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GOEWERMENSKENNISGEWINGS

DEPARTEMENT VAN FINANSIES

No. R. 2532

24 November 1989

DOEANE- EN AKSYNSWET, 1964

OPLEGGING VAN VOORLOPIGE HEFFING

Kragtens artikel 57A van die Doeane- en Aksynswet, 1964, word 'n voorlopige heffing met betrekking tot anti-dumpingreg vir 'n tydperk van vier maande vanaf die datum van publikasie van hierdie kennisgewing opgelê, in die mate en op die goedere in die Bylae hiervan aangetoon.

Die voorlopige heffing is ook van toepassing op enige goedere wat kragtens die bepalings van enige item in Bylaes 3 en 4 van genoemde Wet vermeld, geklaar word.

G. MARAIS,

Adjunk-minister van Finansies.

GOVERNMENT NOTICES

DEPARTMENT OF FINANCE

No. R. 2532

24 November 1989

CUSTOMS AND EXCISE ACT, 1964

IMPOSITION OF PROVISIONAL CHARGE

Under section 57A of the Customs and Excise Act, 1964, a provisional charge in relation to anti-dumping duty is imposed for a period of four months from the date of publication of this notice, to the extent and on the goods set out in the Schedule hereto.

The provisional charge shall also apply to any goods entered under the provisions of any rebate item specified in Schedules 3 and 4 to the said Act.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

Tariefpos/ Subpos	Beskrywing van Goedere	Heffing	Ingevoer vanaf, Afkomstig van of Verskaf deur
8523.13.10	Videokassetbande	259c elk 348c elk	Republiek van Korea Hong Kong

Opmerking. — 'n Voorlopige heffing met betrekking tot anti-dumpingreg word opgelê op videokassetbande ingevoer vanaf, afkomstig van of verskaf deur die Republiek van Korea en Hong Kong.

SCHEDULE

Tariff Heading/ Subheading	Description of Goods	Charge	Imported from, Originating in or Supplied by
8523.13.10	Video cassette tapes	259c each 348c each	Republic of Korea Hong Kong

Note. — A provisional charge in relation to anti-dumping duty is imposed on video cassette tapes imported from, originating in or supplied by the Republic of Korea and Hong Kong.

No. R. 2533

24 November 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/195)

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 aange-
toon.

G. MARAIS,

Adjunk-minister van Finansies.

No. R. 2533

24 November 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/195)

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 the Schedule hereto.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

	Anno- taties
Afdeling XVI Deur Addisionele Opmerking 1 deur die volgende te vervang:	
"1. Die Kommissaris kan na goeë dunde en in die omstandighede wat hy uitsonderlik ag ten opsigte van 'n ongemonteerde of gedemonteerde masjien, toelaat dat die voorsienings van Algemene Opmerking A. (2) (a) ook toegepas word op 'n ongemonteerde of gedemonteerde masjien van hierdie Afdeling wat in meer as een besending ingevoer word indien die massa van so 'n masjien meer as 500 t is of die afmetings vir verskepingdoeleindes meer as 500 m ³ is, mits die aansoek om die ongemonteerde of gedemonteerde masjien ingevolge hierdie Opmerking te klaar, die Kommissaris bereik voor die tydstop van invoer van die eerste besending."	

Opmerking. — Addisionele Opmerking 1 by Afdeling XVI word herskryf.

SCHEDULE

	Annota- tions
Section XVI By the substitution for Additional Note 1 of the following:	
"1. The Commissioner may in his discretion and in the circumstances which he deems exceptional, in respect of an unassembled or disassembled machine, allow the provisions of General Note A. (2) (a) to be applied also to an unassembled or disassembled machine of this Section which is imported in more than one consignment if the mass of such machine exceeds 500 t or is of a measurement for shipping purposes exceeding 500 m ³ , provided the application to enter the unassembled or disassembled machine in terms of this Note reaches the Commissioner prior to the importation of the first consignment."	

Note. — Additional Note 1 to Section XVI is restated.

No. R. 2534

24 November 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/196)

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

- word Deel 1 van Bylae 1 by genoemde Wet hiermee gewysig in die mate in die in die Bylae hiervan aangetoon; en
- word hierdie wysiging, vir sover dit betrekking het op subposte Nos. 3901.10.05, 3901.20.05 en 3901.90.30, geag op 1 Januarie 1988 in werking te getree het.

G. MARAIS,

Adjunk-minister van Finansies.

No. R. 2534

24 November 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/196)

Under sections 48 and 48A 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 the Schedule hereto; and
- this amendment, in so far as it relates to subheadings Nos. 3901.10.05, 3901.20.05 and 3901.90.30, shall be deemed to have come into operation on 1 January 1988.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annota- tias
35.03			Deur in die Engelse teks van subpos No. 3503.00.30 toetssyfer "1" deur toetssyfer "7" te vervang.			
39.01			Deur subpos No. 3901.10.10 deur die volgende te vervang:			
	.05	0	Gechlloreer	kg	vry	
	.10	7	Ander vloei-stowwe en pastas	kg	10 % of 275c/kg min 90%	

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
41.04	.05 .10	5	Deur subpos No. 3901.20.10 deur die volgende te vervang:	kg kg	vry 10% of 170c/kg min 90%"	
		1	Gechlloreer Ander vloeistowwe en pastas			
42.02	.30	8	Deur na subpos No. 3901.90.20 die volgende in te voeg:	kg	vry"	
			Ander, gechlloreer Deur in subpos No. 4104.29.90, toetssyfer "2" deur toetssyfer "1" te vervang. Deur in subpos No. 4104.39.10, toetssyfer "0" deur toetssyfer "8" te vervang. Deur in subpos No. 4104.39.90, toetssyfer "8" deur toetssyfer "6" te vervang. Deur in subpos No. 4202.22.90, toetssyfer "3" deur toetssyfer "1" te vervang.			

Opmerking. — 'n Oorskakelingsfout word reggestel met terugwerkende krag tot 1 Januarie 1988 en sekere toetssyfers word reggestel.

SCHEDULE

Head- ing	Subhead- ing	C. D.	Article Description	Statistical Unit	Rate of Duty	Annota- tions
35.03			By the substitution in subheading No. 3503.00.30 for check digit "1" of check digit "7".			
39.01			By the substitution for subheading No. 3901.10.10 of the following:			
	.05 .10	0 7	Chlorinated Other liquids and pastes	kg kg	free 10 % or 275c/kg less 90%"	
			By the substitution for subheading No. 3901.20.10 of the following			
	.05 .10	5 1	Chlorinated Other liquids and pastes	kg kg	free 10% or 170c/kg less 90%"	
41.04	.30	8	By the insertion after subheading No. 3901.90.20 of the following: Other, chlorinated	kg	free"	
			By the substitution in subheading No. 4104.29.90 for check digit "2" of check digit "1".			
			By the substitution in subheading No. 4104.39.10 for check digit "0" of check digit "8".			
			By the substitution in subheading No. 4104.39.90 for check digit "8" of check digit "6".			
42.02			By the substitution in subheading No. 4202.22.90 for check digit "3" of check digit "1".			

Note. — A transposition error is rectified with retrospective effect to 1 January 1988 and certain check digits are rectified.

No. R. 2535

24 November 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/197)

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.

G. MARAIS,

Adjunk-minister van Finansies.

No. R. 2535

24 November 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/197)

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.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
39.17			Deur voor subpos No. 3917.32.10 die volgende in te voeg:			
	“.03	0	Kunsderms (worsderm), nie-naatloos of met geslote ente, onbedruk	kg	vry	
	.05	7	Kunsderms (worsderm), nie-naatloos of met geslote ente, bedruk	kg	10% "	

Opmerking.— Spesifieke voorsienings word gemaak vir sekere kunsderms (worsderm) van plastieke. Hierdie wysiging het terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

Heading	Sub-heading	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
39.17			By the insertion before subheading No. 3917.32.10 of the following:			
	“.03	0	Artificial guts (sausage casings), seamed or with closed ends, unprinted	kg	free	
	.05	7	Artificial guts (sausage casings), seamed or with closed ends, printed	kg	10% "	

Note.— Specific provisions are made for certain artificial guts (sausage casings) of plastics. This amendment has retrospective effect to 1 January 1988.

No. R. 2536

24 November 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 1 (No. 1/1/198)

Kragtens artikels 48 en 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. 4005.91.30, 7222.20.05 en 7222.20.20, geag op 1 Januarie 1988 in werking te getree het.

G. MARAIS,

Adjunk-minister van Finansies.

No. R. 2536

24 November 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 1 (No. 1/1/198)

Under sections 48 and 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. 4005.91.30, 7222.20.05 and 7222.20.20, shall be deemed to have come into operation on 1 January 1988.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
40.05			Deur in die Engelse teks, subpos No. 4005.91.10 deur die volgende te vervang:			
	“.10	6	Plates and sheets of balata, gutta-percha or factice	kg	30% "	
			Deur na subpos No. 4005.91.20 die volgende in te voeg:			
	“.30	0	Ander reep, selfklewend, met glasmiskrosfere bestryk	kg	vry "	

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Annotasies
72.22			Deur subpos No. 7222.20 deur die volgende te vervang:			
	"7222.20		Stawe en stange, nie verder bewerk as koudgevorm of koudafgewerk nie:			
	.05	4	Wat, volgens massa, minstens 12 persent chroom bevat, met 'n dwarsdeursnee-afmeting van hoogstens 13 mm	kg	vry	
	.10	0	Wat, volgens massa, minstens 12 persent chroom bevat, met 'n dwarsdeursnee-afmeting van meer as 13 mm	kg	10%	
	.20	8	Wat, volgens massa, minder as 12 persent chroom bevat, met 'n dwarsdeursnee-afmeting van hoogstens 13 mm	kg	5%	
	.90	9	Ander	kg	10% of 130c/kg min 90%"	

Opmerking. — Sekere oorskakelingsfoute word reggestel. Die verlaging van die skale van reg met betrekking tot subposte Nos. 4005.91.30, 7222.20.05 en 7222.20.20 het terugwerkende krag tot 1 Januarie 1988.

SCHEDULE

Head-ing	Subhead-ing	C. D.	Article Description	Statistical Unit	Rate of Duty	Annotations
40.05			By the substitution for subheading No. 4005.91.10 of the following:			
	"10	6	Plates and sheets of balata, gutta-percha or factice:	kg	30%"	
			By the insertion after subheading No. 4005.91.20 of the following:			
	"30	0	Other strip, self-adhesive, coated with glass microspheres	kg	free"	
72.22			By the substitution for subheading No. 7222.20 of the following:			
	"7222.20	5	Bars and rods, not further worked than cold-formed or cold-finished:			
	.05	4	Containing by mass 12 per cent or more of chromium, of a cross-sectional dimension not exceeding 13 mm	kg	free	
	.10	0	Containing by mass 12 per cent or more of chromium, of a cross-section dimension exceeding 13 mm	kg	10%	
	.20	8	Containing by mass less than 12 per cent of chromium, of a cross-sectional dimension not exceeding 13 mm	kg	5%	
	.90	9	Other	kg	10% or 130c/kg less 90%"	

Note. — Certain transposition errors are rectified. The reduction in the rates of duty in respect of subheadings Nos. 4005.91.30, 7222.20.05 and 7222.20.20 has retrospective affect to 1 January 1988.

No. R. 2537

24 November 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 3 (No. 3/84)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae 3 by genoemde Wet hiermee gewysig in die mate in die Bylae hiervan aangetoon.

G. MARAIS,

Adjunk-minister van Finansies.

No. R. 2537

24 November 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 3 (No. 3/84)

Under section 75 of the Customs and Excise Act, 1964, Schedule 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARAIS,

Deputy Minister of Finance.

BYLAE

I Korting- item	II				III Mate van Korting	Anno- tasies
	Tariefpos	Korting- kode	T. S.	Beskrywing		
316.17	00.00	01.00	09	Deur tariefpos No. 00.00 deur die volgende te vervang: Komponente, in die hoeveelhede en op die tye wat die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad van Handel en Nywerheid, by bepaalde permit toelaat, vir die vervaardiging van swart-en-wit of ander monochroom televisie-ontvangstoestelle, hetsy in dieselfde omhulsel gekombineer al dan nie met radio-ontvangstoestelle, of klank- of video-opneemapparate of weergee-apparate, met 'n waarde vir aksynsregdoeleindes van hoogstens 13 000c, onder 'n vervaardigingsprogram deur die Direkteur-generaal: Handel en Nywerheid, op aanbeveling van die Raad van Handel en Nywerheid goedgekeur	Volle reg"	

Opmerking. — Die kortingitem word herskryf.

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Annota- tions
	Tariff Heading	Rebate Code	C. D.	Description		
316.17	00.00	01.00	09	By the substitution for tariff heading No. 00.00 of the following: Components, in such quantities and at such times as the Director-General: Trade and Industry, on the recommendation of the Board of Trade and Industry, may allow by specific permit, for the manufacture of black and white or other monochrome television receivers, whether or not combined, in the same housing, with radio-broadcast receivers or sound or video recording or reproducing apparatus, of a value for excise duty purposes not exceeding 13 000c, under a manufacturing programme approved by the Director-General: Trade and Industry, on the recommendation of the Board of Trade and Industry	Full duty"	

Note. — The rebate item is restated.

No. R. 2538

24 November 1989

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE 6 (No. 6/20)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Deel 2 van Bylae 6 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Julie 1989, in die mate in die Bylae hiervan aangetoon.

G. MARAIS,
Adjunk-minister van Finansies.

No. R. 2538

24 November 1989

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE 6 (No. 6/20)

Under section 75 of the Customs and Excise Act, 1964, Part 2 of Schedule 6 to the said Act is hereby amended, with retrospective effect to 1 July 1989, to the extent set out in the Schedule hereto.

G. MARAIS,
Deputy Minister of Finance.

BYLAE

I Korting- item	II Tarief- item	III Kode	T. S.	IV Beskrywing	V Mate van Korting	VI Mate van Terug- betaling	Annota- sies
617.02				Deur Opmerking 1 (a) deur die volgende te vervang: (a) beteken "netto vreemde valuta gebruik" ten opsigte van goedere vervaardig in 'n spesiale doeane- en aksynsvervaardigingspakhuis— die waarde vir doeaneregdoeleindes van goedere ingevoer vir gebruik by die vervaardiging van goedere gespesifiseer in items 124.75.20, 124.75.30, 124.75.40 of 124.75.50 van Afdeling B van Deel 2 van Bylae No. 1 <i>Plus</i> — vreemde valuta gebruik soos gesertifiseer deur die Direkteur-generaal: Handel en Nywerheid, ten opsigte van goedere vir gebruik by die vervaardiging van goedere gespesifiseer in items 124.75.20, 124.75.30, 124.75.40 of 124.75.50 van Afdeling B van Deel 2 van Bylae No. 1 wat verkry is van enige persoon in die gemeenskaplike doeanegebied — lisensiefooi en tegniese bystandsfooi wat betaal is aan enige persoon buite die gemeenskaplike doeanegebied ten opsigte van die goedere gespesifiseer in items 124.75.20, 124.75.30, 124.75.40 of 124.75.50 van Afdeling B van Deel 2 van Bylae No. 1 en goedere vir die vervaardiging daarvan <i>Min</i> — die uitvoerwaarde van goedere gespesifiseer in items 124.75.20, 124.75.30, 124.75.40 of 124.75.50 van Afdeling B van Deel 2 van Bylae No. 1 en goedere gewoonlik gebruik by die vervaardiging daarvan of goedere soortgelyk aan die wat normaalweg in die vervaardiging van goedere gespesifiseer in items 124.75.20, 124.75.30, 124.75.40 of 124.75.50 gebruik word, wat uitgevoer is deur sodanige spesiale doeane- en aksynsvervaardigingspakhuis Deur Opmerking 3 deur die volgende te vervang: "3. Vir die doeleindes van berekening van die netto vreemde valuta gebruik ten opsigte van 'n kwartaal vir aksynsregdoeleindes moet— (i) die waarde vir doeaneregdoeleindes van alle ingevoerde goedere ingesluit word volgens die datum waarop sodanige goedere vir binnelandse verbruik geklaar was; (ii) die uitvoerwaarde van goedere ingesluit word volgens die datum van die uitvoerklaringsbrief; (iii) die vreemde valuta gebruik ten opsigte van goedere vir gebruik by die vervaardiging van goedere gespesifiseer in items 124.75.20, 124.75.30, 124.75.40 of 124.75.50 van Afdeling B van Deel 2 van Bylae No. 1, wat verkry is van enige persoon in die gemeenskaplike doeanegebied, ingesluit word volgens die datum van ontvangs van sodanige goedere;			

I Korting- item	II Tarief- item	III Kode	T. S.	IV Beskrywing	V Mate van Korting	VI Mate van Terug- betaling	Annota- sies
				(iv) lisensie- en tegniese bystandsooie ingesluit word volgens die datum wanneer werklike betaling gemaak is: Met dien verstande dat die waardes van goedere uitgevoer en die lisensie- en tegniese bystandsooie betaal waarna in subparagrafe (ii) en (iv) hierbo verwys word, op sterkte van 'n sertifikaat deur die Direkteur-generaal: Handel en Nywerheid uitgereik, aan die vier kwartale vir <i>ad valorem</i> aksynsregdoeleindes wat volg op die kwartaal waartydens die uitvoer plaasgevind het of die lisensie- en tegniese bystandsooie betaal is, toegewys mag word. Sodanige sertifikaat sal die bedrae bepaal wat aan elke sodanige kwartaal toegewys mag word."			

Opmerking. — Opmerkings 1 (a) en 3 by kortingitem 617.02 word herskryf met terugwerkende krag tot 1 Julie 1989.

SCHEDULE

I Rebate Item	II Tariff Item	III Code	C. D.	IV Description	V Extent of Rebate	VI Extent of Refund	Annota- tions
617.02				By the substitution for Note 1 (a) of the following: (a) "net foreign currency usage" in respect of goods manufactured in a special customs and excise manufacturing warehouse means— the value for customs duty purposes of goods imported for use in the manufacture of goods specified in items 124.75.20, 124.75.30, 124.75.40 or 124.75.50 of Section B of Part 2 of Schedule No. 1 <i>Plus</i> - foreign currency usage as certified by the Director-General: Trade and Industry, in respect of goods for use in the manufacture of goods specified in items 124.75.20, 124.75.30, 124.75.40 or 124.75.50 of Section B of Part 2 of Schedule No. 1 acquired from any person in the common customs area - licence fees and technical assistance fees paid to any person outside the common customs area in respect of the goods specified in items 124.75.20, 124.75.30, 124.75.40 or 124.75.50 of Section B of Part 2 of Schedule No. 1 and goods for the manufacture thereof <i>Less</i> - the export value of goods specified in items 124.75.20, 124.75.30, 124.75.40 or 124.75.50 of Section B of Part 2 of Schedule No. 1 and goods normally used in the manufacture thereof or goods similar to those which are normally used in the manufacture of the goods specified in items 124.75.20, 124.75.30, 124.75.40 or 124.75.50, exported by such special customs and excise manufacturing warehouse" By the substitution for Note 3 of the following: "3. For the purpose of calculating the net foreign currency usage in respect of a quarter for excise duty purposes— (i) the value for customs duty purposes of all imported goods shall be included according to the date on which such goods were entered for home consumption;			

I Rebate Item	II Tariff Item	III Code	C. D.	IV Description	V Extent of Rebate	VI Extent of Refund	Annota- tions
				(ii) the export value of goods exported shall be included according to the date of the export bill of entry; (iii) the foreign currency in respect of goods for use in the manufacture of the goods specified in items 124.75.20, 124.75.30, 124.75.40 or 124.75.50 of Section B of Part 2 of Schedule No. 1 acquired from any person in the common customs area shall be included according to the date of receipt of such goods; (iv) licence and technical assistance fees shall be included according to the date when actual payment is made: Provided that the value of goods exported and the licence and technical assistance fees paid referred to in subparagraphs (ii) and (iv) above may, on the strength of a certificate issued by the Director-General: Trade and Industry, be allocated to the four quarters for <i>ad valorem</i> excise duty purposes following the quarter during which the export took place or the licence and technical assistance fees were paid. Such certificate shall stipulate the amounts which may be allocated to each such quarter"			

Note. — Notes 1 (a) and 3 of rebate item 617.02 are restated with retrospective effect to 1 July 1989.

DEPARTEMENT VAN LANDBOU- EKONOMIE EN -BEMARKING

No. R. 2559 24 November 1989

WET OP BEHEER OOR WYN EN SPIRITUS, 1970
(WET No. 47 VAN 1970)

MAKSIMUM HOEVEELHEID DRUIWE WAT IN
1990/91 GEKOOP OF VERKRY MAG WORD

Ek, Jacob de Villiers, Minister van Landbou, handelende kragtens artikel 16 (2A) van die Wet op Beheer oor Wyn en Spiritus, 1970 (Wet No. 47 van 1970), stel hierby die maksimum hoeveelheid druiwe wat gedurende die jaar van 1 Februarie 1990 tot 31 Januarie 1991 in totaal van wynboere en kooperatiewe verenigings gekoop of verkry mag word deur persone wat gelisensieer is om in drank handel te dryf en distilleerders, op 51 114 metrieke ton vas.

J. DE VILLIERS,
Minister van Landbou.

DEPARTEMENT VAN MANNEKRAG

No. R. 2562 24 November 1989

WET OP ARBEIDSVERHOUDINGE, 1956

DRANK- EN SPYSENIERSBEDRYF, DURBAN. —
HERNUWING VAN HOOFOOREENKOMS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, verklaar hierby, kragtens artikel 48 (4) (a) (ii) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalinge van Goewermentskennisgewings Nos. R. 539 van 23 Maart 1979, R. 1598 van 1 Augustus 1980, R. 441 van 22 Maart 1982, R. 1431 van 28 Junie 1985, R. 1780 van 29 Augustus 1986, R. 1100 van 22 Mei 1987 en R. 166 en R. 167 van 3 Februarie 1989, van krag is met ingang van 1 Desember 1989 en vir die tydperk wat op 30 September 1990 eindig.

E. VAN DER M. LOUW,
Minister van Mannekrag.

DEPARTMENT OF AGRICULTURAL ECONOMICS AND MARKETING

No. R. 2559 24 November 1989

WINE AND SPIRIT CONTROL ACT, 1970
(ACT No. 47 OF 1970)

MAXIMUM QUANTITY OF GRAPES WHICH
MAY BE PURCHASED OR ACQUIRED DURING
1990/91

I, Jacob de Villiers, Minister of Agriculture, acting under section 16 (2A) of the Wine and Spirit Control Act, 1970 (Act No. 47 of 1970), hereby fix the maximum quantity of grapes which may during the year from 1 February 1990 to 31 January 1991 in the aggregate be purchased or acquired from winegrowers and co-operative societies by persons licensed to deal in liquor and distillers, at 51 114 metric tons.

J. DE VILLIERS,
Minister of Agriculture.

DEPARTMENT OF MANPOWER

R. 2562 24 November 1989

LABOUR RELATIONS ACT, 1956

LIQUOR AND CATERING TRADE, DURBAN. —
RENEWAL OF MAIN AGREEMENT

I, Eli van der Merwe Louw, Minister of Manpower, hereby, in terms of section 48 (4) (a) (ii) of the Labour Relations Act, 1956, declare the provisions of Government Notices Nos. R. 539 of 23 March 1979, R. 1598 of 1 August 1980, R. 441 of 22 March 1982, R. 1431 of 28 June 1985, R. 1780 of 29 August 1986, R. 1100 of 22 May 1987 and R. 166 and R. 167 of 3 February 1989, to be effective with effect from 1 December 1989 and for the period ending 30 September 1990.

E. VAN DER M. LOUW,
Minister of Manpower.

2. KLOUSULE 3.—WOORDOMSKRYWING

(1) In subklousule A (5), vervang die uitdrukking "drie jaar", waar dit ookal voorkom, deur die uitdrukking "twee jaar".

(2) In subklousule A (6) vervang die uitdrukking "drie jaar", waar dit ookal voorkom, deur die uitdrukking "twee jaar".

(3) In subklousule A (10), vervang die uitdrukking "sewe dae" deur die uitdrukking "vyf dae".

(4) In subklousule A (15), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

(5) In subklousule A (16), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

(6) In subklousule A (19), vervang die uitdrukking "drie jaar", waar dit ookal voorkom, deur die uitdrukking "twee jaar".

(7) In subklousule A (19) (a), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

(8) In subklousule A (37), voeg die volgende omskrywing in:

"A (37) (a) 'werkbuigsaamheid' dat alle werknemers hulle beskikbaar sal stel vir diens buite hul betrokke afdeling in dieselfde werkkategorie, sonder verlies van salaris of status;"

(9) In subklousule A (49), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

(10) In subklousule A (50), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

(11) In subklousule A (65), voeg die volgende omskrywing in:

"A 65 (a) 'tydelike werknemers' werknemers wat in diens is bloot as 'n tussentydse reëling om vakatures te vul wat ontstaan as gevolg daarvan dat permanente werknemers om enigen van ondergenoemde redes nie hul pligte kan uitvoer nie:

(a) Kraamverlof;

(b) gemagtigde verlof;"

(12) In subklousule A (70), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

(13) In subklousule A (70) (a), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

(14) In subklousule A (73), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

(15) In subklousule A (73) (a), vervang die uitdrukking "drie jaar" deur die uitdrukking "twee jaar".

3. KLOUSULE 4.—LONE

In subklousule (1), vervang die bestaande loontabelle deur die volgende:

A. RESTOURANTLONE (uitgesonderd hotelrestourante)

Kategorie	Tot 31-Maart 1990	Met ingang van 1 April 1990
	Per maand R	Per maand R
Restourantbestuurder.....	960	987
Assistent-bestuurder	720	747
Hoofkok.....	590	617
Kok:		
Gekwalifiseer	515	542
Ongekwalifiseer:		
Eerste jaar	430	457
Tweede jaar	455	482
Hoofkroegman	840	867
Kroegman:		
Gekwalifiseer	720	747
Ongekwalifiseer:		
Eerste jaar	515	542
Tweede jaar	560	587
Hoofkelner	540	567
Hoofwynkelner.....	540	567
Kelner:		
Gekwalifiseer	515	542
Ongekwalifiseer		
Eerste jaar	430	457
Tweede jaar	445	472

2. CLAUSE 3.—DEFINITIONS

(1) In subclause A (5), substitute the expression "two years" for the expression "three years" wherever it appears.

(2) In subclause A (6), substitute the expression "two years" for the expression "three years" wherever it appears.

(3) In subclause A (10), substitute the expression "five days" for the expression "seven days".

(4) In subclause A (15), substitute the expression "two years" for the expression "three years".

(5) In subclause A (16), substitute the expression "two years" for the expression "three years".

(6) In subclause A (19), substitute the expression "two years" for the expression "three years" wherever it appears.

(7) In subclause A (19) (a), substitute the expression "two years" for the expression "three years".

(8) In subclause A (37), insert the following definition:

"A (37) (a) 'job flexibility' means that all employees will make themselves available for duties outside of their particular department in the same job category without any loss of pay or status;"

(9) In subclause A (49), substitute the expression "two years" for the expression "three years".

(10) In subclause A (50), substitute the expression "two years" for the expression "three years".

(11) In subclause A (65), insert the following definition:

"A 65 (a) 'temporary employees' shall be employees who are employed solely as an interim measure to fill vacancies created by permanent employees who may not be able to perform their duties by reason of any of the undermentioned:

(a) Maternity leave;

(b) authorised leave;"

(12) In subclause A (70), substitute the expression "two years" for the expression "three years".

(13) In subclause A (70) (a), substitute the expression "two years" for the expression "three years".

(14) In subclause A (73), substitute the expression "two years" for the expression "three years".

(15) In subclause A (73) (a), substitute the expression "two years" for the expression "three years".

3. CLAUSE 4.—WAGES

In subclause (1), substitute the following for the existing wage scales:

A. RESTAURANT WAGES (excluding hotel restaurants)

Category	Until 31 March 1990	With effect from 1 April 1990
	Per month R	Per month R
Restaurant manager	960	987
Assistant manager	720	747
Head cook	590	617
Cook:		
Qualified	515	542
Unqualified:		
First year	430	457
Second year.....	455	482
Head barman.....	840	867
Barman:		
Qualified	720	747
Unqualified:		
First year	515	542
Second year.....	560	587
Head waiter	540	567
Head wine steward.....	540	567
Waiter:		
Qualified	515	542
Unqualified:		
First year	430	457
Second year.....	445	472

Kategorie	Tot	Met ingang van	Category	Until	With effect from
	31 Maart 1990	1 April 1990		31 March 1990	1 April 1990
	Per maand	Per maand		Per month	Per month
	R	R		R	R
Wynkelner:			Wine Steward:		
Gekwalifiseer	515	542	Qualified	515	542
Ongekwalifiseer:			Unqualified:		
Eerste jaar	430	457	First year	430	457
Tweede jaar	445	472	Second year	445	472
Roosterbediener	430	457	Griller	430	457
Algemenedienstewerknemer	427	454	General service employee	427	454
Kombuistoeshouder	450	477	Kitchen supervisor	450	477
Kassier:			Cashier:		
Gekwalifiseer	470	497	Qualified	470	497
Ongekwalifiseer:			Unqualified:		
Eerste ses maande	430	457	First six months	430	457
Tweede ses maande	445	472	Second six months	445	472
Rekenmeester	720	747	Accountant	720	747
Klerk:			Clerical employee:		
Gekwalifiseer	540	567	Qualified	540	567
Ongekwalifiseer:			Unqualified:		
Eerste jaar	430	457	First year	430	457
Tweede jaar	445	472	Second year	445	472
Nasiënklérk:			Checking clerk:		
Gekwalifiseer	450	477	Qualified	450	477
Ongekwalifiseer:			Unqualified:		
Eerste jaar	430	457	First year	430	457
Tweede jaar	440	467	Second year	440	467
Faktotum	460	487	Handyman	460	487
Nagwag	430	457	Night-watchman	430	457
Motorvoertuigdrywer	435	462	Motor vehicle driver	435	462
Magasynman:			Storeman:		
Gekwalifiseer	480	507	Qualified	480	507
Ongekwalifiseer:			Unqualified:		
Eerste jaar	430	457	First year	430	457
Tweede jaar	450	477	Second year	450	477
Skakelbordoperateur:			Switchboard operator:		
Gekwalifiseer	470	497	Qualified	470	497
Ongekwalifiseer:			Unqualified:		
Eerste ses maande	430	457	First six months	430	457
Tweede ses maande	450	477	Second six months	450	477

B. HOTELLONE (met inbegrip van hotelrestourante)

Kategorie	Tot	Met ingang van
	31 Maart 1990	1 April 1990
	Per maand	Per maand
	R	R
Bestuurder	980	1 010
Assistent Bestuurder	730	770
Kroegman:		
Gekwalifiseer	730	770
Ongekwalifiseer:		
Eerste jaar	520	540
Tweede jaar	585	600
Rekenmeester	730	770
Nasiënklérk:		
Gekwalifiseer	475	500
Ongekwalifiseer:		
Eerste jaar	435	450
Tweede jaar	440	455
Klerk:		
Gekwalifiseer	555	585
Ongekwalifiseer:		
Eerste jaar	435	450
Tweede jaar	440	455

B. HOTEL WAGES (including hotel restaurants)

Category	Until	With effect from
	31 March 1990	1 April 1990
	Per month	Per month
	R	R
Manager	980	1 010
Assistant manager	730	770
Barman:		
Qualified	730	770
Unqualified:		
First year	520	540
Second year	585	600
Accountant	730	770
Checking clerk:		
Qualified	475	500
Unqualified:		
First year	435	450
Second year	440	455
Clerical employee:		
Qualified	555	585
Unqualified:		
First year	435	450
Second year	440	455

Kategorie	Tot 31 Maart 1990 Per maand R	Met ingang van 1 April 1990 Per maand R
Kok:		
Gekwalifiseer	528	555
Ongekwalifiseer:		
Eerste jaar	443	460
Tweede jaar	463	480
Algemenedienstewerknemer	450	475
Roosterbediener	450	475
Faktotum	475	510
Hoofkroegman	860	890
Hoofkok	628	640
Hoofportier	628	640
Hoofkelner/Hoofwynkelder	555	585
Hotellwekeling	450	460
Huishoudster	488	515
Kombuistoetsighouer	475	495
Skakelbordoperateur:		
Gekwalifiseer	475	500
Ongekwalifiseer:		
Eerste ses maande	443	460
Tweede ses maande	463	480
Motorvoertuigdrywer	475	485
Nagportier	480	515
Nagwag	450	475
Buiteverkoopsassistent:		
Gekwalifiseer	610	635
Ongekwalifiseer:		
Eerste jaar	443	460
Tweede jaar	463	480
Buiteverkoopbestuurder	690	710
Hoteljoggie	450	475
Portier	475	500
Restourantbestuurder	770	790
Kelner/Wynkelner:		
Gekwalifiseer	528	560
Ongekwalifiseer:		
Eerste jaar	443	460
Tweede jaar	458	475
Magasynman:		
Gekwalifiseer	528	545
Ongekwalifiseer:		
Eerste jaar	443	460
Tweede jaar	463	475
Kassier:		
Gekwalifiseer	483	505
Ongekwalifiseer:		
Eerste ses maande	443	460
Tweede ses maande	458	475

4. KLOUSULE 9. — KENNISGEWING VAN INDIENSNE- MING/DIENSVERLATING EN DIENSSERTIFIKAAT

Voeg die volgende subklausule (3) in:

“(3) Wanneer ’n werknemer ’n tydelike werknemer in diens neem, moet albei ’n kennisgewing van indiensneming as tydelike werknemer teken. Sodanige kennisgewing moet in ooreenstemming wees met die vorm, gemerk Aanhangsel D, wat by die Ooreenkoms aangeheg is.

- Naam van die onderneming
- Naam van die werknemer
- Datum van diensaanvaarding
- Indiensnemingskategorie
- Datum van diensbeëindiging
- Besoldiging
- Handtekening van werkgever
- Handtekening van werknemer

Die betrokke partye stem toe dat die werknemer in diens geneem word as ’n tydelike werknemer vir die gemelde tydperk. Alle tydelike werknemers wat op sodanige wyse in diens geneem word, se indiensneming is onderworpe aan bepalings en voorwaardes wat nie minder gunstig is as die wat in die Ooreenkoms neergelê is nie. ’n Afskrif van Aanhangsel D moet by die Nywerheidsraad ingedien word.”

Category	Until 31 March 1990 Per month R	With effect from 1 April 1990 Per month R
Cook:		
Qualified	528	555
Unqualified:		
First year	443	460
Second year	463	480
General service employee	450	475
Griller	450	475
Handyman	475	510
Head barman	860	890
Head cook	628	640
Head porter	628	640
Head waiter/Head wine steward	555	585
Hotel trainee	450	460
Housekeeper	488	515
Kitchen supervisor	475	495
Switchboard operator:		
Qualified	475	500
Unqualified:		
First six months	443	460
Second six months	463	480
Motor vehicle driver	475	485
Night porter	480	515
Night watchman	450	475
Off-sales attendant:		
Qualified	610	635
Unqualified:		
First year	443	460
Second year	463	480
Off-sales manager	690	710
Page	450	475
Porter	475	500
Restaurant manager	770	790
Waiter/Wine steward:		
Qualified	528	560
Unqualified:		
First year	443	460
Second year	458	475
Storeman:		
Qualified	528	545
Unqualified:		
First year	443	460
Second year	463	475
Cashier:		
Qualified	483	505
Unqualified:		
First six months	443	460
Second six months	458	475

4. CLAUSE 9.—NOTICE OF ENGAGEMENT/TERMINATION AND CERTIFICATE OF SERVICE

Insert the following subclause (3):

“(3) When an employer engages a temporary employee they shall both sign a written notice of engagement as temporary employee. Such notice shall be in accordance with the form, marked Annexure D, annexed to the Agreement.

- Name of the establishment
- Name of employee
- Date employed
- Category of employment
- Date of termination
- Remuneration
- Signature of employer
- Signature of employee.

The parties hereto acknowledge that the employee shall be employed as a temporary employee for the period aforesaid. All temporary employees so employed shall be employed on terms and conditions not less favourable than that prescribed in the Agreement. A copy of the form, Annexure D, shall be lodged with the Industrial Council.”

5. KLOUSULE 14. — DIENSBEËINDIGING

Vervang subklausule (1) deur die volgende:

"(1) 'n Werkgewer of 'n werknemer, uitgesonderd 'n los werknemer, wat die dienskontrak wil beëindig, moet 24 uur gedurende die eerste ses maande diens en daarna een week se kennis gee van sy voorneme om die kontrak te beëindig: Met dien verstande dat —

(i) die reg van 'n werkgewer of 'n werknemer om die dienskontrak om 'n regsgeldige rede sonder kennisgewing te beëindig;

(ii) 'n skriftelike ooreenkoms tussen 'n werknemer en sy werkgewer wat voorsiening maak vir 'n kennisgewingstermyn van gelyke duur vir albei partye en langer as dié in hierdie klausule voorgeskryf;

nie hierdeur geraak word nie: Voorts met dien verstande dat 'n werkgewer of sy werknemer die kontrak sonder kennisgewing kan beëindig deur in plaas van sodanige kennisgewing aan die werknemer minstens die volgende te betaal of aan die werkgewer minstens die volgende te betaal of te verbeur, na gelang van die geval:

(aa) (i) Minstens een dag se besoldiging gedurende die eerste ses maande diens;

(aa) (ii) minstens een week se besoldiging na die eerste ses maande diens;

(ab) waar daar 'n ooreenkoms ingevolge voorbehoudsbepaling (ii) van hierdie subklausule bestaan, die betaling of verbeuring in plaas van diensopegging moet ooreenstem met die tydperk waarvoor ooreengekom is."

6. KLOUSULE 25. — DIE HOU VAN REKORDS — TYD-, LOON- EN BYWONINGSREGISTERS

1. In subklausule (1), vervang die uitdrukking "register" deur die uitdrukking "register/rekord".

2. In subklausule (3), skrap die woorde "in die vorm voorgeskryf deur die Nywerheidsraad".

7. KLOUSULE 30. — NAGSKOF-TOELAE

1. In subklausule (2), vervang die uitdrukking "10 persent" deur die uitdrukking "12,5 persent".

8. KLOUSULE 31. — KRAAMVERLOF

Vervang klausule 31 deur die volgende:

"(1) Alle swanger werknemers is geregtig op en moet 12 agteenvolgende weke onbetaalde kraamverlof toegestaan word.

(2) 'n Werknemer afwesig met kraamverlof se pos moet drie maande lank vir haar gehou word.

(3) 'n Werknemer wat na kraamverlof na haar werk terugkeer, moet een dag verlof per maand vir drie maande toegestaan word om die kraamnasorgkliniek te besoek, op dae wedersyds ooreengekom deur die werknemer en die werkgewer."

9. KLOUSULE 33. — JAARLIKSE BONUS

Vervang klausule 33 deur die volgende:

"'n Jaarlikse bonus is aan die einde van Desember van elke jaar betaalbaar aan alle werknemers wat op daardie datum drie jaar ononderbroke diens by dieselfde werkgewer voltooi het. Die bonus moet bereken word teen 14 persent van die voorgeskrewe maandelikse loon vir sodanige werknemers se werkkategorie soos in klausule 4 uiteengesit."

10. Voeg die volgende Aanhangel D in:

"AANHANGSEL D**NYWERHEIDSRaad VIR DIE DRANK EN SPYSENIERS-BEDRYF, DURBAN****KENNISGEWING VAN INDIENSNEMING AS TYDELIKE WERKNEMER**

Ek, (naam van werknemer), aanvaar hiermee diens in 'n tydelike hoedanigheid by (naam van werkgewer) as (indiensnemingskategorie) teen die volgende betalingskoers (besoldiging).

Ek aanvaar ook dat my diens op (Datum van indiensneming) 'n aanvang neem en op (datum van diensbeëindiging) beëindig word.

5. CLAUSE 14. — TERMINATION OF SERVICE

Substitute the following for subclause (1):

"(1) An employer or employee, other than a casual employee, who desires to terminate the contract of employment shall give 24 hours' notice during the first six months of employment and thereafter one weeks' notice of his intention to terminate his contract: Provided that this shall not affect —

(i) the right of an employer or an employee to terminate the contract of employment without notice for any cause recognised by law as sufficient;

(ii) any written agreement between an employee and his employer which provides for such period of notice of equal duration on both sides for longer than prescribed in this clause:

Provided further than an employer or his employee may terminate the contract without notice by paying the employee or paying or forfeiting to the employer, as the case may be, in lieu of notice —

(aa) (i) not less than one days' pay during the first six months of employment;

(aa) (ii) not less than one weeks' pay after the first six months of employment;

(ab) where there is an agreement in terms of proviso (ii) to this subclause, the payment of forfeiting in lieu of notice shall correspond with the period agreed upon."

6. CLAUSE 25. — KEEPING OF RECORDS — TIME, WAGE AND ATTENDANCE REGISTERS

1. In subclause (1), substitute the expression "register/record" for the expression "register".

2. In subclause (3), delete the words "in the form to be prescribed by the Industrial Council".

7. CLAUSE 30. — NIGHT SHIFT ALLOWANCE

1. In subclause (2), substitute the expression "12,5 per cent" for the expression "10 per cent".

8. CLAUSE 31. — MATERNITY LEAVE

Substitute the following for clause 31:

"(1) All pregnant employees shall be entitled to and be granted a period of 12 consecutive weeks' unpaid maternity leave.

(2) An employee absent on maternity leave will have her employment reserved for three months.

(3) An employee returning to work from maternity leave shall receive one day's leave per month, for three months, to attend post-natal clinic, on days mutually agreed upon between employee and employer."

9. CLAUSE 33. — ANNUAL BONUS

Substitute the following for clause 33:

"An annual bonus shall be payable at the end of December of each year to all employees who have completed three years' continuous service with the same employer as at that date. The bonus shall be calculated at 14 percent of the prescribed monthly wage for such employee's category of employment as set out in clause 4."

10. Insert the following Annexure D:

"ANNEXURE D**INDUSTRIAL COUNCIL FOR THE LIQUOR AND CATERING TRADE, DURBAN****NOTICE OF ENGAGEMENT AS A TEMPORARY EMPLOYEE**

I, (name of employee) hereby agree to accept employment in a temporary capacity with (name of employer) as (category of employment) at the following rate of pay (remuneration).

I also agree that my service will commence on (date of engagement) and terminate on (date of termination).

Die werknemer aanvaar hiermee die voorwaardes van tydelike indiensneming en dui sy aanvaarding daarvan hieronder aan:

HANDTEKENING VAN WERKNEMER.....

HANDTEKENING VAN WERKGEWER.....”

Namens die partye, op hede die 12de dag van September 1989 te Durban, onderteken.

R. L. GOODERSON,
Voorsitter van die Raad.

Mev. L. REDDY,
Onder-voorsitter van die Raad.

V. C. HALL,
Sekretaris van die Raad.

The employee hereby agrees to accept the conditions of temporary employment and signifies his acceptance thereof hereunder:

SIGNATURE OF EMPLOYEE.....

SIGNATURE OF EMPLOYER.....”

Signed at Durban, on behalf of the parties, this 12th day of September 1989.

R. L. GOODERSON,
Chairman of the Council.

Mrs L. REDDY,
Vice-chairman of the Council.

V. C. HALL,
Secretary of the Council.

No. R. 2563

24 November 1989

WET OP ARBEIDSVERHOUDINGE, 1956

DRANK- EN SPYSENIERSBEDRYF, DURBAN.— WYSIGING VAN HOOFOOREENKOMS

Ek, Eli, van der Merwe Louw, 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 September 1990 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 September 1990 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.

E. VANDER M. LOUW,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE DRANK- EN SPYSENIERS- BEDRYF, DURBAN

OOREENKOMS

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

Fedhasa Employers' Association

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

Natal Liquor and Catering Trade Employees' Union

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

wat die partye is by die Nywerheidsraad vir die Drank- en Spyseniërsbedryf, Durban,

No. R. 2563

24 November 1989

LABOUR RELATIONS ACT, 1956

LIQUOR AND CATERING TRADE, DURBAN.— AMENDMENT OF MAIN AGREEMENT

I, Eli van der Merwe Louw, 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 September 1990, 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;

(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 September 1990, 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.

E. VANDER M. LOUW,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE LIQUOR AND CATERING TRADE, DURBAN

AGREEMENT

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

Fedhasa Employers' Association

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

Natal Liquor and Catering Trade Employee's Union

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

being the parties to the Industrial Council for the Liquor and Catering Trade, Durban,

om die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 539 van 23 Maart 1979, soos gewysig en hernieu deur Goewermentskennisgewings Nos. R. 1598 van 1 Augustus 1980, R. 440 en R. 441 van 12 Maart 1982, R. 1430 en R. 1431 van 28 Junie 1985, R. 739 van 18 April 1986, R. 1343 van 27 Junie 1986, R. 1780 van 29 Augustus 1986, R. 598 van 20 Maart 1987, R. 1100 van 22 Mei 1987, R. 386 van 4 Maart 1988, R. 1107 van 10 Junie 1988, R. 1560 van 5 Augustus 1988, R. 2261 van 4 November 1988, en R. 166 en R. 167 van 3 Februarie 1989 te wysig.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet nagekom word in die Drank- en Spyseniersbedryf—

(a) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakvereniging is;

(b) in die gebied binne 'n straal van 16,09 km vanaf die Hoofposkantoor, Durban, maar binne die landdrosdistrikte Chatsworth en Durban (uitgesonderd daardie gedeelte wat voor die publikasie van Goewermentskennisgewing No. 1401 van 16 Augustus 1968 binne die landdrosdistrik Umlazi geval het maar met inbegrip van daardie gedeelte wat voor die publikasie van Goewermentskennisgewing No. R. 501 van 8 Maart 1985 deel uitgemaak het van die landdrosdistrik Durban), en in daardie gedeeltes van die landdrosdistrikte Inanda, Chatsworth en Pinetown wat binne 'n straal van 17,7 km vanaf die Hoofposkantoor, Durban, val.

(2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing slegs ten opsigte van werknemers vir wie lone in die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 539 van 23 Maart 1979, soos gewysig, voorgeskryf word.

No. R. 2564

24 November 1989

LOONWET, 1957

INTREKKING VAN LOONVASSTELLING 408.—METAALHOUER- EN AANVERWANTEPRODUKTENYWERHEID, SEKERE GEBIEDE

Die Minister van Mannekrag is van voorneme om kragtens artikel 16 van die Loonwet, 1957, Loonvasstelling 408: Metaalhouer- en Aanverwanteproduktenywerheid, Sekere Gebiede, gepubliseer by Goewermentskennisgewing No. R. 1039 van 22 Mei 1981, in te trek.

Enige persoon wat kommentaar oor die voorgestelde intrekking wil lewer, moet sodanige kommentaar binne 30 dae vanaf die datum van publikasie hiervan aan die Direkteur-generaal: Mannekrag, Privaatsak X117, Pretoria, 0001, voorlê.

No. R. 2565

24 November 1989

LOONWET, 1957

INTREKKING VAN LOONVASSTELLING 425.—TOU- EN MATNYWERHEID, SEKERE GEBIEDE

Die Minister van Mannekrag is van voorneme om kragtens artikel 16 van die Loonwet, 1957, Loonvasstelling 425: Tou- en Matnywerheid, Sekere Gebiede, gepubliseer by Goewermentskennisgewing No. R. 1265 van 2 Julie 1982, in te trek.

Enige persoon wat kommentaar oor die voorgestelde intrekking wil lewer, moet sodanige kommentaar binne 30 dae vanaf die datum van publikasie hiervan aan die Direkteur-generaal: Mannekrag, Privaatsak X117, Pretoria, 0001, voorlê.

to amend the Agreement published under Government Notice No. R. 539 of 23 March 1979, as amended and renewed by Government Notices Nos. R. 1598 of 1 August 1980, R. 440 and R. 441 of 12 March 1982, R. 1430 and R. 1431 of 28 June 1985, R. 739 of 18 April 1986, R. 1343 of 27 June 1986, R. 1780 of 29 August 1986, R. 598 of 20 March 1987, R. 1100 of 22 May 1987, R. 386 of 4 March 1988, R. 1107 of 10 June 1988, R. 1560 of 5 August 1988, R. 2261 of 4 November 1988, and R. 166 and R. 167 of 3 February 1989.

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Liquor and Catering Trade—

(a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union;

(b) in the area within a radius of 16,09 km of the General Post Office, Durban, but within the Magisterial Districts of Chatsworth and Durban (excluding that portion which, prior to the publication of Government Notice No. 1401 of 16 August 1968, fell within the Magisterial District of Umlazi but including that portion which, prior to the publication of Government Notice No. R. 501 of 8 March 1985, fell within the Magisterial District of Durban), and in those portions of the Magisterial Districts of Inanda, Chatsworth and Pinetown which fall within a radius of 17,7 km of the General Post Office, Durban.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply only in respect of employees for whom wages are prescribed in the Agreement published under Government Notice No. R. 539 of 23 March 1979, as amended.

No. R. 2564

24 November 1989

WAGE ACT, 1957

CANCELLATION OF WAGE DETERMINATION 408.—METAL CONTAINERS AND ALLIED PRODUCTS INDUSTRY, CERTAIN AREAS

The Minister of Manpower proposes, in terms of section 16 of the Wage Act, 1957, to cancel Wage Determination 408: Metal Containers and Allied Products Industry, Certain Areas, published under Government Notice No. R. 1039 of 22 May 1981.

Any person who desires to comment on the proposed cancellation should submit such comment within 30 days from the date of publication hereof to the Director-General: Manpower, Private Bag X117, Pretoria, 0001.

No. R. 2565

24 November 1989

WAGE ACT, 1957

CANCELLATION OF WAGE DETERMINATION 425.—CORDAGE AND MATTING INDUSTRY, CERTAIN AREAS

The Minister of Manpower proposes, in terms of section 16 of the Wage Act, 1957, to cancel Wage Determination 425: Cordage and Matting Industry, Certain Areas, published under Government Notice No. R. 1265 of 2 July 1982.

Any person who desires to comment on the proposed cancellation should submit such comment within 30 days from the date of publication hereof to the Director-General: Manpower, Private Bag X117, Pretoria, 0001.

No. R. 2566

24 November 1989

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID, OOS-KAAP. — MEDIESE
HULPFONDSOOREENKOMS — INTREKKING
VAN GOEWERMENSKENNISGEWINGS

Ek, Eli van der Merwe Louw, Minister van Mannekrag, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermenskennisgewings Nos. R. 1240 van 7 Junie 1985, R. 2574 van 15 Desember 1986, R. 2157 van 25 September 1987 en R. 2192 van 28 Oktober 1988, in met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing.

E. VANDER M. LOUW,
Minister van Mannekrag.

No. R. 2567

24 November 1989

WET OP ARBEIDSVERHOUDINGE, 1956

BOUNYWERHEID, OOS-KAAP. — WYSIGING
VAN HOOFOOREENKOMS

Ek, Eli van der Merwe Louw, 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 eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Januarie 1990 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of verenigings is; en

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousules 1 (1) (a), 2 en 10 van Deel I en 1 (1) (a), 2 en 8 van Deel II, met ingang van die eerste Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Januarie 1990 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.

E. VANDER M. LOUW,
Minister van Mannekrag.

BYLAE

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID, OOS-KAAP
OOREENKOMS

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

Master Builders' and Allied Trades Association, East Cape
Electrical Contracting and Allied Industries Association (Eastern Cape)

en die

Electrical Contractors' Association (South Africa)

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

Amalgamated Society of Woodworkers of South Africa
Amalgamated Union of Building Trade Workers of South Africa
South African Electrical Workers' Association
Electrical and Allied Workers' Trade Union of South Africa

en die

Operative Plumbers' Association of Port Elizabeth

No. R. 2566

24 November 1989

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY, EAST CAPE. — MEDICAL AID FUND AGREEMENT—CANCELLATION OF GOVERNMENT NOTICES

I, Eli van der Merwe Louw, Minister of Manpower, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notices Nos. R. 1240 of 7 June 1985, R. 2574 of 15 December 1986, R. 2157 of 25 September 1987 and R. 2192 of 28 October 1988, with effect from the first Monday after the date of publication of this notice.

E. VANDER M. LOUW,
Minister of Manpower.

No. R. 2567

24 November 1989

LABOUR RELATIONS ACT, 1956

BUILDING INDUSTRY, EAST CAPE. — AMENDMENT OF MAIN AGREEMENT

I, Eli van der Merwe Louw, 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 first Monday after the date of publication of this notice and for a period ending 31 January 1990, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions; 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 clauses 1 (1) (a), 2 and 10 of Part I and 1 (1) (a), 2 and 8 of Part II, shall be binding, with effect from the first Monday after the date of publication of this notice and for the period ending 31 January 1990, 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.

E. VANDER M. LOUW,
Minister of Manpower.

SCHEDULE

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY,
EAST CAPE

AGREEMENT

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

Master Builders' and Allied Trades Association, East Cape
Electrical Contracting and Allied Industries Association (Eastern Cape)

and the

Electrical Contractors' Association (South Africa)

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

Amalgamated Society of Woodworkers of South Africa
Amalgamated Union of Building Trade Workers of South Africa
South African Electrical Workers' Association
Electrical and Allied Workers' Trade Union of South Africa

and the

Operative Plumbers' Association of Port Elizabeth

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

wat die partye is by die Nywerheidsraad vir die Bounywerheid, Oos-Kaap,

om die Ooreenkoms gepubliseer by Goewermmentskennisgewing No. R. 392 van 27 Februarie 1987 (hierna die Herbekragtigings-ooreenkoms genoem), soos verleng en gewysig deur Goewermmentskennisgewings Nos. R. 2023 van 18 September 1987, R. 2712 van 11 Desember 1987, R. 106 van 29 Januarie 1988, R. 725 van 15 April 1988, R. 2191 van 28 Oktober 1988 en R. 725 van 14 April 1989, te wysig.

DEEL I

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Bounywerheid nagekom word—

(a) deur alle werkgewers en werknemers wat lede is van onderskeidelik die werkgewersorganisasies en die vakverenigings;

(b) in die landdrostdistrikte Albany, Alexandria, Bathurst, Beaufort-Wes, Calitzdorp, George, Humansdorp, Joubertina, Ladismith, Knysna, Mosselbaai, Oudtshoorn, Port Elizabeth, Queenstown, Riversdal, Uitenhage, Uniondale en in daardie gedeelte van die landdrostdistrik Hankey wat voor 1 November 1963 binne die landdrostdistrik Port Elizabeth geval het.

(2) Ondanks subklousule (1) (a), is hierdie Ooreenkoms—

(a) van toepassing slegs op dié klasse werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word en op leerlinge;

(b) van toepassing op vakleerlinge en kwekelinge slegs vir sover dit nie strydig is met die Wet op Mannekragopleiding, 1981, of met voorwaardes of kennisgewings wat daarkragtens voorgeskryf of bestel is nie;

(c) van toepassing op slegs-arbeid-kontrakteurs, werkende ven-note en werkende direkteurs;

(d) nie van toepassing nie op universiteitstudente en gegradueerdes in die bouwetenskap en konstruksietoesighouers; konstruksieopmeters en ander persone wat besig is met praktiese werk ter voltooiing van hul akademiese opleiding;

(e) nie van toepassing op klerke of op werknemers wat administratiewe pligte verrig of op 'n lid van 'n administratiewe personeel nie.

(3) Ondanks subklousule (1) (a) is klousules 12, 13, 15 (2) en (3), 27 en 40 van Deel I van die Ooreenkoms gepubliseer by Goewermmentskennisgewing No. R. 2217 van 30 Oktober 1980, soos gewysig en herbekragtig (hierna verwys as die "Vorige Ooreenkoms") nie van toepassing in Gebiede B, C, D, E en F nie.

2. KLOUSULE 3.—SPESIALE BEPALINGS

Vervang klousule 3 van die Herbekragtigingsooreenkoms deur die volgende:

"3. SPESIALE BEPALINGS

Klousules 27, 29, 33, 34 en 43 van Deel I van die Vorige Ooreenkoms, soos van tyd tot tyd gewysig, is van toepassing op werkgewers en werknemers."

3. KLOUSULE 4.—ALGEMENE BEPALINGS

Vervang klousule 4 van die Herbekragtigingsooreenkoms deur die volgende:

"4. ALGEMENE BEPALINGS

Klousules 3 tot en met 26, 28, 30 tot en met 32, 35 tot en met 42, 44, 45 van Deel I van die Vorige Ooreenkoms, soos van tyd tot tyd gewysig, is van toepassing op werkgewers en werknemers."

4. In die "Indeling van Ooreenkoms" voeg die uitdrukkings "39 (bis). Siektebystandfonds" en "39 (ter). Mediese Hulpfonds" in na die uitdrukking "39. Pensioenfonds".

5. KLOUSULE 3 VAN DEEL I VAN DIE VORIGE OOREENKOMS.—WOORDOMSKRYWING

(1) Voeg die volgende nuwe omskrywing in na die omskrywing "toesluitplek":

"Bestuurskomitee' of 'Komitee' 'n Komitee wat as sodanig deur die Raad ingevolge klousules 39(bis), 39(ter) en 40 van hierdie Ooreenkoms aangestel is om die Fondse namens die Raad te administreer;"

(2) Voeg die volgende nuwe omskrywing in na die omskrywing "meganiese voertuig":

"'lid' iemand wat bydra of namens wie bygedra word tot die Fondse in klousules 39(bis), 39(ter) en 40 bedoel, ten einde bystand, soos in dié klousules bedoel, vir homself of vir sy afhanklikes te verkry;"

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

being the parties to the Industrial Council for the Building Industry, East Cape,

to amend the Agreement published under Government Notice No. R. 392 of 27 February 1987 (hereinafter referred to as the Re-enacting Agreement), as extended and amended by Government Notices R. Nos. 2023 of 18 September 1987, R. 2712 of 11 December 1987, R. 106 of 29 January 1988, R. 725 of 15 April 1988, R. 2191 of 28 October 1988 and R. 725 of 14 April 1989.

PART I

1. SCOPE OF APPLICATION OF AGREEMENT

(1) The terms of this Agreement shall be observed in the Building Industry—

(a) by all employers and employees who are members of the employers' organisations and the trade unions, respectively;

(b) in the Magisterial Districts of Albany, Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Ladismith, Knysna, Mossel Bay, Oudtshoorn, Port Elizabeth, Queenstown, Riversdale, Uitenhage, Uniondale and in that portion of the Magisterial District of Hankey which, prior to 1 November 1963, fell within the magisterial District of Port Elizabeth.

(2) Notwithstanding the provisions of subclause (1) (a), the terms of this Agreement shall—

(a) only apply to those classes of employees for whom wages are prescribed in this Agreement and to learners;

(b) 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;

(c) apply to labour-only contractors, working partners and working directors;

(d) not apply to university students and graduates in building science and construction supervisors, construction surveyors and other such persons doing practical work in the completion of their academic training;

(e) not apply to clerical employees or to employees engaged in administrative duties or to any member of an administrative staff.

(3) Notwithstanding the provisions of subclause (1) (a), the provisions of clauses 12, 13, 15 (2) and (3), 27 and 40 of Part I of the Agreement published under the Government Notice R. 2217 of 30 October 1980, as amended and re-enacted (hereinafter referred to as the "former Agreement") shall not apply in Areas B, C, D, E and F.

2. CLAUSE 3.—SPECIAL PROVISIONS

Substitute the following for clause 3 of the Re-enacting Agreement:

"3. SPECIAL PROVISIONS

The provisions contained in clauses 27, 29, 33, 34, 43 of Part I of the Former Agreement, as amended from time to time, shall apply to employers and employees."

3. CLAUSE 4.—GENERAL PROVISIONS

Substitute the following for clause 4 of the Re-enacting Agreement:

"4. GENERAL PROVISIONS

The provisions contained in clauses 3 to 26 inclusive, 28, 30 to 32 inclusive, 35 to 42 inclusive, 44 and 45 of Part I of the Former Agreement, as amended from time to time, shall apply to employers and employees."

4. In the "Arrangement of Agreement", insert the expressions "39(bis). Sick Benefit Fund" and "39(ter). Medical Aid Fund" after the expression "39. Pension Fund".

5. CLAUSE 3 OF PART I OF THE FORMER AGREEMENT.—DEFINITIONS

(1) After the definition "lock-up", insert the following new definition:

"'Management Committee' or 'Committee' means a Committee appointed as such by the Council in terms of clauses 39(bis), 39(ter) and 40 of this Agreement to administer the Funds on behalf of the Council;"

(2) After the definition "mechanical vehicle", insert the following new definition:

"'member' means any person who contributes to the Funds or on whose behalf contributions are paid, referred to in clauses 39(bis), 39(ter) and 40, in order to obtain any benefit referred to in those clauses, either for himself or for any of his dependants;"

6. KLOUSULE 8 VAN DEEL I VAN DIE VORIGE OOREENKOMS. — LONE

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

“(1) (a) *Minimum loonskale.* — Geen lone wat laer is as die volgende, gelees met die res van hierdie klousule, mag deur 'n werkgewer betaal en deur 'n werknemer aangeneem word nie:

Klas werknemer en gebied	Per uur R
(i) Algemene werknemers:	
Gebied A	2,50
Gebied B	1,45
Gebied C	1,24
Gebied D	0,94
Gebied E	1,47
Gebied F	1,51
(ii) Halfgeskoolde werknemers:	
Gebied A	2,75
Gebied B	1,88
Gebied C	1,76
Gebied D	0,98
Gebied E	1,94
Gebied F	2,28
(iii) Ambagsmansassistent:	
Gebied A	3,82
Gebied B	2,19
Gebied C	2,07
Gebied D	1,45
Gebied E	2,16
Gebied F	2,58
(iv) Drywers van meganiese voertuie met 'n loonvrag van —	
tot en met 2 722 kg:	
Gebied A	2,73
Gebied B	1,63
Gebied C	1,37
Gebied D	1,00
meer as 2 722 kg maar hoogstens 4 536 kg:	
Gebied A	3,15
Gebied B	2,07
Gebied C	1,76
Gebied D	1,18
meer as 4 536 kg:	
Gebied A	3,51
Gebied D	1,34
(v) Algemene voormanne, voormanne en ambagsmanne in alle ambagte en beroepe:	
Gebied A	7,07
(vi) Wagte, per week van ses dae:	
Gebied A	106,11
Gebied B	70,00
Gebied C	60,00
Gebied D	48,94
(vii) Vakleerlinge: Lone ooreenkomstig die Wet op Mannekragopleiding, 1981, vir vakleerlinge in die Bounywerheid voorgeskryf.	
(viii) Minderjariges in alle ambagte: Lone soos vir vakleerlinge in die Bounywerheid voorgeskryf.	
(ix) Leerlinge: Lone soos deur die Raad vasgestel ingevolge klousule 25 van die Vorige Ooreenkoms.	
(x) Ongeskoolde skoonmakers: 70 persent van die loon in subparagraaf (i) vir algemene werknemers voorgeskryf.	
(xi) Werknemers in alle ander ambagte of beroepe wat nie elders gespesifiseer word nie, uitgesonderd vakleerlinge en kwekelinge:	
Gebied A	2,50
Gebied B	1,45
Gebied C	1,24
Gebied D	0,94
Gebied E	1,47
Gebied F	1,51

6. CLAUSE 8 OF PART I OF THE FORMER AGREEMENT. — WAGES

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

“(1) (a) *Minimum wage rates.* — No employer shall pay and no employee shall accept wages at rates lower than the following, read with the remaining provisions of this clause:

Category of employee and area	Per hour R
(i) General employees:	
Area A	2,50
Area B	1,45
Area C	1,24
Area D	0,94
Area E	1,47
Area F	1,51
(ii) Semi-skilled employees:	
Area A	2,75
Area B	1,88
Area C	1,76
Area D	0,98
Area E	1,94
Area F	2,28
(iii) Journeyman's assistants:	
Area A	3,82
Area B	2,19
Area C	2,07
Area D	1,45
Area E	2,16
Area F	2,58
(iv) Drivers of mechanical vehicles with a pay-load of —	
up to and including 2 722 kg:	
Area A	2,73
Area B	1,63
Area C	1,37
Area D	1,00
over 2 722 kg but not exceeding 4 536 kg:	
Area A	3,15
Area B	2,07
Area C	1,76
Area D	1,18
over 4 536 kg:	
Area A	3,51
Area D	1,34
(v) General foremen, foremen and journeymen in all trades and occupations:	
Area A	7,07
(vi) Watchmen, per six-day week:	
Area A	106,11
Area B	70,00
Area C	60,00
Area D	48,94
(vii) Apprentices: Wages as prescribed under the Manpower Training Act, 1981, for apprentices in the Building Industry.	
(viii) Minors in all trades: Wages as prescribed for apprentices in the Building Industry.	
(ix) Learners: Wages as fixed by the Council in terms of clause 25 of the Former Agreement.	
(x) Unskilled cleaners: 70 per cent of the wage prescribed for general employees in subparagraph (i).	
(xi) Employees in all other trades or occupations not elsewhere specified, excluding apprentices and trainees:	
Area A	2,50
Area B	1,45
Area C	1,24
Area D	0,94
Area E	1,47
Area F	1,51

<i>Klas werknemer en gebied</i>	<i>Per uur R</i>
(xii) Ambagsmanne graad A in die ambagte skilder- en ruitwerk:	
Gebied B	3,63
Gebied C	3,63
Gebied F	4,57
(xiii) Ander ambagsmanne in die ambagte skilder- en ruitwerk:	
Gebied B	3,29
Gebied C	3,29
Gebied D	3,02
Gebied E	3,47
Gebied F	4,04
(xiv) Ambagsmanne graad A in ander ambagte:	
Gebied B	4,19
Gebied C	4,19
Gebied D	3,84
Gebied E	3,92
Gebied F	4,70
(xv) Ambagsmanne in ander ambagte:	
Gebied B	3,29
Gebied C	3,29
Gebied D	3,02
Gebied E	3,58
Gebied F	4,37
(xvi) Motorvoertuigdrywers en bedieners van kranes en hysers:	
Gebied F	2,67
(xvii) Werknemers betrokke by elektriese installering wat elektriese montering en bedrading en werk- saamhede wat daarmee gepaard gaan insluit:	
In die geval van ambagsmanne, die volgende persentasies meer as die loon voorgeskryf in die voorafgaande paragrawe van hierdie subklousule vir die klas werknemer:	
Gebied A	1,6 persent
Gebied D	5,2 persent
Gebied E	4,8 persent
Gebied F	2,8 persent
In die geval van alle ander klas werknemers, die volgende persentasies meer as die loon voor- geskryf in die voorafgaande paragrawe van hier- die subklousule vir die klas werknemers:	
Gebied A	7,6 persent
Gebied B	6,2 persent
Gebied C	1,6 persent
Gebied E	13,6 persent
Gebied F	11,9 persent."

7. KLOUSULE 23 VAN DEEL I VAN DIE VORIGE OOREEN- KOMS.—UITGAWES VAN DIE RAAD

(1) In subklousule (1) (a) (i), vervang die syfers "R1,50" en "75c" deur onderskeidelik die syfers "R1,72" en "86c".

(2) In subklousule (1) (a) (ii), vervang die syfers "76c" en "38c" deur onderskeidelik die syfers "86c" en "44c".

8. KLOUSULE 24 VAN DEEL I VAN DIE VORIGE OOREEN- KOMS.—REGISTRASIE VAN WERKGEWERS

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

"(2) (a) Elke werkgever in die Nywerheid op die datum waarop hierdie Ooreenkoms in werking tree en elke werkgever wat na daardie datum tot die Nywerheid toetree, moet binne 21 dae vanaf sodanige datum of vanaf die datum waarop sodanige werkgever met werksaamhede begin, na gelang van die geval, aan die Raad 'n waarborg verskaf wat vir die Raad aanvaarbaar is en wat altesaam gelyk is aan—

(i) drie weke se lone teen die tariewe voorgeskryf in klousule 8 van Deel I en klousule 4 van Deel II;

(ii) drie weke se heffings ingevolge klousule 23 van Deel I en klousule 11 van Deel II; en

<i>Category of employee and area</i>	<i>Per hour R</i>
(xii) Grade A journeymen in the painting and glazing trades:	
Area B	3,63
Area C	3,63
Area F	4,57
(xiii) Other journeymen in the painting and glazing trades:	
Area B	3,29
Area C	3,29
Area D	3,02
Area E	3,47
Area F	4,04
(xiv) Grade A journeymen in other trades:	
Area B	4,19
Area C	4,19
Area D	3,84
Area E	3,92
Area F	4,70
(xv) Journeymen in other trades:	
Area B	3,29
Area C	3,29
Area D	3,02
Area E	3,58
Area F	4,37
(xvi) Motor vehicle drivers and operators of cranes and hoists:	
Area F	2,67
(xvii) Employees engaged in electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
In the case of journeymen, the following percentages more than the wage prescribed in the foregoing paragraphs of this subclause for the category of employee:	
Area A	1,6 per cent
Area D	5,2 per cent
Area E	4,8 per cent
Area F	2,8 per cent
In the case of all other categories of employees, the following percentages more than the wage prescribed in the foregoing paragraphs of this subclause for the category of employee:	
Area A	7,6 per cent
Area B	6,2 per cent
Area C	1,6 per cent
Area E	13,6 per cent
Area F	11,9 per cent."

7. CLAUSE 23 OF PART I OF THE FORMER AGREEMENT.— COUNCIL EXPENSES

(1) In subclause (1) (a) (i), substitute the figures "R1,72" and "86c" for the figures "R1,50" and "75c", respectively".

(2) In subclause (1) (a) (ii), substitute the figures "86c" and "44c" for the figures "76" and "38c".

8. CLAUSE 24 OF PART I OF THE FORMER AGREEMENT.— REGISTRATION OF EMPLOYERS

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

"(2) (a) Every employer in the Industry at the date of coming into operation of this Agreement, and every employer who enters the Industry after that shall, within 21 days of such date, or of the date on which such employer commences operations, as the case may be, lodge with the Council a guarantee acceptable to the Council and equal to the aggregate of—

(i) three weeks' wages at the rates prescribed in clause 8 of part I and clause 4 of Part II;

(ii) three weeks' levies in terms of clause 23 of Part I and clause 11 of Part II; and

(iii) drie weke se toelaes bydraes, ledegeld en bedrae verskuldig aan werknemers en ten opsigte van werknemers ingevolge klousules 33, 34, 36, 37, 38, 39, 39(bis), 39(ter), 40 en 45 van Deel I en klousules 10, 12, 13 en 14 van Deel II.

(b) Ondanks andersluidende bepalings hierin vervat, moet die minimum waarborg vir 'n bedrag wees van minstens R500 moet wees, ongeag die getal werknemers in diens van sodanige werk-gewer.

(c) Ondanks andersluidende bepalings hierin vervat of veronderstel, moet die waarborg onder berusting van die Raad wees, en by insolvensie of likwidasie van die werk-gewer se boedel, het die likwidateur of trustee van die werk-gewer, na gelang van die geval, geen reg van watter aard ook al daarop nie.

(d) Die Raad moet, sonder benadeling van ander regte wat hy teen die werk-gewer mag hê, die waarborg [op sodanige tye, in sodanige bedrae en toebedeel aan sodanige verpligtinge(e) as waartoe die Raad na goeë dunks mag besluit] aanwend ter nakoming van die werk-gewer se verpligting(e) ingevolge klousules 8, 33, 34, 36, 37, 38, 39, 39(bis), 39(ter), 40 en 45 van Deel I en klousules 4, 10, 12, 13 en 14 van Deel II.

(e) Wanneer die waarborg [na aftrekking van uitbetalings wat die Raad ooreenkomstig paragraaf (d) hierbo gedoen het] ontoereikend is om betaling te dek van lone, heffings, toelaes, bydraes, ledegeld en bedrae in paragraaf (a) hierbo bedoel, moet die werk-gewer, wanneer die Raad dit versoek, die bedrag van sodanige waarborg verhoog na 'n bedrag wat voldoende is om sodanige betaling te dek. Insgelyks moet die Raad 'n werk-gewer toelaat om die bedrag van sodanige waarborg te verminder wanneer 'n vermindering van die getal werknemers wat in diens van die werk-gewer is sodanige vermindering regverdig:

Met dien verstande dat—

(i) so 'n vermindering nie deur die Raad toegelaat moet word nie tensy sodanige werk-gewer skriftelik by die Raad aansoek gedoen het om vermindering van die bedrag van sodanige waarborg; en

(ii) die bedrag van sodanige waarborg nie tot minder as die bedrae voorgeskryf in paragraaf (b) hierbo verminder mag word nie.

(f) Geen vermeerdering of vermindering van die bedrag van 'n waarborg ooreenkomstig paragraaf (e) mag met tussenpose van minder as ses maande vereis of toegelaat word nie.

(g) Werk-gewers kan deur hul werk-gewerorganisasies wat partye by die Raad is 'n versekeringspolis uitneem om die dekking te verkry wat in paragraaf (a) hiervan beoog word.”

(2) Voeg die volgende nuwe subklousule in:

“(4) As 'n werk-gewer die Raad skriftelik in kennis gestel het dat hy opgehou het om in die Nywerheid sake te doen—

(a) moet die Raad homself daarvan oortuig dat dié werk-gewer wel aldus opgehou het om sake te doen en dat daar geen uitstaande bedrag is wat die Raad ooreenkomstig subklousule (2) (d) kan opeis nie;

(b) moet die Raad ná verloop van 'n tydperk van 30 dae vanaf die datum waarop sodanige kennisgewing ontvang is, of sodanige ander tydperk as wat die Raad bepaal, aan sodanige werk-gewer die kontant terugbetaal wat dié werk-gewer ooreenkomstig hierdie klousule by die Raad gedeponeer het, of moet die Raad ander dokumente intrek wat dié werk-gewer ooreenkomstig hierdie klousule by die Raad ingedien het, na gelang van die geval.”.

9. KLOUSULE 32 VAN DEEL I VAN DIE VORIGE OOREEN-KOMS. — GEKONSOLIDEERDE SEËLBYDRAE

Vervang die bestaande paragraaf deur die volgende:

“Die Raad kan na goeë dunks die seëlbydraes in hierdie Ooreenkoms bedoel, kombineer op 'n wyse wat die Raad van tyd tot tyd bepaal.”.

10. KLOUSULE 33 VAN DEEL I VAN DIE VORIGE OOREEN-KOMS. — HEFFING VIR WERKGEWERSORGANISASIE

(1) In subklousule (1) (a), vervang die syfer “35c” deur die syfer “38c”.

(2) In subklousule (1) (b), vervang die syfer “R1,70” deur die syfer “R2,50”.

(3) In subklousule (1) (c), vervang die syfer “75c” deur die syfer “R1,25”.

(iii) three weeks' allowances, contributions, subscriptions and amounts due to employees and in respect of employees in terms of clauses 33, 34, 36, 37, 38, 39, 39 (bis), 39(ter), 40 and 45 of Part I and clauses 10, 12, 13 and 14 of Part II.

(b) Notwithstanding anything to the contrary herein contained, the minimum guarantee shall not be for an amount of less than R500, irrespective of all employees in the employment of such employer.

(c) Notwithstanding anything to the contrary herein contained or implied, the guarantee shall be vested in the Council, and upon the insolvency or liquidation of the employer, the liquidator or trustee of the employer, as the case may be, shall have no right of any nature whatsoever thereto.

(d) The Council shall, without prejudice to any other rights which it may have against the employer, apply the guarantee [at such times, in such amounts and apportioned to such obligation(s) as the Council in its discretion may decide] to the discharge of the employer's obligation(s) in terms of clauses 8, 33, 34, 36, 37, 38, 39, 39(bis), 39(ter), 40 and 45 of Part I and clauses 4, 10, 12, 13 and 14 of Part II.

(e) Where the guarantee [after deducting any disbursement by the Council pursuant to paragraph (d) above], is insufficient to cover the payment of wages, levies, allowances, contributions, subscriptions and amounts referred to in paragraph (a) above, the employer shall upon demand by the Council increase the amount of such guarantee to an amount sufficient to cover such payment. The Council shall likewise permit any employer to reduce the amount of such guarantee where a reduction in the number of employees employed warrants such reduction:

Provided that—

(i) no such reduction shall be permitted by the Council unless such employer has applied to the Council, in writing, for the amount of such guarantee to be reduced; and

(ii) the amount of such guarantee shall not be reduced to less than the amounts prescribed in paragraph (b) above.

(f) No increase or reduction of the amount of any guarantee in accordance with the provisions of paragraph (e) shall be required or permitted at intervals of less than six months.

(g) Employers may through their organisations which are parties to the Council take out an insurance policy in order to obtain the cover as envisaged in paragraph (a) hereof.”.

(2) Insert the following new subclause (4):

“(4) Where an employer has notified the Council, in writing, that he has ceased to operate in the Industry—

(a) the Council shall satisfy itself that such employer has ceased to so operate, and that there are no amounts outstanding which could be claimed by the Council in accordance with the provisions of subclause (2) (d);

(b) the Council shall, after the expiration of a period of 30 days from the date on which such notice is received, or such other period as may be determined by the Council, refund to such employer any cash which was deposited with the Council by such employer pursuant to the provisions of this clause, or shall cancel any other document which was lodged by such employer with the Council in compliance with the Council in compliance with the provisions of this clause, as the case may be.”.

9. CLAUSE 32 OF PART I OF THE FORMER AGREEMENT. — CONSOLIDATED STAMP

Substitute the following for the existing paragraph:

“The Council may in its discretion combine the stamp contributions referred to in this Agreement in such a manner as may be determined by it from time to time.”.

10. CLAUSE 33 OF PART I OF THE FORMER AGREEMENT. — EMPLOYER ORGANISATION LEVY

(1) In subclause (1) (a), substitute the figure “38c” for the figure “35c”.

(2) In subclause (1) (b), substitute the figure “R2,50” for the figure “R1,70”.

(3) In subclause (1) (c), substitute the figure “R1,25” for the figure “75c”.

11. KLOUSULE 37 VAN DEEL I VAN DIE VORIGE OOREENKOMS.—JAARLIKSE VERLOF, OPENBARE VAKANSIEDAE MET BESOLDIGING EN DIE VAKANSIEFONDS VIR DIE BOUNYWERHEID, OOS-KAAP

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

“(1) (a) Geen werk mag in die Nywerheid deur werkgewers en werknemers gedoen word gedurende die tydperk hieronder vermeld nie:

Die landdrosdistrikte Port Elizabeth, Uitenhage en Queenstown:

Tussen uitskeityd op 15 Desember 1989 en begintyd op 15 Januarie 1990 en tussen uitskeityd op 14 Desember 1990 en begintyd op 14 Januarie 1991;

die landdrosdistrikte Albany, Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Ladismith, Knysna, Mosselbaai, Oudtshoorn, Riversdal, en Uniondale:

Tussen uitskeityd op 15 Desember 1989 en begintyd op 8 Januarie 1990 en tussen uitskeityd op 14 Desember 1990 en begintyd op 7 Januarie 1991;

behalwe—

(i) in die geval van noodwerk, waar die werkgewer binne drie dae nadat sodanige oortyd begin is, die Sekretaris van die Raad skriftelik daarvan in kennis moet stel, asook van die omstandighede wat sodanige oortydwerk noodsaaklik gemaak het;

(ii) waar die skriftelike vrystelling van die Raad eers vooraf verkry is.”

(2) Vervang subklousule (3) (a) deur die volgende:

“(3) (a) aan elkeen van ondergenoemde werknemers in sy diens, vir die gewone tyd wat elke sodanige werknemer in sy diens gewerk het, die volgende Vakansiefondstoelae betaal, en sodanige toelae moet betaling vir Republiekdag (net in Gebied A), Geloftedag, Kersdag en Nuwejaarsdag insluit:

Klas werknemer en gebied	Per uur c
(i) Algemene werknemers:	
Gebied A	27½
Gebied B	23
Gebied C	20
Gebied D	18
Gebied E	22½
Gebied F	20½
(ii) Halfgeskoolde werknemers:	
Gebied A	28½
Gebied B	30
Gebied C	27
Gebied D	18
Gebied E	27½
Gebied F	25½
(iii) Drywers van meganiese voertuie met 'n loonvrag van—	
tot en met 2 722 kg:	
Gebied A	28½
Gebied B	29
Gebied C	27
Gebied D	16
meer as 2 722 kg maar hoogstens 4 536 kg:	
Gebied A	31
Gebied B	30
Gebied C	28
Gebied D	17
meer as 4 536 kg:	
Gebied A	33
Gebied D	20
(iv) Ambagsmanne, voormanne, en algemene voormanne:	
Gebied A	72

11. CLAUSE 37 OF PART I OF THE FORMER AGREEMENT.—ANNUAL LEAVE, PAID PUBLIC HOLIDAYS AND THE BUILDING INDUSTRY HOLIDAY FUND, EAST CAPE

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

“(1) (a) No work shall be performed in the Industry by employers and employees during the period stated hereunder:

The Magisterial Districts of Port Elizabeth, Uitenhage and Queenstown:

Between finishing time on 15 December 1989 and starting time on 15 January 1990 and between finishing time on 14 December 1990 and starting time on 14 January 1991;

the Magisterial Districts of Albany, Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Ladismith, Knysna, Mossel Bay, Oudtshoorn, Riversdale and Uniondale:

Between finishing time on 15 December 1989 and starting time on 8 January 1990 and between finishing time on 14 December 1990 and starting time on 7 January 1991;

except—

(i) in the case of emergency work, when the employer must notify the Secretary of the Council in writing within three days of having commenced such overtime and the circumstances necessitating such overtime;

(ii) in the case where the prior written exemption has first been obtained from the Council.”

(2) Substitute the following for subclause (3) (a):

“(3) (a) each of the undermentioned employees in his employ in respect of the ordinary time worked by each such employee in his employ the following Holiday Fund allowance, which allowance shall include payment in respect of Republic Day (in Area A only), Day of the Vow, Christmas Day and New Year's Day:

Category of employee and area	Per hour c
(i) General employees:	
Area A	27½
Area B	23
Area C	20
Area D	18
Area E	22½
Area F	20½
(ii) Semi-skilled employees:	
Area A	28½
Area B	30
Area C	27
Area D	18
Area E	27½
Area F	25½
(iii) Drivers of mechanical vehicles with a pay-load of—	
up to and including 2 722 kg:	
Area A	28½
Area B	29
Area C	27
Area D	16
over 2 722 kg but not exceeding 4 536 kg:	
Area A	31
Area B	30
Area C	28
Area D	17
over 4 536 kg:	
Area A	33
Area D	20
(iv) Journeymen, foremen and general foremen:	
Area A	72

<i>Klas werknemer en gebied</i>	<i>Per uur c</i>	<i>Category of employee and area</i>	<i>Per hour c</i>
(v) Ambagsmanassistentie:		(v) Journeyman's assistants:	
Gebied A	34	Area A	34
Gebied B	33	Area B	33
Gebied C	30	Area C	30
Gebied D	20	Area D	20
Gebied E	29½	Area E	29½
Gebied F	26½	Area F	26½
(vi) Leerlinge—		(vi) Learners—	
vir die eerste jaar diens:		for the first year of employment:	
Gebied A	29½	Area A	29½
Gebied B	24	Area B	24
Gebied C	23	Area C	23
Gebied D	18	Area D	18
Gebied E	25	Area E	25
Gebied F	23	Area F	23
vir die tweede jaar diens:		for the second year of employment:	
Gebied A	33	Area A	33
Gebied B	26	Area B	26
Gebied C	25	Area C	25
Gebied D	21	Area D	21
Gebied E	29	Area E	29
Gebied F	25	Area F	25
vir die derde jaar diens:		for the third year of employment:	
Gebied A	37	Area A	37
Gebied B	29	Area B	29
Gebied C	27	Area C	27
Gebied D	24	Area D	24
Gebied E	31	Area E	31
Gebied F	29	Area F	29
vir die vierde jaar diens:		for the fourth year of employment:	
Gebied A	47	Area A	47
Gebied B	33	Area B	33
Gebied C	31	Area C	31
Gebied D	29	Area D	29
Gebied E	37	Area E	37
Gebied F	34	Area F	34
(vii) Werknemers in alle ander ambagte of beroepe wat nie elders gespesifiseer word nie, uitgesonderd vakleerlinge en kwekelinge:		(vii) Employees in all other trades or occupations not elsewhere specified, excluding apprentices and trainees:	
Gebied A	27½	Area A	27½
Gebied B	23	Area B	23
Gebied C	20	Area C	20
Gebied D	18	Area D	18
Gebied E	22½	Area E	22½
Gebied F	20½	Area F	20½
(viii) Algemene voormanne, voormanne en ambagsmanne graad A in die ambagte skilder-en ruitwerk:		(viii) General foremen, foremen and Grade A journeymen in the painting and glazing trades:	
Gebied B	48	Area B	48
Gebied C	48	Area C	48
Gebied F	52	Area F	52
(ix) Ander ambagsmanne in die ambagte skilder- en ruitwerk:		(ix) Other journeymen in the painting and glazing trades:	
Gebied B	45	Area B	45
Gebied C	45	Area C	45
Gebied D	50½	Area D	50½
Gebied E	52	Area E	52
Gebied F	50	Area F	50
(x) Algemene voormanne, voormanne en ambagsmanne graad A in ander ambagte:		(x) General foremen, foremen and Grade A journeymen in other trades:	
Gebied B	50	Area B	50
Gebied C	50	Area C	50
Gebied D	55½	Area D	55½
Gebied E	55	Area E	55
Gebied F	53	Area F	53
(xi) Ambagsmanne in ander ambagte:		(xi) Journeymen in other trades:	
Gebied B	45	Area B	45
Gebied C	45	Area C	45
Gebied D	50½	Area D	50½
Gebied E	53	Area E	53
Gebied F	52	Area F	52
(xii) Motorvoertuigdrywers en bedieners van krane en hysers:		(xii) Motor vehicle drivers and operators of cranes and hoists:	
Gebied F	27½."	Area F	27½."

(3) Vervang subklousule (3bis) deur die volgende:

"(3bis) 'n Werkgewer moet op elke betaaldag ondergenoemde bedrae aftrek van die besoldiging verskuldig aan dié van sy werknemers vir wie 'n Vakansiefondstoelae in subklousule (3) (a) voorgeskryf word, en moet sodanige bedrae elke week aan die Sekretaris van die Raad oorbetal. Die Sekretaris moet sodanige bedrae ingevolge klousule 41 (1) in die Fonds stort:

<i>Klas werknemer en gebied</i>	<i>Waarde van seëlbydrae per week</i> R
(i) Algemene werknemers:	
Gebied A	11,00
Gebied B	10,35
Gebied C	9,00
Gebied D	8,10
Gebied E	9,00
Gebied F	8,61
(ii) Halfgeskoolde werknemers:	
Gebied A	11,40
Gebied B	13,50
Gebied C	12,15
Gebied D	8,10
Gebied E	11,00
Gebied F	10,46
(iii) Drywers van meganiese voertuie met 'n loonvrag van—	
tot en met 2 722 kg:	
Gebied A	11,40
Gebied B	13,05
Gebied C	12,15
Gebied D	7,20
meer as 2 722 kg maar hoogstens 4 536 kg:	
Gebied A	12,40
Gebied B	13,50
Gebied C	12,60
Gebied D	7,65
meer as 4 536 kg:	
Gebied A	13,20
Gebied D	9,00
(iv) Ambagsmanne, voormanne, en algemene voormanne:	
Gebied A	34,80
(v) Ambagsmansassistenten:	
Gebied A	15,60
Gebied B	17,10
Gebied C	15,75
Gebied D	11,25
Gebied E	12,80
Gebied F	10,87
(vi) Leerlinge—	
vir die eerste jaar diens:	
Gebied A	11,80
Gebied B	10,80
Gebied C	10,35
Gebied D	8,10
Gebied E	10,00
Gebied F	9,43
vir die tweede jaar diens:	
Gebied A	13,20
Gebied B	11,70
Gebied C	11,25
Gebied D	9,45
Gebied E	11,60
Gebied F	10,25
vir die derde jaar diens:	
Gebied A	14,80
Gebied B	13,05
Gebied C	12,15
Gebied D	10,80
Gebied E	12,40
Gebied F	11,89

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

"(3bis) An employer shall, on each pay-day, deduct the following amounts from the remuneration due to his employees for whom a Holiday Fund allowance is prescribed in subclause (3) (a), and pay such amounts over to the Secretary of the Council, every week. The Secretary shall pay the amounts into the Fund in terms of clause 41 (1):

<i>Category of employee and areas</i>	<i>Value of stamp contribution per week</i> R
(i) General employees:	
Area A	11,00
Area B	10,35
Area C	9,00
Area D	8,10
Area E	9,00
Area F	8,61
(ii) Semi-skilled employees:	
Area A	11,40
Area B	13,50
Area C	12,15
Area D	8,10
Area E	11,00
Area F	10,46
(iii) Drivers of mechanical vehicles with a pay-load of—	
up to and including 2 722 kg:	
Area A	11,40
Area B	13,05
Area C	12,15
Area D	7,20
over 2 722 kg but not exceeding 4 536 kg:	
Area A	12,40
Area B	13,50
Area C	12,60
Area D	7,65
over 4 536 kg:	
Area A	13,20
Area D	9,00
(iv) Journeymen, foremen and general foremen:	
Area A	34,80
(v) Journeymen's assistants:	
Area A	15,60
Area B	17,10
Area C	15,75
Area D	11,25
Area E	12,80
Area F	10,87
(vi) Learners—	
for the first year of employment:	
Area A	11,80
Area B	10,80
Area C	10,35
Area D	8,10
Area E	10,00
Area F	9,43
for the second year of employment:	
Area A	13,20
Area B	11,70
Area C	11,25
Area D	9,45
Area E	11,60
Area F	10,25
for the third year of employment:	
Area A	14,80
Area B	13,05
Area C	12,15
Area D	10,80
Area E	12,40
Area F	11,89

<i>Klas werknemer en gebied</i>	<i>Waarde van seëlbydrae per week</i>	<i>Category of employee and areas</i>	<i>Value of stamp contribution per week</i>
	R		R
vir die vierde jaar diens:		for the fourth year of employment:	
Gebied A	18,80	Area A	18,80
Gebied B	14,85	Area B	14,85
Gebied C	13,95	Area C	13,95
Gebied D	13,05	Area D	13,05
Gebied E	14,80	Area E	14,80
Gebied F	13,94	Area F	13,94
(vii) Werknemers in alle ander ambagte of beroepe wat nie elders gespesifiseer word nie, uitgesonderd vakleerlinge en kwekelinge:		(vii) Employees in all other trades or occupations not elsewhere specified, excluding apprentices and trainees:	
Gebied A	11,00	Area A	11,00
Gebied B	10,35	Area B	10,35
Gebied C	9,00	Area C	9,00
Gebied D	8,10	Area D	8,10
Gebied E	9,00	Area E	9,00
Gebied F	8,61	Area F	8,61
(viii) Algemene voormanne, voormanne en ambagsmanne graad A in die ambagte skilder- en ruitwerk:		(viii) General foremen, foremen and Grade A journeymen in the painting and glazing trades:	
Gebied B	28,35	Area B	28,35
Gebied C	28,35	Area C	28,35
Gebied F	21,32	Area F	21,32
(ix) Ander ambagsmanne in die ambagte skilder- en ruitwerk:		(ix) Other journeymen in the painting and glazing trades:	
Gebied B	27,00	Area B	27,00
Gebied C	27,00	Area C	27,00
Gebied D	29,47	Area D	29,47
Gebied E	22,72	Area E	22,72
Gebied F	20,50	Area F	20,50
(x) Algemene voormanne, voormanne en ambagsmanne graad A in ander ambagte:		(x) General foremen, foremen and Grade A journeymen in other trades:	
Gebied B	29,25	Area B	29,25
Gebied C	29,25	Area C	29,25
Gebied D	31,72	Area D	31,72
Gebied E	24,00	Area E	24,00
Gebied F	21,73	Area F	21,73
(xi) Ambagsmanne in ander ambagte:		(xi) Journeymen in other trades:	
Gebied B	27,00	Area B	27,00
Gebied C	27,00	Area C	27,00
Gebied D	29,47	Area D	29,47
Gebied E	23,20	Area E	23,20
Gebied F	21,32	Area F	21,32
(xii) Motorvoertuigdrywers en bedieners van krane en hysers:		(xii) Motor vehicle drivers and operators of cranes and hoists:	
Gebied F	11,28	Area F	11,28
(xiii) Ondanks die bedrae voorgeskryf in die voorafgaande paragrawe van hierdie subklousule vir dié klas werknemer, moet alle werknemers in alle gebiede betrokke by elektriese installering wat elektriese montering en bedrading en werksaamhede wat daarmee gepaard gaan insluit, wanneer die waarde van seëlbydrae vir 'n volle jaar van 49 seëlbydraes in subklousule (6) (c) hiervan bedoel, minder is as die bedrag wat die werknemer sou ontvang het as hy betaal was teen sy loonskaal indien hy vir die jaarlikse verloftydperk gewerk het, die verskil betaal word tussen sodanige hoër bedrag en die bedrag wat deur die Fonds in subklousule (4) bedoel, betaal word. Betaling van die bedrag moet geskied op die dag voor die begin van die jaarlikse verloftydperk."		(xiii) Notwithstanding the amounts prescribed in the foregoing paragraphs of this subclause for the category of employee, all employees in all areas engaged on electrical installation, which includes electrical fitting and wiring and operations incidental thereto, shall if the value of stamp contribution for a full year of 49 contributions referred to in subclause (6) (c), hereof is less than the amount an employee would have received if he was paid at his rate of wage had he worked during the annual leave period, be paid the difference between such higher amount and the amount he will receive from the Fund referred to in subclause (4). Payment of the amount shall be made on a date not later than the day prior to the commencement of the annual leave period."	

12. KLOUSULE 39 VAN DEEL I VAN DIE VORIGE OOREENKOMS. — PENSIOENFONDS

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

“(1) Elke werkgewer op wie hierdie Ooreenkoms van toepassing is, moet ten opsigte van elkeen van ondergenoemde werknemers in sy diens en wat gedurende 'n week 16 uur of langer (uitgesonderd oortyd) gewerk het, ooreenkomstig die prosedure in subklousule (3) van hierdie klousule voorgeskryf, die volgende bedrae aan die Raad betaal:

<i>Klas werknemer en gebied</i>	<i>Per week</i>
	<i>R</i>
(i) Algemene werknemers:	
Gebied A	5,00
Gebied B	4,81
Gebied C	4,16
Gebied D	3,60
Algemene werknemers betrokke by elektriese installering wat elektriese montering en bedrading en werksaamhede wat daarmee gepaard gaan insluit:	
Gebied A	6,20
Gebied B	6,05
Gebied C	5,74
Gebied D	5,40
(ii) Halfgeskoolde werknemers:	
Gebied A	5,20
Gebied B	6,16
Gebied C	5,96
Gebied D	3,60
Halfgeskoolde werknemers betrokke by elektriese installering wat elektriese montering en bedrading en werksaamhede wat daarmee gepaard gaan insluit:	
Gebied A	6,20
Gebied B	6,50
Gebied C	6,19
Gebied D	5,40
(iii) Ambagsmansassistentie:	
Gebied A	6,40
Gebied B	7,51
Gebied C	6,86
Gebied D	3,60
(iv) Drywers van meganiese voertuie met 'n loonvraag van—	
tot en met 2 722 kg:	
Gebied A	5,60
Gebied B	5,71
Gebied C	4,61
Gebied D	3,60
meer as 2 722 kg maar hoogstens 4 536 kg:	
Gebied A	5,60
Gebied B	7,06
Gebied C	5,96
Gebied D	3,60
meer as 4 536 kg:	
Gebied A	6,00
Gebied D	3,60
(v) Algemene voormanne, voormanne en ambagsmanne in alle ambagte en beroepe:	
Gebied A	33,20
(vi) Wagte, per week van ses dae:	
Gebied A	5,00
Gebied B	4,81
Gebied C	4,16
Gebied D	3,60

12. CLAUSE 39 OF PART I OF THE FORMER AGREEMENT. — PENSION FUND

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

“(1) Every employer to whom the provisions of this Agreement apply, shall in respect of each of the undermentioned employees in his employ and who has worked for 16 hours or more during a week (excluding overtime) pay to the Council in accordance with the procedure prescribed in subclause (3) of this clause, the following amounts:

<i>Category of employee and area</i>	<i>Per week</i>
	<i>R</i>
(i) General employees:	
Area A	5,00
Area B	4,81
Area C	4,16
Area D	3,60
General employees engaged on electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
Area A	6,20
Area B	6,05
Area C	5,74
Area D	5,40
(ii) Semi-skilled employees:	
Area A	5,20
Area B	6,16
Area C	5,96
Area D	3,60
Semi-skilled employees engaged on electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
Area A	6,20
Area B	6,50
Area C	6,19
Area D	5,40
(iii) Journeyman's assistants:	
Area A	6,40
Area B	7,51
Area C	6,86
Area D	3,60
(iv) Drivers of mechanical vehicles with a pay-load of—	
up to and including 2 722 kg:	
Area A	5,60
Area B	5,71
Area C	4,61
Area D	3,60
over 2 722 kg but not exceeding 4 536 kg:	
Area A	5,60
Area B	7,06
Area C	5,96
Area D	3,60
over 4 536 kg:	
Area A	6,00
Area D	3,60
(v) General foremen, foremen and journeymen in all trades and occupations:	
Area A	33,20
(vi) Watchmen, per six-day week:	
Area A	5,00
Area B	4,81
Area C	4,16
Area D	3,60

<i>Klas werknemer en gebied</i>	<i>Per week R</i>
(vii) Werknemers in alle ander ambagte of beroepe wat nie elders gespesifiseer word nie, uitgesonderd vakleerlinge en kwekelinge:	
Gebied A	5,00
Gebied B	4,81
Gebied C	4,16
Gebied D	3,60
(viii) Ambagsmanne graad A in die ambagte skilder- en ruitwerk:	
Gebied B	11,36
Gebied C	11,36
Gebied F	14,05
(ix) Ander ambagsmanne in die ambagte skilder- en ruitwerk:	
Gebied B	10,01
Gebied C	10,01
Gebied D	13,16
Gebied E	19,20
Gebied F	14,05
(x) Ambagsmanne graad A in ander ambagte:	
Gebied B	14,51
Gebied C	14,51
Gebied D	13,16
Gebied E	19,20
Gebied F	14,05
(xi) Ambagsmanne in ander ambagte:	
Gebied B	10,01
Gebied C	10,01
Gebied D	13,16
Gebied E	19,20
Gebied F	14,05

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

"(2) Benewens ander besoldiging betaalbaar ingevolge hierdie Ooreenkoms, moet elke werkgewer op wie hierdie Ooreenkoms van toepassing is aan elkeen van ondergenoemde werknemers in sy diens 'n toelae soos hieronder uiteengesit betaal ten opsigte van elke uur in 'n week gewerk (uitgesonderd oortydwerk): Met dien verstande dat genoemde toelae vir hoogstens 40 uur in Gebiede A en E in 'n bepaalde week en vir hoogstens 41 uur in Gebied F in 'n bepaalde week en vir hoogstens 45 uur in Gebiede B, C en D in 'n bepaalde week betaal moet word:

<i>Klas werknemer en gebied</i>	<i>Per uur c</i>
(i) (aa) Algemene werknemers:	
Gebied A	6
Gebied B	7
Gebied C	6
Gebied D	5
(ab) Algemene werknemers betrokke by elektriese installering wat elektriese montering en bedrading en werksaamhede wat daarmee gepaard gaan insluit:	
Gebied A	9
Gebied B	9½
Gebied C	9½
Gebied D	9
(ii) (aa) Halfgeskoolde werknemers:	
Gebied A	6½
Gebied B	9
Gebied C	9
Gebied D	5
(ab) Halfgeskoolde werknemers betrokke by elektriese installering wat elektriese montering en bedrading en werksaamhede wat daarmee gepaard gaan insluit:	
Gebied A	9
Gebied B	9½
Gebied C	9½
Gebied D	9
(iii) Ambagsmansassistenten:	
Gebied A	8
Gebied B	11
Gebied C	10
Gebied D	5

<i>Category of employee and area</i>	<i>Per week R</i>
(vii) Employees in all other trades or occupations not elsewhere specified, excluding apprentices and trainees:	
Area A	5,00
Area B	4,81
Area C	4,16
Area D	3,60
viii) Grade A journeymen in the painting and glazing trades:	
Area B	11,36
Area C	11,36
Area F	14,05
(ix) Other journeymen in the painting and glazing trades:	
Area B	10,01
Area C	10,01
Area D	13,16
Area E	19,20
Area F	14,05
(x) Grade A journeymen in other trades:	
Area B	14,51
Area C	14,51
Area D	13,16
Area E	19,20
Area F	14,05
(xi) Journeymen in other trades:	
Area B	10,01
Area C	10,01
Area D	13,16
Area E	19,20
Area F	14,05

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

"(2) In addition to any other remuneration payable in terms of this Agreement, every employer to whom the provisions of this Agreement apply, shall in respect of the undermentioned employees in his employ pay an allowance as specified below in respect of every hour worked (excluding overtime) weekly: Provided that the said allowance shall be paid for not more than 40 hours in any one week in Areas A and E, and for not more than 41 hours in any one week in Area F, and for not more than 45 hours in any one week in Areas B, C and D:

<i>Category of employee and area</i>	<i>Per hour c</i>
(i) (aa) General employees:	
Area A	6
Area B	7
Area C	6
Area D	5
(ab) General employees engaged on electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
Area A	9
Area B	9½
Area C	9½
Area D	9
(ii) (aa) Semi-skilled employees:	
Area A	6½
Area B	9
Area C	9
Area D	5
(ab) Semi-skilled employees engaged on electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
Area A	9
Area B	9½
Area C	9½
Area D	9
(iii) Journeyman's assistants:	
Area A	8
Area B	11
Area C	10
Area D	5

Klas werknemer en gebied		Per uur	Category of employee and area		Per hour
		c			c
(iv)	Drywers van meganiese voertuie met 'n loonvrag van—		(iv)	Drivers of mechanical vehicles with a pay-load of—	
	tot en met 2 722 kg:			up to and including 2 722 kg:	
	Gebied A	7		Area A	7
	Gebied B	8		Area B	8
	Gebied C	7		Area C	7
	Gebied D	5		Area D	5
	meer as 2 722 kg maar			over 2 722 kg but not	
	hoogstens 4 536 kg:			exceeding 4 536 kg:	
	Gebied A	7		Area A	7
	Gebied B	10		Area B	10
	Gebied C	9		Area C	9
	Gebied D	5		Area D	5
	meer as 4 536 kg:			over 4 536 kg:	
	Gebied A	7½		Area A	7½
	Gebied D	5		Area D	5
(v) (aa)	Algemene voormanne, voormanne en ambagsmanne in alle ambagte en beroepe (uitgesonderd werknemers in (ab) hieronder bedoel):		(v) (aa)	General foremen, foremen and journeymen in all trades and occupations (excluding employees referred to in (ab) hereunder):	
	Gebied A	44		Area A	44
(ab)	Algemene voormanne, voormanne en ambagsmanne betrokke by elektriese instal-lering wat elektriese montering en bedrading en werksaamhede wat daarmee gepaard gaan insluit:		(ab)	General foremen, foremen and journeymen engaged on electrical installation, which in-cludes electrical fitting and wiring and opera-tions incidental thereto:	
	Gebied A	47		Area A	47
(vi)	Wagte, per week van ses dae:		(vi)	Watchmen, per six-day week:	
	Gebied A	6		Area A	6
	Gebied B	7		Area B	7
	Gebied C	6		Area C	6
	Gebied D	5		Area D	5
(vii)	Werknemers in alle ander ambagte of be-roepe wat nie elders gespesifiseer word nie, uitgesonderd vakleerlinge en kwekelinge:		(vii)	Employees in all other trades or occupations not elsewhere specified, excluding appren-tices and trainees:	
	Gebied A	6		Area A	6
	Gebied B	7		Area B	7
	Gebied C	6		Area C	6
	Gebied D	5		Area D	5
(viii)	Ambagsmanne graad A in die ambagte skilder- en ruitwerk:		(viii)	Grade A journeymen in the painting and glazing trades:	
	Gebied B	16		Area B	16
	Gebied C	16		Area C	16
	Gebied F	20		Area F	20
(ix)	Ander ambagsmanne in die ambagte skilder-en ruitwerk:		(ix)	Other journeymen in the painting and glaz-ing trades:	
	Gebied B	14		Area B	14
	Gebied C	14		Area C	14
	Gebied D	19		Area D	19
	Gebied E	28¾		Area E	28¾
	Gebied F	20		Area F	20
(x) (aa)	Ambagsmanne graad A in ander ambagte (uitgesonderd werknemers in (ab) hieronder bedoel):		(x) (aa)	Grade A journeymen in other trades (ex-cluding employees referred to in (ab) here-under):	
	Gebied B	21		Area B	21
	Gebied C	21		Area C	21
	Gebied D	19		Area D	19
	Gebied E	28¾		Area E	28¾
	Gebied F	20		Area F	20
(ab)	Ambagsmanne graad A betrokke by elek-triese installering wat elektriese montering en bedrading en werksaamhede wat daarmee gepaard gaan insluit:		(ab)	Grade A journeymen engaged on electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
	Gebied B	21		Area B	21
	Gebied C	21		Area C	21
	Gebied D	21		Area D	21
	Gebied E	35¾		Area E	35¾
	Gebied F	32		Area F	32

Klas werknemer en gebied	Per uur c
(xi) (aa) Ambagsmanne in ander ambagte (uitgesonderd werknemers in (ab) hieronder bedoel):	
Gebied B.....	14
Gebied C.....	14
Gebied D.....	19
Gebied E.....	28 ½
Gebied F.....	20
(ab) Ambagsmanne betrokke by elektriese installering wat elektriese montering en bedrading en werksaamhede wat daarmee gepaard gaan insluit:	
Gebied B.....	21
Gebied C.....	21
Gebied D.....	21
Gebied E.....	35 ½
Gebied F.....	32."

(3) Voeg die volgende nuwe klousule 39(ter) in in Deel I:

"39(ter). MEDIESE HULPFONDS

(1) *Voortsetting.*—Die Fonds wat by Goewermentskennisgewing No. R 2313 van 20 Desember 1968 ingestel is en wat voorheen bekend gestaan het as die "Mediese Bystandsfonds van die Bounywerheid, Port Elizabeth" (hierna die "Fonds" genoem), word hierby voortgesit.

(2) *Doelstellings.*—Die doelstellings van die Fonds is—

(a) om deur middel van bydraes, skenkings of andersins 'n fonds op te bou, en sodoende daarvoor voorsiening te maak om bystand aan lede te verleen ter bestryding van onkoste wat deur hulle of hul afhanklikes aangegaan word in verband met mediese, paramediese, verplegings-, chirurgiese- of tandheelkundige dienste, of die verskaffing van medisyne of van mediese, chirurgiese, tandheelkundige of oogkundige benodigdhede of hulpmiddels of akkommodasie in hospitale of verpleeginrigtings;

(b) om dié maatreëls te tref en dié dinge te doen wat die Raad noodsaaklik ag vir die voorkoming van siekte en ongelukke en vir die verbetering en bevordering van die gesondheid van lede, afhanklikes en persone wat in die Nywerheid werksaam of daarby betrokke is;

(c) om, sonder om enigsins afbreuk te doen aan of in te meng met 'n lid se vrye keuse van diens, kontrakte aan te gaan of om 'n voorkeurtarief te beding met—

(i) hospitale, geregistreerde verpleeginrigtings of soortgelyke inrigtings vir die versorging van siek of herstellende lede en hul afhanklikes;

(ii) enige ander persone, liggame, inrigtings of owerhede ten opsigte van mediese dienste soos in hierdie Ooreenkoms of die reëls van die Fonds bepaal word;

(d) om al dié dinge te doen wat noodsaaklik of bevorderlik is vir die welsyn van lede en hul afhanklikes, of wat daarmee verband hou, en vir die verwesenliking van bogenoemde oogmerke.

(3) *Lidmaatskap.*—(a) *Verpligte lidmaatskap.*—Lidmaatskap van die Fonds is verpligtend vir algemene voormanne, voormanne en ambagsmanne in Gebied A en vir wie lone in klousule 8 (1) (a) (v) van Deel I en klousule 4 (1) (a) (vii) en (viii) van Deel II voorgeskryf word.

(b) *Vrywillige lidmaatskap.*—(i) 'n Werknemer van die Nywerheidsraad; of

(ii) 'n werknemer van 'n vakvereniging of 'n werkgewersorganisasie wat 'n party is by die Raad; of

(iii) 'n persoon wat lid is van 'n werkgewersorganisasie wat 'n party is by die Raad; of

(iv) iemand wat regstreeks by die Nywerheid betrokke is of in 'n klerklike of administratiewe hoedanigheid daarin in diens geneem is deur 'n lid van een van die werkgewersorganisasies in subparagraaf (iii) bedoel; of

(v) iemand wat in die Nywerheid in diens is by 'n lid van 'n werkgewersorganisasie wat 'n party is by die Raad ooreenkomstig 'n vakleerlingkontrak geregistreer ingevolge die Wet op Mannekragopleiding, 1981, of ooreenkomstig 'n leerlingkontrak geregistreer ingevolge klousule 25 van die Hoofooreenkoms, kan op aansoek vir sodanige tydperk en op sodanige voorwaardes as wat die Bestuurskomitee besluit, tot lidmaatskap toegelaat word.

Category of employee and area	Per hour c
(xi) (aa) Journeymen in other trades (excluding employees referred to in (ab) hereunder):	
Area B.....	14
Area C.....	14
Area D.....	19
Area E.....	28 ½
Area F.....	20
(ab) Journeymen engaged on electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
Area B.....	21
Area C.....	21
Area D.....	21
Area E.....	35 ½
Area F.....	32."

(3) Insert the following new clause 39(ter) in Part I:

"39(ter). MEDICAL AID FUND

(1) *Continuation.*—The operation of the Fund established under Government Notice No. R. 2313 of 20 December 1968 and formerly known as the "Port Elizabeth Building Industry Medical Aid Fund" (hereinafter referred to as the "Fund") is hereby continued.

(2) *Objects.*—The objects of the Fund shall be—

(a) to raise a fund by contributions, donations or otherwise and thereby to make provision to grant assistance to members in defraying expenditure incurred by them or their dependants in connection with medical, paramedical, nursing, surgical or dental services, or the supply of medicines or of medical, surgical, dental or optical requirements or appliances or of accommodation in hospitals or nursing homes;

(b) to take such measures and do such things as the Council may deem necessary for the prevention of sickness and accidents and for improvement and promotion of health amongst members, dependants and persons employed or engaged in the Industry;

(c) without in any way detracting from or interfering with a member's free choice of service, to contract or negotiate a preferential tariff—

(i) with any hospital, registered nursing home, or similar institution, for the care of sick or convalescent members and their dependants;

(ii) with any other person, body, institution or authority, in respect of medical services, as may be specified in this Agreement or the rules of the Fund;

(d) to do all such things as are necessary, incidental or conducive to the welfare of members and their dependants and to the attainment of the aforesaid objects.

(3) *Membership.*—(a) *Compulsory members.*—Membership of the Fund shall be compulsory for a general foreman, foreman and journeyman in Area A for whom wages are prescribed in clause 8 (1) (a) (v) of Part I and in clause 4 (1) (a) (vii) and (viii) of Part II.

(b) *Voluntary members.*—(i) An employee of the Industrial Council; or

(ii) an employee of a trade union or an employers' organisation which is a party to the Council; or

(iii) a person who is a member of an employers' organisation which is a party to the Council; or

(iv) a person who is directly engaged or employed in a clerical or administrative capacity in the Industry by a member of one of the employers' organisations referred to in subparagraph (iii); or

(v) a person employed in the Industry by a member of an employers' organisation which is a party to the Council under a contract of apprenticeship registered in terms of the Manpower Training Act, 1981, or under a contract of learnership registered in terms of clause 25 of the Main Agreement, may, on application, be admitted to membership for such period and under such conditions as decided on by the Management Committee.

(c) *Voortsettingslede.*—(i) 'n Lid wat weens hoë ouderdom, swak gesondheid of ander ongeskiktheid of om ander redes met pensioen uit die diens tree, kan, met die toestemming van die Komitee, 'n voortsettingslid word: Met dien verstande dat hy ten tyde van sy aftrede vir 'n aaneenlopende tydperk van minstens drie jaar lid van die skema was: Voorts met dien verstande dat die Komitee by die bepaling van sodanige tydperk 'n onmiddellik daaraan voorafgaande en ononderbroke lidmaatskap van 'n ander mediese skema kan erken: Voorts met dien verstande dat sodanige lid voortgaan met die betaling elke week van die bedrag in subklousule (5) bedoel, of van sodanige ander verminderde bedrag as wat die Komitee aanbeveel; en

(ii) die weduwee van 'n gestorwe lid kan, met die goedkeuring van die Komitee, as lid van die Fonds toegelaat word: Met dien verstande dat die gestorwe lid ten tyde van sy dood alreeds minstens drie jaar lank ononderbroke lid van die Fonds was: Voorts met dien verstande dat die Komitee by die bepaling van sodanige tydperk 'n onmiddellik daaraan voorafgaande en ononderbroke lidmaatskap van 'n ander mediese skema kan erken: Voorts met dien verstande dat die weduwee binne ses maande na die datum van haar man se dood om lidmaatskap aansoek moet doen, en dat sy die bedrag in subklousule (5) bedoel elke week betaal. Sodanige lidmaatskap bly slegs van krag totdat die betrokke weduwee weer trou of diens aanvaar by 'n plek waar lidmaatskap van 'n mediese skema 'n diensvoorwaarde is.

(4) *Toelae.*—(a) Benewens enige ander besoldiging waarop 'n werknemer in klousule 8 (1) (a) (v) van Deel I en klousule 4 (1) (a) (vii) en (viii) van Deel II bedoel, geregtig is, moet elke werkgewer aan elke sodanige werknemer in sy diens in Gebied A 'n toelae van 28 $\frac{3}{4}$ sent per uur betaal vir al die gewone werkure, voorgeskryf in klousule 10 (1) (a), wat sodanige werknemer gedurende 'n week gewerk het.

(b) Die totale moet weekliks betaal word saam met die werknemer se ander besoldiging.

(5) *Bydraes.*—(a) Elke werkgewer moet behoudens paragrawe (b) en (c) hiervan, 'n bedrag van R23,00 per week tot die Fonds bydra vir elkeen van sy werknemers vir wie lone in klousule 8 (1) (a) (v) van Deel I en klousule 4 (1) (a) (vii) en (viii) van Deel II voorgeskryf word en wat werksaam is in Gebied A. 'n Werkgewer is daarop geregtig om die bedrag wat aan die Fonds betaal is, af te trek van die besoldiging van die werknemer ten opsigte van wie die betaling gedoen is.

(b) 'n Werkgewer moet geen bedrag betaal vir 'n werknemer wat minder as 16 uur in 'n bepaalde week vir hom werk nie.

(c) Waar 'n werknemer gedurende dieselfde week by twee of meer werkgewers in diens is, moet die werkgewer by wie hy die eerste gedurende daardie week minstens 16 uur in diens was die bedrag vir daardie week betaal.

(d) Die prosedure in klousule 23 van Deel I voorgeskryf, is *mutatis mutandis* op die betaling van bydraes ingevolge hierdie klousule van toepassing.

(e) Die bedrag in paragraaf (a) hiervan bedoel, maak deel uit van die gekonsolideerde seël ingevolge klousule 32 van Deel I.

(6) *Betaling van bystand.*—Bystand word ten opsigte van lede en hul afhanklikes betaal ooreenkomstig die reëls van die Fonds.

(7) *Betaling van rekenings en gedeelte verskuldig deur lid.*—(a) Die gedeelte wat ingevolge die reëls van die Fonds deur die lid betaalbaar is ten opsigte van 'n eis moet onmiddellik deur die lid betaal word wanneer hy daarvan deur die Fonds in kennis gestel word.

(b) Indien 'n lid in gebreke bly om die skuld in paragraaf (a) hiervan bedoel, te delg, kan die bedrag op sodanige lid verhaal word deur 'n aftrekking van sy loon te doen. Die Sekretaris van die Raad moet die werkgewer van die bedrag van sodanige aftrekking in kennis stel, en laasgenoemde moet die opdrag onverwyld uitvoer en die aldus afgetrekte bedrag binne sewe dae nadat die aftrekking gedoen is, aan die Sekretaris van die Raad betaal.

(c) Agterstallige geld wat 'n lid ooreenkomstig die reëls van die Fonds skuld, kan ook deur die Raad afgetrek word van die Vakansiefondswaarde verskuldig aan 'n werknemer en wat in klousule 37 (9) (c) bedoel word.

(d) Die Fonds is nie aanspreeklik vir die betaling van enige verdere eise wat ingedien word deur 'n lid wat versuim het om reëlins te tref vir die delging van skuld waarvoor hy verantwoordelik is ten opsigte van 'n eis wat voorheen deur die Fonds betaal is nie.

(c) *Continuation members.*—(i) A member who, on account of age, ill-health or other disability or other circumstances, retires from service as a pensioner may, with the consent of the Committee, become a continuation member: Provided that he has been, at the time of his retirement, a member of the scheme for a continuous period of not less than three years: Provided further that the Committee may recognise an immediately preceding and continuous membership of any other medical scheme, for the purpose of determining such period: Provided further that such a member continues the payment of the amount referred to in subclause (5) every week, or such other reduced fee which the Committee may recommend; and

(ii) the widow of a deceased member may, with the approval of the Committee, be admitted as a member of the Fund: Provided that the deceased member, at the time of his death, had been a member of the Fund for a continuous period of not less than three years: Provided further that the Committee may recognise an immediately preceding and continuous membership of any other medical scheme for the purpose of determining such period: Provided further that the widow shall apply for membership within six months from the date of her husband's death and that she pays the amount referred to in subclause (5) every week. Such membership shall continue only for so long as such widow remains unmarried or takes up employment where membership of a medical scheme is a condition of employment.

(4) *Allowance.*—(a) In addition to any other remuneration to which an employee referred to in clause 8 (1) (a) (v) of Part I and clause 4 (1) (a) (vii) and (viii) of Part II may be entitled, every employer shall pay to every such employee in his employ in Area A an allowance of 28 $\frac{3}{4}$ cents per hour in respect of all the ordinary hours of work, prescribed in clause 10. (1) (a), worked by such employee during a week.

(b) The allowance shall be paid weekly together with the employee's other remuneration.

(5) *Contributions.*—(a) Every employer shall, subject to the provisions of paragraphs (b) and (c) hereof, contribute to the Fund an amount of R23,00 per week in respect of each of his employees for whom wages are prescribed in clause 8 (1) (a) (v) of Part I and clause 4 (1) (a) (vii) and (viii) of Part II, who is employed in Area A. An employer shall be entitled to deduct the amount paid to the Fund from the remuneration of the employee in respect of whom payment was made.

(b) No payment shall be made by an employer in respect of an employee who works less than 16 hours for him in any week.

(c) Where an employee is employed by two or more employers during the same week, the payment for that week shall be made by the employer by whom he was first employed during that week for not less than 16 hours.

(d) The procedure prescribed in clause 23 of Part I shall *mutatis mutandis* apply to the payment of contributions in terms of this clause.

(e) The amount referred to in paragraph (a) hereof shall form part of the consolidated stamp in terms of clause 32 of Part I.

(6) *Payment of benefits.*—Payment of benefits shall be made in respect of members and their dependants in accordance with the rules of the Fund.

(7) *Payment of accounts and portion due by member.*—(a) The portion payable by the member in terms of the rules of the Fund in respect of a claim shall be paid by the member immediately he is notified of the amount by the Fund.

(b) In the event of a member who fails to liquidate the debt referred to in paragraph (a) hereof the amount may be recovered from such member by means of a deduction from his wage. The amount of such deduction shall be advised by the Secretary of the Council to the employer, who shall put such advice into effect immediately and pay the amount so deducted to the Secretary of the Council within seven days of the deduction being made.

(c) Overdue moneys which are owing by a member to the Fund in accordance with the provisions of the rules of the Fund may also be deducted by the Council from the Holiday Fund value owing to an employee and referred to in clause 37 (9) (c).

(d) The Fund shall not be liable for the payment of any further claims submitted by a member who has failed to arranged for the liquidation of any debt due by him in respect of any claim previously paid by the Fund.

(8) *Bystand nie vervreembaar nie.*—Die bystand wat deur die Fonds verskaf word, is nie oordraagbaar nie, en 'n lid wat sy regte afstaan, oordra, sedeer, verpand of verhipotekeer, of dit probeer doen, verbeur al die bystand waarop hy geregtig sou gewees het gedurende sodanige tydperk as wat die Raad bepaal.

(9) *Administrasie van die Fonds.*—(a) Die Fonds moet geadminestreer word deur 'n Bestuurskomitee wat deur die Raad aangestel word vir sodanige tydperk en op sodanige voorwaardes as wat die Raad bepaal en wat moet bestaan uit twee verteenwoordigers van die werkgewers en twee verteenwoordigers van die werknemers wat partye is by die Ooreenkoms, asook 'n voorsitter. Ingeval een lid afwesig is, moet die Fonds geadminestreer word deur een verteenwoordiger van die werkgewers en een verteenwoordiger van die werknemers wat partye is by hierdie Ooreenkoms, asook 'n voorsitter.

(b) (i) Die Fonds moet geadminestreer word volgens die reëls wat die Raad vir die doel voorgeskryf het.

(ii) Die Raad kan te eniger tyd nuwe reëls opstel of 'n bestaande reël wysig of herroep. Kopieë van die reëls wat van krag is en besonderhede van alle wysigings daarvan moet by die Direkteur-generaal van Mannekrag ingedien word.

(c) Die Komitee kan enigeen van al die voordele weier en/of weerhou van 'n lid en/of sy afhanklikes wat na die mening van die Komitee opgetree het op 'n wyse wat daarop bereken is om die belange van die Fonds of die lede daarvan te benadeel of wat dit na alle redelike waarskynlikheid sal benadeel: Met dien verstande dat sodanige lid die geleentheid gebied moet word om teen die beslissing van die Komitee appél aan te teken by die Raad, wie se beslissing finaal is.

(d) Geskille oor die uitleg, betekenis of bedoeling van enigeen van die bepalings van hierdie klousule of oor die administrasie van die Fonds, wat die Bestuurskomitee nie kan besleg nie, moet na die Raad verwys word vir sy beslissing.

(e) Die lede van die Bestuurskomitee, die sekretaris, ampsdraers en werknemers van die Fonds is nie vir die skulde en laste van die Fonds aanspreeklik nie en word hierby deur die Fonds gevrywaar teen alle verliese en uitgawes wat hulle in of in verband met die *bona fide*-uitvoering van hul pligte gely of aangegaan het."

13. KLOUSULE 41 VAN DEEL I VAN DIE VORIGE OOREENKOMS.—ADMINISTRASIE VAN EN BEHEER OOR FONDSE

(1) In die eerste paragraaf, vervang die uitdrukking "klousules 37, 39(bis) en 40" deur die uitdrukking "klousules 37, 39(bis), 39(ter) en 40".

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

"(b) Indien die bedrae in die krediet van die Siektebystandsfonds vir die Bounywerheid, Militêrediensfonds van die Bounywerheid en die Mediese Bystandsfonds van die Bounywerheid, Port Elizabeth, te eniger tyd laer as onderskeidelik R12 000, R1 000 en R25 000 daal, moet die uitbetaling van eise en/of bystand gestaak word en moet dit nie weer hervat word nie voordat die bedrae in die krediet van die Fondse meer is as onderskeidelik R18 000, R5 000 en R30 000. By hervatting van uitbetalings moet die eise uitbetaal word in die volgorde waarin hulle ontvang is."

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

"(3) Die rente op beleggings ten opsigte van die vakansiefonds vir die Bounywerheid, Oos-Kaap, moet aan die algemene fondse van die Raad toeval, en die rente op beleggings van die Siektebystandsfonds vir die Bounywerheid, Militêrediensfonds van die Bounywerheid en die Mediese Bystandsfonds van die Bounywerheid, Port Elizabeth, is die uitsluitlike eiendom van die betrokke Fonds, en geen werkgewer of werknemer het aanspraak op dié rente nie en hulle is ook nie verantwoordelik vir bydraes tot die administrasiekoste van die Fondse nie."

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

"(5) (a) Ingeval hierdie Ooreenkoms weens verloop van tyd verstryk of om 'n ander rede gestaak word, moet die Raad aanhou om die Vakansiefonds van die Bounywerheid, Oos-Kaap, Siektebystandsfonds vir die Bounywerheid en die Mediese Bystandsfonds van die Bounywerheid, Port Elizabeth, te administreer totdat hulle óf gelikwider is op die wyse in subklousule (7) (a) voorgeskryf óf deur die Raad oorgedra word na ander fondse wat vir dieselfde doel ingestel is as dié waarvoor die oorspronklike Fondse gestig is."

(8) *Benefits inalienable.*—The benefits provided by the Fund are not transferable and any member who assigns, transfers, cedes, pledges or hypothecates his rights, or who attempts to do so, shall forfeit all benefits to which he would have been entitled during such period as may be determined by the Council.

(9) *Administration of the Fund.*—(a) The Fund shall be administered by a Management Committee appointed by the Council for such period and under such conditions as the Council may determine and consisting of two representatives of the employers and two representatives of the employees, who are parties to the Agreement, and a chairman. In the case of one member being absent, the Fund shall be administered by one representative of the employers and one representative of the employees, who are parties to this Agreement, and a chairman.

(b) (i) The Fund shall be administered in accordance with the rules prescribed for the purpose by the Council.

(ii) The Council may at any time make new rules or alter or repeal any existing rules. Copies of the rules in force and particulars of all amendments thereto shall be lodged with the Director-General of Manpower.

(c) The Committee may refuse and/or withhold any or all benefits from any member and/or his dependants who, in its opinion, has acted in a manner calculated or reasonably likely to injure the interests of the Fund and its members: Provided that such member shall be given the opportunity of submitting an appeal against the decision of the Committee to the Council, whose decision shall be final.

(d) Any dispute concerning the interpretation, meaning or intention of any of the provisions of this clause or concerning the administration of the Fund, which the Management Committee is unable to settle, shall be referred to the Council for its decision.

(e) The members of the Management Committee, the secretary, officers and employees of the Fund shall not be liable for the debts and liabilities of the Fund and they are hereby indemnified by the Fund against all losses and expenses incurred by them in or about the *bona fide* discharge of their duties."

13. CLAUSE 41 OF PART I OF THE FORMER AGREEMENT.—ADMINISTRATION AND CONTROL OF FUNDS

(1) In the first paragraph, substitute the expression "clauses 37, 39(bis), 39(ter) and 40," for the expression "clauses 37, 39(bis) and 40,".

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

"(b) If at any time the amounts to the credit of the Building Industry Sick Benefit Fund, Building Industry Military Service Fund and the Port Elizabeth Building Industry Medical Aid Fund drop below R12 000, R1 000 and R25 000, respectively, payment of claims and/or benefits shall cease and shall not be resumed until the amounts to the credit of the Funds exceed R18 000, R5 000 and R30 000, respectively. Upon payments being resumed, claims shall be met in the order in which they were received."

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

"(3) Any interest accruing from investments made in respect of the Building Industry Holiday Fund, East Cape, shall accrue to the general funds of the Council and any interest accruing from investments of the Building Industry Sick Benefit Fund, Building Industry Military Service Fund and the Port Elizabeth Building Industry Medical Aid Fund shall be the sole property of the relevant Fund, and no employer or employee shall have any claim in respect of such interest, nor shall they be responsible for any contribution towards the expenses of administering the Funds."

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

"(5) (a) In the event of the expiration of this Agreement by effluxion of time or cessation by any other cause, the Building Industry Holiday Fund, East Cape, Building Industry Sick Benefit Fund and the Port Elizabeth Building Industry Medical Aid Fund shall continue to be administered by the Council until they are either liquidated, in the manner set forth in subclause (7) (a), or transferred by the Council to any other funds constituted for the same purpose as that for which the original Funds were created."

(5) Vervang subklousule (5) (b) deur die volgende:

"(5) (b) Ingeval hierdie Ooreenkoms of 'n verlenging daarvan verstryk en 'n daaropvolgende ooreenkoms vir die voortsetting van die Siektebystandsfonds vir die Bounywerheid, Militêre diensfonds van die Bounywerheid en die Mediese Bystandsfonds van die Bounywerheid, Port Elizabeth, nie binne 'n tydperk van 12 maande vanaf die datum van sodanige verstryking aangegaan word nie of die Fondse nie binne sodanige tydperk deur die Raad oorgedra word na enige ander fondse wat vir dieselfde doel ingestel is as dié waarvoor die oorspronklike Fondse gestig is nie, moet die Fondse deur die Bestuurskomitees wat dan bestaan, gelikwieder word soos in subklousule (7) (b) van hierdie klousule voorgeskryf. Die Fondse moet gedurende genoemde tydperk van 12 maande of tot dat hulle oorgedra word na ander fondse soos hierbo bedoel, geadminestreer word deur die Bestuurskomitees wat dan bestaan."

(6) Vervang subklousule (6) deur die volgende:

"(6) Ingeval die Raad ontbind word of ophou om te funksioneer gedurende enige tydperk waarin hierdie Ooreenkoms ingevolge artikel 34 (2) van die Wet bindend is, kan die Nywerheidsregistrator 'n komitee uit die geledere van die werkgewers en die werknemers in die Nywerheid aanstel op grondslag van gelyke verteenwoordiging van beide kante om die Vakansiefonds vir die Bounywerheid, Oos-Kaap, te administreer, terwyl die Siektebystandsfonds vir die Bounywerheid, die Militêre diensfonds van die Bounywerheid en die Mediese Bystandsfonds van die Bounywerheid, Port Elizabeth, nog geadminestreer moet word deur die Bestuurskomitees wat dan bestaan. 'n Vakature in enigen van die komitees kan uit die geledere van die werkgewers of die werknemers, na gelang van die geval, deur die Registrator op so 'n manier gevul word dat gelyke verteenwoordiging van die werkgewers en die werknemers in daardie komitees verseker word. Ingeval sodanige komitees nie daartoe in staat is nie of onwillig is om hul pligte uit te voer of ingeval hulle voor 'n dooie punt te staan kom wat die Administrasie van die Fondse na die mening van die Registrator ondoenlik of onwenslik maak, kan die Registrator 'n trustee of trustees aanstel om die pligte van die komitees uit te voer, en sodanige trustee of trustees het vir sodanige doel al die bevoegdhede van die komitees. Indien daar geen Raad meer bestaan nie, moet die Fondse by die verstryking van hierdie Ooreenkoms deur die komitees wat ingevolge hierdie subklousule funksioneer, of die trustee of trustees, na gelang van die geval, gelikwieder word op die wyse in subklousule (7) voorgeskryf, en as die sake van die Raad by die verstryking van die Ooreenkoms reeds gelikwieder en sy bates verdeel is, moet die saldo van die Fondse ooreenkomstig artikel 34 (4) van die Wet verdeel word asof dit deel van die algemene fondse van die Raad uitgemaak het."

(7) Vervang subklousule (7) (b) deur die volgende:

"(7) (b) By die likwidasie van die Siektebystandsfonds vir die Bounywerheid, Militêre diensfonds van die Bounywerheid en die Mediese Bystandsfonds van die Bounywerheid, Port Elizabeth, ingevolge subklousules (5) (b) en (6) van hierdie klousule, is die bepalings soos voorgeskryf in artikel 34 (4) van die Wet ten opsigte van die ontbinding van 'n Nywerheidsraad *mutatis mutandis* van toepassing ten opsigte van die Fondse."

DEEL II**SPEIALE BEPALINGS WAT OP DIE HOUTNYWERHEID IN DIE BOUNYWERHEID VAN TOEPASSING IS****1. TOEPASSINGSBESTEK**

Deel II van hierdie Ooreenkoms moet in die Houtnywerheid van die Bounywerheid nagekom word—

(a) deur alle werkgewers en werknemers wat lede is van onderskeidelik die werkgewersorganisasies en die vakverenigings;

(b) in die landdrosdistrikte Alexandria, Bathurst, Beaufort-Wes, Calitzdorp, George, Humansdorp, Joubertina, Ladismith, Knysna, Mosselbaai, Oudtshoorn, Port Elizabeth, Riversdal, Uitenhage, Uniondale en daardie gedeelte van die landdrosdistrik Hankey wat voor 1 November 1963 binne die landdrosdistrik Port Elizabeth geval het.

2. KLOUSULE 2.—SPEIALE BEPALINGS

Vervang klousule 2 van die Herbekragtigingsooreenkoms deur die volgende:

(5) Substitute the following for subclause (5) (b):

"(5) (b) In the event of the expiration of this Agreement or any extension thereof and a subsequent agreement for the continuation of the Building Industry Sick Benefit Fund, Building Industry Military Service Fund and the Port Elizabeth Building Industry Medical Aid Fund not being negotiated within a period of 12 months from the date of such expiration or the Funds not being transferred by the Council within such period to any other funds constituted for the same purpose as that for which the original Funds were created, the Funds shall be liquidated, in the manner set forth in subclause (7) (b) of this clause, by the Management Committees in office at the time. The Funds shall during the said period of 12 months or until such time as they are transferred to any other funds referred to above, be administered by the Management Committees in office at the time."

(6) Substitute the following for subclause (6):

"(6) In the event of the dissolution of the Council or in the event of its ceasing to function during any period in which this Agreement is binding in terms of section 34 (2) of the Act, the Industrial Registrar may appoint a committee from employers and employees in the Industry on the basis of equal representation on both sides to administer the Building Industry Holiday Fund, East Cape, while the Building Industry Sick Benefit Fund, the Building Industry Military Service Fund and the Port Elizabeth Building Industry Medical Aid Fund shall continue to be administered by the Management Committees in office at the time. Any vacancy occurring on any of the committees may be filled by the Registrar from employers or employees, as the case may be, so as to ensure an equality of employer and employee representation on the committees. In the event of such committees being unable or unwilling to discharge their duties or a deadlock arising on the committees which renders the administration of the Funds impracticable or undesirable in the opinion of the Registrar, he may appoint a trustee or trustees to carry out the duties of the committees and such trustee or trustees shall possess all the powers of the committees for such purpose. In the event of there being no Council in existence, the Funds shall be liquidated upon the expiration of this Agreement by the committees functioning in terms of this subclause or the trustee or trustees, as the case may be, in the manner set forth in subclause (7), and if, upon the expiration of the Agreement the affairs of the Council have already been wound up and its assets distributed, the balance of the Funds shall be distributed as provided for in section 34 (4) of the Act as if it formed part of the general funds of the Council."

(7) Substitute the following for subclause (7) (b):

"(7) (b) Upon liquidation of the Building Industry Sick Benefit Fund, Building Industry Military Service Fund and the Port Elizabeth Building Industry Medical Aid Fund in terms of subclauses (5) (b) and (6) of this clause, the provisions prescribed in section 34 (4) of the Act in respect of the dissolution of an Industrial Council shall *mutatis mutandis* apply in respect of the Funds."

PART II**SPECIAL PROVISIONS APPLICABLE TO THE TIMBER TRADE IN THE BUILDING INDUSTRY****1. SCOPE OF APPLICATION**

The terms of Part II of this Agreement shall be observed in the Timber Trade of the Building Industry—

(a) by all employers and employees who are members of the employers' or organisations and the trade unions, respectively;

(b) in the Magisterial Districts of Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Ladismith, Knysna, Mossel Bay, Oudtshoorn, Port Elizabeth, Riversdale, Uitenhage, Uniondale and in that portion of the Magisterial District of Hankey which, prior to 1 November 1963, fell within the Magisterial District of Port Elizabeth.

2. CLAUSE 2.—SPECIAL PROVISIONS

Substitute the following for clause 2 of the Re-enacting Agreement:

"2. SPESIALE BEPALINGS

Klousules 2 (2) en 13 tot en met 15 (1) van Deel II van die Vorige Ooreenkoms, soos van tyd tot tyd gewysig, is van toepassing op werkgewers en werknemers."

3. KLOUSULE 3.—ALGEMENE BEPALINGS

Vervang klousule 3 van die Herbekragtigingsooreenkoms deur die volgende:

"3. ALGEMENE BEPALINGS

Klousules 1 (2), 2 (1), 3 tot en met 12 en 15 (2) tot en met 18 van Deel II van die Vorige Ooreenkoms, soos van tyd tot tyd gewysig, is van toepassing op werkgewers en werknemers."

4.KLOUSULE 4 VAN DEEL II VAN DIE VORIGE OOREENKOMS.—LONE

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

"(1) (a) *Minimum loonskale*.—Geen lone wat laer is as die volgende, gelees met die res van hierdie klousule, mag deur 'n werkgewer betaal en deur 'n werknemer aangeneem word nie:

<i>Klas werknemer en gebied</i>	<i>Per uur</i>
	<i>R</i>
(i) Algemene werknemers:	
Gebied A	2,50
Gebied B	1,45
Gebied C	1,24
Gebied D	0,94
(ii) Halfgeskoolde werknemers:	
Gebied A	2,98
Gebied B	1,88
Gebied C	1,76
Gebied D	0,98
(iii) Drywers van meganiese voertuie met 'n loonvrag van—	
tot en met 2 722 kg:	
Gebied A	2,73
Gebied B	1,63
Gebied C	1,37
Gebied D	1,00
meer as 2 722 kg maar hoogstens 4 536 kg:	
Gebied A	3,15
Gebied B	2,07
Gebied C	1,76
Gebied D	1,18
meer as 4 536 kg:	
Gebied A	3,51
Gebied D	1,34
(iv) Ambagsmansassistentie:	
Gebied A	3,82
Gebied B	2,19
Gebied C	2,07
Gebied D	1,45
(v) Masjienoppassers en saers:	
Gebied A	3,56
Gebied B	2,28
Gebied C	2,14
Gebied D	1,48
(vi) Drywers van meganiese hanteeruitrusting:	
Gebied A	3,56
Gebied B	2,28
Gebied C	2,14
Gebied D	1,48
(vii) Skrynerkers, masjienwerkers, saagherstellers, onderhoudswerktuigkundiges, toesighouers, voor- manne, algemene voormanne en ambagsmanne in alle ander ambagte:	
Gebied A	7,07
(viii) Glaswerkers in skrynerwerkinkels:	
Gebied A	6,88

"2. SPECIAL PROVISIONS

The provisions contained in clauses 2 (2) and 13 to 15 (1) inclusive of Part II of the Former Agreement, as amended from time to time, shall apply to employers and employees."

3. CLAUSE 3.—GENERAL PROVISIONS

Substitute the following for clause 3 of the Re-enacting Agreement:

"3. GENERAL PROVISIONS

The provisions contained in clauses 1 (2), 2 (1), 3 to 12 inclusive and 15 (2) to 18 inclusive of Part II of the Former Agreement, as amended from time to time, shall apply to employers and employees."

4. CLAUSE 4 OF PART II OF THE FORMER AGREEMENT.—WAGES

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

"(1) (a) *Minimum wage rates*.—No employer shall pay and no employee shall accept wages at rates lower than the following, read with the remaining provisions of this clause:

<i>Category of employee and area</i>	<i>Per hour</i>
	<i>R</i>
(i) General employees:	
Area A	2,50
Area B	1,45
Area C	1,24
Area D	0,94
(ii) Semi-skilled employees:	
Area A	2,98
Area B	1,88
Area C	1,76
Area D	0,98
(iii) Drivers of mechanical vehicles with a pay-load of—	
up to and including 2 722 kg:	
Area A	2,73
Area B	1,63
Area C	1,37
Area D	1,00
over 2 722 kg but not exceeding 4 536 kg:	
Area A	3,15
Area B	2,07
Area C	1,76
Area D	1,18
over 4 536 kg:	
Area A	3,51
Area D	1,34
(iv) Journeyman's assistants:	
Area A	3,82
Area B	2,19
Area C	2,07
Area D	1,45
(v) Machine minders and sawyers:	
Area A	3,56
Area B	2,28
Area C	2,14
Area D	1,48
(vi) Mechanical handling equipment drivers:	
Area A	3,56
Area B	2,28
Area C	2,14
Area D	1,48
(vii) Joiners, machinists, saw doctors, maintenance mechanics, supervisors, foremen, general foremen and journeyman in all other trades:	
Area A	7,07
(viii) Glaziers in joinery shop:	
Area A	6,88

<i>Klas werknemer en gebied</i>	<i>R</i>
(ix) Wagte, per week van ses dae:	
Gebied A	106,11
Gebied B	70,00
Gebied C	60,00
Gebied D	48,94
(x) Vakleerlinge: Lone soos voorgeskryf vir vakleerlinge in die Bounywerheid kragtens die Wet op Mannekragopleiding, 1981.	
(xi) Leerlinge: Lone soos deur die Raad vasgestel ingevolge klousule 25.	
(xii) Minderjariges in alle ambagte: Lone soos van tyd tot tyd vir vakleerlinge in die Bounywerheid voorgeskryf.	
(xii) Werknemers in alle ander ambagte of beroepe wat nie elders gespesifiseer word nie, uitgesonderd vakleerlinge en kweklinge:	
<i>Per uur</i>	
<i>R</i>	
Gebied A	2,50
Gebied B	1,45
Gebied C	1,24
Gebied D	0,94
(xiv) Skrynwerkers graad A, masjienwerkers, saagherstellers, onderhoudswerktuigkundiges, toesighouers, voormanne, algemene voormanne en ambagsmanne in alle ander ambagte:	
Gebied B	3,66
Gebied C	3,66
Gebied D	4,57
(xv) Ander skrynwerkers, masjienwerkers, saagherstellers, onderhoudswerktuigkundiges, toesighouers, voormanne, algemene voormanne en ambagsmanne in alle ander ambagte:	
Gebied B	3,51
Gebied C	3,51
Gebied D	3,33
(xvi) Glaswerkers graad A in skrynwerkwinkel:	
Gebied B	3,82
Gebied C	3,82
Gebied D	4,06
(xvii) Ander glaswerkers in skrynwerkwinkel:	
Gebied B	3,32
Gebied C	3,32
Gebied D	3,14."

5. KLOUSULE 7 VAN DEEL II VAN DIE VORIGE OOREENKOMS.—OORTYD

(1) Vervang subklousule (3) (a) deur die volgende:

"(3) (a) Vir die eerste uur oortyd per dag van Maandag tot Vrydag, die uurloon wat die werknemer op daardie stadium ontvang, plus die bedrag hieronder aangedui ten opsigte van die vermelde beroepe:

<i>Klas werknemer en gebied</i>	<i>Per uur</i>
<i>c</i>	
(i) Toesighouers, voormanne, algemene voormanne, skrynwerkers, masjienwerkers, saagherstellers, onderhoudswerktuigkundiges en glaswerkers in skrynwerkinkels:	
Gebied A	72
(ii) Saers, masjienoppassers, drywers van meganiese hanteeruitrusting en ambagsassistenten:	
Gebied A	34
Gebied B	33
Gebied C	30
Gebied D	20
(iii) Halfgeskoolde werknemers:	
Gebied A	28½
Gebied B	30
Gebied C	27
Gebied D	18

<i>Category of employee and area</i>	<i>R</i>
(ix) Watchmen, per six-day week:	
Area A	106,11
Area B	70,00
Area C	60,00
Area D	48,94
(x) Apprentices: Wages as prescribed under the Manpower Training Act, 1981, for apprentices in the Building Industry.	
(xi) Learners: Wages as fixed by the Council in terms of clause 25.	
(xii) Minors in all trades: Wages as prescribed from time to time for apprentices in the Building Industry.	
(xiii) Employees in all other trades or occupations not elsewhere specified, excluding apprentices and trainees:	
<i>Per hour</i>	
<i>R</i>	
Area A	2,50
Area B	1,45
Area C	1,24
Area D	0,94
(xiv) Grade A joiners, machinists, saw doctors, maintenance mechanics, supervisors, foremen, general foremen and journeymen in all other trades:	
Area B	3,66
Area C	3,66
Area D	4,57
(xv) Other joiners, machinists, saw doctors, maintenance mechanics, supervisors, foremen, general foremen and journeymen in all other trades:	
Area B	3,51
Area C	3,51
Area D	3,33
(xvi) Grade A glaziers in joinery shop:	
Area B	3,82
Area C	3,82
Area D	4,06
(xvii) Other glaziers in joinery shop:	
Area B	3,32
Area C	3,32
Area D	3,14."

5. CLAUSE 7 OF PART II OF THE FORMER AGREEMENT.—OVERTIME

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

"(3) (a) For the first hour overtime per day from Monday to Friday, the hourly rate of wages which the employee is receiving at the time, plus the amount indicated hereunder in respect of the occupations listed:

<i>Category of employee and area</i>	<i>Per hour</i>
<i>c</i>	
(i) Supervisors, foremen, general foremen, joiners, machinists, sawdoctors, maintenance mechanics and glaziers in joinery shops:	
Area A	72
(ii) Sawyers, machine minders, mechanical handling equipment drivers and journeyman's assistants:	
Area A	34
Area B	33
Area C	30
Area D	20
(iii) Semi-skilled employees:	
Area A	28½
Area B	30
Area C	27
Area D	18

<i>Klas werknemer en gebied</i>	<i>Per uur</i> c	<i>Category of employee and area</i>	<i>Per hour</i> c
(iv) Drywers van meganiese voertuie:		(iv) Drivers of mechanical vehicles:	
Gebied A	31	Area A	31
Gebied B	30	Area B	30
Gebied C	28	Area C	28
Gebied D	17	Area D	17
(v) Algemene werknemers:		(v) General employees:	
Gebied A	27½	Area A	27½
Gebied B	23	Area B	23
Gebied C	20	Area C	20
Gebied D	18	Area D	18
(vi) Werknemers in alle ander ambagte of beroepe wat nie elders gespesifiseer word nie, uitgesonderd leerlinge, vakleerlinge en kwekelinge:		(vi) Employees in all other trades or occupations not elsewhere specified, excluding learners, apprentices and trainees:	
Gebied A	27½	Area A	27½
Gebied B	23	Area B	23
Gebied C	20	Area C	20
Gebied D	18	Area D	18
(vii) Toesighouers graad A, voormanne algemene voormanne, skrynerkers, masjienwerkers, saagherstellers, onderhoudswerktuigkundiges, en glaswerkers in skrynerkwinkels:		(vii) Grade A supervisors, foremen, general foremen, joiners, machinists, saw doctors, maintenance mechanics and glaziers in joinery shops:	
Gebied B	50	Area B	50
Gebied C	50	Area C	50
Gebied D	55½	Area D	55½
(viii) Ander toesighouers, voormanne, algemene voormanne, skrynerkers, masjienwerkers, saagherstellers, onderhoudswerktuigkundiges, en glaswerkers in skrynerkwinkels:		(viii) Other supervisors, foremen, general foremen, joiners, machinists, saw doctors, maintenance mechanics and glaziers in joinery shops:	
Gebied B	45	Area B	45
Gebied C	45	Area C	45
Gebied D	50½	Area D	50½

6. KLOUSULE 10 VAN DEEL II VAN DIE VORIGE OOREENKOMS.—JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE MET BESOLDIGING

(1) Vervang subklausule (1) (a) deur die volgende:

“(1) (a) Geen werk mag in die Nywerheid deur werkgewers en werknemers gedoen word gedurende die tydperke hieronder vermeld nie:

Die landdrosdistrikte Port Elizabeth en Uitenhage: Tussen uitskeityd op 15 Desember 1989 en begintyd op 15 Januarie 1990 en tussen uitskeityd op 14 Desember 1990 en begintyd op 14 Januarie 1991;

die landdrosdistrikte Alexandria, Bathurst, Beaufort-Wes, Calitzdorp, George, Humansdorp, Joubertina, Knysna, Mosselbaai, Oudtshoorn, Riversdal en Uniondale: Tussen uitskeityd op 15 Desember 1989 en begintyd op 8 Januarie 1990 en tussen uitskeityd op 14 Desember 1990 en begintyd op 7 Januarie 1991;

behalwe—

(i) in die geval van noodwerk, waar die werkgewer die Sekretaris van die Raad binne drie dae skriftelik in kennis moet stel dat sodanige oortydwerk begin het en van die omstandighede wat sodanige oortydwerk noodsaaklik gemaak het;

(ii) waar skriftelike vrystelling vooraf van die Raad verkry is.”

7. KLOUSULE 11 VAN DEEL II VAN DIE VORIGE OOREENKOMS.—UITGAWES VAN DIE RAAD

(1) In subklausule (1) (a), vervang die syfers “R1,50” en “75c” deur onderskeidelik die syfers “R1,72” en “86c”.

(2) In subklausule (1) (b), vervang die syfers “76” en “38” deur onderskeidelik die syfers “88c” en “44c”.

8. KLOUSULE 13 VAN DEEL II VAN DIE VORIGE OOREENKOMS.—HEFFING VIR WERKGEWERSORGANISASIE

In subklausule (1), vervang die syfer “35c” deur die syfer “38c”.

Namens die partye op hede die 18 de dag van September 1989 te Port Elizabeth onderteken.

E. A. CILLIERS,

Voorsitter van die Raad.

R. W. BEECH,

Lid van die Raad.

V. H. LE ROUX,

Hoofsekretaris van die Raad.

6. CLAUSE 10 OF PART II OF THE FORMER AGREEMENT.—ANNUAL LEAVE AND PAID PUBLIC HOLIDAYS

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

“(1) (a) No work shall be performed in the Industry by employers and employees during the periods stated hereunder:

The Magisterial Districts of Port Elizabeth and Uitenhage: Between finishing time on 15 December 1989 and starting time on 15 January 1990 and between finishing time on 14 December 1990 and starting time on 14 January 1991;

the Magisterial Districts of Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Knysna, Mossel Bay, Oudtshoorn, Riversdale and Uniondale: Between finishing time on 15 December 1989 and starting time on 8 January 1990 and between finishing time on 14 December 1990 and starting time on 7 January 1991;

except—

(i) in the case of emergency work, when the employer must notify the Secretary of the Council in writing within three days of having commenced such overtime and the circumstances necessitating such overtime;

(ii) in the case where prior written exemption has been obtained from the Council.”

7. CLAUSE 11 OF PART II OF THE FORMER AGREEMENT.—COUNCIL EXPENSES

(1) In subclause (1) (a), substitute the figures “R1,72” and “86c” for the figures “R1,50” and “75c”, respectively.

(2) In subclause (1) (b), substitute the figures “88c” and “44c” for the figures “76c” and “38c”, respectively.

8. CLAUSE 13 OF PART II OF THE FORMER AGREEMENT.—EMPLOYERS' ORGANISATION LEVY

In subclause (1), substitute the figure “38c” for the figure “35c”.

Signed at Port Elizabeth, on behalf of the parties, this 18th day of September 1989.

E. A. CILLIERS,

Chairman of the Council.

R. W. BEECH,

Member of the Council.

V. H. LE ROUX,

General Secretary of the Council.

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