

REPUBLIC  
OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

# Government Gazette Staatskoerant

*Regulation Gazette*

**No. 5829**

*Regulasiekoerant*

Vol. 378

PRETORIA, 20 DECEMBER 1996  
DESEMBER

**No. 17685**

## GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

### DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

**No. R. 2094**

**20 December 1996**

#### **NOTICE PUBLISHED BY THE ESSENTIAL SERVICES COMMITTEE (the 'Committee')**

IN TERMS OF SECTION 71, READ WITH SECTION 70 (2) (a) OF THE LABOUR RELATIONS ACT, 1995  
(ACT No. 66 OF 1995)

#### **CASE No.:**

Notice is hereby given in terms of section 71, read with section 70 (2) (a) of the Labour Relations Act, 1995 (Act No. 66 of 1995), that—

1. The committee is to conduct an investigation as to whether the whole or part of the following services are essential services:
  - (a) The services contemplated in section 20 of the Public Service Labour Relations Act, 1994 (Proclamation No. 105 of 1994), which were deemed to have been designated as essential services in terms of item 24 of Schedule 7 to the Labour Relations Act, 1995, as amended by Government Notice No. R. 1734 of 1 November 1996, to have been designated as essential services in terms of the latter Act for a period of six months as from 11 November 1996.
  - (b) the services in which employers referred to in paragraphs (a) and (b) of section 46 (1) of the Labour Relations Act, 1956 (Act No. 28 of 1956), and employees referred to in paragraphs (e) and (f) of that section are engaged, as well as any activity contemplated in section 46 (7) (a) (i) or (ii) of that Act in which are engaged the employers and employees to whom a notice in terms of the latter section applied immediately before the commencement of the Labour Relations Act, 1995, and which were deemed in terms of item 25 of Schedule 7 to the latter Act as amended by Government Notice No. 1734 of 1 November 1996, to have been designated as essential services in terms of the Act for a period of six months as from 11 November 1996.
  - (c) the provision of water, power and sanitation;

- (d) the regulation and control of air traffic;
  - (e) emergency health services and provision of emergency health facilities, to the community or a part thereof;
  - (f) fire-fighting services;
  - (g) key-point computer services;
  - (h) services required for the functioning of the courts;
  - (i) nursing services;
  - (j) medical and paramedical services;
  - (k) services by employees of the Department of Correctional Services;
  - (l) services by employees responsible for the payment of social pensions.
2. Any interested party making written representations to the committee in terms of section 71 (2) (a) must—
- (a) serve its representations on the committee at the head office of the Commission for Conciliation, Mediation and Arbitration (the 'Commission') at 20 Anderson Street, Johannesburg, 2001; Private Bag X94, Marshalltown, 2107; Telefax (011) 834-7386 on or before **31 January 1997**.
  - (b) state the nature of its interest in the investigation;
  - (c) state whether it requires an opportunity to make oral representations, if those oral representations are to contain material or raise issues not dealt with in the written representations, and provide a brief summary of those oral representations;
  - (d) state whether it relies or intends to rely on any expert evidence, and if so, provide a brief summary of that expert evidence; and
  - (e) specify its address, telephone number (if any) and telefax number (if any).
3. Any interested party requiring an opportunity to make oral representations must—
- (a) so indicate by writing to the Commission on or before **31 January 1997**.
  - (b) state the nature of its interest in the investigation;
  - (c) provide a brief summary of its oral representations;
  - (d) state whether it relies or intends to rely on any expert evidence, and if so, provide a brief summary of that expert evidence; and
  - (e) specify its address, telephone number (if any) and telefax number (if any).
4. Any interested person may inspect any written representations made in response to this notice, at the head office of the Commission.
5. A certified copy of, or extract from, any written representation will be provided by the Commission on payment of a prescribed fee of R2,00 per page.

CHAIRPERSON, MS D. PILLAY  
ESSENTIAL SERVICES COMMITTEE

**No. R. 2094**

**20 Desember 1996**

**KENNISGEWING GEPUBLISEER DEUR DIE KOMITEE VIR NOODSAAKLIKE DIENSTE (die 'Komitee')**

INGEVOLGE ARTIKEL 71, SAAMGELEES MET ARTIKEL 70 (2) (a), VAN DIE WET OP  
ARBEIDSVERHOUDINGE, 1995 (WET No. 66 VAN 1995)

SAAK No.:

Kennis word hiermee gegee ingevolge artikel 71, saamgelees met artikel 70 (2) (a), van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), dat—

1. Die komitee ondersoek gaan instel om te bepaal of die geheel of 'n deel van die volgende dienste noodsaaklike dienste is:
- (a) Die dienste beoog in artikel 20 van die Wet op Arbeidsverhoudinge vir die Staatsdiens, 1994 (Proklamasie No. 105 van 1994), wat geag word ingevolge item 24 van Bylae 7 by die Wet, soos gewysig deur Goewermentskennisgewing No. R. 1734 van 1 November 1996, as 'n noodsaaklike diens ingevolge die Wet aangewys te gewees het vir 'n tydperk van ses maande vanaf 11 November 1996;

- (b) die dienste waarby werkgewers bedoel in paragrafe (a) en (b) van artikel 46 (1) van die Wet op Arbeidsverhoudinge, 1956 (Wet No. 28 van 1956), en werknemers bedoel in paragrafe (e) en (f) van daardie artikel betrokke is, asook enige bedrywigheid beoog in artikel 46 (7) (a) (i) of (ii) van daardie Wet waarby die werkgewers en werknemers op wie 'n kennisgewing ingevolge paragraaf (b) van laasgenoemde artikel onmiddellik voor die inwerkingtreding van die Wet op Arbeidsverhoudinge, 1995, van toepassing was, betrokke is, en wat geag word ingevolge item 25 van Bylae 7 by laasgenoemde Wet, soos gewysig deur Goewermentskennisgewing No. R. 1734 van 1 November 1996, as noodsaaklike dienste ingevolge die Wet aangewys te gewees het vir 'n tydperk van ses maande vanaf 11 November 1996;
  - (c) die voorsiening van water, krag en sanitasie;
  - (d) die regulering en beheer van lugverkeer;
  - (e) nood-gesondheidsdienste, en voorsiening van nood-gesondheidsdiensfasiliteite, aan die gemeenskap of 'n gedeelte daarvan;
  - (f) brandbestrydingsdienste;
  - (g) sleutelpunt-rekenaardienste;
  - (h) dienste noodsaaklik vir die funksionering van howe;
  - (i) verpleegdienste;
  - (j) mediese en paramediese dienste;
  - (k) dienste deur werknemers in die Departement van Korrektiewe Dienste;
  - (l) dienste deur werknemers verantwoordelik vir die uitbetaling van maatskaplike pensioene.
2. 'n Belanghebbende party wat ingevolge artikel 71 (2) (a) van die Wet skriftelike versoë aan die Komitee voorlê, moet—
- (a) sy versoë voor of op **31 Januarie 1997** aan die Komitee beteken by die hoofkantoor van die Kommissie vir Versoening, Bemiddeling en Arbitrasie (die 'Kommissie') te Andersonstraat 20, Johannesburg, 2001, of Privaatsak X94, Marshalltown, 2107; of telefaksnommer (011) 834-7386;
  - (b) die aard van sy of haar belang by die ondersoek meld;
  - (c) meld of, indien hy of sy geleentheid verlang om mondelinge versoë te rig, daardie mondelinge versoë materiaal gaan bevat of 'n geskilpunt gaan opper wat nie in die skriftelike versoë gedek word nie, en moet 'n bondige opsomming van daardie mondelinge versoë verskaf;
  - (d) meld of hy of sy staatmaak of beoog om staat te maak op enige deskundige getuienis, en indien wel, moet hy of sy 'n bondige opsomming van daardie deskundige getuienis verskaf; en
  - (e) sy of haar adres, telefoonnommer (as daar is) en telefaksnommer (as daar is) spesifiseer.
3. 'n Belanghebbende party wat 'n geleentheid verlang om mondelinge versoë te rig, moet—
- (a) dit op of voor **31 Januarie 1997** aldus skriftelik aan die Komitee aandui;
  - (b) die aard van sy of haar belang by die ondersoek meld;
  - (c) 'n bondige opsomming van sy of haar mondelinge versoë verskaf;
  - (d) meld of hy of sy staatmaak of beoog om staat te maak op enige deskundige getuienis, en indien wel, moet hy of sy 'n bondige opsomming van daardie deskundige getuienis verskaf; en
  - (e) sy adres, telefoonnommer (as daar is) en telefaksnommer (as daar is) spesifiseer.
4. Enige belanghebbende kan by die Kommissie se hoofkantoor insae hê in enige skriftelike versoë wat na aanleiding van die kennisgewing gerig is.
5. 'n Gewaarmerkte afskrif van, of uittreksel uit, enige skriftelike versoë sal deur die Kommissie verskaf word by betaling van die voorgeskrewe geld van R2,00 per bladsy.

VOORSITTER, ME. D. PILLAY

KOMITEE VIR NOODSAAKLIKE DIENSTE

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