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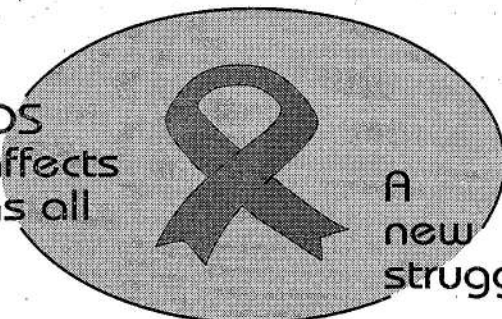
Vol. 417

PRETORIA, 10 MARCH
MAART 2000

No. 20949

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPLINE**

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DEPARTMENT OF HEALTH

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GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 216**10 March 2000**

FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES AND STOCK REMEDIES ACT, 1947 (ACT No. 36 OF 1947)

REGULATIONS RELATING TO THE REGISTRATION OF FERTILIZERS, FARM FEEDS, AGRICULTURAL REMEDIES, STOCK REMEDIES, STERILISING PLANTS AND PEST CONTROL OPERATORS—APPEAL AND IMPORTS: AMENDMENT *

The Minister of Agriculture, acting under section 23 of the Fertilizers, Farm Feeds, Agricultural Remedies and Stock Remedies Act, 1947 (Act No. 36 of 1947), has—

- (a) made the regulations set out in the Schedule.

* Substitution for Table 1.

SCHEDULE

Definition

1. In this Schedule "the Regulations" means the regulations published by Government Notice No. R. 1449 of 1 July 1983, as amended by Government Notices Nos. R. 96 of 20 January 1984, R. 2055 of 14 September 1984, R. 1053 of 3 June 1988, R. 1242 of 9 June 1990, R. 1409 of 6 August 1983, R. 1592 of 30 September 1996 and R. 1017 of 14 August 1998.

Substitution of Table 1 of the Regulations

2. The Regulations are hereby amended by the substitution for Table 1 of the Regulations of the following table:

No. R. 216**10 Maart 2000**

WET OP MISSTOWWE, VEEVOEDSEL, LANDBOUMIDDELS EN VEEMIDDELS, 1947 (WET No. 36 VAN 1947)

REGULASIES BETREFFENDE DIE REGISTRASIE VAN MISSTOWWE, VEEVOEDSEL, LANDBOUMIDDELS, VEEMIDDELS, STERILISERINGSINSTALLASIES EN PLAAGBEHEEROPERATEURS—APPËLLE EN INVOERE: WYSIGING *

Die Minister van Landbou, handelende kragtens artikel 23 van die Wet op Misstowwe, Veevoedsel, Landboumiddels en Veemiddels, 1947 (Wet No. 36 van 1947), het—

- (a) die regulasies in die Bylae uiteengesit, uitgevaardig.

* Vervanging van Tabel 1.

BYLAE

Woordomskrywing

1. In hierdie Bylae beteken "die Regulasies" die regulasies gepubliseer by Goewermenskennisgewing No. R. 1449 van 1 Julie 1983, soos gewysig deur Goewermenskennisgewings Nos. R. 96 van 20 Januarie 1984, R. 2055 van 14 September 1984, R. 1053 van 3 Junie 1988, R. 1242 van 9 Junie 1990, R. 1409 van 6 Augustus 1983, R. 1592 van 30 September 1996 en R. 1017 van 14 Augustus 1998.

Vervanging van Tabel 1 van die Regulasies

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

TABLE 1 • TABEL 1
"FEES PAYABLE • GELDE BETAALBAAR"

Purpose/Doel	Amount payable for application Bedrag betaalbaar per aansoek
A. Application for the registration of—/Aansoek om die registrasie van—	
(a) a fertilizer, farm feed or sterilising plant/n misstof, veevoedsel of steriliserings- installasie	R 700
(b) an agricultural remedy or a stock remedy/n landboumiddel of veemiddel.....	R1 400
(c) a pest control operator/n plaagbeheeroperateur.....	R 300
B. Application for the renewal of the registration of—/Aansoek om die hernuwing van die registrasie van—	
(a) a fertilizer, farm feed or sterilising plant/n misstof, veevoedsel of steriliserings- installasie	R 350
(b) an agricultural remedy or a stock remedy/n landboumiddel of veemiddel.....	R 700
(c) a pest control operator/n plaagbeheeroperateur.....	R 200
C. Payment in addition to that specified in paragraph B, in the case of a late application to the renewal for the registration of—/Betaling bykomend tot dit in paragraaf B vermeld, in die geval van 'n laat aansoek om die hernuwing van die registrasie van—	
(a) a fertilizer, farm feed or sterilising plant/n misstof, veevoedsel of steriliserings- installasie	R 300
(b) an agricultural remedy or a stock remedy/n landboumiddel of veemiddel.....	R 500
(c) a pest control operator/n plaagbeheeroperateur.....	R 100
D. An appeal in terms of section 6 of the Act/n Appèl ingevolge artikel 6 van die Wet.....	R2 000".

DEPARTMENT OF FINANCE
DEPARTEMENT VAN FINANSIES

No. R. 218

10 March 2000

EXCHANGE CONTROL REGULATIONS

CHANGE OF NAME OF AN AUTHORISED DEALER IN FOREIGN EXCHANGE

Government Notice No. R. 75 of 4 February 2000 is hereby amended as follows:

The reference to Government Notice No. R. 111 of 1 December 1961, should read as Government Notice No. R. 1111 of 1 December 1961.

No. R. 218

10 Maart 2000

DEVIESEBEHEERREGULASIES

VERANDERING VAN NAAM VAN GEMAGTIGDE HANDELAAR IN BUITELANDSE VALUTA

Goewermetskennisgewing No. R. 75 van 4 Februarie 2000 word soos volg gewysig:

Die verwysing na Goewermetskennisgewing No. R. 111 van 1 Desember 1961, moet gelees word as Goewermetskennisgewing No. R. 1111 van 1 Desember 1961.

DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID

No. R. 217

10 March 2000

LABOUR RELATIONS ACT, 1995

**HAIRDRESSING AND COSMETOLOGY SERVICES BARGAINING COUNCIL (SEMI-NATIONAL): EXTENSION OF
CLOSED SHOP AND AGENCY FEE COLLECTIVE AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby, in terms of section 32 (2) of the Labour Relations Act, 1995 (Act No. 66 of 1995), declare that the Collective Agreement, excluding Part II, which appears in the Schedule hereto, which was concluded in the Hairdressing and Cosmetology Services Bargaining Council (Semi-National) in order to comply with

the provisions of section 26 (3) (a) and (b) of the Act, and which is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that trade, with effect from 20 March 2000, and for the period ending 31 December 2004.

1. (a) "Trade", in respect of the Magisterial Districts of East London, Port Elizabeth and Uitenhage, as these areas were constituted on 24 May 1996, means the Hairdressing and Cosmetology Trade, in which employers and their employees are associated for the purpose of rendering toilet services in any establishment.

(b) "Toilet services" means any one or more or a combination of the operations generally and usually performed by and known as the profession of beauty culturists or cosmeticians or cosmetologists or hairdressers, and includes but is not limited to the following operations:

- (i) The arranging, dressing, cutting, highlighting, shaving, curling and cleaning of hair;
- (ii) the singeing, shampooing, bleaching, dyeing, colouring, tinting, straightening, relaxing, styling, waving (permanent, Marcel or water) of hair or any other treatment of the hair of the head or the face;
- (iii) the massaging or other stimulative treatment or exercise of the face, scalp or neck;
- (iv) the manicuring of nails, eyebrow plucking, boardwork, trichological treatment or beauty culture;
- (v) the performing of any operation referred to in (i) on any wig or hairpiece to be worn by any person;

whether or not any apparatus, appliance, preparation or substance is used in any of these operations.

(c) "Establishment" means any premises in which toilet services are normally rendered to members of the public.

2. (a) "Trade", in respect of the Magisterial Districts of Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Klerksdorp, Krugersdorp, Randburg, Randfontein, Roodepoort, Springs and Vereeniging, as these areas were constituted on 10 September 1987, means the Hairdressing Trade in which employers and employees are associated for the purpose of rendering toilet services in any hairdressing salon.

(b) "Toilet service" means any one or more or a combination of the practices generally and usually performed by and known as the profession of beauty culturists or cosmeticians or cosmetologists or hairdressers, and includes but is not limited to the following operations:

- (i) Hair arranging, hairdressing, haircutting, highlighting, shaving, curling and cleaning; or
- (ii) singeing, shampooing, bleaching, dyeing, colouring, tinting, straightening, styling, waving (permanent, Marcel or water) or any other treatment of the hair of the head or the face; or
- (iii) the massage or other stimulative treatment or exercise of the face, scalp or neck; or
- (iv) manicuring of the nails, eyebrow plucking, board work, trichological treatment or beauty culture; or
- (v) performing any operation referred to in (i) on any wig or hairpiece to be worn by any person;

whether or not any apparatus, appliance, preparation or substance is used in any of these operations.

(c) "Hairdressing salon" means any premises in which toilet services are normally rendered to the public.

3. (a) "Trade", in respect of the Magisterial Districts of Alberton, Bloemfontien and Kimberley, as these areas were constituted on 21 June 1999, means the Hairdressing and Cosmetology Trade in which employers and their employees are associated for the purpose of rendering toilet services in any establishment.

(b) "Toilet services" means any one or more or a combination of the operations generally and usually performed by and known as the profession of beauty culturists or cosmeticians or cosmetologists or hairdressers, and includes but is not limited to the following operations:

- (i) the arranging, dressing, cutting, highlighting, shaving, curling and cleaning of hair;
- (ii) the singeing, shampooing, bleaching, dyeing, colouring, tinting, straightening, styling, waving (permanent, Marcel or water) of hair or any other treatment of the hair of the head or the face;
- (iii) the massaging or other stimulative treatment or exercise of the face, scalp or neck;
- (iv) the manicuring of nails, the plucking of eyebrows, boardwork, trichological treatment or beauty culture; and
- (v) the performing of any operation referred to in (i) any wig or hairpiece to be worn by any person;

whether or not any apparatus, appliance, preparation or substance is used in any of these operations.

(c) "Establishment" means any premises in which toilet services are normally rendered to members of the public.

M. M. S. MDLADLANA

Minister of Labour

SCHEDULE

HAIRDRESSING AND COSMETOLOGY SERVICES BARGAINING COUNCIL (SEMI-NATIONAL)

CLOSED SHOP AND AGENCY FEE COLLECTIVE AGREEMENT

entered into between the

South African Hairdressers' and Cosmetologists' Association

("the employers' organisation" or "SAHCA")

and the

Hairdressers' and Cosmetologists' Trade Union

("the trade union")

who are the parties to the

Hairdressing and Cosmetology Services Bargaining Council

(semi-national)

("the Council")

in

Hairdressing and Cosmetology Services

("the Industry")

in accordance with the provisions of the Labour Relations Act, 1995, to regulate the terms and conditions of employment in the industry.

1. SCOPE OF APPLICATION OF AGREEMENT

1.1 The terms of this Agreement must be observed in the Industry—

1.1.1 by all employers who are members of the employers' organisation and by all employees who are members of the trade union;

1.1.2 in the magisterial districts of Alberton, Benoni, Bloemfontein, Boksburg, Brakpan, Germiston, Johannesburg, Kimberley, Krugersdorp, Randburg, Randfontein, Roodepoort, Springs, Klerksdorp, Vereeniging, East London, Port Elizabeth and Uitenhage.

1.2 This Agreement applies to apprentices.

1.3 This Agreement applies to all employers and employees in the Industry other than those referred to in clauses 1.1.1 and 2 in the Magisterial Districts referred to in clause 1.1.2 from the date fixed by the Minister of Labour in terms of section 32 (2) of the Labour Relations Act, 1995.

2. PERIOD OF OPERATION OF AGREEMENT

2.1 This Agreement binds the parties to it in terms of section 31 of the Act after compliance with the provisions of section 26 (3) (a) and (b) of the Act. Its parts come into operation for the parties on the same date fixed by the Minister of Labour in terms of section 32 (2) of the Act for the non-parties and remain in force until 31 December 2004.

2.2 Different dates must be fixed for the coming into operation of Part I and Part II of this Agreement.

3. DEFINITIONS

All expressions used in this Agreement which are defined in the Labour Relations Act, 1995, or in the Main Agreement, have the meaning assigned to them in that Act and that Agreement.

Any reference to the Act includes any amendments to it.

Unless the contrary intention appears, words importing the singular or plural include the other, and words importing the masculine gender include the female and vice versa.

Headings are for ease of reference only.

Unless inconsistent with the context—

"**affected employee**" means an employee contemplated by section 26 (7) of the Act;

"**ballot**" means a ballot conducted in accordance with the guidelines on balloting regarding closed shop agreements published by the Commissioner for Conciliation, Mediation and Arbitration in Notice No. 903 of 1998 in the *Gazette* of 5 June 1998;

"**exemption criteria**" means the criteria referred to in clause 32.5 of the Council's Constitution, published as part of Annexure I to the Council's Main Agreement under Government Notice No. R. 376, dated 27 March 1998;

"**Main Agreement**" means the Main Collective Agreement between the parties in which wages and other conditions of service are prescribed for employees in the industry in the area for which the council has been registered.

PART I: PROVISIONS AS TO BALLOT**4. REPRESENTATIVE TRADE UNION**

4.1 Before this Agreement may come into effect—

4.1.1 a ballot must be held of all employees covered by clause 1 of this Agreement;

4.1.2 two-thirds of the employees who voted in the ballot must have voted in favour of the Agreement.

4.2 For the purposes of this Agreement the trade union claims to be a representative trade union within the meaning of section 26 (2) (b) of the Act.

4.3 After the ballot has been held, the electoral officer must report the result of the ballot to the secretary of the council in addition to any person to whom the results must be reported in terms of the guidelines on balloting.

4.4 If the secretary of the council is satisfied from the result of the ballot as reported by the electoral officer that—

4.4.1 a ballot has been held of all employees covered by clause 1 of this Agreement; and

4.4.2 two-thirds of the employees who voted in the ballot voted in favour of the Agreement,

the secretary must issue a signed certificate to that effect and must certify that section 26 (3) (a) and (b) of the Act has been satisfied. The certificate will be conclusive proof of the facts stated therein. Upon the issue of this certificate the requirements of clause 4.1 shall have been fulfilled. The secretary must transmit the certificate to the Minister for the purpose of invoking Part II of this Agreement

PART II: CLOSED SHOP AND AGENCY FEE

5. CLOSED SHOP AND AGENCY FEE

5.1 Subject to sections 26 (2) and 26 (7) of the Act, every employee covered by this agreement in the sector and area for which the council is registered must be a member of the trade union.

5.2 Any affected employee covered by this agreement must pay an agency fee to the trade union. The parties agree that the agency fee must be calculated at the same rate as the trade union subscription that the affected employee would have paid if he or she had been a member of the trade union.

5.3 No membership subscription or levy deducted from the wage of an employee, including an affected employee, for payment to the trade union, may be—

5.3.1 paid to a political party as an affiliation fee;

5.3.2 contributed in cash or kind to a political party or a person standing for election to any political party;

5.3.3 used for any expenditure that does not advance or protect the socio-economic interests of employees.

6. EXEMPTIONS

The Council may grant an exemption from any provision of this Collective Agreement upon the application of any person affected by it. In deciding whether to grant an exemption the Council must take into account the exemption criteria. The Council may withdraw any such exemption upon seven days' notice to the exempt person if that person contravenes any provision of the exemption.

7. APPEALS BY NON-PARTIES

Any appeal brought by an aggrieved party against—

7.1.2 the Council's refusal of an application for exemption by a non-party from the provisions of this Collective Agreement; and/or

7.1.3 the withdrawal of such an exemption by the Council,

must be heard and determined as quickly as possibly by the independent exemption panel set up by the National Association of Bargaining Councils. That body must take into account the exemption criteria.

Signed at Roodepoort on behalf of the parties, this 19th day of October 1999.

R. F. MISSENDEN

Chairman of the Council

F. VAN TONDER

Vice-Chairman of the Council

M. S. MAPONYANE

Secretary

No. R. 217

10 Maart 2000

WET OP ARBEIDSVERHOUDINGE, 1995

HAARKAPPERS- EN KOSMETOLOGIEDIENSTE BEDINGINGSRAAD (SEMI-NASIONAAL): UITBREIDING VAN GESLOTE GELEDERE EN AGENTSAPGELDE KOLLEKTIEWE OOREENKOMS NA NIE-PARTYE

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), dat die Kollektiewe Ooreenkoms, uitgesonderd Deel II, wat in die Engelse Bylae hiervan verskyn en wat in die Bedingingsraad Haarkappers- en Kosmetologiedienste (Semi-Nasionaal) aangegaan is ten einde aan die bepalings van artikels 26 (3) (a) en (b) van die Wet te voldoen, en wat kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is vir die partye wat die Ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie bedryf, met ingang van 20 Maart 2000, en vir die tydperk wat op 31 Desember 2004 eindig.

1. (a) "Bedryf" beteken, in die landdrostdistrikte Oos-Londen, Port Elizabeth en Uitenhage, soos op 24 Mei 1996 saamgestel, die Haarkappers- en Kosmetologiebedryf, waarin werkgewers en hulle werknemers met mekaar geassosieer is met die doel om toilet dienste in enige bedryfsinrigting te lewer;

(b) "Toilet dienste" beteken enigeen of meer of 'n kombinasie van werksaamhede wat oor die algemeen en gewoonlik verrig word deur en bekend staan as die beroep van skoonheidskundiges of kosmetiste of kosmetoloë of haarkappers, en dit omvat maar word nie tot die volgende werksaamhede beperk nie:

- (i) Die skikking, kap, sny, streepbleik, skeer, krul en reiniging van hare;
- (ii) die skroei, sjampoe, bleik, kleur, skakeer, tint, versteiling, verslapping, stilering, golwing (permanent, Marcel- of water) van hare, of enige ander behandeling van die hare van die kop of gesig;
- (iii) die massering of ander stimulerende behandeling of oefening van die gesig, kopvel of nek;
- (iv) manikuring van naels, die pluk van wenkbroue, bordwerk, trigologiese behandeling of enige ander skoonheidskundige behandeling;
- (v) die uitvoering van enige werksaamheid in (i) bedoel aan 'n pruik of haarstuk wat deur iemand gedra gaan word;

ongeag of 'n apparaat, toestel, preparaat of gebruiksmiddel by enigeen van hierdie werksaamhede gebruik word al dan nie.

(c) "Bedryfsinrigting" 'n perseel waarop toilet dienste normaalweg aan lede van die publiek gelewer word.

2. (a) "Bedryf" beteken, in die landdrosdistrikte Benoni, Boksburg, Brakpan, Germiston, Johannesburg, Klerksdorp, Krugersdorp, Randburg, Randfontein, Roodepoort, Springs en Vereeniging, soos hierdie gebiede op 10 September 1987, saamgestel is, die Haarkappersbedryf, waarin werkgewers en hulle werknemers met mekaar geassosieer is om toilet dienste in enige haarkappersalon te lewer.

(b) "Toilet dienste" beteken enigeen of meer of 'n kombinasie van die praktyke wat oor die algemeen en gewoonlik verrig word deur en bekend staan as die beroep van skoonheidskundiges of kosmetiste of kosmetoloë of haarkappers en dit omvat maar word nie tot die volgende werksaamhede beperk nie:

- (i) Hare skik, kap, sny, streepbleik, skeer, krul en reinig; of
- (ii) hare skroei, sjampoe, bleik, kleur, skakeer, tint, versteil, verslap, stileer, golf (permanent, Marcel- of water) of enige ander behandeling van die hare van die kop of die gesig; of
- (iii) massering of ander stimulerende behandeling of oefening van die gesig, kopvel of nek; of
- (iv) manikuring van die naels, wenkbroue pluk, bordwerk, trigologiese behandeling of ander skoonheidskundige behandeling; of

(v) die verrigting van enige werksaamheid bedoel in (i) aan 'n pruik of haarstuk wat deur iemand gedra gaan word; ongeag of enige apparaat, toestel, preparaat of gebruiksmiddel by enige van hierdie werksaamhede gebruik word of nie.

(c) "Haarkappersalon" beteken enige perseel waarop toilet dienste normaalweg aan lede van die publiek gelewer word.

3. (a) "Bedryf" beteken in die landdrosdistrikte Alberton, Bloemfontein en Kimberley soos op 21 Junie 1999 saamgestel, die Haarkappers- en Kosmetologiebedryf waarin werkgewers en werknemers met mekaar geassosieer is om toilet dienste in 'n bedryfsinrigting te lewer.

(b) "Toilet dienste" beteken enigeen of meer of 'n kombinasie van die praktyke wat oor die algemeen en gewoonlik verrig word deur en bekend staan as die beroep van skoonheidskundiges of kosmetiste of kosmetoloë of haarkappers, en dit omvat maar word nie tot die volgende werksaamhede beperk nie:

- (i) Die skik, kap, sny, streepbleik, skeer, krul en reiniging van hare; of
- (ii) die skroei, sjampoe, bleik, kleur, skakeer, tint, versteil, verslap, golf (permanent, Marcel- of water) van hare, of enige ander behandeling van die hare van die kop of die gesig; of
- (iii) massering of ander stimulerende behandeling of oefening van die gesig, kopvel of nek; of
- (iv) manikuring van naels, wenkbroue pluk, bordwerk, trigologiese behandeling of skoonheidskultuur; of

(v) die verrigting van enige werksaamheid bedoel in (i) aan 'n pruik of haarstuk wat deur iemand gedra gaan word; ongeag of enige apparaat, toestel, preparaat of gebruiksmiddel by enige van hierdie werksaamhede gebruik word al dan nie.

(c) "Bedryfsinrigting" beteken 'n perseel waarop toilet dienste normaalweg aan lede van die publiek gelewer word.

M. M. S. MDLADLANA

Minister van Arbeid

Opmerking: 'n Afrikaanse vertaling van die Ooreenkoms in die Engelse kennisgewing, is op aanvraag beskikbaar by die Bedingsraad.

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