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REPUBLIC OF SOUTH AFRICA

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DEPARTEMENT VAN ARBEID

GOEWERMENSKENNISGEWING

No. R. 239

25 Februarie 1972

WET OP NYWERHEIDSVERSOENING, 1956

LEERNYWERHEID, REPUBLIEK VAN
SUID-AFRIKA

SKOEISELAFDELING

TEGNOLOGIESE FONDSOOREENKOMS

Ek, Marais Viljoen, Minister van Arbeid, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat al die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en op die Skoeiselafdeling van die Leernywerheid betrekking het, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat vyf jaar vanaf genoemde Maandag eindig, bindend is vir die werkgewersorganisasies en vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 2 en 3, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat vyf jaar vanaf genoemde Maandag eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing, wat betrokke is by of in diens is in genoemde Nywerheid in die Republiek van Suid-Afrika; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 2 en 3, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat vyf jaar vanaf genoemde Maandag eindig, in die Republiek van Suid-Afrika *mutatis mutandis* bindend is vir alle Bantoes in diens in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van Bantoes in hul diens.

M. VILJOEN, Minister van Arbeid.

DEPARTMENT OF LABOUR

GOVERNMENT NOTICE

No. R. 239

25 February 1972

INDUSTRIAL CONCILIATION ACT, 1956

LEATHER INDUSTRY, REPUBLIC OF
SOUTH AFRICA

FOOTWEAR SECTION

TECHNOLOGICAL FUND AGREEMENT

I, Marais Viljoen, Minister of Labour, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that all the provisions of the Agreement which appears in the Schedule hereto and which relates to the Footwear Section of the Leather Industry shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending five years from the said Monday, upon the employers' organisations and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clauses 2 and 3, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending five years from the said Monday, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the Republic of South Africa; and

(c) in terms of section 48 (3) (a) of the said Act, declare that, in the Republic of South Africa and with effect from the second Monday after the date of publication of this notice and for the period ending five years from the said Monday, the provisions of the said Agreement, excluding those contained in clauses 2 and 3, shall *mutatis mutandis* be binding upon all Bantu employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of Bantu in their employ.

M. VILJOEN, Minister of Labour.

BYLAE

NASIONALE NYWERHEIDSRaad VIR DIE LEERNYWERHEID VAN SUID-AFRIKA

OOREENKOMS

ingevolge die bepalings van die Wet op Nywerheidsversoening, 1956, gesluit en aangegaan deur die—

- (a) Midland and Border Leather Industry Manufacturers' Association;
- (b) Cape Western and North Western Leather Industries Employers' Association;
- (c) The Transvaal Footwear, Tanning and Leather Trades Association;
- (d) Natal Footwear, Tanning and General Leather Manufacturers' Association;
- (e) The Southern Cape Leather Industries Association;

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

- (f) National Union of Leather Workers; en
- (g) The Transvaal Leather and Allied Trades' Industrial Union;

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

wat die partye is by die Nasionale Nywerheidsraad vir die Leernywerheid van Suid-Afrika.

1. WOORDOMSKRYWING

Alle uitdrukkings wat in hierdie Ooreenkoms gebesig en in die Wet op Nywerheidsversoening, 1956, omskryf word, het dieselfde betekenis as in daardie Wet; waar daar van 'n wet melding gemaak word, omvat dit ook alle wysigings van sodanige wet, en tensy die teenoorgestelde bedoeling blyk, omvat woorde wat die manlike geslag aandui, ook vroue; voorts, tensy onbestaanbaar met die samehang, beteken—

"Wet" die Wet op Nywerheidsversoening, 1956;

"Raad" die Nasionale Nywerheidsraad vir die Leernywerheid van Suid-Afrika, wat ingevolge die Wet geregistreer is of geag word geregistreer te wees;

"Skoeiselfafdeling" van die Leernywerheid die afdeling van die Nywerheid waarin werkgewers en werknemers met mekaar geassosieer is—

- (1) vir die vervaardiging, hoofsaaklik uit leer, van alle tipes, skoeisel maar uitgesonderd skoeisel op maat gemaak;
- (2) vir die vervaardiging van alle tipes skoeisel uit ander materiaal as leer;

"Leernywerheid" die Nywerheid waarin werkgewers en werknemers met mekaar geassosieer is—

- (1) vir die vervaardiging, hoofsaaklik uit leer, van—
 - (a) alle tipes skoeisel, maar uitgesonderd skoeisel op maat gemaak;
 - (b) dokumenttasse, tasse en alle ander houers ontwerp om persoonlike besittings, sportuitrusting, gereedskap en dokumente te hou;
 - (c) tuie, tooms, saaltuig, saalsakke, kamaste, buikgord, stieg-rigme, militêre uitrusting uitgesonderd klere; damesakke, inkoop-sakke, breisakke, Bantoetasse van die tipe wat algemeen as "Xhosasakke" bekend staan, portefeuljes, beursies, horlosie-bande, polsbande, halsbande en leiband vir honde, reisdeken-bande, kruisbande, gordels, kousophouers, kousbande, armbande en alle ander dergelike artikels, afgesien van die aard daarvan, maar wat bedoel is as plaasvervangers vir enigeen van bo-genoemde artikels;
- (2) vir die looi, bewerking en bloting van huide en velle;
- (3) in bedryfsinrigtings waarin leergoedere ook vervaardig word, vir die vervaardiging, uit ander materiaal as leer, van die artikels in paragraaf (1) gemeld: Met dien verstande dat hierdie paragraaf nie die vervaardiging van inkoop-sakke, hoofsaaklik van papier gemaak, insluit nie;
- (4) vir die vervaardiging van alle tipes skoeisel uit ander materiaal as leer;
- (5) vir die vervaardiging van reisbenodighede, met inbegrip van koffers, hoofsaaklik van leer, vesel, hout, kledestof, seil of doek of 'n kombinasie daarvan gemaak;

"Hofooreenkoms" die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 1623 van 2 Oktober 1970.

2. TOEPASSINGSBESTEK VAN OOREENKOMS

Die bepalings van hierdie Ooreenkoms moet in die Republiek van Suid-Afrika nagekom word deur alle werkgewers in die Skoeiselfafdeling van die Leernywerheid wat lede van die werkgewersorganisasies is en deur alle werknemers wat lede van die vakverenigings is en in genoemde afdeling van die Leernywerheid in diens is.

SCHEDULE

NATIONAL INDUSTRIAL COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into between the—

- (a) Midland and Border Leather Industry Manufacturers' Association;
- (b) Cape Western and North Western Leather Industries Employers' Association;
- (c) The Transvaal Footwear, Tanning and Leather Trades Association;
- (d) Natal Footwear, Tanning and General Leather Manufacturers' Association;
- (e) The Southern Cape Leather Industries Association;

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

- (f) National Union of Leather Workers; and
- (g) The Transvaal Leather and Allied Trades' Industrial Union;

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

being parties to the National Industrial Council of the Leather Industry of South Africa.

1. DEFINITIONS

All expressions used in this Agreement which are defined in the Industrial Conciliation Act, 1956, shall have the same meaning as in that Act; any reference to an Act shall include any amendments of such Act, and unless the contrary intention appears, words importing the masculine gender shall include females; further, unless inconsistent with the context—

"Act" means the Industrial Conciliation Act, 1956;

"Council" means the National Industrial Council of the Leather Industry of South Africa, registered or deemed to be registered under the Act;

"Footwear Section" of the Leather Industry means the section of the Industry in which employers and employees are associated—

- (1) for the manufacture, mainly from leather, of footwear, including all types, but not including bespoke made footwear;
- (2) for the manufacture of all types of footwear from material other than leather;

"Leather Industry" means the Industry in which employers and employees are associated—

- (1) for the manufacture mainly from leather of—
 - (a) footwear, including all types, but not including bespoke made footwear;
 - (b) attaché cases, bags and all other containers designed to hold personal effects, sporting kit, tools and documents;
 - (c) harness, bridles, saddlery, saddle bags, leggings, girths, stirrup straps, military equipment other than clothing; ladies' bags, shopping bags, knitting bags, Native bags of the type commonly known as "Xhosa bags", wallets, purses, watch straps, wrist straps, dog collars, dog leads, rug straps, braces, belts, suspenders, garters, armbands, and all other like articles irrespective of their description but which are designed as substitutes for any of the aforementioned;
- (2) for the tanning, dressing and fellmongering of hides and skins;
- (3) in establishments in which leather goods are also manufactured, for the manufacture from materials other than leather of the articles mentioned in paragraph (1): Provided that this paragraph does not include the manufacture of shopping bags made mainly of paper;
- (4) for the manufacture of all types of footwear from materials other than leather;
- (5) for the manufacture of travelling requisites, including trunks, mainly from leather, fibre, wood, cloth, canvas or fabric or any combination thereof;

"Main Agreement" means the Agreement published under Government Notice R. 1623, dated 2 October 1970.

2. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Republic of South Africa by all employers who are members of the employer's organisations and engaged in the Footwear Section of the Leather Industry and by all employees who are members of the trade unions and who are employed in the said section of the Leather Industry.

3. DATUM VAN INWERKINGTREDING EN GELDIGHEIDSDUUR

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister van Arbeid ingevolge artikel 48 van die Wet vasstel, en bly van krag vir 'n tydperk van vyf jaar of vir dié tydperk wat die Minister bepaal.

4. TEGNOLOGIEFONDS VAN DIE SKOEISELNYWERHEID

(1) Nademaal die Raad van die stigting van die "Tegnologie-fonds van die Skoeiselnywerheid" (hierna die "Fonds" genoem) in kennis gestel is, magtig hy hierby die insameling van heffings in ooreenstemming met die prosedure hieronder uiteengesit, met die doel om die doelwitte in die Fonds se Konstitusie gemeld, te verwesenlik.

(2) Met ingang van die datum van inwerkingtreding van hierdie Ooreenkoms moet elke werkgever maandeliks 'n heffing in die Fonds stort ten opsigte van elke werknemer vir wie 'n loon in die Hofooreenkoms voorgeskrif word.

(3) Die totale bedrag van die heffing wat elke maand betaalbaar is, moet bereken word op die grondslag van 10 sent vermenigvuldig met die getal werknemers op die werkgever se loonlys op die laaste Vrydag van die kalendermaand waarop die betaling van die heffing betrekking het.

(4) Die bedrag wat elke maand ingevolge subklousule (3) betaalbaar is, moet voor of op die sewende dag van die maand wat volg onmiddellik op die maand waarop dit betrekking het, aan die Sekretaris van die Raad, Posbus 2221, Port Elizabeth, gestuur word, tesame met 'n staat in 'n vorm wat van tyd tot tyd voorgeskrif word.

(5) Aan die einde van elke maand moet die Raad die totale bedrag van die bydraes wat ooreenkomstig subklousule (4) ingesamel is, aan die Fonds stuur.

(6) Kopieë van die Konstitusie en van die geauditeerde jaarlikse rekeninge en balansstate van die Fonds moet by die Raad en die Sekretaris van Arbeid ingedien word. Vir die toepassing van hierdie subklousule sluit die uitdrukking "Konstitusie" in alle wysigings van die Konstitusie wat van tyd tot tyd aanvaar word.

Hierdie Ooreenkoms is op hede die 29ste dag van Oktober 1971 namens die partye onderteken.

A. G. EVERINGHAM, Lid van die Raad.

F. J. J. JORDAAN, Lid van die Raad.

A. S. YOUNG, Algemene Sekretaris van die Raad.

3. DATE AND PERIOD OF OPERATION

This Agreement shall come into operation on such date as may be specified by the Minister of Labour in terms of section 48 of the Act, and shall remain in force for a period of five years or for such period as the Minister may determine.

4. FOOTWEAR INDUSTRY TECHNOLOGICAL FUND

(1) The Council having been advised of the establishment of the "Footwear Industry Technological Fund" (hereinafter referred to as "the Fund") hereby authorises for the purpose of implementing the objects set forth in the Constitution of the Fund the collection of levies in accordance with the procedure detailed hereunder.

(2) As from the date of the coming into force of this Agreement, each employer shall, in respect of each employee for whom wages are prescribed in the Main Agreement, pay to the Fund a monthly levy.

(3) The total amount of the levy payable each month shall be calculated on the basis of 10 cents multiplied by the number of employees on the employer's payroll on the last Friday of the calendar month to which payment of the levy refers.

(4) The amount payable each month in terms of subclause (3) shall be forwarded to the Secretary of the Council, P.O. Box 2221, Port Elizabeth, not later than the seventh day of the month immediately following the month to which they relate, together with a statement in such form as may from time to time be prescribed.

(5) The Council shall, at the end of each month, remit to the Fund the total amount of contributions collected in terms of subclause (4).

(6) Copies of the Constitution and of the audited annual accounts and balance sheets of the Fund shall be lodged with the Council and the Secretary for Labour. For the purpose of this subclause, the term "Constitution" shall include any amendments to the Constitution adopted from time to time.

This Agreement signed on behalf of the parties on this 29th day of October 1971.

A. G. EVERINGHAM, Member of the Council.

F. J. J. JORDAAN, Member of the Council.

A. S. YOUNG, General Secretary of the Council.

INHOUD

No.	BLADSY
Arbeid, Departement van GOEWERMENSKENNISGEWING	
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