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GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN FINANSIES

No. R. 420

11 Maart 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/19)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1988, in die mate in die Bylae hiervan angetoon.

K. D. S. DURR,
Adjunk-minister van Finansies.

GOVERNMENT NOTICES

DEPARTMENT OF FINANCE

No. R. 420

11 March 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/19)

Under section 48A of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended, with retrospective effect to 1 January 1988, to the extent set out in the Schedule hereto.

K. D. S. DURR,
Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
30.04			Deur in die Engelse teks van subpos No. 3004.39.10 die uitdrukking "free" in die "Rate of Duty" kolom in te voeg.			
			Deur in subpos No. 3004.50.30 die uitdrukking "25%" in die "Skaal van Reg" kolom in te voeg.			
39.07			Deur in die Engelse teks van subpos No. 3907.91.90 die uitdrukking "free" deur die uitdrukking "20%" te vervang.			
66.03			Deur subpos No. 6603.20 deur die volgende te vervang:			
	"6603.20	0	Sambreelrame, met ingebrip van rame op stele (stokke) gemonteer		20%"	
83.09			Deur in subpos No. 8309.90.10 die uitdrukking "15%" deur die uitdrukking "5%" te vervang.			
84.12			Deur in subpos No. 8412.29 die uitdrukking "20%" deur die uitdrukking "vry" te vervang.			

Opmerking.—Die skale van reg ten opsigte van sekere subposte wat verkeerdelik oorgeskakel is, word reggestel.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
30.04			By the insertion in subheading No. 3004.39.10 of the expression "free" in the "Rate of Duty" column.			
			By the insertion in subheading No. 3004.50.30 of the expression "25%" in the "Rate of Duty" column.			
39.07			By the substitution in subheading No. 3907.91.90 for the expression "free" of the expression "20%".			
66.03			By the substitution for subheading No. 6603.20 of the following:			
	"6603.20	0	Umbrella frames, including frames mounted on shafts (sticks)		20%"	
83.09			By the substitution in subheading No. 8309.90.10 for the expression "15%" of the expression "5%".			
84.12			By the substitution in subheading No. 8412.29 for the expression "20%" of the expression "free".			

Note.—The rates of duty in respect of certain subheadings which were incorrectly transposed, are rectified.

No. R. 424

11 Maart 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/20)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1988, in die mate in die Bylae hiervan aangetoon.

K. D. S. DURR,
Adjunk-minister van Finansies.

No. R. 424

11 March 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/20)

Under section 48A of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended, with retrospective effect to 1 January 1988, to the extent set out in the Schedule hereto.

K. D. S. DURR,
Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
85.18			Deur subpos No. 8518.30 deur die volgende te vervang:			
	"8518.30	0	Koptelefone, oorfone en gekombineerde mikrofoon-sprekerstelle	getal	vry"	
			Deur subpos No. 8518.90.20 te skrap.			

Opmerking.—Subpos No. 8518.30 word herskryf die gevolg dat al die produkte van die subpos vry van reg is. Die afsonderlike voorsiening vir keelmikrofoonstelle word geskrap. Hierdie wysiging het terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
85.18			By the substitution for subheading No. 8518.30 of the following:			
	"8518.30	0	Headphones, earphones and combined microphone-speaker sets	No.	free"	
			By the deletion of subheading No. 8518.90.20.			

Note.—Subheading No. 8518.30 is restated with the result that all the products of the subheading are free from duty. The separate provision for throat microphone sets is deleted. This amendment has retrospective effect to 1 January 1988.

No. R. 425

11 Maart 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/21)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964—

1. word Deel 1 van Bylae 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon; en

2. word hierdie wysigings, vir sover dit betrekking het op die goedere in subposte Nos. 8412.90.80 en 8473.40.40 vermeld, geag op 1 Januarie 1988 in werking te getree het.

K. D. S. DURR,

Adjunk-minister van Finansies.

No. R. 425

11 March 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/21)

Under section 48A of the Customs and Excise Act, 1964—

1. Part 1. of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto; and

2. these amendments, in so far as they relate to the goods specified in subheadings Nos. 8412.90.80 and 8473.40.40, shall be deemed to have come into operation on 1 January 1988.

K. D. S. DURR,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
07.10			Deur in subpos No. 0710.10 die toetssyfer "3" deur die toetssyfer "0" te vervang.			
27.10			Deur subpos No. 2710.00.90 deur die volgende te vervang:			
	"90	8	Ander	ℓ	11c/ℓ"	
64.03			Deur subpos No. 6403.19.30 te skrap.			
84.12			Deur na subpos No. 8412.90.70 die volgende in te voeg:			
	"80	2	Vir hidrouliese kragenjins of -motore		vry"	
84.73			Deur na subpos No. 8473.40.30 die volgende in te voeg:			
	"40	1	Van outomatiese banknootuitdelers		vry"	

Opmerking.—Die uitwerking van hierdie wysigings is dat—

(a) die korrekte toetssyfer ten opsigte van subpos No. 0710.10 toegeken word;

(b) die korrekte skaal van reg ten opsigte van subpos No. 2710.00.90 aangedui word;

(c) subpos No. 6403.19.30, wat oorbodig is, geskrap word; en

(d) doeanevrye voorsienings geskep word vir onderdele vir hidrouliese kragenjins of -motore en outomatiese banknootuitdelers met terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
071.10			By the substitution in subheading No. 0710.10 for the check digit "3" of the check digit "0".			
27.10			By the substitution for subheading No. 2710.00.90 of the following:			
	"90	8	Other	ℓ	11c/ℓ"	
64.03			By the deletion of subheading No. 6403.19.30.			
84.12			By the insertion after subheading No. 8412.90.70 of the following:			
	"80	2	For hydraulic power engines or motors		free"	
84.73			By the insertion after subheading No. 8473.40.30 of the following:			
	"40	1	Of automatic banknote dispensers		free"	

Note.—The effect of these amendments is that—

(a) the correct check digit is allocated in respect of subheading No. 0710.10;

(b) the correct rate of duty is indicated in respect of subheading No. 2710.00.90;

(c) subheading No. 6403.19.30, which is superfluous, is deleted; and

(d) duty free provisions are made for parts of hydraulic power engines or motors and automatic banknote dispensers with retrospective effect to 1 January 1988.

No. R. 447

11 Maart 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/22)

Kragtens artikel 48A van die Doeane- en Aksynswet, 1964—

1. word Deel 1 van Bylae 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon; en
2. word hierdie wysiging, vir sover dit betrekking het op subposte Nos. 8414.40.10 en 8431.49.45, geag op 1 Januarie 1988 in werking te getree het.

K. D. S. DURR,

Adjunk-minister van Finansies.

No. R. 447

11 March 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/22)

Under section 48A of the Customs and Excise Act, 1964—

1. Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in the Schedule hereto; and
2. this amendment, in so far as it relates to subheadings Nos. 8414.40.10 and 8431.49.45, shall be deemed to have come into operation on 1 January 1988.

K. D. S. DURR,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
84.14			Deur subpos No. 8414.40.10 deur die volgende te vervang:			
	“.10	6	Deur kompressie-ontstekingsenjins soos omskryf in Addisionele Opmerking 4 by hierdie Afdeling aangedryf	getal	15%	
	.20	3	Deur elektriese motore aangedryf (uitgesonderd dié deur 'n elektriese motor met 'n gemeenskaplike as aangedryf)	getal	15%''	
	“8414.80		Deur subpos No. 8414.80 deur die volgende te vervang:			
	.10	4	Ander: Lugkompressors deur kompressie-ontstekingsenjins soos omskryf in Addisionele Opmerking 4 by hierdie Afdeling aangedryf	getal	15%	
	.20	1	Lugkompressors deur elektriese motore aangedryf (uitgesonderd dié deur 'n elektriese motor met 'n gemeenskaplike as aangedryf)	getal	15%	
	.30	9	Ander lugkompressors	getal	3%	
	.90	2	Ander	getal	vry''	
84.31			Deur na subpos No. 8431.49.40 die volgende in te voeg:			
	“.45	0	Vir masjiene spesiaal ontwerp vir gebruik in myne		vry''	

Opmerkings.—1. Die uitwerking van hierdie wysigings is dat die skale van reg ten opsigte van lugkompressors reggestel word en dat spesifieke voorsiening by subpos No. 8431.49 vir onderdele vir masjinerie spesiaal ontwerp vir gebruik in myne gemaak word.

2. Die wysiging van subposte Nos. 8414.40.10 en 8431.49.45 het terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
84.14			By the substitution for subheading No. 8414.40.10 of the following:			
	“.10	6	Driven by compression ignition engines as defined in Additional Note 4 to this Section	No.	15%	
	.20	3	Driven by electric motors (excluding those driven by an electric motor with a common shaft)	No.	15%''	
	“8414.80		By the substitution for subheading No. 8414.80 of the following:			
	.10	4	Other: Air compressors driven by compression ignition engines as defined in Additional Note 4 to this Section	No.	15%	
	.20	1	Air compressors driven by electric motors (excluding those driven by an electric motor with a common shaft)	No.	15%	
	.30	9	Other air compressors	No.	3%	
	.90	2	Other	No.	free''	
84.31			By the insertion after subheading No. 8431.49.40 of the following:			
	“.45	0	For machinery specially designed for use in mines		free''	

Notes.—1. The effect of these amendments is that the rates of duty in respect of air compressors are rectified and that specific provision is made under subheading No. 8431.49 for parts for machinery specially designed for use in mining.

2. The amendment of subheading No. 8414.40.10 and 8431.49.45 has retrospective effect to 1 January 1988.

No. R. 448

11 Maart 1988

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/23)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae 1 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

K. D. S. DURR,

Adjunk-minister van Finansies.

No. R. 448

11 March 1988

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/23)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule 1 to the said Act is hereby amended to the extent set out in Schedule hereto.

K. D. S. DURR,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
29.18			Deur subpos No. 2918.22.10 deur die volgende te vervang:			
	10	4	O-Asetielsalisielsuur	kg	20% of 860c/kg min 80%''	

Opmerkings.—1. Die skaal van reg op O-asetielsalisielsuur word na 20% of 860c/kg min 80% gewysig.

2. O-Asetielsalisielsuur wat aan die vereistes van item 460.22 voldoen, kan by dié item met korting op reg geklaar word en die Raad van Handel en Nywerheid het vir dié doel gesertifiseer dat die verhoging van die skaal van reg as gevolg van 'n aansoek om tariefbeskerming is wat nie vooraf vir algemene inligting in die *Staatskoerant* gepubliseer is nie.

SCHEDULE

Heading	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
29.18			By the substitution for subheading No. 2918.22.10 of the following:			
	10	4	O-Acetylsalicylic acid	kg	20% or 860c/kg less 80%''	

Notes.—1. The rate of duty on O-acetylsalicylic acid is amended to 20% or 860c/kg less 80%.

2. O-Acetylsalicylic acid which complies with the conditions of item 460.22 may be entered under rebate of duty under that item and for this purpose the Board of Trade and Industry has certified that the increase in the rate of duty is as a result of an application for tariff protection not previously published in the *Government Gazette* for general information.

DEPARTEMENT VAN MANNEKRAG

No. R. 419

11 Maart 1988

WERKLOOSHEIDVERSEKERINGSWET, 1966

WYSIGING VAN REGULASIES

Die Minister van Mannekrag het kragtens artikel 62 van die Werkloosheidversekeringswet, 1966 (Wet 30 van 1966), die regulasies vervat in die Bylae hiervan uitgevaardig.

BYLAE

1. In hierdie regulasies beteken "die Regulasies" die regulasies afgekondig by Goewermenskennisgewing R. 849 van 29 April 1983, soos gewysig by Goewermenskennisgewings R. 2613 van 2 Desember 1983, R. 2775 van 21 Desember 1984, R. 2487 van 8 November 1985, R. 901 van 16 Mei 1986, R. 1114 van 6 Junie 1986, R. 2427 van 21 November 1986, R. 2412 van 30 Oktober 1987 en R. 2667 van 4 Desember 1987.

2. Aanhangel UF 1 by die Regulasies word hierby gewysig deur in paragraaf 7 die uitdrukking "R30 000" deur die uitdrukking "R35 000" te vervang.

3. Hierdie regulasies tree op 1 Mei 1988 in werking.

DEPARTMENT OF MANPOWER

No. R. 419

11 March 1988

UNEMPLOYMENT INSURANCE ACT, 1966

AMENDMENT OF REGULATIONS

The Minister of Manpower has under section 62 of the Unemployment Insurance Act, 1966 (Act 30 of 1966), made the regulations set out in the Schedule hereto.

SCHEDULE

1. In these regulations "the Regulations" means the regulations published in Government Notice R. 849 of 29 April 1983, as amended by Government Notices R. 2613 of 2 December 1983, R. 2775 of 21 December 1984, R. 2487 of 8 November 1985, R. 901 of 16 May 1986, R. 1114 of 6 June 1986, R. 2427 of 21 November 1986, R. 2412 of 30 October 1987 and R. 2667 of 4 December 1987.

2. Annexure UF 1 to the Regulations is hereby amended by the substitution in paragraph 7 for the expression "R30 000" of the expression "R35 000".

3. These regulations shall come into operation on 1 May 1988.

No. R. 438

11 Maart 1988

WET OP ARBEIDSVERHOUDINGE, 1956

KAMSTOFTEKSTIELNYWERHEID (KAAP).—HERBEKRAFTIGING VAN VOORSORGFONDSOOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van 3 April 1988 en vir die tydperk wat op 30 April 1993 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1 (1) en 2, met ingang van 3 April 1988 en vir die tydperk wat op 30 April 1993 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 Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van genoemde Ooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRaad VIR DIE KAMSTOFTEKSTIELNYWERHEID (KAAP)

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Textile Workers' Industrial Union (South Africa)

(hierna die "werknemers" of die "vakvereniging" genoem), aan die een kant, en die

National Association of Worsted Textile Manufacturers

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

wat die partye is by die Nywerheidsraad vir die Kamstoftekstielnywerheid (Kaap).

1. TOEPASSINGSBESTEK VAN OOREENKOMS

Hierdie Ooreenkoms moet in die Kamstoftekstielnywerheid nagekom word—

- (1) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakvereniging is;
- (2) in die landdrostdistrik Worcester.

2. GELDIGHEIDSDUUR VAN DIE OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat deur die Minister van Mannekrag ingevolge artikel 48 (1) van die Wet op Arbeidsverhoudinge, 1956, vasgestel word en bly van krag tot 30 April 1993 of vir dié tydperk wat die Minister bepaal.

3. ALGEMENE BEPALINGS

Klousules 3 tot en met 18 van die Ooreenkoms gepubliseer by Goewermenskennisgewing R. 1154 van 4 Julie 1969, soos gewysig deur Goewermenskennisgewings R. 2124 van 4 Desember 1970, R. 153 van 2 Februarie 1973, R. 1850 van 29 September 1975, R. 1531 van 27 Augustus 1976, R. 556 van 23 Maart 1978, R. 1480 van 6 Julie 1979, R. 237 van 4 Februarie 1983, R. 2102 van 30 September 1983 en R. 491 van 6 Maart 1987, is van toepassing op werkgewers en werknemers.

Namens die partye op hede die 8ste dag van Desember 1987 te Kaapstad onderteken,

W. J. E. WILSON,
Voorsitter.

N. DANIELS,
Ondervoorsitter.

K. L. BARNES,
Sekretaris.

No. R. 438

11 March 1988

LABOUR RELATIONS ACT, 1956

WORSTED TEXTILE MANUFACTURING INDUSTRY (CAPE).—RE-ENACTMENT OF PROVIDENT FUND AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or occupation referred to in the heading to this notice, shall be binding, with effect from 3 April 1988 and for the period ending 30 April 1993, upon the employers' organisation and the trade union which entered into the said Agreement and upon the employers and employees who are members of the said organisation or union; and

(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 1 (1) and 2, shall be binding, with effect from 3 April 1988 and for the period ending 30 April 1993, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the said Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE WORSTED TEXTILE MANUFACTURING INDUSTRY (CAPE)

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and between the

Textile Workers' Industrial Union (South Africa)

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

National Association of Worsted Textile Manufacturers

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

being the parties to the Industrial Council for the Worsted Textile Manufacturing Industry (Cape).

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Worsted Textile Manufacturing Industry—

- (1) by all employers who are members of the employers' organisation and by all employees who are members of the trade union;
- (2) in the Magisterial District of Worcester.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation as from the date fixed by the Minister of Manpower in terms of section 48 (1) of the Labour Relations Act, 1956, and shall remain in force until 30 April 1993 or for such period as the Minister may determine.

3. GENERAL PROVISIONS

The provisions contained in clauses 3 to 18 inclusive of the Agreement published under Government Notice R. 1154 of 4 July 1969, as amended by Government Notices R. 2124 of 4 December 1970, R. 153 of 2 February 1973, R. 1850 of 29 September 1975, R. 1531 of 27 August 1976, R. 556 of 23 March 1978, R. 1480 of 6 July 1979, R. 237 of 4 February 1983, R. 2102 of 30 September 1983 and R. 491 of 6 March 1987, shall apply to employers and employees.

Signed at Cape Town, on behalf of the parties, this 8th day December 1987.

W. J. E. WILSON,
Chairman.

N. DANIELS,
Vice-Chairman.

K. L. BARNES,
Secretary.

No. R. 451

11 Maart 1988

WET OP ARBEIDSVERHOUDINGE, 1956

ELEKTROTEGNIJSE NYWERHEID, OOS-LONDEN.—
HERNUWING VAN OOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van Goewermmentskennisgewings R. 1749 van 17 Augustus 1984, R. 1363 van 21 Junie 1985 en R. 361 van 20 Februarie 1987, van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1988 eindig.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

No. R. 452

11 Maart 1988

WET OP ARBEIDSVERHOUDINGE, 1956

ELEKTROTEGNIJSE NYWERHEID, OOS-LONDEN.—
WYSIGING VAN OOREENKOMS

Ek, Pieter Theunis Christiaan du Plessis, Minister van Mannekrag, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1988 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Junie 1988 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 Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

P. T. C. DU PLESSIS,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE ELEKTROTEGNIJSE NYWERHEID, OOS-LONDEN

OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen die

Electrical Contractors' Association (South Africa)

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

The South African Electrical Workers' Association

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

wat die partye is by die Nywerheidsraad vir die Elektrotegniese Nywerheid, Oos-Londen,

om die Ooreenkoms, gepubliseer by Goewermmentskennisgewing R. 1749 van 17 Augustus 1984, soos verleng, gewysig en hernieu deur Goewermmentskennisgewings R. 1315 van 14 Junie 1985, R. 1363 van 21 Junie 1985 en R. 360 en R. 361 van 20 Februarie 1987, te wysig.

No. R. 451

11 March 1988

LABOUR RELATIONS ACT, 1956

ELECTRICAL INDUSTRY, EAST LONDON.—
RENEWAL OF AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices R. 1749 of 17 August 1984, R. 1363 of 21 June 1985 and R. 361 of 20 February 1987, to be effective from the date of publication of this notice and for the period ending 30 June 1988.

P. T. C. DU PLESSIS,
Minister of Manpower.

No. R. 452

11 March 1988

LABOUR RELATIONS ACT, 1956

ELECTRICAL INDUSTRY, EAST LONDON.—
AMENDMENT OF AGREEMENT

I, Pieter Theunis Christiaan du Plessis, Minister of Manpower, hereby—

(a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the Undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1988, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union; and

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 June 1988, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

P. T. C. DU PLESSIS,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE ELECTRICAL
INDUSTRY, EAST LONDON

AGREEMENT

in accordance with the provisions of the Labour Relations Act, 1956, 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

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

being the parties to the Industrial Council for the Electrical Industry, East London,

to amend the Agreement published under Government Notice R. 1749 of 17 August 1984, as extended, amended and renewed by Government Notices R. 1315 of 14 June 1985, R. 1363 of 21 June 1985 and R. 360 and R. 361 of 20 February 1987.

DEEL I**ALGEMENE VOORWAARDES WAT DEURGAANS OP HIERDIE OOREENKOMS VAN TOEPASSING IS****1. GEBIED EN TOEPASSINGSBESTEK**

(1) Hierdie Ooreenkoms moet nagekom word deur alle werkgewers en werknemers in die Elektrotegniese Nywerheid—

(a) wat lede is van onderskeidelik die werkgewersorganisasie en die vakvereniging, en

(b) wat betrokke is by of werksaam is in die Nywerheid in die landrodsdistrik Oos-Londen.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing op vakleerlinge en kwekelinge slegs vir sover dit nie onbestaanbaar is met die Wet op Mannekragopleiding, 1981, of met voorwaardes of kennisgewings wat daarkragtens voorgeskryf of bestel is nie.

(3) Vir die toepassing van hierdie Ooreenkoms word die weeklikse loonskaal van vakleerlinge wat kragtens die Wet op Mannekragopleiding 1981, voorgeskryf is as die weekloon van sodanige werknemers geag en is die uurloon die weekloon soos hierbo bereken, gedeel deur die getal gewone ure wat daar in die betrokke bedryfsinrigting gewerk word.

2. KLOUSULE 7.—KORTTYD

In subklousule (1) (b), voeg die woorde “behalwe soos bepaal in klousule 7bis.” in na die woorde “gure weer”.

(3) Voeg die volgende nuwe klousule in na klousule 7:

“7bis. GURE WEER

Indien dit nie moontlik is om te begin of om voort te gaan met normale werk as gevolg van gure weerstoestande nie, kan die werkgewer besluit om werk vir daardie dag te staak. In geval daar op 'n dag besluit word om werk as gevolg van gure weer te staak, moet 'n werknemer soos volg betaal word:

(a) Indien werk binne vier uur vanaf die aanvang van die normale werkdag gestaak word, moet die werknemer vir 'n minimum van vier uur teen sy normale loonskaal en toelaes betaal word.

(b) Indien minder as vyf en 'n half uur verloop het sedert die normale aanvangstyd van die bedryfsinrigting en werk dan gestaak word, en behoudens (a) hierbo, moet die werknemer sy volle loon en toelaes betaal word vir die tyd wat hy gewerk het.

(c) Indien meer as vyf en 'n half uur verloop het sedert die normale aanvangstyd en werk dan gestaak word, moet die werknemer sy volle loon en toelaes vir 'n normale werkdag betaal word.”.

4. Voeg die volgende nuwe klousule 40 in:

“40 PROSEDURES VIR BEDINGING VAN OOREENKOMSTE EN BESLEGTING VAN DISPUTE

(1) Hierdie Nywerheidsraad moet in sy regsgebied daarna streef om deur die bedinging van ooreenkomste of andersins die ontstaan van dispute te voorkom en om dispute wat ontstaan het of kan ontstaan tussen werkgewers of werkgewersorganisasies en werknemers of vakverenigings te besleg en moet sodanige stappe doen as wat hy raadsaam ag om die reëling of beslegting van sake van onderlinge belang vir werkgewers of werkgewersorganisasies en werknemers of vakverenigings te weeg te bring.

(2) Ten einde bogenoemde bepalings van die Wet op Arbeidsverhoudinge, 1956, na te kom, moet die Raad die prosedures volg in die Bylae soos uiteengesit in klousule 12 van hierdie Ooreenkoms.

DEEL II**5. KLOUSULE 1.—TOELAES**

In subklousule (1) (e) (ii), vervang die tabel van verblyftoelaes deur die volgende:

“Vir werknemers wie se werk in hierdie Ooreenkoms voorgeskryf word, teen—

	Per nag R
Elkon, ambagsman, WHT of kwekeling.....	20,00
EIW, arbeiders	10,00”.

PART I**GENERAL CONDITIONS APPLICABLE THROUGHOUT THIS AGREEMENT****1. AREA AND SCOPE OF APPLICATION**

(1) The terms of this Agreement shall be observed by all employers and employees in the Electrical Industry—

(a) who are members of the employers' organisation and the trade union respectively, and

(b) who are engaged or employed in the Industry in the Magisterial District of East London.

(2) Notwithstanding the provisions 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 conditions prescribed or any notice served in terms thereof.

(3) The purposes 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. CLAUSE 7.—SHORT-TIME

In subclause (1) (b), add the words “except as provided for in clause 7bis” after the words “inclement weather”.

3. Insert the following new clause after clause 7:

“7bis. INCLEMENT WEATHER

If as a result of inclement weather conditions it is not possible to commence or continue with normal work, the employer may decide to discontinue work for that day. In the event of a decision being made to discontinue work on any day due to inclement weather, an employee shall be paid as follows:

(a) If work has been stopped within four hours of the start of the normal working day he shall be paid a minimum of four hours at his normal rate of pay and allowances.

(b) Subject to the provision of (a) above, if less than five and a half hours has elapsed since the normal starting time in the establishment and work is then stopped, the employee shall be paid the full pay and allowances for time worked.

(c) If more than five and a half hours has elapsed since the normal starting time and work is then stopped, the employee shall be paid the full pay and allowances paid on a normal working day.”.

4. (1) Insert the following new clause 40:

“40. PROCEDURES FOR THE NEGOTIATION OF AGREEMENTS AND SETTLEMENT OF DISPUTES

(1) This Industrial Council shall, within its area of jurisdiction endeavour, by the negotiation of agreements or otherwise, to prevent disputes from arising, and to settle disputes that have arisen or may arise between employers or employers' organisations and employees or trade unions and take such steps as it may think expedient to bring about the regulation or settlement of matters of mutual interest to employers or employers' organisations and employees or trade unions.

(2) For the purpose of complying with the abovementioned provisions of the Labour Relations Act, 1956, the Council shall follow the procedures in the Annexure set out in clause 12 to this Agreement.”.

PART II**5. CLAUSE 1.—ALLOWANCES**

In subclause (1) (e) (ii), substitute the following for the table of subsistence allowances:

“For employees whose work is scheduled in this Agreement, at—

	Per night R
Elcon, artisan DAM or trainee	20,00
EIO, labourers	10,00”.

6. KLOUSULE 4.—OPGAWE VAN LONE EN VERDIENSTE

Vervang klousule 4 deur die volgende:

“Geen laer lone as onderstaande mag deur 'n werkgever betaal en deur 'n werknemer aanvaar word nie:

	<i>Per uur Sent</i>
Elkon	758
Ambagsman en WHT	638
EIW	443
KEIW	333
Drywer van 'n voertuig waarvan die onbelaste massa—	
(a) hoogstens 3 500 kg is	261
(b) van 3 501 kg tot 9 000 kg is	309
(c) 9 001 kg en meer is	359
Arbeider	196”

7. KLOUSULE 4bis.—GEWAARBORGDE MINIMUM VERHOINGS EN VERGOEDING

(1) Vervang subklousule (1) deur die volgende:

“(1) Elke werknemer vir wie daar in hierdie Ooreenkoms lone voorgeskryf word en wat op die datum waarop hierdie Ooreenkoms in werking tree in diens is by 'n werkgever in die Nywerheid moet, terwyl hy in diens van dieselfde werkgever is, en afgesien daarvan of sy werklike loon onmiddellik voor genoemde datum hoër was of nie as die lone wat vir hom in hierdie Ooreenkoms voorgeskryf is, minstens die werklike loon betaal word wat hy onmiddellik voor genoemde datum ontvang het, plus as 'n gewaarborgde persoonlike minimum verhoging, die volgende addisionele bedrag:

	<i>Bedrag per uur Sent</i>
Elkon	70
Ambagsman en WHT	60
EIW	40
KEIW	30
Drywer van 'n voertuig waarvan die onbelaste massa—	
(a) hoogstens 3 500 kg is	34
(b) van 3 501 kg tot 9 000 kg is	40
(c) 9 001 kg en meer is	47
Arbeider	26”

(2) Vervang subklousule (2) deur die volgende:

“(2) Die addisionele bedrag ingevolge hierdie klousule betaalbaar aan 'n werknemer vir wie lone in hierdie ooreenkoms voorgeskryf word, kan verminder word met die bedrag van enige verhoging(s) wat op of na 1 April 1987 aan so 'n werknemer toegestaan is.”

8. KLOUSULE 5.—VERLOFBONUS

Vervang subklousule (1) deur die volgende:

“(1) van elke werknemer moet, wanneer hy vir verlof ingevolge klousule 9 van Deel I kwalifiseer, op dieselfde tyd wat sy verlofbesoldiging betaal word, bo en behalwe sy verlofbesoldiging, as 'n verlofbonus 'n bedrag betaal word gelykstaande met die loon wat hy normaalweg betaal sou word vir die tydperk hieronder aangedui:

Elkon, ambagsman en WHT	18 werkdag
EIW	13 werkdag
Drywer in klousule 4 (a) bedoel	13 werkdag
Drywer in klousule 4 (b) bedoel	13 werkdag
Drywer in klousule 4 (c) bedoel	13 werkdag
Arbeider	8 werkdag
Vakleerling in sy derde en vierde jaar	13 werkdag”

(2) Vervang subklousule (5) (a) deur die volgende:

“Ondanks subklousule (3) of (4), is geen werknemer vir wie lone in hierdie Ooreenkoms voorgeskryf word, geregtig op 'n verlofbonus nie, hetsy aan hom of aan die Raad betaal, indien hy bedank alvorens hy 100 werkdag by dieselfde werkgever voltooi het.”

(3) In subklousule (5) (b), vervang:

“Waar 'n werknemer se dienste beëindig word weens omstandighede buite sy beheer, moet alle skofte gewerk vir verlofbonus tel.” deur:

“Waar die dienste van 'n werknemer deur sy werkgever beëindig word om 'n ander rede as dit wat regens aanvaarbaar is, is hy geregtig op 'n *pro rata*-verlofbonus indien hy 25 of meer skofte voltooi het.”

6. CLAUSE 4.—SCHEDULE OF WAGES AND/OR EARNINGS

Substitute the following for clause 4:

“No employer shall pay and no employee shall accept wages at rates lower than the following:

	<i>Per hour Cents</i>
Elkon	758
Artisan and DAM	638
EIO	443
EIOT	333
Driver of a vehicle, the unladen mass of which is—	
(a) up to 3 500 kg	261
(b) from 3 501 kg to 9 000 kg	309
(c) 9 001 kg and over	359
Labourer	196”

7. CLAUSE 4bis.—GUARANTEED MINIMUM INCREASES AND OFFSET

Substitute the following for subclause (1):

“(1) Every employee for whom wages are prescribed in this Agreement and who on the date on which this Agreement comes into operation is employed by an employer in the Industry shall, whilst in the employ of the same employer and whether or not his actual rate of pay immediately prior to the said date was in excess of the rate prescribed for him in this Agreement, be paid not less than the actual rate he was receiving immediately prior to the said date plus, as a guaranteed personal minimum increase, an additional amount as follows:

	<i>Amount per hour Cents</i>
Elkon	70
Artisan and DAM	60
EIO	40
EIOT	30
Driver of a vehicle, the unladen mass of which is—	
(a) up to 3 500 kg	34
(b) from 3 501 kg to 9 000 kg	40
(c) 9 001 kg and over	47
Labourer	26”

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

“(2) The additional amount payable in terms of this clause to an employee for whom wages are prescribed in this Agreement may be reduced by the amount of any increase or increases granted to such employee on or subsequent to 1 April 1987.”

8. CLAUSE 5.—LEAVE BONUS

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

“(1) Every employee 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 9 of Part I, and such leave bonus shall be paid at the same time as his leave pay is paid:

Elkon, artisan and DAM	18 working days
EIO	13 working days
Driver referred to in clause 4 (a)	13 working days
Driver referred to in clause 4 (b)	13 working days
Driver referred to in clause 4 (c)	13 working days
Labourer	8 working days
Apprentice, during his third and fourth year ..	13 working days”

(2) Substitute the following for subclause (5) (a):

“Notwithstanding the provisions of subclause (3) or (4), no employee for whom wages are prescribed in this Agreement shall be entitled to a leave bonus, whether paid to him or to the Council, if he resigns before completing 100 working days with the same employer.”

(3) In subclause (5) (b), substitute:

“Where an employee's service is terminated by his employer for any reason other than those acceptable in law he shall, if he has completed 25 shifts or more, be entitled to a *pro rata* leave bonus.” for:

“Where an employee's employment is terminated due to circumstances beyond his control, all shifts worked shall count for leave bonus.”

9. KLOUSULE 6.—SIEKTEBYSTANDS-, PENSIËN- EN MEDIESE BYSTANDSFONDSE

(1) In subklousule (1), skrap die woord "Transvaal".

(2) Vervang subklousule (4) (a) deur die volgende:

"(a) 'n Werkgewer moet die volgende bedrae weekliks aan die Mediese Bystandsfonds betaal ten opsigte van ondergenoemde werknemers in hul onderskeie lidmaatskapkategorieë:

[Kolom (1)] Lidmaatskap- kategorie	Totale bedrag in Rand per week			
	Elkons, WHT's, Ambagskanne, EIWs, finale jaar vakleerlinge, vakleer- linge met afhanklikes en kwekelinge wat	Vakleerlinge wat nie in Kolom (2) in- gesluit is nie	Vakleerlinge wat nie in Kolom (3) in- gesluit is nie	
	'A'-lede is [Kolom (2)]	'B'-lede is [Kolom (3)]		
M.....	25	21	12,50	10,50
M1.....	28	25	—	—
M2.....	32	29	—	—
M3.....	36	33	—	—
M4+.....	39	36	—	—

(3) Vervang subklousule (4) (c) deur die volgende:

"(c) Vir die doel van die Fondse in hierdie klousule bedoel, is "A"-lede werknemers wat in diens is van 'n lid van die werkgewersorganisasie en is "B"-lede werknemers wat in diens is van 'n werkgewer wat nie 'n lid van die werkgewersorganisasie is nie."

Soos gemagtig, vir en namens die partye by die Raad op hede die 3de dag van Augustus 1987 te Oos-Londen onderteken.

B. MATTHEUS,

Voorsitter van die Raad.

F. A. SIEVWRIGHT,

Ondervoorsitter van die Raad.

V. VERMEULEN,

Sekretaris van die Raad.

10. Voeg die volgende Bylae in die Ooreenkoms in:

"BYLAE

1. PROSEDURES VIR ONDERHANDELINGS TUSSEN PARTYE BY DIE RAAD EN DIE BESLEGTING VAN DISPUTE WAT VOORTSPRUIT UIT SODANIGE ONDERHANDELINGS

(1) *Onderhandelingsprosedure:*

(a) Waar 'n party by die Raad onderhandelings wil aanknoop vir die wysiging van 'n bestaande ooreenkoms of die indiening van 'n nuwe ooreenkoms, moet sodanige party skriftelike voorstelle by die Sekretaris van die Raad indien.

(b) Die Raad moet dadelik reël dat die voorstel aan alle belanghebbende partye gestuur word en stappe doen om die eerste onderhandelingsvergadering te belê binne 45 dae na indiening van die voorstel. Met dien verstande dat waar die voorstel betrekking het op 'n nywerheidsaangecentheid, die datum van die eerste onderhandelingsvergadering op die volgende vergadering van die Raad bepaal moet word en sodanige vergadering belê moet word binne 30 dae na die vergadering van die Raad.

(c) Waar 'n party 'n teenaanbod of voorstel maak in antwoord op die oorspronklike voorstel, moet sodanige teenaanbod of voorstel skriftelik aan al die partye voorgelê word ten tye van die eerste onderhandelingsvergadering.

(d) Na afloop van elke onderhandelingsvergadering moet die partye die datum van die volgende onderhandelingsvergadering bepaal en ooreenkom oor watter verdere dokumentasie nodig is.

(e) Waar dispute ontstaan, moet die prosedures in 1 (2) gevolg word.

Opmerking.—Vir die doeleindes hiervan beteken "dispuut" enige situasie waar twee of meer partye by die Raad nie onderling ooreenkoms kan bereik oor 'n geskilpunt nie en een of meer van die partye die Raad skriftelik in kennis stel dat hulle in dispuut verkeer met een of meer van die ander partye by die Raad oor sodanige geskilpunt.

9. CLAUSE 6.—SICK BENEFIT, PENSION AND MEDICAL AID FUNDS

(1) In subclause (1), delete the word "Transvaal".

(2) Substitute the following for subclause (4) (a):

"(a) An employer shall pay the following amounts to the Medical Aid Fund in respect of the undermentioned employees in their respective categories of membership per week.

[Column (1)] Category of membership	Total amount in Rands per week			
	Elcons, Dams, Artisans, E10s, final year apprentices, apprentices with dependants and trainees who are	Apprentices not included in Column (2)	Apprentices not included in Column (3)	
	'A' members [Column (2)]	'B' members [Column (3)]		
M.....	25	21	12,50	10,50
M1.....	28	25	—	—
M2.....	32	29	—	—
M3.....	36	33	—	—
M4+.....	39	36	—	—

(3) Substitute the following for subclause (4) (c):

"(c) For the purposes of the Funds referred to in this clause, "A" members are employees who are employed by members of the employers' organisation and "B" members are employees who are employed by employers who are not members of the employers' organisation."

Signed at East London, as authorised, for and on behalf of the parties to the Council this 3rd day of August 1987.

B. MATTHEUS,

Chairman of the Council.

F. A. SIEVWRIGHT,

Vice-Chairman of the Council.

V. VERMEULEN,

Secretary of the Council.

12. Insert the following Annexure to the Agreement:

"ANNEXURE

1. PROCEDURE FOR NEGOTIATIONS BETWEEN PARTIES TO THE COUNCIL AND THE RESOLUTION OF DISPUTES ARISING OUT OF SUCH NEGOTIATIONS

(1) *Negotiating procedure:*

(a) Where any party to the Council wishes to initiate negotiations for the amendment of any existing agreement or the introduction of a new agreement, that party shall submit its proposals in writing to the Secretary of the Council.

(b) The Council shall immediately arrange for the proposal to be circulated to all interested parties and shall take steps to arrange for the first negotiating meeting to take place within 45 days of receipt of the proposal. Provided that where the proposal relates to the negotiation of an industry matter, the date of the first negotiating meeting shall be decided at the next meeting of the Council and such meeting shall be held within 30 days of the meeting of the Council.

(c) Where a party makes a counter-offer or proposal in response to an initial proposal, such counter-offer or proposal shall be made available to all parties in writing at the first negotiating meeting.

(d) At the conclusion of each negotiating meeting the parties shall decide on the date on which the next negotiating meeting is to be held and agree on such further documentation as may be required.

(e) Where disputes arise, the procedures in 1 (2) shall be followed.

Note.—For the purposes hereof, "dispute" means any situation where two or more parties to the Council are unable to reach agreement on an area of difference between them and one or more of the parties advise that Council in writing that they are in dispute with one or more other parties to the Council in respect of that area of difference.

(2) Disputesettlingsprocedure:

(a) Die Sekretaris, in oorleg met die Voorsitter van die Raad, moet besluit of die dispuut 'n nywerheidsaangeleentheid is, in welke geval hulle moet reël dat die Raad binne 14 dae na die kennisgewing van die dispuut vergader. Indien hulle besluit dat die dispuut nie 'n nywerheidsaangeleentheid is nie, moet die Sekretaris reël dat die partye in dispuut binne 14 dae na die kennisgewing van die dispuut vergader.

(b) Op die vergadering in paragraaf (a) hierbo bepaal, moet die partye in dispuut of die Raad, na gelang van die geval, tussen die volgende opsies besluit:

(i) Om onderhandelinge te hervat: Met dien verstande dat die partye of die dispuut moet besleg of moet besluit tussen opsies (ii), (iii), (iv) of (v) van hierdie paragraaf binne 30 dae nadat die Raad die kennisgewing van die dispuut ontvang het;

(ii) om 'n komitee te benoem wat as 'n komitee van die Raad geag moet word en wat binne drie dae na benoeming moet vergader en binne 'n verdere drie dae daarna tot 'n besluit moet kom oor aanbevelings aan die partye vir die beslegging van die dispuut of 'n keuse tussen opsies (i), (iii) (iv) of (v) van hierdie paragraaf;

(iii) vrywillige bemiddeling, in welke geval die partye binne sewe dae ooreen moet kom oor 'n bemiddelaar, in gebreke waarvan die bepaling van artikel 44 van die Wet op Arbeidsverhoudinge van toepassing is;

(iv) vrywillige arbitrasie, in welke geval die bepaling van artikel 45 van die Wet op Arbeidsverhoudinge van toepassing is. Indien daar op hierdie opsie besluit word, val die tydfaktor in paragraaf (c) bedoel weg en is die bepaling van die arbitrasietoekenning bindend vir die partye in dispuut;

(v) die Minister in kennis te stel dat 'n dooie punt bereik is.

(c) Indien, na die verstryking van 30 dae, bereken vanaf die datum waarop die Raad kennisgewing van die dispuut ontvang het, geen skikking bereik is nie en die partye in dispuut bly, is die partye in dispuut geregtig om behoudens artikel 66 van die Wet die stappe te doen met betrekking tot stakings/uitsluitings soos in artikel 65 van die Wet bepaal.

2. PROSEDURE-OOREENKOMSTE OP ONDERNEMINGSVLAK

(1) Individuele werkgewers en 'n vakvereniging met lidmaatskap in sodanige werkgewer se onderneming kan 'n procedure-ooreenkoms aangaan vir die regulering van verhoudinge tussen die bestuur en die werknemers oor ondernemingsvlakaangeleenthede en kan sodanige ooreenkoms by die Raad indien vir administratiewe doeleindes. Waar daar meer as een vakvereniging is met lede in so 'n onderneming moet daar gepoog word om die instemming van al sodanige vakverenigings tot die procedure-ooreenkoms te verkry.

(2) Sodanige procedure-ooreenkoms kan voorsiening maak vir die volgende en alle ander sake wat as van gemeenskaplike belang geag word:

(a) Prosedure om die omvang van vakvereniginglidmaatskap te bepaal;

(b) toegang vir vakverenigingamptenare tot—

(i) bestuur;

(ii) werkwinkelverteenvoorgeders en vakvereniginglede op geleë tye en plekke op die terrein van die onderneming;

(c) na uitklaring met bestuur, die plasing van vakverenigingskennisgewings op die kennisgewingsborde van die onderneming;

(d) akkreditering van werkwinkelverteenvoorgeders, naamlik—

(i) aantal werkwinkelverteenvoorgeders wat verkies moet word en hul gebiedsverantwoordelike;

(ii) verkiesing van werkwinkelverteenvoorgeders by wyse van geheime stemming, onderworpe aan die bepalinge van die vakvereniging/s se konstitusie/s;

(iii) dienstermyne van werkwinkelverteenvoorgeders;

(iv) toegang vir werkwinkelverteenvoorgeders tot vakvereniginglede op aanvaarbare tye en plekke;

(v) opleiding van werkwinkelverteenvoorgeders;

(vi) formaat en frekwensie van vergaderings tussen werkwinkelverteenvoorgeders en bestuur;

(vii) bepaalde tye en reëlins vir die uitvoering van werkwinkelverteenvoorgeders se pligte;

(viii) aftrekking van vakvereniginglede behoudens die Wet op Arbeidsverhoudinge, die Hoof-ooreenkoms en enige prosedures soos deur die Raad uitgereik van tyd tot tyd;

(e) griewe en dissiplinêre prosedures:

Sodanige prosedures behoort duidelik te onderskei tussen bestuursfunksies van toesighouers en die werknemerverteenvoorgedingsfunksies van die werkwinkelverteenvoorgeders.

(2) Disputesettlingsprocedure:

(a) The Secretary, in consultation with the Chairman of the Council, shall decide whether the dispute is an industry matter, in which case they shall arrange for the Council to meet within 14 days of the notification of such dispute. Should they decide that the dispute is not an industry matter, the Secretary shall make arrangements for the parties to the dispute to meet within 14 days from the notification of such dispute.

(b) At the meeting provided for in paragraph (a) the parties to the dispute or the Council, as the case may be, shall decide between the following options:

(i) To recommence negotiations: Provided that the parties either resolve the dispute or decide between options (ii), (iii), (iv) or (v) of this paragraph within 30 days from the date of receipt by the Council of the notification of the dispute;

(ii) to appoint a committee, deemed to be a committee of the Council, to meet within three days of appointment and to arrive at a decision within a further three days on recommendations to the parties for the settlement of the dispute or on a choice between options (i), (iii) (iv) or (v) of this paragraph;

(iii) voluntary mediation, in which case the parties shall agree on a mediator within seven days, failing which, the provisions of section 44 of the Labour Relations Act shall apply;

(iv) voluntary arbitration, in which case the provisions of section 45 of the Labour Relations Act shall apply. In the event of this option being exercised, the time limit referred to in paragraph (c) shall fall away and the provisions of the arbitration award shall be binding on the parties to the dispute.

(v) to advise the Minister that deadlock has been reached.

(c) If, after a period of 30 days has elapsed after the date of receipt by the Council of notification of a dispute, no settlement has been reached and the parties remain in dispute, the parties to the dispute shall be entitled to pursue the steps provided for in section 65 of the Act relating to strikes/lock-outs subject to the provisions of section 66 of the Act.

2. PROCEDURAL AGREEMENTS AT THE LEVEL OF THE ESTABLISHMENT

(1) Individual employers and any trade union having membership in that employer's establishment may enter into a procedural agreement to regulate the relationship between management and employees on establishment level matters and may lodge such an agreement with the Council for administration purposes. Where there is more than one trade union with membership in the establishment, every effort shall be made to obtain the agreement of all such trade unions to the procedural agreement.

(2) Such procedural agreements may provide for the following and any other matters deemed to be of mutual interest:

(a) Procedure for determining the extent of membership of the trade unions;

(b) access for the trade union officials to—

(i) management;

(ii) shop stewards and union members on the premises of the establishment at acceptable times and venues;

(c) placing trade union notices on the notice-boards of establishments after clearance with management;

(d) accreditation of shop stewards—

(i) number of shop stewards to be elected and their areas of responsibility;

(ii) election of shop stewards by secret ballot subject to the provisions of the trade union/s constitution/s;

(iii) terms of office of the shop stewards;

(iv) access of shop stewards to union members at acceptable times and venues;

(v) training of shop stewards;

(vi) format and frequency of meetings between shop stewards and management;

(vii) specified times and arrangements for shop stewards to carry out their duties;

(viii) deduction of trade union dues subject to the provisions of the Labour Relations Act, the Main Agreement and any procedures issued by the Council from time to time;

(e) grievance and disciplinary procedure:

Such procedures should clearly distinguish between the management function of supervisors and the employee representations function of shop stewards.

Dit behoort voorsiening te maak vir—

(i) pogings om fabrieksvlakprobleme wat tussen toesighouers en werknemer/s ontstaan, op te los alvorens werkwinkelverteenvoerders betrek word;

(ii) die betrokkenheid van 'n werkwinkelverteenvoerder op versoek van 'n werknemer by enige daaropvolgende bespreking van 'n probleem soos in paragraaf (e) (i) bedoel;

(iii) duidelike prosedures aangaande mondelinge en/of skriftelike waarskuwings wat tot ontslag kan lei;

(iv) die reëling van ondersoek onder die voorsitterskap van 'n senior bestuurder met verteenwoordiging van alle belanghebbende partye in gevalle van ernstige probleme, in besonder waar die afdanking van 'n werknemer in gedrang is;

(v) keerdadums tussen die stadiums van prosedure sodat onnodige vertraging die oplossing van die probleem nie kan beïnvloed nie;

(vi) aanmelding by die Raad van die onvermoë om die probleem op te klaar deur middel van die onderneming se griewe- of dissiplinêre prosedure om die Raad sodanig in staat te stel om sy dispuutbeslegtingsprosedure te implementeer.

(f) Gesamentlike konsultasies met werkekomitees:

Die prosedure-ooreenkomste kan voorsiening maak vir die daargestelling van 'n werkekomitee op 'n basis van gemeenskaplike aanvaarbaarheid om sodoende 'n forum te verskaf vir gesamentlike onderhandelinge tussen bestuur en werknemers. Werkekomitees kan voorsiening maak vir verteenwoordiging deur werknemers of hul lede is van 'n vakvereniging al dan nie.

Voorsiening behoort gemaak te word vir 'n werkekomiteekonstitusie en dit behoort ingesluit te word as deel van die prosedure-ooreenkomste.

(g) Reguleringsprosedures aangaande die oortolligheid en/of diensskorting van werknemers.

3. RAADSPROEDURE VIR BYSTAND MET DIE OPLOSSING VAN PROBLEME OP DIE VLAK VAN DIE ONDERNEMING

(1) 'n Party wat op die vlak van die onderneming betrokke is by 'n probleem wat nie besleg kan word met gebruikmaking van die ondernemingsvlak-nywerheidsverhoudingeprosedure, soos in klousule 2 hiervan verskaf (waar sodanige prosedures bestaan) nie, en in besonder waar sodanige party glo dat die probleem tot nywerheidsonrus aanleiding kan gee, kan versoek dat die Raad hulp verleen met die beslegting van die probleem.

(2) By ontvangs van sodanige versoek, moet die Raad reël dat 'n spesiale subkomitee bestaande uit twee goedgekeurde lede van die Raad, plus 'n agent, aandag skenk aan die probleem deur binne 48 uur na ontvangs van die versoek, met die betrokke partye in verbinding te tree. Die subkomitee moet bepaal of die probleem verband hou met—

(a) 'n "klagte", wat beteken 'n beweerde oortreding van enige ooreenkomste van die Raad, in welke geval Prosedure A hieronder gevolg moet word; of

(b) 'n "grief", in welke geval Prosedure B hieronder gevolg moet word.

Prosedure A:

(1) Indien die oortreding van 'n ooreenkomste bevestig word, moet die subkomitee die oortredende party gelas om die oortreding reg te stel.

(2) Indien die oortreding nie dadelik deur die oortredende party reggestel word nie, moet die spesiale subkomitee die saak na die Sekretaris verwys vir vervolging.

(3) 'n Werkgewer of 'n werknemer wat gegrief voel oor die toepassing op hom van die beslissing van die subkomitee, kan appelleer na die Raad teen die beslissing wat van toepassing is op hom en die Raad kan na oorweging van die redes wat deur die subkomitee vir hul beslissing aangevoer is dié beslissing bevestig of sodanige ander beslissing gee as wat volgens hul mening in sodanige geval gegee moet gewees het. Appèlle ingevolge hierdie subklousule moet gerig word aan die Raad.

Prosedure B:

Die subkomitee moet aanbied om te bemiddel tussen die partye wat by die saak betrokke is. Indien sodanige aanbod verwerp word, moet die subkomitee die partye betrokke by die grief inlig oor die bepalinge van die Dispuutprosedure van die Raad (soos voorgeskryf in klousule 4 hiervan) waarna enige party 'n dispuut kan verklaar behoudens die genoemde prosedure.

They should provide for—

(i) supervisors and the employee/s to attempt to resolve any problems that may arise between them at shop floor level before involving the shop stewards;

(ii) the involvement of the shop steward at the employee's request at any subsequent discussion of the problem referred to in paragraph (e) (i);

(iii) clear procedures regarding verbal and/or written warnings which may lead to dismissal;

(iv) the holding of an enquiry under the chairmanship of a senior manager and with all interested parties present in the event of a serious problem, particularly where dismissal of an employee is involved;

(v) time deadlines between each stage of the procedures so that unnecessary delays cannot obstruct the resolution of the problem;

(vi) the reporting to the Council where it has not been possible to resolve the problem utilising the establishment's grievance or disciplinary procedure to enable the Council to invoke its dispute settlement procedures.

(f) Joint consultation through works councils:

The procedural agreement may provide for the establishment of works councils on a mutually acceptable basis to provide a forum for joint consultation between management and all employees. Works councils may provide for the representation of both unionised and non-unionised employees.

Provision should be made for a constitution for the works council and this should be included as part of the procedural agreement.

(g) Procedures to regulate matters concerning the redundancy and/or laying-off of employees.

3. COUNCIL PROCEDURE FOR ASSISTING WITH RESOLUTION OF PROBLEMS AT THE LEVEL OF THE ESTABLISHMENT

(1) A party involved in a problem at the level of the establishment who has been unable to achieve a resolution of the problem utilising the establishment level industrial relations procedures as provided for in section 2 hereof (where such procedures exist) and particularly where such party believes the problem may lead to industrial unrest, may request assistance from the Council in resolving the problem.

(2) On receipt of such a request, the Council shall arrange for a subcommittee comprising two approved members of the Council plus an agent, to attend to the problem by establishing contact with the parties concerned within 48 hours of receipt of a request. The subcommittee shall determine whether the problem relates to—

(a) a "complaint", which means an alleged breach of any agreement of the Council, in which case Procedure A shall be followed; or

(b) a "grievance", in which case Procedure B below shall be followed.

Procedure A:

(1) If a breach of an agreement is confirmed, the subcommittee shall instruct the offending party to remedy the breach.

(2) If the breach of the agreement is not remedied by the offending party immediately, the subcommittee shall be required to refer the matter for prosecution to the Secretary.

(3) Any employer or employee who is aggrieved by the application of decision of the subcommittee to him may appeal to the Council against the decision applied to him, and to the Council may, after considering any reasons which may be submitted for such decision of the subcommittee, confirm that decision or give such other decision as in its opinion ought to have been given in such case. Appeals in terms of this subclause shall be made to the Council.

Procedure B:

The subcommittee shall offer to mediate between the parties concerned in the matter. Should such an offer be rejected, the subcommittee shall advise the parties involved in the grievance of details of the Council Dispute Procedure (as provided for in clause 4 hereof) whereupon either party may declare a dispute in terms of the said procedure.

4. PROSEDURE VIR DIE BESLEGTING VAN ANDER DISPUTE AS DISPUTE SOOS IN KLOUSULE 1 BEDOEL

Vir die toepassing van hierdie klausule beteken "dispuut"—

(a) enige situasie waar die partye betrokke by 'n aangeleentheid wat werkgewer/werknemer-verhouding beïnvloed nie oor die geskilpunt tot 'n vergelyk kan kom nie, en een of ander of beide partye die Raad in kennis stel en die dispuut skriftelik bevestig waarin aangedui word die partye in dispuut is en waaroor die dispuut gaan, of

(b) enige aangeleentheid soos in artikel 43 van die Wet bedoel aangaande—

(i) die skorsing of beëindiging van die diens van 'n werknemer of werknemers of die besluit of voorstel van 'n werkgewer om die diens van 'n werknemer of werknemers te skors of te beëindig; of

(ii) 'n verandering of voorgestelde verandering in die bepalinge van voorwaardes van diens van 'n werknemer of werknemers behalwe om uitvoering te gee aan 'n toepaslike wet of loonreëlende maatregel; of

(iii) 'n beweerde onbillike arbeidspraktyk.

(1) Dispuutprosedure—Deel A:

(a) Die Raad moet, by ontvangs van kennisgewing van sodanige dispuut, handel ooreenkomstig die bepalinge van klausule 1 (2) (a) hiervan om te bepaal of die dispuut 'n nywerheidsaangeleentheid is, in welke geval die Raad die dispuut sal hanteer.

Waar die dispuut nie betrekking het op 'n nywerheidsaangeleentheid nie, moet die betrokke Raad reëlins tref om die partye by die dispuut binne 48 uur bymekaar te bring op 'n plek soos ooreengekom onder die voorsitterskap van die Sekretaris of sy benoemde om—

(i) vasstelling van prosedure te bespreek ten einde uitvoering te verleen aan die prosedures soos in hierdie Deel bepaal;

(ii) twee bemiddelaars aan te wys uit die naamlys van geselekteerde bemiddelaars van die Raad: Met dien verstande dat indien die partye in dispuut toestem, hulle 'n besprekingskans gegun moet word in 'n poging om die dispuut op te klaar alvorens subklausule (1) (b) (i) hiervan geïmplementeer word.

(b) (i) Die aangewese bemiddelaars moet reëlins tref vir 'n reeks afsonderlike en gesamentlike vergaderings van die partye in dispuut in 'n poging om 'n skikking te bewerkstellig.

(ii) Gesamentlike vergaderings op 'n plek soos ooreengekom moet bygewoon word deur die Voorsitter soos benoem ingevolge subklausule (1) (a) en beide bemiddelaars.

(iii) Die bemiddelaars aangewys ingevolge subklausule (1) (a) (ii), tesame met die Voorsitter, aangewys ingevolge subklausule (1) (a), moet 'n komitee van die Raad uitmaak en waar die partye in dispuut 'n ooreenkoms bereik het, gemagtig wees om 'n skikking van die dispuut te bewerkstellig sonder om die Raad verder te raadpleeg.

(c) Die prosedures wat ingevolge hierdie Deel gevolg moet word, moet uitgevoer word binne 'n tydperk van 14 dae na ontvangs deur die Raad van die kennisgewing van die dispuut en voor die verstryking van hierdie tydperk moet 'n vergadering van die partye in dispuut belê word om te besluit tussen—

(i) voortsetting van die prosedure van bemiddeling/onderhandeling; of

(ii) vrywillige arbitrasie, vir welke doel die Raad 'n paneel van geselekteerde arbiters of persone wat nie lede van die Raad is nie, moet handhaaf. Indien hierdie opsie verkies word, moet die koste van die arbitrasie deur die Raad gedra word: Met dien verstande dat die Raad die reg voorbehou om sodanige koste te verhaal waar geregverdig; of

(iii) verwysing van die dispuut na die Nywerheidshof; of

(iv) die Minister in kennis te stel dat 'n dooie punt bereik is.

(2) Waar die dispuut betrekking het op 'n saak soos in artikel 43 van die Wet bedoel, moet die komitee in subklausule (1) (b) (iii) bedoel, die volmag en bevoegdheid hê om namens die Raad vertoë te rig soos in artikel 43 (3) (b) van die Wet bepaal.

(3) Dispuutprosedure—Deel B:

(a) In 'n geval waar die besluit soos in Deel A (c) bepaal vrywillige arbitrasie noodsaak, moet die Raad 'n vergadering met die arbiter belê ten einde prosedure te reël en die tydperk te bepaal wat nodig is vir sy vasstelling. Die tydskedule van 30 dae, soos in Deel C bedoel hou op om van toepassing te wees en die arbitrasietoekenning is bindend vir die partye in dispuut.

(b) Indien daar ingevolge Deel A (c) (iii) besluit word om die saak na die Nywerheidshof te verwys, moet die partye in dispuut hul voorleggings voorberei en by die Nywerheidshof indien soos deur die Wet vereis.

4. PROCEDURE FOR SETTLEMENT OF DISPUTES OTHER THAN DISPUTES REFERRED TO IN CLAUSE 1

For the purposes of this clause, "dispute" means—

(a) any situation where the parties concerned in a matter affecting the employer/employee relationship are unable to reach agreement on an area of difference between them and one or other or both advise the Council and confirm in writing of the dispute indicating who the parties to the dispute are and what the dispute is about; or

(b) any matter such as referred to in section 43 of the Act concerning—

(i) the suspension or termination of the employment of an employee or employees or the decision or proposal of an employer to suspend or terminate the employment of an employee or employees; or

(ii) a change or proposed change in the terms or conditions of employment of an employee or employees, except to give effect to any relevant law or wage regulating measure; or

(iii) an alleged unfair labour practice.

(1) Dispute Procedure—Part A:

(a) The Council shall, on receipt of notification of such dispute, act in accordance with the provisions of clause 1 (2) (a) hereof to decide whether the dispute is an industry matter, in which case the Council will handle the dispute.

Where the dispute does not relate to an industry matter, the Council concerned shall make arrangements for the parties to the dispute to meet within 48 hours at an agreed venue under the chairmanship of the Secretary or his nominee to—

(i) discuss and determine procedural arrangements to carry out the procedures provided for in this Part.

(ii) appoint two mediators from the panel of approved Council mediators: Provided that if both parties to the dispute agree, they may be given an opportunity to discuss in an attempt to resolve the dispute prior to implementing subclause (1) (b) (i) hereof.

(b) (i) The appointed mediators shall arrange a process of separate and joint meetings between the parties to the dispute in an attempt to achieve conciliation between the parties.

(ii) Joint meetings at an agreed venue shall be attended by the Chairman appointed in terms of subclause (1) (a) and both mediators.

(iii) The mediators appointed in terms of subclause (1) (a) (ii), together with the Chairman appointed in terms of subclause (1) (a), shall constitute a committee of the council and, where the parties to the dispute have reached agreement, shall be empowered to effect a settlement of the dispute without further reference to the Council.

(c) The procedures to be carried out in terms of this Part shall be carried out within a period of 14 days from the date of receipt by the Council of the notification of the dispute and prior to the expiry of this period a meeting of the parties to the dispute shall be held to choose between—

(i) continuing with the process of mediation/negotiation; or

(ii) voluntary arbitration, for which purpose the Council shall maintain a panel of approved arbitrators or persons who are not members of the Council. Should this option be chosen, the Council shall meet the costs of the arbitration: Provided that the Council shall reserve the right to recover such costs if recovery of such costs is warranted; or

(iii) referring the dispute to the Industrial Court; or

(iv) advising the Minister that deadlock has been reached.

(2) Where the dispute relates to a matter such as is referred to in section 43 of the Act, the committee referred to in clause (1) (b) (iii) shall be empowered and authorised to make representations on behalf of the Council as provided for in section 43 (3) (b) of the Act.

(3) Dispute Procedure—Part B:

(a) In the event of the decision provided for in Part A (c) entailing voluntary arbitration, the Council shall arrange a meeting with the arbitrator to arrange procedures and determine the time required to give his determination in the matter. The time limit of 30 days referred to in Part C shall cease to apply and the arbitration award shall be binding on the parties to the dispute.

(b) Should the decision provided for in Part A (c) (iii) be to refer the dispute to the Industrial Court the parties to the dispute shall prepare their submissions and deliver same to the Industrial Court as required by the Act.

(c) Die Voorsitter van die komitee aangewys ingevolge Deel A (a) moet 'n verslag oor die dispuut by die volgende vergadering van die Raad indien. Die Raad moet besluit of enige verdere stappe gedoen moet word om die dispuut te besleg. Indien geen geskeduleerde vergadering van die Raad binne 30 dae na ontvangs deur die Raad van die kennisgewing van die dispuut plaasvind nie, moet die komitee aangewys ingevolge Deel A (b) (iii) gemagtig word om 'n spesiale vergadering van die Raad te belê indien dit, na die komitee se mening, sal bydra tot die beslegting van die dispuut.

(4) Dispuutprosedure—Deel C:

Indien daar na die verstryking van 'n tydperk van 30 dae na ontvangs deur die Raad van die kennisgewing van die dispuut geen skikking bereik is nie en die partye in dispuut bly, is die partye in dispuut geregtig om, behoudens artikel 66 van die Wet, die stappe te doen soos in artikel 65 van die Wet bepaal aangaande stakings/uitsluitings."

DEPARTEMENT VAN NASIONALE GESONDHEID EN BEVOLKINGS- ONTWIKKELING

No. R. 416

11 Maart 1988

REGULASIES KRAGTENS DIE REGERINGS- DIENSPENSIOENWET, 1973.—WYSIGING

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het kragtens artikel 17 van die Regeringsdienspensioenwet, 1973 (Wet 57 van 1973), die regulasies vervat in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies uitgevaardig by Goewermmentskennisgewing R. 1062 van 22 Junie 1973, soos gewysig.

Wysiging van regulasie 7 van die Regulasies

2. Regulasie 7 van die Regulasies word hierby gewysig deur subregulasie (3) deur die volgende subregulasie te vervang:

"(3) Daar word ten opsigte van pensioengewende diens wat ingevolge regulasie 6 (1) (b) (ii) en (v) as pensioengewende diens toegelaat word, deur die betrokke lid aan die Fonds betaal—

(a) 'n bedrag bereken ooreenkomstig die formule—

$$n \times S \times F(x)$$

in welke formule—

n die tydperk in jare voorstel wat as pensioengewende diens gereken word en word 'n gedeelte van 'n jaar bepaal volgens die verhouding waarin die getal dae in bedoelde gedeelte van 'n jaar tot 365 dae staan;

S die jaarlikse pensioengewende verdienste voorstel op datum van aansoek; en

F(x) 'n faktor voorstel wat ooreenkomstig die Aanhangsel by hierdie regulasies bepaal word; plus

(b) samegestelde rente, teen die koers van 12 persent per jaar, vanaf die datum waarop die bedrag ooreenkomstig genoemde formule bereken, betaalbaar is, tot die datum waarop dit betaal word."

Byvoeging van 'n Aanhangsel by die Regulasies

3. Die Regulasies word hierby gewysig deur die volgende Aanhangsel by te voeg:

(c) The Chairman of the committee appointed in terms of Part A (a) shall submit a report on the dispute to the next meeting of the Council. The Council shall decide whether any further actions need to be taken to settle the dispute. If no meeting of the Council is scheduled to take place within 30 days after receipt by the Council of notification of the dispute, the committee appointed in terms of Part A (b) (iii) shall be empowered to requisition a special meeting of the Council if, in the opinion of the committee, this will assist in the resolution of the dispute.

(4) Dispute Procedure—Part C:

If, after a period of 30 days has elapsed after the date of receipt by the Council of notification of a dispute, no settlement has been reached and the parties remain in dispute, the parties to the dispute shall be entitled to pursue the steps provided for in section 65 of the Act relating to strikes/lock-outs, subject to the provisions of section 66 of the Act."

DEPARTMENT OF NATIONAL HEALTH AND POPULATION DEVELOPMENT

No. R. 416

11 March 1988

REGULATIONS UNDER THE GOVERNMENT SERVICE PENSION ACT, 1973.—AMENDMENT

The Minister of National Health and Population Development has, in terms of section 17 of the Government Service Pension Act, 1973 (Act 57 of 1973), made the regulations set out in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice R. 1062 of 22 June 1973, as amended.

Amendment of regulation 7 of the Regulations

2. Regulation 7 of the Regulations is hereby amended by the substitution for subregulation (3) of the following subregulation:

"(3) There shall, in respect of pensionable service which is allowed as pensionable service in terms of regulation 6 (1) (b) (ii) and (v), be paid to the Fund by the member concerned—

(a) an amount which is calculated in accordance with the formula—

$$n \times S \times F(x)$$

in which formula—

n represents the period in years which shall be reckoned as pensionable service and any portion of a year shall be determined according to the proportion which the number of days in that portion of a year bears to 365 days;

S represents yearly pensionable emoluments on date of application; and

F(x) represents a factor determined in accordance with the Annexure to these regulations; plus

(b) compound interest, at the rate of 12 per cent per year, as from the date on which the amount calculated in accordance with the said formula is payable, up to the date on which it is paid."

Insertion of an Annexure to the Regulations

3. The Regulations are hereby amended by the insertion of the following Annexure:

AANHANGSEL

BEPALING VAN FAKTOR F(x): REGULASIE 7 (3)

Ouderdom van lid op sy volgende verjaardag (jaar)	Kolom 2 Provinsiale Diens	Kolom 3 Dienste	Kolom 4 Staatsdiens
19-45	0,286	0,385	0,250
46	0,286	0,386	0,251
47	0,287	0,387	0,251
48	0,287	0,388	0,252
49	0,288	0,389	0,252
50	0,288	0,390	0,253
51	0,289	0,392	0,255
52	0,292	0,396	0,257
53	0,297	0,402	0,259
54	0,303	0,412	0,261
55	0,310	0,420	0,263
56	0,317	0,425	0,265
57	0,324	0,427	0,268
58	0,331	0,428	0,270
59	0,338	0,429	0,273
60	0,346	0,430	0,275
61	0,339	0,424	0,279
62	0,332	0,416	0,285
63	0,326	0,408	0,293
64	0,319	0,399	0,302
65	0,312	0,390	0,312

ANNEXURE

DETERMINATION OF FACTOR F(x): REGULATION 7 (3)

Age of member on his next birthday (year)	Column 2 Provincial Service	Column 3 Services	Column 4 Public Service
19-45	0,286	0,385	0,250
46	0,286	0,386	0,251
47	0,287	0,387	0,251
48	0,287	0,388	0,252
49	0,288	0,389	0,252
50	0,288	0,390	0,253
51	0,289	0,392	0,255
52	0,292	0,396	0,257
53	0,297	0,402	0,259
54	0,303	0,412	0,261
55	0,310	0,420	0,263
56	0,317	0,425	0,265
57	0,324	0,427	0,268
58	0,331	0,428	0,270
59	0,338	0,429	0,273
60	0,346	0,430	0,275
61	0,339	0,424	0,279
62	0,332	0,416	0,285
63	0,326	0,408	0,293
64	0,319	0,399	0,302
65	0,312	0,390	0,312

Verduideliking van kolomme hierbo:

Kolom 2: Lede wat ingevolge artikel 21 (4) van die Wet op Provinsiale Regering, 1986 (Wet 69 van 1986), oorgeplaas is na en aangestel is in die Staatsdiens;

Kolom 3: Lede werksaam by die Buro, staande mag, polisiemag en gevangenisdiens; en

Kolom 4: Alle ander lede nie in kolomme 2 en 3 vermeld nie."

Inwerkingtreding

4. Die bepalings van hierdie Bylae word geag op 21 September 1987 in werking te getree het.

Explanation of above columns:

Column 2: Members who in terms of article 21 (4) of the Provincial Government Act, 1986 (Act 69 of 1986), were transferred to and appointed in the Public Service;

Column 3: Members employed in the Bureau, permanent force, police force and prisons service; and

Column 4: All other members not mentioned in columns 2 and 3."

Commencement

4. The provisions of this Schedule shall be deemed to have come into operation on 21 September 1987.

No. R. 417

11 Maart 1988

REGULASIES KRAGTENS DIE WET OP DIE PENSIOENFONDS VIR GEASSOSIEERDE INRIGTINGS, 1963.—WYSIGING

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het kragtens artikel 2 van die Wet op die Pensioenfonds vir Geassosieerde Inrigtings, 1963 (Wet 41 van 1963), die regulasies vervat in die Bylae uitgevaardig.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies uitgevaardig by Goewernementskennisgewing R. 1653 van 10 September 1976, soos gewysig.

Wysiging van regulasie 12 van die Regulasies

2. Regulasie 12 van die Regulasies word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:

"(2) Daar word ten opsigte van pensioengewende diens wat ingevolge regulasie 11 (1) (c), (f) of (g) as pensioengewende diens toegelaat word, deur die betrokke lid aan die Fonds betaal—

(a) 'n bedrag bereken ooreenkomstig die formule—

$$n \times S \times F(x)$$

in welke formule—

n die tydperk in jare voorstel wat as pensioengewende diens gereken word en word 'n gedeelte van 'n jaar bepaal volgens die verhouding waarin die getal dae in bedoelde gedeelte van 'n jaar tot 365 dae staan;

S die jaarlikse pensioengewende verdienste voorstel op datum van aansoek; en

F(x) 'n faktor voorstel wat ooreenkomstig die Aanhangel by hierdie regulasies bepaal word; plus

(b) samegestelde rente, teen die koers van 12 persent per jaar, vanaf die datum waarop die bedrag ooreenkomstig genoemde formule bereken, betaalbaar is, tot die datum waarop dit betaal word."

Byvoeging van 'n Aanhangel by die Regulasies

3. Die Regulasies word hierby gewysig deur die volgende Aanhangel by te voeg:

AANHANGSEL

BEPALING VAN FAKTOR F(x): REGULASIE 12 (2)

Ouderdom van lid op sy volgende verjaardag (jaar)	Faktor F(x) ten opsigte van alle lede
19-45	0,268
46	0,269
47	0,270
48	0,270
49	0,271
50	0,272
51	0,277
52	0,282
53	0,286
54	0,291
55	0,296
56	0,301
57	0,307
58	0,313
59	0,319
60	0,324
61	0,324
62	0,324
63	0,324
64	0,324
65	0,324

No. R. 417

11 March 1988

REGULATIONS UNDER THE ASSOCIATED INSTITUTIONS PENSION FUND ACT, 1963.—AMENDMENT

The Minister of National Health and Population Development has, in terms of section 2 of the Associated Institutions Pension Fund Act, 1963 (Act 41 of 1963), made the regulations set out in the Schedule.

SCHEDULE

Definition

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice R. 1653 of 10 September 1976, as amended.

Amendment of regulation 12 of the Regulations

2. Regulation 12 of the Regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) There shall, in respect of pensionable service which is allowed as pensionable service in terms of regulation 11 (1) (c), (f) or (g), be paid to the Fund by the member concerned—

(a) an amount which is calculated in accordance with the formula—

$$n \times S \times F(x)$$

in which formula—

n represents the period in years which shall be reckoned as pensionable service and any portion of a year shall be determined according to the proportion which the number of days in that portion of a year bears to 365 days;

S represents yearly pensionable emoluments on date of application; and

F(x) represents a factor determined in accordance with the Annexure to these regulations; plus

(b) compound interest, at the rate of 12 per cent per year, as from the date on which the amount calculated in accordance with the said formula is payable, up to the date on which it is paid."

Insertion of an Annexure to the Regulations

3. The Regulations are hereby amended by the insertion of the following Annexure:

ANNEXURE

DETERMINATION OF FACTOR F(x): REGULATION 12 (2)

Age of member on his next birthday (year)	Factor F(x) in respect of all members
19-45	0,268
46	0,269
47	0,270
48	0,270
49	0,271
50	0,272
51	0,277
52	0,282
53	0,286
54	0,291
55	0,296
56	0,301
57	0,307
58	0,313
59	0,319
60	0,324
61	0,324
62	0,324
63	0,324
64	0,324
65	0,324

Inwerkingtreding

4. Die bepalings van hierdie Bylae word geag op 21 September 1987 in werking te getree het.

No. R. 418

11 Maart 1988

REGULASIES KRAGTENS DIE WET OP DIE PENSIOENFONDS VIR TYDELIKE WERKNEMERS, 1979.—WYSIGING

Die Minister van Nasionale Gesondheid en Bevolkingsontwikkeling het kragtens artikel 8 van die Wet op die Pensioenfonds vir Tydelike Werknemers, 1979 (Wet 75 van 1979), die regulasies vervat in die Bylae uitgevaardig.

BYLAE**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die regulasies uitgevaardig by Goewermentskennisgewing R. 2099 van 21 September 1979, soos gewysig.

Wysiging van regulasie 6 van die Regulasies

2. Regulasie 6 van die Regulasies word hierby gewysig deur subregulasie (4) deur die volgende subregulasie te vervang:

"(4) Daar word ten opsigte van pensioengewende diens wat ingevolge regulasie 5 (1) (b) (iii) en (iv) as pensioengewende diens toegelaat word, deur die betrokke lid aan die Fonds betaal—

(a) 'n bedrag bereken ooreenkomstig die formule—

$$n \times S \times F(x)$$

in welke formule—

n die tydperk in jare voorstel wat as pensioengewende diens gereken word en word 'n gedeelte van 'n jaar bepaal volgens die verhouding waarin die getal dae in bedoelde gedeelte van 'n jaar tot 365 dae staan;

S die jaarlikse pensioengewende verdienste voorstel op datum van aansoek; en

F(x) 'n faktor voorstel wat ooreenkomstig die Aanhangel by hierdie regulasies bepaal word; plus

(b) samegestelde rente, teen die koers van 12 persent per jaar, vanaf die datum waarop die bedrag ooreenkomstig genoemde formule bereken, betaalbaar is, tot die datum waarop dit betaal word."

Byvoeging van 'n Aanhangel by die Regulasies

3. Die Regulasies word hierby gewysig deur die volgende Aanhangel by te voeg:

AANHANGSEL**BEPALING VAN FAKTOR F(x): REGULASIE 6 (4)**

Ouderdom van lid op sy volgende verjaardag (jaar)	Faktor F(x) ten opsigte van alle lede
19-45	0,234
46	0,235
47	0,235
48	0,236
49	0,236
50	0,237
51	0,239
52	0,242
53	0,247
54	0,253
55	0,259
56	0,265
57	0,270
58	0,276
59	0,281
60	0,287
61	0,295
62	0,304
63	0,312
64	0,321
65	0,330

Commencement

4. The provisions of this Schedule shall be deemed to have come into operation on 21 September 1987.

No. R. 418

11 March 1988

REGULATIONS UNDER THE TEMPORARY EMPLOYEES PENSION FUND ACT, 1979.—AMENDMENT

The Minister of National Health and Population Development has, in terms of section 8 of the Temporary Employees Pension Fund Act, 1979 (Act 75 of 1979), made the regulations set out in the Schedule.

SCHEDULE**Definition**

1. In this Schedule "the Regulations" shall mean the regulations published under Government Notice R. 2099 of 21 September 1979, as amended.

Amendment of regulation 6 of the Regulations

2. Regulation 6 of the Regulations is hereby amended by the substitution for subregulation (4) of the following subregulation:

"(4) There shall, in respect of pensionable service which is allowed as pensionable service in terms of regulation 5 (1) (b) (iii) and (iv), be paid to the Fund by the member concerned—

(a) an amount which is calculated in accordance with the formula—

$$n \times S \times F(x)$$

in which formula—

n represents the period in years which shall be reckoned as pensionable service and any portion of a year shall be determined according to the proportion which the number of days in that portion of a year bears to 365 days;

S represents yearly pensionable emoluments on date of application; and

F(x) represents a factor determined in accordance with the Annexure to these regulations; plus

(b) compound interest, at the rate of 12 per cent per year, as from the date on which the amount calculated in accordance with the said formula is payable, up to the date on which it is paid."

Insertion of an Annexure to the Regulations

3. The Regulations are hereby amended by the insertion of the following Annexure:

ANNEXURE**DETERMINATION OF FACTOR F(x): REGULATION 6 (4)**

Age of member on his next birthday (year)	Factor F(x) in respect of all members
19-45	0,234
46	0,235
47	0,235
48	0,236
49	0,236
50	0,237
51	0,239
52	0,242
53	0,247
54	0,253
55	0,259
56	0,265
57	0,270
58	0,276
59	0,281
60	0,287
61	0,295
62	0,304
63	0,312
64	0,321
65	0,330

Inwerkingtreding

4. Die bepalings van hierdie Bylae word geag op 21 September 1987 in werking te getree het.

DEPARTEMENT VAN VERVOER

No. R. 423

11 Maart 1988

**TYDELIKE VRYSTELLING VAN SEKERE OOR-
VLUGREGULASIES**

Daar word hierby vir algemene inligting bekendgemaak dat die Minister van Vervoerwese ingevolge regulasie 2.1 van die Vliegereguleer-, Lugverkeersdienste-, Soek-en-Redding en Oorvlugregulasies, 1975, gelas het dat regulasie 10.5 van die regulasies vanaf 1 Januarie 1988 tot 30 Junie 1988 nie van toepassing is nie op enige lugvaartuig—

(a) wat die grens van Lesotho, Swaziland of Botswana oorstek op 'n ononderbroke vlug vanaf een punt na 'n ander, binne die Republiek;

(b) wat die grens van die Republiek oorstek met die doel om oor die gebied van die Republiek te vlieg maar nie daarbinne te land nie ten einde die grens van Lesotho, Swaziland of Botswana oor te steek of wat 'n grens van enigeen van genoemde gebiede oorstek met die doel om oor die gebied van die Republiek te vlieg maar nie daarbinne te land nie ten einde enige ander grens oor te steek.

Commencement

4. The provisions of this Schedule shall be deemed to have come into operation on 21 September 1987.

DEPARTMENT OF TRANSPORT

No. R. 423

11 March 1988

**TEMPORARY EXEMPTION FROM CERTAIN OVER-
FLIGHT REGULATIONS**

It is hereby notified for general information that the Minister of Transport Affairs has in terms of Regulation 2.1 of the Rules of the Air, Air Traffic Services, Search and Rescue and Overflight Regulations, 1975, directed that regulation 10.5 of the regulations shall not apply from 1 January 1988 until 30 June 1988 to any aircraft—

(a) which crosses the border of Lesotho, Swaziland or Botswana on an uninterrupted flight from one place to another within the Republic;

(b) which crosses the border of the Republic for the purpose of overflying but not landing within the territory of the Republic in order to cross the border of Lesotho, Swaziland or Botswana or which crosses a border of any of the said territories for the purpose of overflying but not landing within the territory of the Republic in order to cross any other border.

**THE ONDERSTEPSPOORT
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Die "Onderstepoort Journal of Veterinary Research" word deur die Staatsdrukker, Pretoria, gedruk en is verkrygbaar van die Direkteur, Afdeling Landbou-inligting, Privaatsak X144, Pretoria, 0001, aan wie ook alle navrae in verband met die tydskrif gerig moet word.

Hierdie publikasie is 'n voortsetting van die "Reports of the Government Veterinary Bacteriologist of the Transvaal" wat terugdateer tot 1903 en waarvan 18 verskyn het tot 1932. Dit is gevolg deur 52 volumes van die "Onderstepoort Journal". Tans bestaan elke volume uit vier nommers wat teen R5 per kopie of R20 per jaar plus AVB binnelands en R6,25 per kopie of R25 per jaar buitelands van bogenoemde adres posvry verkrygbaar is (lugposbestellings: R10 per kopie of R40 per jaar).

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RESEARCH**

The Onderstepoort Journal of Veterinary Research is printed by the Government Printer, Pretoria, and is obtainable from the Director, Division of Agricultural information, Private Bag X144, Pretoria, 0001, to whom all communications should be addressed.

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