Johannesburg, Kempton Park [excluding those portions which, prior to 29 March 1956 and 1 November 1970 (Government Notices Nos. 556 and 1618 of 29 March 1956 and 2 October 1970, respectively), fell within the Magisterial District of Pretoria], Krugersdorp [including those portions of the Magisterial Districts of Koster and Brits which, prior to 26 July 1963 and 1 June 1972, respectively (Government Notices Nos. 1105 and 872 of 26 July 1963 and 26 May 1972, respectively), fell within the Magisterial District of Krugersdorp], Oberholzer (excluding that portion of the Magisterial District of Oberholzer which, prior to the publication of Government Notice No. 1745 of 1 September 1978, fell within the Magisterial District of Potchefstroom), Randburg (excluding that portion which, prior to the publication of Government Notice No. 2152 of 22 November 1974, fell within the Magisterial District of Pretoria), Randfontein (including that portion of the Magisterial District of Koster which, prior to the publication of Government Notice No. 1105 of 26 July 1963, fell within the Magisterial District of Randfontein, but excluding the farms Moadowns 1, Holfontein 17, Leeuwpan 18, Ireton 19, Paktiki 20, Bospan 21 and Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging and Westonaria.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only to employees for whom minimum wages are prescribed in the Main Agreement and to the employers of such employees.
- (3) Notwithstanding the provisions of subclause (1), the provisions of this Agreement shall not apply to—
 - (a) an owner who drives his own vehicle and the employees employed in connection with such a vehicle;
 - (b) an employer who operates one vehicle with one driver and the employees employed by such employer;

- (c) an employer who, at the time of publication of Government Notice No. R. 3146 of 20 December 1991, had an existing pension or provident fund registered with the Registrar of Pension Funds covering employees for whom minimum wages are prescribed in the Main Agreement, and the employees of such an employer;
 - (d) an employer who, prior to the publication of Government Notice No. R. 3146 of 20 December 1991, did not have an existing pension or provident fund registered with the Registrar of Pension Funds covering employees for whom minimum wages are prescribed in the Main Agreement, but who, before 1 January 1991, commenced negotiations for the establishment of a pension or provident fund for employees covered by the Main Agreement.
- (4) The provisions of clauses 1 (1) (a) and 2 of this Agreement shall not apply to employers and employees who are not members of the employers' organisation and trade unions who entered into this Agreement.

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 29 February 2000.

3. CLAUSE 7: CONTRIBUTIONS

- (1) Substitute the following for subclause (2) (a):

- (a) Subject to the provisions of paragraph (b), the employer shall pay monthly the total contributions referred to in subclause (1) at the Head Office of the Council on the Fifth Floor, Road Freight House, 31 De Korte Street, Braamfontein, Johannesburg, and shall also submit to the Secretary of the Council at the same address, by not later than the seventh day of the month following the month in which the members' deductions were required to be made, a monthly return with the particulars in the form specified by the Council for this purpose (including each member's full names, surname, date of birth and identification number)."

Signed at Johannesburg, for and on behalf of the parties to the Council, this 14th day of June 1999.

G. F. VAN NIEKERK

Chairman of the Council

J. J. DUBE

Vice-Chairman of the Council

B. S. E. GRATZ

Secretary of the Council

No. R. 1009

27 Augustus 1999

WET OP ARBEIDSVERHOUDINGE, 1995

NASIONALE BEDINGINGSRAAD VIR DIE PADVRAGNYWERHEID: UITBREIDING VAN VOORSORGFONDS KOLLEKTIEWE WYSIGINGSOOREENKOMS NA NIE-PARTYE

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Wysigingsooreenkoms wat in die Bylae hiervan verskyn en wat in die Nasionale Bedingingsraad vir die Padvragnywerheid 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 van 6 September 1999, en vir die tydperk wat op 29 Februarie 2000 eindig.

M. M. S. MDLADLANA, Minister van Arbeid

BYLAE

NASIONALE BEDINGINGSRAAD VIR DIE PADVRAGNYWERHEID KOLLEKTIEWE VOORSORGFONDSOOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, No. 66 van 1995, gesluit deur en aangegaan tussen die

Road Freight Employers' Association

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem) aan die een kant, en die

Motor Transport Workers' Union (South Africa)

South African Transport Workers' Union

Professional Transport Workers' Union of South Africa

Transport and General Workers' Union

African Miners' and Allied Workers' Union

en die

Transport and Allied Workers' Union

(hierna die "werknemers" of die "vakbonde" genoem), aan die ander kant,

wat die partye is by die Nasionale Bedingingsraad vir die Padvragnywerheid,

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 921 van 24 Julie 1998, soos gewysig en verleng by Goewermentskennisgewings Nos. R. 210 van 19 Februarie 1999, R. 317 van 19 Maart 1999 en R. 450 van 16 April 1999.

1. TOEPASSINGSBESTEK

- (1) Hierdie Ooreenkoms moet in die Padvragnywerheid nagekom word—
- deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakbonde is, en wat onderskeidelik by genoemde Nywerheid betrokke en daarin werksaam is;
 - in die landdrosdistrikte Alberton, Benoni, Boksburg, Brakpan [uitgesonderd die gedeeltes van die landdrosdistrikte Boksburg en Brakpan wat voor die publikasie van Goewermenskennisgewing No. 1779 van 6 November 1964 binne die landdrosdistrik Heidelberg geval het, en uitgesonderd die gedeeltes van die landdrosdistrik Brakpan wat voor 1 April 1966 en 1 Julie 1972 (Goewermenskennisgewings Nos. 498 en 871 van onderskeidelik 1 April 1966 en 26 Mei 1972) binne die landdrosdistrik Nigel geval het], Delmas, Germiston, Johannesburg, Kempton Park [uitgesonderd die gedeeltes wat voor 29 Maart 1956 en 1 November 1970 (Goewermenskennisgewings Nos. 556 en 1618 van onderskeidelik 29 Maart 1956 en 2 Oktober 1970) binne die landdrosdistrik Pretoria geval het], Krugersdorp [met inbegrip van die gedeeltes van die landdrosdistrikte Koster en Brits wat onderskeidelik voor 26 Julie 1963 en 1 Junie 1972 (Goewermenskennisgewings Nos. 1105 van 26 Julie 1963 en 872 van 26 Mei 1972) binne die landdrosdistrik Krugersdorp geval het], Oberholzer [uitgesonderd die gedeelte van die landdrosdistrik Oberholzer wat voor die publikasie van Goewermenskennisgewing No. 1745 van 1 September 1978 binne die landdrosdistrik Potchefstroom geval het], Randburg [uitgesonderd die gedeelte wat voor die publikasie van Goewermenskennisgewing No. 2152 van 22 November 1974 binne die landdrosdistrik Pretoria geval het], Randfontein (met inbegrip van die landdrosdistrik Koster wat voor die publikasie van Goewermenskennisgewing No. 1105 van 26 Julie 1963 binne die landdrosdistrik Randfontein geval het, maar uitgesonderd die plase Moadowns 1, Holfontein 17, Leeuwpark 18, Ireton 19, Pahtiki 20, Bospan 21 en Rietfontein 48), Roodepoort, Springs, Vanderbijlpark, Vereeniging, en Westonaria.
- (2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing slegs op werknemers vir wie minimum lone in die Hofooreenkoms voorgeskryf word en op die werkgewers van sodanige werknemers.
- (3) Ondanks subklousule (1) is hierdie Ooreenkoms nie van toepassing nie op—
- 'n eienaar wat sy eie voertuig dryf en die werknemers wat in verband met so 'n voertuig in diens is;
 - 'n werkgewer wat een voertuig met een drywer bedryf en die werknemers in diens van sodanige werkgewer;
 - 'n werkgewer wat, met die inwerkingtreding van Goewermenskennisgewing No. R. 3146 van 20 Desember 1991 oor 'n bestaande pensioen- of voorsorgfonds beskik wat by die Registrateur van Pensioenfondse geregistreer is en werknemers dek vir wie minimum lone in die Hofooreenkoms voorgeskryf word, en op die werknemers van so 'n werkgewer; en
 - 'n werkgewer wat voor die afkondiging van Goewermenskennisgewing No. R. 3146 gedateer 20 Desember 1991 nie oor 'n bestaande pensioen- of voorsorgfonds beskik het nie wat by die Registrateur van Pensioenfondse geregistreer is en werknemers dek vir wie minimum lone in die Hofooreenkoms voorgeskryf word, maar welke werkgewer voor 1 Januarie 1991 begin het met onderhandelings vir die instelling van 'n pensioen- of voorsorgfonds vir werknemers wat deur die Hofooreenkoms gedek word.
- (4) Die bepalinge van klousules 1 (1) (a) en 2 van hierdie Ooreenkoms is nie van toepassing nie op werkgewers en werknemers wat nie lede is van die werkgewersorganisasie en die vakbonde wat die Ooreenkoms aangegaan het nie.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Arbeid ingevolge artikel 32 van die Wet op Arbeidsverhoudinge, 1995, vasstel en bly van krag tot 29 Februarie 2000.

3. KLOUSULE 7: BYDRAES

- (1) Vervang subklousule 2 (a) deur die volgende:
- Behoudens die voorwaardes van paragraaf (b) moet die werkgewer die totale bydraes bedoel in subklousule (1) maandeliks betaal by die Raad, op die Vyfde Verdieping, Road Freight House, De Kortestraat 31, Braamfontein, Johannesburg, en moet daar ook by die Sekretaris van die Raad by dieselfde adres en, nie later nie as die Sewende dag van die maand wat volg op die maand waarin die aftrekking van die lede se bydraes gemaak moes word, 'n maandelikse opgawe ingedien word met die besonderhede in die vorm soos deur die Raad vir hierdie doel gespesifiseer wat insluit die volle naam en van, geboortedatum en identifikasienommer van elke lid.

Vir en namens die partye by die Raad op hede die 14de dag van Junie 1999 te Johannesburg onderteken.

G. F. VAN NIEKERK

Voorsitter van die Raad

J. J. DUBE

Ondervoorsitter van die Raad

B. S. E. GRATZ

Sekretaris van die Raad

No. R. 1017**27 August 1999**

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA:
RENEWAL OF TANNING SECTION COLLECTIVE AGREEMENT**

I, Dennis van der Walt, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32 (6) (a) (ii) of the Labour Relations Act, 1995, declare the provisions of Government Notices No. R. 1318 of 6 November 1998 and R. 287 of 12 March 1999 to be effective from 6 September 1999 and for the period ending 30 June 2000.

DENNIS VAN DER WALT**Director: Collective Bargaining**

UMNYANGO WEZOKUSEBENZA**No. R. 1017****27 August 1999**

UMTHETHO WOBUDLELWANO KWEZEMISENBENZI, KA 1995

**UMKHANDLU WOKUXOXISANA EZIMBONINI ZEZIKHUMBA ENINGIZIMU AFRIKA: UKUVUSELELWA
KWESIVUMELWANO SIKAWONKEWONKE SENGXENYE YOKUSHUKWA KWEZIKHUMBA**

Mina, Dennis van der Walt, uMqondisi: ukuXoxisana kukaWonkewonke, okuvunyelwe nguNgqongqoshe wezokeSebenza, ngokwesigaba 32 (6) (a) (ii) soMthetho wobuDlelwano kwezeMisebenzi, ka 1995, ngimemezela imithetho kaHulumeni enguNombolo R. 1318 womhlaka 6 Novemba 1998 No. R. 287 womhlaka 12 Mashi 1999 ukuthi iqale ukusebenza mhla ziwu 6 uSeptemba 1999 kuze kufinyelele esikhathini esiyophela ngoMhlaka 30 Juni 2000.

DENNIS VAN DER WALT**Umqondisi: Ukuxoxisana Kukawonkwewonke****No. R. 1018****27 August 1999**

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA:
RENEWAL OF SICK BENEFIT FUND COLLECTIVE AGREEMENT**

I, Dennis van der Walt, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32 (6) (a) (ii) of the Labour Relations Act, 1995, declare the provisions of Government Notices No. R. 1319 of 6 November 1998 and R. 289 of 12 March 1999 to be effective from 6 September 1999 and for the period ending 10 May 2000.

DENNIS VAN DER WALT**Director: Collective Bargaining****No. R. 1018****27 August 1999**

UMTHETHO WOBUDLELWANO KWEZEMISENBENZI, KA 1995

**UMKHANDLU WOKUXOXISANA EZIMBONINI ZEZIKHUMBA ENINGIZIMU AFRIKA: UKUVUSELELWA
KWESIVUMELWANO SIKAWONKEWONKE SESIKHWAMA ZOKUZUZISA ABAGULAYO**

Mina, Dennis van der Walt, uMqondisi: ukuXoxisana kukaWonkewonke, okuvunyelwe nguNgqongqoshe wezokeSebenza, ngokwesigaba 32 (6) (a) (ii) soMthetho wobuDlelwano kwezeMisebenzi, ka 1995, ngimemezela imithetho kaHulumeni enguNombolo R. 1319 womhlaka 6 Novemba 1998 No. R. 289 womhlaka 12 Mashi 1999 ukuthi iqale ukusebenza mhla ziwu 6 uSeptemba 1999 kuze kufinyelele esikhathini esiyophela ngoMhlaka 10 Meyi 2000.

DENNIS VAN DER WALT**Umqondisi: Ukuxoxisana Kukawonkwewonke**

No. R. 1023**27 August 1999**

LABOUR RELATIONS ACT, 1995

NATIONAL BARGAINING COUNCIL FOR THE ELECTRICAL INDUSTRY OF SOUTH AFRICA: RENEWAL OF COLLECTIVE AGREEMENT FOR KWAZULU-NATAL REGION

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby, in terms of section 32 (6) (a) (ii) of the Labour Relations Act, 1995, declare the provisions of Government Notice No. R. 1406 of 6 November 1998, to be effective from 6 September 1999 and for the period ending 31 March 2000.

M. M. S. MDLADLANA

Minister of Labour

No. R. 1023**27 Augustus 1999**

WET OP ARBEIDSVERHOUDINGE, 1995

NASIONALE BEDINGINGSRAAD VIR DIE ELEKTROTEGNIJSE NYWERHEID VAN SUID-AFRIKA: HERNUWING VAN KOLLEKTIEWE OOREENKOMS VIR DIE KWAZULU-NATAL STREEK

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby kragtens artikel 32 (6) (a) (ii) van die Wet op Arbeidsverhoudinge, 1995, dat die bepalings van Goewermentskennisgewing No. R. 1406 van 6 November 1998, van krag is met ingang van 6 September 1999 en vir die tydperk wat op 31 Maart 2000 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

No. R. 1024**27 August 1999**

LABOUR RELATIONS ACT, 1995

ELECTRICAL INDUSTRY OF SOUTH AFRICA: EXTENSION OF COLLECTIVE AMENDING AGREEMENT FOR KWAZULU-NATAL REGION TO NON-PARTIES

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 Amending Agreement which appears in the Schedule hereto, which was concluded in the National Bargaining Council for the Electrical Industry of South Africa and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Amending Agreement, shall be binding on the other employers and employees in that Industry, with effect from 6 September 1999, and for the period ending 31 March 2000.

M. M. S. MDLADLANA

Minister of Labour

No. R. 1024**27 Augustus 1999**

WET OP ARBEIDSVERHOUDINGE, 1995

ELEKTROTEGNIJSE NYWERHEID VAN SUID-AFRIKA: UITBREIDING VAN KOLLEKTIEWE WYSIGINGSOOREENKOMS VIR KWAZULU-NATAL STREEK NA NIE-PARTYE

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Wysigingsooreenkoms wat in die Bylae hierby verskyn en wat in die Nasionale-bedingingsraad vir die Elektrotegniese Nywerheid van Suid-Afrika aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Wysigingsooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 6 September 1999, en vir die tydperk wat op 31 Maart 2000 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

Nota: 'n Afrikaanse vertaling van die Bylae by die Engelse kennisgewing is beskikbaar by die Raad.

SCHEDULE**NATIONAL BARGAINING COUNCIL FOR THE ELECTRICAL INDUSTRY OF SOUTH AFRICA****COLLECTIVE AGREEMENT KWAZULU-NATAL (REGION C)**

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

Electrical Contractors' Association (South Africa)

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

South African Electrical workers' Association**Metal and Electrical Workers' Union of South Africa**

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

being the parties to the Bargaining Council for the Electrical Industry of South Africa, to amend the Agreement published under Government Notice No. R. 1406 of 6 November 1998.

PART I**1. SCOPE OF APPLICATION**

(1) The terms of this Agreement shall be observed by all employers and employees in the Electrical Industry who are members of the employers' organisation and trade unions, who are engaged or employed in the Industry in the Province of KwaZulu-Natal excluding any portions of that area falling within the former self-governing territory of KwaZulu; as it existed prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993).

(2) Notwithstanding the provision of subclause (1), the terms of this Agreement shall apply to apprentices and trainees only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any condition specified or any notices served in terms thereof.

(3) For the purpose of this Agreement, the "weekly wage rate" of apprentices prescribed under the Manpower Training Act, 1981, shall be taken to be the weekly wage of such employees, and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

2. PERIOD OF OPERATION

This Agreement shall come into operation on the date 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 2000.

3. EXCEPTIONS

The provisions of this Agreement shall not apply to non-parties in respect of clauses 1 (1) and 2, 2 of part 1 of this Agreement.

4. CLAUSE 5: DEFINITIONS

(1) Substitute the following for the existing definition of 'Area B':

"**'Area B'** means the Province of KwaZulu-Natal, excluding any portions of that area falling within the former self-governing territory of KwaZulu-Natal, as it existed prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993) and excluding those Magisterial Districts in the Province of KwaZulu-Natal which are included in the definition of 'Area A';"

(2) Substitute the following for the existing definition of "Council":

"**'Council'** means the National Bargaining Council for the Electrical Industry of South Africa (KwaZulu-Natal Region)."

(3) Insert the following new definition after the definition of "domestic appliance repairer":

"**'domestic electrical installer'** means—

- (a) the installation, inspection and testing of installations in dwellings not exceeding 80 m² in area, with the electrical installation to be limited to a maximum of a 60 amp single-phase supply and to comprise the installation of a single-phase distribution board or a redi board, lights, excluding low-voltage lighting, socket outlets, a stove and a water heater up to a maximum of 3 kW;
- (b) a person registered as an accredited person in terms of regulation 9 of the Electrical Installation Regulations, 1992, so as to permit him to verify and certify the construction, testing and inspection of the electrical installations described in (a) above;
- (c) a person who has either—
 - (i) successfully passed the prescribed test to qualify as an Elconop 3; and obtained a minimum of 2 (two) years' post-qualification experience as an Elconop 3; and successfully passed a practical test accredited by the Electrical Contracting Industries Training Board to prove competence at being able to undertake the duties listed in (a) above; and successfully passed a theoretical test accredited by the ECITB on those provisions of the Code of Practice for the wiring of premises (SABS 0142) relating to single-phase installations; or

- (ii) (aa) provided documentary evidence of at least 10 years' relevant practical experience relating to single-phase installations; and
- (ab) successfully passed a practical test accredited by the ECITB to prove competence at being able to undertake the duties listed in (aa) above; and
- (ac) successfully passed a theoretical test accredited by the ECITB on those provisions of the Code of Practice for the wiring of premises (SABSS 0142) relating to single-phase installations;".

(4) Insert the following new definition after the definition of "driver":

"electrical assistant" means an employee who is engaged in any or all of the following tasks:

- (a) Digging holes and trenches, planting poles and laying cables in trenches;
- (b) chasing and cutting walls and concrete floors for conduit;
- (c) loading or unloading materials;
- (d) stripping redundant installations and equipment incidental thereto from which the supply cables have been removed;
- (e) cleaning office and workshop areas;
- (f) preparing refreshments;
- (g) assisting a master installation electrician, an installation electrician, an electrical tester for single phase, a domestic electrical installer, an electrician and an Elconop 1, Elconop 2 or Elconop 3, but not to perform any work individually except as set out in (a) to (f) above: Provided that should an employee produce a certificate of service issued in terms of clause 43 of Part 1 of the Agreement or other evidence acceptable to the Council indicating that he was previously employed in the Industry as an Elconop 1, he shall be employed as not less than an Elconop 1,

and the terms and conditions of employment of the electrical assistant shall be identical to those of the previous definition of 'labourer';"

(5) In the definition of "electrical construction operator, Level 1", substitute the following for paragraph (i):

"(i) the work of an electrical assistant and general worker;".

(6) In the definition of "electrical construction operation, Level 2", substitute the following for paragraph (h):

"(h) the work of an electrical assistant, general worker or Elconop 1;".

(7) Insert the following new definition after the definition of "foreman":

"general worker" means an employee who is engaged in any or all of the following tasks:

- (a) Loading or unloading materials;
- (b) digging holes and trenches, planting poles and laying cables in trenches;
- (c) cleaning office and workshop areas;
- (d) preparing refreshments;
- (e) chasing and cutting walls and concrete floors for conduit;
- (f) stripping redundant installations and equipment incidental thereto from which the supply cables have been removed; and

a general worker shall be employed on the following terms and conditions:

- (a) An employer shall have at least one electrical assistant in his employ before he may employ a general worker;
- (b) a general worker may only be employed to perform the work described in paragraph (a) above;
- (c) the minimum rate of wages shall be not less than 70% of the prescribed rate of wages specified in the Agreement for an electrical assistant in the area where the general worker is employed;
- (d) the working hours shall be the normal working hours of the establishment;
- (e) any overtime worked by a general worker on a normal working day or a Saturday, Sunday or Public Holiday shall be paid in accordance with the provisions of the Agreement;
- (f) a general worker may be employed for not more than 12 months, whereafter his services must either be terminated or he must be offered employment as an electrical assistant on the terms and conditions specified in the Agreement;
- (g) from the commencement of employment of the general worker he shall be reflected in the wage register and UIF returns of the employer and the employer shall at all times ensure that the general worker is covered by the Compensation for Occupational, Injuries and Diseases Act, 1993;
- (h) all applicable contributions and subscriptions in terms of the Collective Agreements of the Council shall be payable in respect of all general workers and all such employees shall be included in the Council's monthly return forms;

- (i) the employer shall pay wages due to a general worker weekly; and where the services of a general worker are terminated before the normal payday as set out herein, he shall be paid all remuneration due to him on termination of employment;".
- (8) Delete the definition of "labourer".
- (9) Delete the definition of "temporary labourer".

5. CLAUSE 7: DAYS AND HOURS OF WORK

Substitute the following for subclause (2):

- "(2) An employer may, to facilitate the keeping of a record of the starting and stopping time and hours of work of his employees, require them to clock in and out of work and may before paying any employee any wages and/or remuneration for any period not recorded by the clock, require that an employee show satisfactory proof of having been at work: Provided that an employee shall be paid in terms of this Agreement for any time recorded by the clock which falls within the starting and finishing time of the shift for that day of the week, excluding meal intervals as notified by the employer to his employees in terms of clause 45 (3) of this Part and for all time which he is required by the employer to work which does not fall within such starting and finishing times."

6. CLAUSE 8: OVERTIME AND PAYMENT FOR WORK ON SUNDAYS AND PUBLIC HOLIDAYS

Substitute the following for subclause (2) (d):

- "(d) for paid public holidays which fall on a day on which the employee would ordinarily work in terms of clause 24 (1) (b), his full day's wages plus his normal hourly rate of wages for every hour or part of an hour for the actual time worked on that day;"

7. NEW CLAUSE 9

"9. NIGHT WORK

- "(1) "Night work" means work performed after 18:00 and before 06:00 the next day.
- (2) An employer may only require or permit an employee to perform night work if so agreed by the Bargaining Council and the employee, and it—
 - (a) the employee is compensated by the payment of an allowance, which may be shift allowance, or by a reduction of working hours; and
 - (b) transportation is available between the employee's place of residence and the workplace at the commencement and conclusion of the employee's shift.
- (3) An employer who requires an employee to perform work on a regular basis after 23:00 and before 06:00 the next day must—
 - (a) inform the employee of any health and safety hazards associated with the work that the employee is required to perform;
 - (b) at the request of the employee, enable the employee to undergo a medical examination concerning those hazards—
 - (i) before the employee starts, or within a reasonable period of the employee starting, such work; and
 - (ii) at appropriate intervals while the employee continues to perform such work; and
 - (c) transfer the employee to suitable day work within a reasonable time if—
 - (i) the employee suffers from a health condition associated with the performance of night work; and
 - (ii) it is practicable for the employer to do so.
- (4) For the purposes of subclause (3), an employee works on a regular basis if the employee works for a period of longer than one hour after 23:00 and before 06:00 at least five times per month or 50 times per year."

8. Renumber clause 9 to read 10.

9. (1) Renumber clause 10 to read 11.

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

- "(b) (i) If the employer advises the employee on the working day immediately preceding the day on which he is not required to attend or if unforeseen contingencies and/or circumstances beyond the control of the employer in the event of the foregoing circumstances arise, the employer shall not be required to pay wages to his employees, except for the periods actually worked: Provided that where the employer believes that resumption of work can be effected and expressly instructs his employees to present themselves for employment on a particular day, they shall receive not less than four hours' work or pay in lieu thereof in respect of such day. Unforeseen contingencies and/or circumstances beyond the control of the employer referred to in this paragraph shall not include inclement weather except as provided for in clause 12."

10. Renumber clauses 11 and 12 to read 12 and 13, respectively.

11. (1) Renumber clause 13 to read 14.

- (2) Substitute the following for subclause (2) (a) (iv) and subclause (2) (d):
 - "(2) (a) (iv) contributions to the funds of the Council in terms of clause 31 of this Part of the Agreement;"
 - "(2) (d) Notwithstanding the provisions of clause 15 of this Agreement relating to payment of leave pay, payment of leave shall be made in accordance with the provisions of this clause in the same manner as that in which the employee is paid his earnings".
12. (1) Renumber clause 14 to read 15.
- (2) Substitute the following for subclause (1) (b) (vii):
 - "(vii) Except as otherwise provided herein, employment for the purposes of this clause shall be deemed to commence from the date on which an employee enters the employer's service, or the date he last became entitled to the paid leave, whichever is the later, and shall include shifts which would normally have been worked during periods of absence on the additional week's paid leave or accumulation thereof in terms of clause 16 (1) (a) of Part 1 of this Agreement."
13. (1) Renumber clause 15 to read 16.
- (2) Substitute the following for subclause (1) (f):
 - "(f) An employee shall not lose his qualification for the additional leave prescribed in paragraph (a) as a result of mergers or takeovers. The provisions of clause 27 shall apply."
14. (1) Renumber clause 16 to read 17.
- (2) Substitute the following for the existing clause:

"17. LEAVE BONUS

Every employee for whom wages are prescribed in this Agreement shall in addition to his leave pay be paid a leave bonus equivalent to the wages he would normally be paid for the periods specified in Part II of this Agreement whenever he qualifies for leave in terms of Clause 15 hereof, and such leave shall be paid at the same time as his leave pay is paid."

15. (1) Renumber clause 17 to read 18.
16. Insert the following new clause 19:

"19. MATERNITY LEAVE

- (1) An employee is entitled to at least four consecutive months' maternity leave.
- (2) An employee may commence maternity leave—
 - (a) at any time from four weeks before the expected date of birth, unless otherwise agreed; or
 - (b) on a date from which a medical practitioner or midwife certifies that it is necessary for the employee's health or that of her unborn child.
- (3) No employee may work for six weeks after the birth of her child, unless a medical practitioner or midwife certifies that she is fit to do so.
- (4) An employee who has a miscarriage during the third trimester of pregnancy or bears a stillborn child is entitled to maternity leave for six weeks after the miscarriage or stillbirth, whether or not the employee had commenced maternity leave at the time of the miscarriage or stillbirth.
- (5) An employee must notify an employer of the date on which the employee intends to—
 - (a) commence maternity leave; and
 - (b) return to work after maternity leave.
- (6) Notification in terms of subclause (5) must be given—
 - (a) at least four weeks before the employee intends to commence maternity leave; and
 - (b) if it is not reasonably practicable to do so, as soon as is reasonably practicable;
 - (c) in writing unless the employee is unable to do so.
- (7) The payment of maternity benefits will be determined by the Minister subject to the provisions of the Unemployment Insurance Act, 1996 (Act No. 30 of 1996)."
17. (1) Renumber clauses 18 to 22 to read 20 to 24, respectively."
18. (1) Renumber clause 23 to read 25.
- (2) Substitute the following for the existing clause:
 - (1) (a) The ratio of the maximum number of persons employed in the different categories by an employer to the number of skilled employees employed shall at no time exceed the following:

(i)

Operative levels	Number of skilled employees employed				
	1	2	3	4	5
Elconop 3	—	1	2	3	4
Elconop 2	1	2	3	4	No ratio shall apply
Electrical assistant/general worker/ Elconop 1	4	7	No ratio shall apply		

(ii) Thereafter an employer may employ one additional Elconop 3 for every additional skilled employee employed.

(b) For the purposes of this subclause, the expression 'skilled employee' shall mean a master installation electrician, an installation electrician, an electrical tester for single phase, an electrician, an electrician, an artisan, a domestic electrical installer and an apprentice who has qualified to undergo a trade test.

(2) **Responsibility:** No employer shall require or permit any Elconop 3, Elconop 2, Elconop 1, electrical assistant or general worker to perform any work other than that referred to in the definition of Elconop 3, Elconop 2, Elconop 1, electrical assistant or general worker, and likewise no master installation electrician, installation electrician, electrical tester for single phase, electrician, artisan, domestic appliance installer, Elconop 3, Elconop 2, apprentice or trainee shall require or permit any Elconop 1, electrical assistant or general worker working under his control or supervision to perform any work other than that referred to in the definitions of Elconop 1, electrical assistant or general worker in clause 5 of the Agreement."

19. Renumber clauses 24 and 25 to read 26 and 27, respectively.

20. (1) Renumber as clause 26 to be read 28.

(2) substitute the following for the existing clause:

"26. PENALTIES

Should any amount due or payable to the Council in terms of clauses 29 (1), 29 (2), 30 (1) and clause 2 (1) of Part II of the Agreement not be received by the Council by the 15th day of the month following the month in respect of which it is payable, or should any amount payable to the Council in terms of clause 33 (4) of Part I, not be received by the Council within 15 days of the due date stated in the relevant clauses, the employer shall pay interest on such amount or on such lesser amount as remains unpaid, calculated at the rate of one and three quarter per cent per month or part thereof, from such final date prescribed in this clause until the day upon which payment in cash is actually received by the Council: Provided that the council shall be entitled in its absolute discretion to waive the payment of such interest or part thereof."

21. Renumber clause 27 to read 29.

(2) Substitute the following for subclauses (1) and (2):

"(1) Every employer must deduct the amount of the subscriptions payable to a party trade union, in respect of each week or part of a week of employment, including the period an employee is on leave in terms of clause 15 of part 1, from the earnings of every employee who is a member of such trade union and shall forward the amount thus deducted, together with the form specified by the Council, to the Secretary of the Council not later than the 15th day of each month following that in respect of which the deductions were made: Provided that a signed stop order is received from the employee indicating of which party union he is a member.

(2) Every employer who is a member of the employers' organisation shall forward the levy payable to the association, in respect of each week or part of a week of employment of each employee prescribed in this Agreement, including the period an employee is on leave in terms of clause 15, to the Secretary of the Council not later than the 15th day of each month following that in respect of which the payments are made.

22. (1) Renumber clause 28 to read 30.

(2) Substitute the following for the heading to this clause:

"30. ELECTRICAL CONTRACTING INDUSTRIES TRAINING BOARD";

(3) Substitute the following for subclause (1):

"(1) Every employer shall, subject to the provisions of subclause (2), contribute to the Electrical Contracting Industries Training Board, (hereinafter referred to as the 'ECITB') an amount as determined by the Council from time to time in respect of every employee for whom wages are prescribed in this Agreement."

(4) In subclauses (4) and (b), substitute the expression "ECITB" for the expression "Fund".

23. (1) Renumber clause 29 to read 31.

(2) Substitute the following for the existing clause:

"29. BENEFIT FUNDS

For the purpose of this Agreement, the Benefit Funds are as follows:

- (a) The National Bargaining Council for the Electrical Industry of South Africa (KwaZulu-Natal) Sick Pay Fund;
- (b) The National Bargaining Council for the Electrical Industry of South Africa (KwaZulu-Natal) Pension Fund;
- (c) The National Bargaining Council for the Electrical Industry of South Africa (KwaZulu-Natal) Medical Aid Fund."

24. (1) Renumber clause 30 to read 32.

25. Clause 31: REGISTRATION OF EMPLOYERS

- (1) Renumber clause 31 to read 33.

- (2) Substitute the following for subclauses (3) and (4) (a):

"(3) All applications for registration shall be made directly to the Secretary of the National Bargaining Council for the Electrical Industry of South Africa, KwaZulu-Natal Region.

- (4) (a) Every employer who has in his employ the categories of employees for whom basic minimum wages are prescribed in terms of clause 4 of Part II of this Agreement shall deposit with the Council an amount equivalent to the wage each such employee would receive in terms of clause 15 when proceeding on leave."

26. (1) Renumber clause 32 to read 34.

- (2) Substitute the following for subclauses (1) and (2):

"(1) All Elconops 1, Elconops 2, Elconops 3, electrical assistants and general workers shall be issued with a registration card in the manner and form prescribed by the Council. Such registration card, for which a fee not exceeding R20,00 shall be payable, shall contain a photograph of the employee and his category of employment. Such card shall be carried on the person of the employee at all times during working hours.

- (2) When an employer upgrades an employee from electrical assistant to Elconop 1, he shall inform the Council within seven days from the date thereof, and apply to the Council for a new registration card to be issued to the employee."

27. Renumber clauses 33 to 36 to read 35 to 38, respectively.

28. (1) Renumber clause 37 to read 39.

- (2) substitute the following for subclause (7):

"(7) The temporary employment service shall be required to comply with all the terms and conditions of this Collective Agreement and the Pension Fund Agreement of the Council.

However, upon application to the Council, or the exemptions board in terms of clause 48 of this Collective Agreement an exemption from such requirements as may be determined may be granted."

29. (1) Renumber clause 38 to read 40.

- (2) substitute the following for subclause (2):

"(2) Set off between any amounts payable to an employee referred to in clause 14 of Part 1 of this Agreement and any amounts payable by such employee, the deduction of which is prohibited by that clause, shall not operate and is expressly excluded, and this provision shall be deemed to be a term of every contract of employment between employer and employee."

30. Renumber clauses 39 to 40 to read 41 to 43, respectively.

31. CLAUSE 42: STORAGE, INSURANCE AND PROVISION OF TOOLS

Renumber as clause '44' and replace subclause (5) with the following:

"(5) For the purpose of this clause, "skilled employee" shall mean a Master Installation Electrician, an Installation Electrician, Electrical Tester for Single Phase, Electrician, Artisan, Domestic Electrical Installer, Apprentice and Elconop 3."

32. Renumber clauses 43 to 45 to read 45 to 47, respectively.

33. (1) Renumber clause 46 to read 48:

- (2) Substitute the following for the existing clause:

"48. EXEMPTIONS

- (1) In terms of section 32 of the Act the Regional Council shall consider all applications for exemption from any of the provisions of this Agreement for any good and sufficient reason.

- (2) All applications for exemptions shall be in writing (on an application form as provided by the Regional Council) and shall be addressed to the Secretary of the Regional Council for consideration by the Regional Council.

- (3) All applications for exemption shall be substantiated, and such substantiation shall include the following details:
 - (a) The period for which the exemption is required;
 - (b) the Agreement and clauses or subclauses of the Agreement from which the exemption is required;
 - (c) proof that the exemption applied for has been discussed by the employer, his employees and their respective representatives. The responses resulting from such consultation, either in support of or against the application, are to be included with the application.
 - (4) The Secretary of the Regional Council shall in the first instance place the applications for exemption on the agenda of the next Regional Council meeting for consideration.
 - (5) The Secretary of the Council shall provide the Regional Council with details of all the applications for exemption.
 - (6) The Regional Council shall consider and decide on all written applications and, when requested by the applicants or objectors to do so, may interview applicants or any objectors at its following meeting: Provided that the Regional Council may defer a decision to a following meeting if additional substantiation, information or verbal representations are considered necessary to decide on the application for exemption.
 - (7) Once the Regional Council has decided to grant an exemption, it shall issue a certificate and advise the applicant(s) within 14 days of the date of its decision.
 - (8) When the Regional Council decides against granting an exemption or part of an exemption requested, it shall advise the applicant(s) within 14 days of the date of such decision and shall provide the reason or reasons for not granting an exemption.
 - (9) **Exemption criteria:** The Regional Council shall consider all applications for exemption with reference to the following criteria:
 - (a) The written and verbal substantiation provided by the applicant;
 - (b) the extent of consultation with and the petition for or against granting the exemption as provided by employers or employees who are to be affected by the exemption if granted;
 - (c) the terms of the exemption;
 - (d) the infringement of basic conditions of employment rights;
 - (e) the fact that a competitive advantage is not created by the exemption;
 - (f) the viewing of the exemption from any employee benefit fund or training provision in relation to the alternative comparative bona fide benefit or provision, including the cost to the employee, transferability, administration management and cost, growth and stability;
 - (g) the extent to which the proposed exemption undermines collective bargaining and labour peace in the Electrical Industry;
 - (h) any existing special economic or other circumstances which warrant the granting of the exemption;
 - (i) reporting requirements by the applicant and monitoring and re-evaluation processes; and
 - (j) cognisance of the recommendations contained in the Report of the Presidential Commission to Investigate Labour Market Policy.
 - (10) In terms of section 32 of the Labour Relations Act, 1995, the Regional Council hereby establishes an independent appeal body to hear and decide, as soon as possible, any appeal brought against—
 - (a) the Regional Council's refusal of an application for exemption from the provisions contained in this Agreement;
 - (b) the withdrawal of such an exemption by the Regional Council.
 - (11) The Secretary shall, on receipt of a written application for an appeal, forward the application together with the original application for exemption and all supporting documents to the Independent Appeal Body for a decision.
 - (12) The Independent Appeal Body shall consider all applications with reference to the criteria in subclause (9) and shall ensure that the applications would not be in conflict with the primary objects of the Act.”
34. Renumber clauses 47 to 49 to read 49 to 51, respectively.
35. (1) Renumber clause 50 to read 52.
- (2) Substitute the following for subclause (5):
- “(5) Industry disputes shall be processed in accordance with clause 53, and other disputes shall be processed in accordance with clause 54.”
36. (1) Renumber clause 51 to read 53.
- (2) (a) In subclause (1), substitute the expression “52” for the expression “50”;
- (b) in subclause (2) (b), substitute the expression “57” for the expression “55”;
- (c) in subclause (2) (c), substitute the expression “58” for the expression “56”;

37. (1) Renumber clause 52 to read 54.
- (2) (a) In subclause (1), substitute the expression "53" for the expression "51";
- (b) in subclause (1) (i), substitute the expression "55" for the expression "53";
- (c) in subclause (1) (ii), substitute the expression "56" for the expression "54";
- (d) in subclause (4) (b), substitute the expression "57" for the expression "55";
- (e) in subclause (4) (c), substitute the expression "58" for the expression "56";
38. (1) Renumber clause 53 to read 55.
- (2) (a) In subclause (4), substitute the expression "57" for the expression "55";
- (b) in subclause (6), substitute the expression "58" for the expression "56";
39. (1) Renumber clause 54 to read 56.
- (2) In subclause (4), substitute the expression "58" for the expression "56";
40. Renumber clauses 55 and 56 to read 57 and 58, respectively.

PART II

41. CLAUSE 2: EXPENSES OF COUNCIL

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

"(1) Every employee and every employer shall contribute to the Funds of the Council on the following scale:

AREAS A AND B

Wage group or class of Wage group or class of employee	A Employee's contribution cents p/w	C Employer's contribution cents p/w
Master installation electrician.....	200	200
Installation electrician.....	200	200
Electrical tester for single phase.....	200	200
Electrician, artisan and DAM	200	200
Domestic electric installer	180	180
Elconop 3	180	180
Elconop 2	160	160
Elconop 1	120	120
Domestic appliance repairer	120	120
Driver	160	160
Apprentice	160	160
Electrical assistant	100	100
General worker	100	100",

- (2) In subclause (4), substitute the expression "R52" for the expression "R45" wherever it appears.

42. CLAUSE 4: SCHEDULED OF WAGES AND/OR EARNINGS

Substitute the following for the existing table of wages:

"With effect from the date of coming into operation of this Agreement, no employer shall pay and no employee shall accept wages at rates lower than the following: Provided that where an employer carries out work in an area for which higher wages are prescribed than that which applied for the area in which his business is situated, his employees shall be paid no less than the minimum wages prescribed for such higher rated area for the duration or period during which such an employee works in such higher rated area:

	Area A Per hour Cents	Area B Per hour Cents
Master installation electrician	3 066	2 605
Installation electrician	2 823	2 398
Electrical tester for single phase	2 577	2 189
Electrician, artisan and DAM	2 452	2 083
Domestic electrical installer	2 053	1 745
Alconop 3	1 785	1 517
Alconop 2	1 513	1 286
Alconop 1	933	793
Domestic appliance repairer	1 151	979
Driver of a vehicle, the unladen mass of which is—		
(a) Up to 3 500 kg	1 026	871
(b) from 3 501 kg to 9 000 kg	1 213	1 031
(c) 9 001 kg and over	1 349	1 145
Electrical assistant	805	682
General worker	564	477"

CLAUSE 4: GUARANTEED MINIMUM INCREASES AND OFFSET

43. (1) Renumber clause 4 to read 5.

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

"(2) The guaranteed minimum increase referred to in subclause (1) shall be subject to the provisions that any increase granted on or after 1 January 1999, may be off-set by the employer when calculating the guaranteed minimum increase."

44. CLAUSE 6: LEAVE BONUS

Substitute the following for subclause (1):

"(1) Every employee for whom wages are prescribed in this Agreement shall, in addition to his leave pay, be paid a leave bonus of an amount equivalent to the wages he would normally be paid for the period specified below, whenever he qualifies for leave in terms of clause 15 of Part I, and such leave bonus shall be paid at the same time as his leave pay is paid:

AREAS A AND B

Master installation electrician	20 working days
Installation electrician	20 working days
Electrical tester for single phase	20 working days
Electrician, artisan and DAM	20 working days
Domestic electrical installer	15 working days
Elconop 3	15 working days
Elconop 2	15 working days
Elconop 1	15 working days

Driver of a vehicle, the unladen mass of which is—	
(a) up to 3 500 kg.....	15 working days
(b) from 3 500 kg to 9 000 kg	15 working days
(c) 9 001 kg and over.....	15 working days
Electrical assistant	10 working days
General worker	10 working days
Apprentice: First year leave qualification	15 working days
Apprentice: Subsequent years, leave qualification	20 working days".

Signed at Durban this 13th day of May 1999.

K. SUKDEO

Chairperson of Council and for Electrical Contractors Association of South Africa

M. VAN WYK

Vice-Chairperson of Council and for the South African and Electrical Workers Association

V. MANZI

Council Member and for the Metal and Electrical Workers Union of South Africa

R. REDFERN

Secretary of Council

SOUTH AFRICA REVENUE SERVICE SUID-AFRIKAANSE INKOMSTEDIENS

No. R. 1021

27 August 1999

AMENDMENT OF THE DEFINITION OF "PRESCRIBED RATE" IN SECTION 1 OF THE INCOME TAX ACT, 1962

By virtue of the powers vested in me by the definition of "prescribed rate" in section 1 of the Income Tax Act, 1962 (Act No. 58 of 1962), I, Trevor Andrew Manuel, Minister of Finance, hereby amend the said definition with effect from 1 September 1999, by the substitution for the expression "12 per cent" in paragraph (i) thereof of the expression "10,5 per cent" and by the substitution for the expression "16 per cent" in paragraph (ii) thereof of the expression "14,5 per cent".

T. A. MANUEL

Minister of Finance

No. R. 1021

27 Augustus 1999

WYSIGING VAN OMSKRYWING VAN "VOORGESKREWE KOERS" IN ARTIKEL 1 VAN DIE INKOMSTEBELASTINGWET, 1962

Kragtens die bevoegdheid my verleen by die omskrywing van "voorgeskrewe koers" in artikel 1 van die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), wysig ek, Trevor Andrew Manuel, Minister van Finansies, hierby die genoemde omskrywing met ingang van 1 September 1999, deur in paragraaf (i) daarvan die uitdrukking "12 persent" deur die uitdrukking "10,5 persent" te vervang en deur in paragraaf (ii) daarvan die uitdrukking "16 persent" deur die uitdrukking "14,5 persent" te vervang.

T. A. MANUEL

Minister van Finansies

No. R. 1022

27 August 1999

AMENDMENT OF DEFINITION OF "OFFICIAL RATE OF INTEREST" IN PARAGRAPH 1 OF THE SEVENTH SCHEDULE TO THE INCOME TAX ACT, 1962

Under paragraph 20 (1) of the Seventh Schedule to the Income Tax Act, 1962 (Act No. 58 of 1962), I, Trevor Andrew Manuel, Minister of Finance, hereby amend paragraph 1 of the said Schedule with effect from 1 September 1999, by the substitution for the expression "16 per cent" in the definition of "official rate of interest" of the expression "14,5 per cent".

T. A. MANUEL

Minister of Finance

No. R. 1022**27 Augustus 1999****WYSIGING VAN OMSKRYWING VAN "AMPTELIKE RENTEKOERS" IN PARAGRAAF 1 VAN DIE
SEWENDE BYLAE BY DIE INKOMSTEBELASTINGWET, 1962**

Kragtens paragraaf 20 (1) van die Sewende Bylae by die Inkomstebelastingwet, 1962 (Wet No. 58 van 1962), wysig ek, Trevor Andrew Manuel, Minister van Finansies, hierby paragraaf 1 van genoemde Bylae met ingang van 1 September 1999, deur die uitdrukking "16 persent" in die omskrywing van "amptelike rentekoers" deur die uitdrukking "14,5 persent" te vervang.

T. A. MANUEL**Minister van Finansies**

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