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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID

No. R. 1161

9 December 2005

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993 (ACT NO. 85 OF 1993)

DRAFT ELECTRICAL INSTALLATION REGULATIONS

The Minister of Labour intends, in terms of section 43 of the Occupational Health and Safety Act, 1993 on the recommendation of the Advisory Council for Occupational Health and Safety to repeal the Electrical Installation Regulations, 1992 and supersede it by wording in accordance with the schedule.

Interested persons are invited to submit any substantiated comments or presentations on the proposed regulations to the Director General of Labour, Private Bag X117, Pretoria, 0001 (for the attention of the chief inspector: Occupational Health and Safety), within 90 days of the date of publication of this notice.

SCHEDULE

1. Definitions

In these regulations any expression to which a meaning has been assigned in the Act shall have the meaning so assigned and, unless the content indicates otherwise

—
“accreditation authority” means the South African National Accreditation System (SANAS);

“annexure” means an annexure to these regulations;

“approved inspection authority for electrical installations” means a person or body approved by the chief inspector in terms of regulation 5 to carry out inspections, tests and investigations on electrical installations;

“electrical certificate of compliance” means a certificate, with a unique number obtainable from the chief inspector, in the form of annexure 4, and issued by a registered person in respect of an electrical installation or part of an electrical installation or a certificate of compliance issued under the Electrical Installation Regulations, 1992;

“electrical contractor” means a person, who undertakes to perform electrical installation work on behalf of any other person, but excludes an employee of such first mentioned person;

“electrical installation” means any machinery, in or on any premises, used for the transmission of electricity from a point of control to a point of consumption anywhere on the premises, including any article forming part of such an electrical installation irrespective of whether or not it is part of the electrical circuit, but excluding —

- (a) any machinery of the supplier related to the supply of electricity on the premises;
- (b) any machinery which transmits electrical energy in communication, television or radio circuits; and
- (c) an electrical installation on a vehicle, vessel, train or aircraft;

“electrical tester for single phase” means a person who has been registered as an electrical tester for single phase in terms of regulation 13 and who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of electrical installations supplied by a single phase electricity supply, excluding specialized electrical installations;

“general control” includes the instruction, guidance and supervision by a registered person over electrical installation work that is being carried out;

“installation electrician” means a person registered as an installation electrician in terms of regulation 13 who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of any electrical installation, excluding specialized electrical installations.

“installation work” means the installation, extension, modification, repair of, or the inspection, testing and verification of electrical installations, including the connection of machinery at the supply terminals of such machinery;

“master installation electrician” means a person who has been registered as a master installation electrician in terms of regulation 13 and who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of any electrical installation;

“national database” means a database used for the capturing of all information necessary in terms of these regulations;

“point of consumption” means any point of outlet or the supply terminals of machinery which is not connected to a point of outlet and which converts electrical energy to another form of energy: Provided that in the case of machinery which has been installed for any specific purpose as a complete unit, the point of consumption shall be the supply terminals which have been provided on the unit of machinery for that purpose;

“point of control” means the point at which the electrical installation on or in any premises can be switched off by an user or lessor from the electricity supplied from

the point of supply, or the point at which part of the installation on the premises can be switched off where different users occupy different parts of such premises;

"point of outlet" means any termination of an electrical installation which has been provided for connecting any electrical machinery without the use of tools;

"point of supply" means the point at which electricity is supplied to any premises by a supplier;

"provincial director" means the provincial director as defined in regulation 1 of the General Administrative Regulations published under Government Notice No. R. 1449 of 6 September 1996;

"reasonably practicable safe electrical installation" in relation to an electrical installation that existed prior to the publication of the current edition of the health and safety standard incorporated into these regulations in terms of regulation 7 (1) means that such electrical installation complies with the general safety principles of such standard;

"registered person" means a person registered in terms of regulation 13 as an electrical tester for single phase, an installation electrician or a master installation electrician, as the case may be;

"SANS 1086-1" means the code of practice for the installation and maintenance of electrical equipment used in explosive atmospheres published by Standards South Africa;

"SANS 1089-2" means the electrical code of practice for the petroleum industry published by Standards South Africa;

"SANS 10180" means the code of practice for the classification of hazardous locations and the selection of electrical apparatus for use in such locations published by Standards South Africa;

"SANS 10142-1" means the Code of practice for the wiring of premises published by Standards South Africa;

"specialized electrical installations" means electrical installations in —

- (a) explosive atmospheres as contemplated in SANS1086-1;
- (b) the petroleum industry as contemplated in SANS1089-2;
- (c) hazardous locations as contemplated in SANS10108;
- (d) medical locations as contemplated in SANS10142-1;

"supplier" in relation to a particular electrical installation, means any body or person who supplies or contracts or agrees to supply electricity to that electrical installation;

“supply terminals” in relation to machinery installed as a complete unit, means the terminals or connection clamps on such machinery where the external conductors supplying the machinery with electricity are terminated or connected;

“technical working group” means a technical working group established in terms of regulation 3;

“valid certificate compliance” means an electrical certificate of compliance which has been issued in accordance with these regulations and has been correctly completed in its entirety by a registered person.

Scope of application

2 (1) These regulations shall be applicable to users or lessors, approved inspection authorities for electrical installations, registered persons, electrical contractors, suppliers, designers and to suppliers of materials and other electrical articles or parts thereof whether temporary, permanent, or in a stationary or mobile state and installation.

Establishment of technical working group for Electrical Installation Regulations

3 (1) The chief inspector may establish one or more technical working groups to advise the him or her on any matter relating to these Regulations.

(2) A member of a technical working group shall be appointed by the chief inspector by reason of his or her knowledge of the matter for which the technical working group is established.

(3) A member of a technical working group who is not an officer may be remunerated from money appropriate for such purpose by the Minister.

(4) The chief inspector shall appoint the technical working group members for such period as he or she may determine at the time of appointment: Provided that the chief inspector may discharge a member at any time, for reasons that are fair and justifiable, and appoint a new member in his or her place.

(5) The chief inspector may co-opt any person or persons who have specialized knowledge of any matter dealt with by a technical working group.

(6) A technical working group shall conduct its work in accordance with the instructions and rules of conduct set by the chief inspector.

Responsibility for electrical installations

4 (1) The user or the lessor of the electrical installation, as the case may be, shall be responsible for the safety, safe use and maintenance of the electrical installation he or she uses or leases and, except for work as permitted in regulation 11 (3), shall not tamper with or allow any tampering on any installation whether or not a certificate of compliance has been issued.

(2) The user or lessor of the electrical installation, as the case may be, shall be responsible for the safety of the conductors on his or her premises connecting the electrical installation to the point of supply in the case where the point of supply is not the point of control.

(3) Where there is no written undertaking by the lessee to ensure compliance and the safety of the electrical installation he or she who leases, the owner of the electrical installation shall be deemed to be the user of such an electrical installation.

Approved inspection authorities for electrical installations

5 (1) The chief inspector may approve any juristic person or body that have been accredited by the accreditation authority, as an approved inspection authority for electrical installations.

(2) (a) Application for approval of an approved inspection authority contemplated in sub-regulation (1) shall be made to the chief inspector in the form of annexure 7;

(b) A valid accreditation issued by the accreditation authority shall accompany the application; and

(c) The application form shall be accompanied by the fee determined in terms of regulation 15.

(3) An Approved Inspection Authority for electrical installations shall inform the chief inspector of any changes affecting its approval in terms of sub-regulation (1) within 14 days after such changes.

(4) The chief inspector may at any time withdraw any approval of an approved inspection authority for electrical installations, subject to the provisions of section 35 of the Act and regulation 13 (5).

Functions of approved inspection authorities for electrical installations

6 (1) Approved inspection authorities for electrical installations shall only enter premises and conduct an inspection, test or investigation when:

(a) instructed to do so by the chief inspector or provincial director; or

(b) requested to do so by the owner or user of an electrical installation.

(2) Approved inspection authorities for electrical installations shall not operate as electrical contractors.

(3) Approved inspection authorities for electrical installations shall only inspect the types of installation for which they have been accredited by the accreditation authority.

(4) Approved inspection authorities for electrical installations shall be accountable and abide by a code of ethics determined by the chief inspector.

(5) Approved inspection authorities for electrical installations shall submit reports to the person referred to in 1 (a) or 1 (b) as the case may be.

Design and construction

7 (1) No person shall authorize, design, install or permit or require the installation of an electrical installation, other than in accordance with a health and safety standard incorporated into these regulations under section 44 of the Act: Provided that the components within an electrical installation shall comply with the standards referred to in the incorporated standard and proof of compliance shall be identifiable on the components or certification shall be available from the supplier or manufacturer of the components: Provided further that items of an electrical installation not covered by such incorporated health and safety standard, and the conductors between the point of supply and the point of control, shall be installed in accordance with the by-laws or regulations of the supplier concerned.

(2) A registered person shall exercise general control over all electrical installation work being carried out, and no person shall allow such work without such control: Provided that where the voltage exceeds 1kV, the installation shall be designed and supervised by a person deemed competent in terms of paragraphs (b), (c) or (d) of the definition of a competent person in terms of regulation 1 of the General Machinery Regulations, 1998.

(3) No supplier shall restrict the application of a health and safety standard referred to in sub-regulation (1) when an electrical installation is installed, except where the distribution system of the supplier may be adversely affected by the application thereof.

Electrical contractor

8 (1)(a) Any person, including a juristic person, who intends to do installation work as an electrical contractor shall register annually with the chief inspector in the form prescribed in annexure 1.

(b) The application shall be accompanied by the fee determined in terms of regulation 15.

(2) The chief inspector shall register any person contemplated in sub-regulation 1 as an electrical contractor and enter such registration into the national database: Provided such person:

(a) has a fixed address and a telephone or mobile telephone listed in the name of the business: Provided that if the person does not trade under the name of a business, such address and telephone may be in the name of the person concerned; and

(b) employs a registered person on a full time basis, or is himself or herself a registered person engaged in such business on a full time basis.

(3)(a) A registered person who intends to do specific electrical installation work on behalf of another person shall register with the chief inspector as a temporary electrical contractor in the form prescribed in annexure 2.

(b) The application form shall be accompanied by the fee determined in terms of regulation 15.

(4) The chief inspector may at any time withdraw the registration of any electrical contractor or temporary electrical contractor, subject to the provisions of section 35 of the Act.

Certificate of compliance

9 (1) Subject to the provisions of sub-regulation (3) every user or lessor of an electrical installation, as the case may be, shall have an original valid certificate of compliance in the form of annexure 4, which shall be accompanied by a test report in the format approved by the chief inspector, in respect of every such electrical installation: Provided that such certificate is transferable: Provided further that a certificate older than two years is not transferable.

(2) Every user or lessor of an electrical installation, as the case may be, shall on request produce the certificate of compliance for that installation to an inspector, an approved inspection authority for electrical installations subject to regulations 6 (1), or the supplier.

(3) Sub-regulation (1) shall not apply to an electrical installation that existed prior to 23 October 1992 and where there was no change of ownership after 1 March 1994: Provided that, if any addition or alteration is effected to such an installation, the user or lessor of the electrical installation, as the case may be, shall obtain a certificate of compliance for the whole installation, whereafter the provisions of sub-regulation (1) shall be applicable to such installation.

(4) Where any addition or alteration has been effected to an electrical installation for which a certificate of compliance was previously issued, the user or lessor of such installation shall obtain a certificate for at least the addition or alteration.

(5) A supplier may at any reasonable time inspect or test any electrical installation: Provided that the supplier shall not charge any fee for such an inspection or test unless the inspection or test is carried out at the request of the user or lessor.

(6) If after an inspector, an approved inspection authority for electrical installations or supplier has carried out an inspection or test and has detected any fault or defect in any electrical installation, such inspector, approved inspection authority for electrical installations or supplier may require the user or lessor of that installation to obtain a new certificate of compliance: Provided that if such fault or defect in the opinion of the inspector, approved inspection authority for electrical installations or supplier constitutes an immediate danger to persons, the inspector, approved inspection authority for electrical installations or supplier shall forthwith take steps to have the supply to the circuit in which the fault or defect was detected disconnected: Provided further that where such fault or defect is of such a nature

that it may indicate negligence on the part of a registered person, the inspector, approved inspection authority for electrical installations, or supplier, as the case may be, shall forthwith report those circumstances in writing to the chief inspector.

(7) Subject to the provisions of section 22 of the Act, no person shall sell the premises on which an electrical installation exists, without a valid certificate of compliance for the electrical installation: Provided that a written agreement may be entered into between the parties as to obtaining a certificate of compliance.

(8) A registered person shall only issue a certificate of compliance obtainable from the chief inspector and with a unique number issued by the chief inspector.

Commencement and permission to connect installation work

10 (1) No person shall commence with installation work which would require a new supply or an increase in electricity supply capacity unless the supplier has been notified thereof in the form of Annexure 3: Provided that the supplier may waive this requirement in respect of such types of work as it may specify.

(2) No person shall connect or permit the connection of any completed or partially completed electrical installation to the electricity supply unless it has been inspected and tested by a registered person and a certificate of compliance for that electrical installation has been issued: Provided that the supplier may on request connect the supply to the installation for the purpose of testing and completion of the certificate of compliance by a registered person: Provided further that this sub-regulation shall not apply in the case where the electricity was disconnected for the non-payment of the electricity account or where there has been a change of tenant but not of ownership.

(3) Where the supply to an electrical installation is 25kVA or above, the user shall subject to regulation 11 (1), appoint an approved inspection authority or a competent person as contemplated in regulation 7 (2) who shall ensure the compliance from the commencement to the commissioning of the installation.

Issuing of certificate of compliance

11 (1) Only a registered person may issue a certificate of compliance in the form of annexure 4 and which shall be accompanied by a test report in the format approved by the chief inspector, after having satisfied himself or herself by means of an inspection and test that—

(a) a new electrical installation complies with the provisions of regulation 7 (1); or

(b) an electrical installation which existed prior to the publication of the current edition of the health and safety standard incorporated into these regulations in terms of regulation 7 (1), complies with the general safety principles of such standard; or

(c) an electrical installation which existed prior the publication of the current edition of the health and safety standard incorporated into these regulations

in terms of regulation 7 (1) and to which extensions or alterations have been affected, that—

(i) the affecting part of the installation, complies with the general safety principles of such standard and is reasonable safe, and

(ii) the extensions or alterations affected comply with the provisions of regulation 7 (1).

(2) If at any time prior to the issuing of a certificate of compliance any fault or defect is detected in any part of the installation, the registered person shall refuse to issue such certificate: Provided that if such fault or defect in the opinion of the registered person constitutes an immediate danger to persons in the case where electricity is already supplied, he or she shall forthwith take steps to disconnect the supply to the circuit in which the fault or defect was detected and notify the chief inspector thereof.

(3) Any person who undertakes to do electrical installation work shall ensure that a valid certificate of compliance is issued for that work.

(4) No person shall amend a certificate of compliance issued by a registered person.

Appeals

12 (1) Should a dispute arise over the interpretation of a health and safety standard referred to in regulation 7 between the user, the registered person, the approved inspection authority for an electrical installations, or the supplier, as the case may be, the affected person may appeal against that interpretation to the chief inspector.

(2) The person who appeals under sub-regulation (1) shall serve a notice of appeal, setting out fully the grounds of the appeal, on both the chief inspector and the person against whose interpretation he or she is appealing, by personally delivering the notice of appeal or sending it by registered post.

(3) The person against whose interpretation is being appealed shall, within 14 working days of the date of on which he or she received the notice of appeal, forward a notice setting out the reasons for his or her interpretation, to the chief inspector.

(4) The chief inspector shall, after having considered the grounds of the appeal and the cause of the dispute, confirm, set aside or vary the interpretation of the safety standard referred to in sub-regulation (1) or substitute it for such interpretation, which in the opinion of the chief inspector ought to have been taken.

Application for registration as a registered person

13 (1)(a) Application for registration as a registered person shall be made to the chief inspector in the form prescribed in Annexure 5.

(b) The application shall be accompanied by the fee determined in terms of regulation 15.

(2) Any natural person who satisfies the chief inspector that he or she —

(a) has sufficient knowledge of the rules applicable to electrical installations in the category for which application is being made;

(b) has appropriate practical experience in respect of the electrical installation, verification and certification of the construction, testing and inspection of the type of electrical installation for which application is being made;

(i) meets any other requirements as may be prescribed by the chief inspector;

shall at the discretion of the chief inspector be registered as an electrical tester for single phase, an installation electrician, or a master installation electrician, as the case may be.

(3) The chief inspector shall furnish such person with the appropriate certificate of registration, subject to such conditions or restrictions, as he or she may deem necessary and enter such registration into the national database.

(4) A registered person shall on request produce his or her certificate of registration to an inspector, approved inspection authority for electrical installations, the supplier or any person to whom he or she intends to issue a certificate of compliance.

(5) If in the opinion of the chief inspector a person who is the holder of a certificates of registration issued in terms of sub-regulations (2) or referred to in regulations 17 (2) has been found guilty of gross negligence in the execution of his or her duties, or is no longer deemed competent to perform his or her duties, the chief inspector may suspend or cancel such certificate of registration.

(6) A registered person shall inform the chief inspector of any changes affecting his or her registration within 14 days after such change.

Substitution of lost, damaged or destroyed certificate of registration

14 (1)(a) If a registration certificate issued in terms of regulation 8(2), 8(3)(a), 13(3) or referred to in regulation 17 (2) has been lost, damaged or destroyed, the registered person to whom the certificate was issued, may apply to the chief inspector for a duplicate certificate in the form of annexure 6.

(b) The application shall be accompanied by the fee determined in terms of regulation 15.

(2) After proof that a certificate of registration has been lost, damaged or destroyed has been submitted to the satisfaction of the chief inspector, the chief inspector shall issue a substitute thereof on which the word "duplicate" will appear.

Fees payable

15 (1) The Minister shall determine all registration and related fees which shall be payable in the form of uncanceled revenue stamps affixed to the relevant application form.

Offences and penalties

16 (1) Any person who contravenes or fails to comply with the provision of regulations 4,6,7,8,9,10,11, 13 (4) and 13 (6) shall be guilty of an offence and be liable on conviction to a fine or to imprisonment for maximum of 12 months and, in case of a continuous offence, to an additional fine not exceeding R200 for each day on which the offence continues: Provided that the period of such additional imprisonment shall not exceed 90 days.

Repeal of the regulations and saving

17 (1) Subject to sub-regulation (2), the Electrical Installation Regulations, 1992 published under Government Notice R 2920 of 23 October 1992 as amended by Government Notice R 962 of 20 May 1994 are hereby repealed.

(2) A certificate of registration as electrical tester for single phase, installation electrician and master installation issued under regulation 9 of the regulation repealed by sub-regulation (1) shall be deemed to be a certificate issued under regulation 13 of these regulations.

Short title

18 (1) These regulations shall be called the Electrical Installation Regulations, 2005.

Annexure 1**DEPARTMENT OF LABOUR****OCCUPATIONAL HEALTH AND SAFETY ACT (ACT 85 OF 1993)****APPLICATION FOR REGISTRATION AS AN ELECTRICAL CONTRACTOR**

The Department of Labour Occupational Health and Safety Private Bag X117 Pretoria 0001	R120-00 Affix uncanceled SA revenue stamp/s
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Sir/Madam

I hereby apply to be registered as an electrical contractor in terms of regulations 8. I declare that the particulars given hereunder are, to the best of my knowledge and belief, correct.

1. PARTICULARS OF THE APPLICANT

SURNAME OF THE APPLICANT:.....

NAME OF THE APPLICANT:.....

ID NO. OF THE APPLICANT:.....

TRADING NAME:.....

State whether your business is: **SOLE PROPRIETOR/PARTNERSHIP/COMPANY/CLOSED CORPORATION**
(delete which is not applicable).

WRITE DOWN YOUR BUSINESS CK No.:.....

IN WHICH PROVINCE IS YOUR BUSINESS SITUATED?.....

PHYSICAL ADDRESS:.....

.....POSTAL CODE:.....

POSTAL ADDRESS:.....

.....POSTAL CODE:.....

TEL No.:.....CELL No.:.....

FAX No.:.....Email:.....

2. STATE TYPE OF REGISTRATION YOU HAVE:

1. TESTER FOR SINGLE PHASE: YES/NO TSP No.:.....

2. INSTALLATION ELECTRICIAN: YES/NO IE No.:.....

3. MASTER INSTALLATION ELECTRICIAN: YES/NO MIE No.:.....

3. **IN CASE WHERE A REGISTERED PERSON/S IS/ARE EMPLOYED IN FULL TIME BASIS, COMPLETE THE FOLLOWING:** (Section 3 can be filled in as many times as the number of registered person/s employed by the business). Notify the chief inspector in case of any changes.

SURNAME OF A REGISTERED PERSON:.....

NAME/S OF A REGISTERED PERSON:.....

ID NUMBER OF A REGISTERED PERSON:.....

TYPE OF REGISTRATION: TSP / IE / MIE (delete which is not applicable)

REGISTRATION NUMBER:.....DATE ISSUED:.....

4. **IN SUPPORT OF YOUR APPLICATION, PLEASE SUBMIT THE FOLLOWING:**

1. Certified copy of your ID and, where applicable, of registered person/s;
2. Certified copy of business registration no. (indicating your CK no.);
3. Certified copy of a registration certificate (both sides).

Signature of the applicant:.....Date:.....

FOR OFFICE USE ONLY

Application: **APPROVED/NOT APPROVED**

Reason/s for decline:.....

Signature:.....Designation:.....

Registration No.:.....Renewal 31 March every year.

Date:.....

Annexure 2

DEPARTMENT OF LABOUR

OCCUPATIONAL HEALTH AND SAFETY ACT (ACT 85 OF 1993)

APPLICATION FOR REGISTRATION AS A TEMPORARY ELECTRICAL CONTRACTOR

The Department of Labour Occupational Health and Safety Private Bag X117 Pretoria 0001	R150-00 Affix uncanceled SA revenue stamp/s
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Sir/Madam

I hereby apply for registration as a temporary electrical contractor in terms of regulations 8 (3). I declare that the particulars given hereunder are, to the best of my knowledge and belief, correct.

1. PARTICULARS OF THE APPLICANT

SURNAME OF THE APPLICANT:.....

NAME OF THE APPLICANT:.....

ID NO. OF THE APPLICANT:.....

IN WHICH PROVINCE ARE YOU SITUATED?.....

PHYSICAL ADDRESS:.....

.....POSTAL CODE:.....

POSTAL ADDRESS:.....

.....POSTAL CODE:.....

TEL No.:.....CELL No.:.....

FAX No.:.....Email:.....

2. STATE TYPE OF REGISTRATION YOU HAVE:

1. TESTER FOR SINGLE PHASE: YES/NO TSP No.:.....
2. INSTALLATION ELECTRICIAN: YES/NO IE No.:.....
3. MASTER INSTALLATION ELECTRICIAN: YES/NO MIE No.:.....
4. DATE ISSUED:.....

3. SITE WHERE THE INSTALLATION WORK IS TO BE CARRIED OUT:

1. ERF No.:.....Town:.....
2. Street Address:.....
3. Name of the building:.....Floor:.....
4. Name of the owner/user:.....

New installation		Extension		Modification		Repairs	
------------------	--	-----------	--	--------------	--	---------	--

5. Description of the proposed work:.....
.....
6. Estimated starting date:.....Estimated completion date:.....

4. IN SUPPORT OF THIS APPLICATION, PLEASE SUBMIT THE FOLLOWING:

1. Certified copy of your ID
2. Certified copy of a registration certificate (both sides).

Signature of the applicant:.....Date:.....

FOR OFFICE USE ONLY

Application: **APPROVED/NOT APPROVED**

Reason/s for decline:.....

Temporary Registration No.:.....

Signature:.....

Designation:.....

Date:.....

Expiry Date:.....

Annexure 3

ELECTRICAL INSTALLATION REGULATIONS 10

NOTICE OF COMMENCEMENT OF INSTALLATION WORK

Name of the supplier:.....

Address of the supplier:.....

.....

.....

I hereby advise that electrical installation work will commence at: —

ERF no.:..... Township:.....

Street address:.....

Name of the building:..... Floor:.....

Name of the tenant/occupier/agent/owner:.....

Note: Farms & agricultural holdings, full description as per title deed required.

.....

Description of proposed work:.....

.....

Date of commencement of installation:.....

New installation		Extension		Modification	
------------------	--	-----------	--	--------------	--

Size of the installation.....kVA

Electrical Contractor/Registered person*:.....
(block letters)

Fixed address:.....

Contractor's/Registered person's Registration Certificate No*:.....

Signature:..... Office telephone no.:.....

Fax no.:.....

Cell no.:.....

Name of signatory:.....

***Delete whichever is not applicable**

Annexure 4

DEPARTMENT OF LABOUR

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

CERTIFICATE OF COMPLIANCE



Certificate of Compliance in accordance with Electrical Installation Regulations 9.	Certificate No.	
	Certificate Type. (Tick appropriate block)	
	Initial Certificate	Supplementary Certificate
Supplement No.to Initial Certificate No.as issued on:		
Identification of the relevant Installation (Address or other unique reference, where applicable) Physical address: Name of building: GPS Coordinates..... Suburb/Township: Pole number:..... District/Town/City: Erf/Lot No.:		
Declaration by registered person		
I (ID no.) a registered person declare that I have personally carried out the inspection and testing of the electrical installation described in the attached test report as per the requirements of: (Tick appropriate box)		
(i) electrical installation regulations 11(1) (a); or		
(ii) electrical installation regulations 11(1) (b); or		
(iii) electrical installation regulations 11(1) (c)		
and deem the installation to be reasonable safe when properly used.		
I have entered the number of this certificate to the attached test report/s.		

I declare that the persons responsible for the design, specification, construction and inspection, test and commissioning have completed the relevant sections of the test report.

Registered person registration number: Date of registration

Type of registration: (Tick appropriate block)

Tester for Single Phase	
Installation Electrician	
Master Installation Electrician	

Signature:.....

Contact details of registered person:

Tel No

Fax No

Cell No

Email

NOTE: This certificate is not valid unless all the sections have been completed correctly and the test report in the format approved by the chief inspector is attached.

Declaration by electrical contractor

I (ID no.)
declare that the electrical installation has been carried out in accordance with the requirements of the Occupational Health and Safety Act and regulations made there under.

Electrical contractor registration number: Date of registration

Signature:.....

Contact details of electrical contractor:

Name	
Address	
Tel	
Fax	
Cell	
Email	

Declaration by user/lessor

I declare that I am aware of my responsibilities in terms of the Electrical Installation Regulations 4 and 9 and undertake to operate and maintain the electrical installation as described by these regulations.

User/Lessor Name:.....Signature.....Date.....

Annexure 5

OCCUPATIONAL HEALTH AND SAFETY ACT 1993

REGULATION 13 OF THE ELECTRICAL INSTALLATION REGULATIONS 2005

APPLICATION FOR REGISTRATION AS A REGISTERED PERSON

The Department of Labour
Occupational Health and Safety
Private Bag X117
Pretoria
0001

R120-00

Affix uncanceled SA revenue
stamp/s here

Sir/Mdam

I hereby apply in terms of regulation 13 to be registered as an electrical tester for single phase* / installation electrician* / master installation electrician* and hereby declare that the particulars given hereunder are, to the best of my knowledge and belief, correct. I further declare that I know of no reason why I should not be regarded as being physically able to inspect and test installations.

(* Delete whichever is not applicable).

I attach two photographs of myself as required by the chief inspector.

Yours faithfully

.....
Signature

.....
Date

Notes:

- (i) The applicant must also sign this form in the three spaces provided for specimen signatures at the end of this form.
- (ii) The chief inspector requires the submission of two clear identical photographs of 40mm by 30mm showing the face and shoulders of the applicant.

(The photographs required are similar to those required for passport and can be obtained from any photographer who renders such a service.)

- 1) Surname (block letters).....
- 2) First names (block letters).....
- 3) Postal address.....Code.....
Telephone No. (W).....(H).....
(Fax).....(Cell).....
- 4) Date of birth Place of birth.....
- 5) Identity number (immigration permit number).....
- 6) Details of training appropriate to installation work:

Note — Where paragraph (a) hereunder is applicable, applicant must submit with the application, testimonials from employers stating the duration and nature of training.

(a) Training other than under a contract of apprenticeship in terms of the Apprenticeship Act, 1944 or the Manpower Training Act, 1981, or Skills Development Act, 1998, in a trade appropriate to installation work.

Name and address of employer	From	To

(b) Apprentice or training in terms of the Apprenticeship Act, 1944 or the Manpower Training Act, 1981, or the Skills Development Act of 1998, in a trade appropriate to installation work:

No. of contract Trade in which trained

Name and address of employer	From	To

7. Details of practical experience, other than referred to in paragraph 6 (documentary proof, such as certificates of service, to be submitted).

Name and address of employer	From	To	Capacity in which employed

8. Details of certificates or diplomas held. (If you have passed a qualifying trade test and subjects such as Electricians, Electrical Trade Theory, Installation Rules, etc., this should be stated and proof thereof submitted):

.....

Note — if original documents are enclosed, the application should be forwarded by registered post. True copies certified as correct by a magistrate, justice of the peace or commissioner of oaths will be accepted.

SPECIMEN SIGNATURE OF APPLICANT

Note — The specimen signatures should be the normal signature of the applicant and should be carefully completed. One specimen will be affixed to any certificate of registration that may be issued.

1	2	3

FOR OFFICE USE ONLY

Application: **APPROVED/NOT APPROVED**

Reason/s for decline:

Temporary Registration No.:

Signature:

Designation:

Annexure 6**DEPARTMENT OF LABOUR****OCCUPATIONAL HEALTH AND SAFETY ACT (ACT 85 OF 1993)****APPLICATION FOR A DUPLICATE CERTIFICATE ISSUED IN TERMS OF REGULATIONS 8(2),
8(3) OR 13(3), AS THE CASE MAY BE**

The Department of Labour Occupational Health and Safety Private Bag X117 Pretoria 0001	R120-00 Affix uncanceled SA revenue stamp/s
--	---

Sir/Madam

I hereby apply for a duplicate certificate of registration issued to me in terms of *regulation 8(2), *regulation 8(3), or *regulation 13(3). I declare that the particulars given hereunder are, to the best of my knowledge and belief, correct.

(*delete which is not applicable).

1. PARTICULARS OF THE APPLICANT

SURNAME OF THE APPLICANT:.....

NAME OF THE APPLICANT:.....

ID NO. OF THE APPLICANT:.....

PHYSICAL ADDRESS:.....

.....POSTAL CODE:.....

POSTAL ADDRESS:.....

.....POSTAL CODE:.....

TEL No.:....., CELL No.:.....

FAX No.:....., Email:.....

2. SCOPE OF APPROVAL:

1. REGULATION 8(2): ELECTRICAL CONTRACTOR
2. REGULATION 8(3): TEMPORARY ELECTRICAL CONTRACTOR
3. REGULATION 13(3): TESTER FOR SINGLE PHASE
4. REGULATION 13(3): INSTALLATION ELECTRICIAN
5. REGULATION 13(3): MASTER INSTALLATION ELECTRICIAN:

3. IN SUPPORT OF THIS APPLICATION, PLEASE SUBMIT THE FOLLOWING:

1. Certified copy of your ID and registered person/s;
2. Two clear identical photographs of 40mm by 30mm showing the face and shoulders of the applicant

Signature of the applicant:.....Date:.....

4. AFFIDAVID

FOR OFFICE USE ONLY

Application: **APPROVED/NOT APPROVED**

Reason/s for decline:.....

Signature:.....

Designation:.....

Registration No.:.....

Date:.....

Annexure 7**DEPARTMENT OF LABOUR****OCCUPATIONAL HEALTH AND SAFETY ACT (ACT 85 OF 1993)****APPLICATION FOR APPROVAL AS AN APPROVED INSPECTION AUTHORITY FOR
ELECTRICAL INSTALLATIONS**

The Department of Labour Occupational Health and Safety Private Bag X117 Pretoria 0001	R120-00 Affix uncanceled SA revenue stamp/s
---	--

Sir/Madam

I hereby apply to be registration as an approved inspection authority for electrical installations in terms of regulations 5 (2). I declare that the particulars given hereunder are, to the best of my knowledge and belief, correct.

1. PARTICULARS OF THE APPLICANT

SURNAME OF THE APPLICANT:.....

NAME OF THE APPLICANT:.....

ID NO. OF THE APPLICANT:.....

TRADING NAME:.....

State whether your business is: **SOLE PROPRIETOR/PARTNERSHIP/COMPANY/CLOSED CORPORATION**
(delete which is not applicable).

BUSINESS REGISTRATION No.:.....

IN WHICH PROVINCE IS YOUR BUSINESS SITUATED?.....

PHYSICAL ADDRESS:.....

.....POSTAL CODE:.....

POSTAL ADDRESS:.....

.....POSTAL CODE:.....

TEL No.:.....CELL No.:.....

FAX No.:.....Email:.....

2. SCOPE OF APPROVAL:

6. TESTER FOR SINGLE PHASE:

2. INSTALLATION ELECTRICIAN:

3. MASTER INSTALLATION ELECTRICIAN:

3. IN SUPPORT OF THIS APPLICATION, PLEASE SUBMIT THE FOLLOWING:

1. Certified copy of your ID and registered person/s;
2. Certified copy of business registration no.;

3. Certified copy of a registration certificate of registered persons (both sides); and
4. Certified copy of accreditation certificate from accreditation authority.

Signature of the applicant:.....Date:.....

FOR OFFICE USE ONLY

Application: **APPROVED/NOT APPROVED**

Reason/s for decline:.....

Signature:.....

Designation:.....

Registration No.:..... Renewal 31 March every year.

Date:.....

No. R. 1162

9 December 2005

OCCUPATIONAL HEALTH AND SAFETY ACT, 1993**ACT No. 85 OF 1993****ELECTRICAL INSTALLATION REGULATIONS****INCORPORATION OF SAFETY STANDARDS:**

Under section 44 of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), I, MMS MDLADLANA, Minister of Labour, after consultation with the Advisory Council for Occupational Health and Safety, hereby incorporate in the Electrical Installation Regulations, 2005, the safety standards specified in the Schedule.

MMS MDLADLANA, Minister of Labour

SCHEDULE**1. Regulation 1**

Standard of South Africa, codes of practice:

SANS 1086-1: The code of practice for installation and maintenance of electrical equipment used in explosive atmospheres;

SANS 1089-2: The code of practice for the petroleum industry;

SANS 10108: The code of practice for the classification of hazardous locations and the selection of electrical apparatus for use in such locations.

2. Regulation 8 (1)

Standard of South Africa, code of practice:

SANS 10142-1: The code of practice for wiring of premises.

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID****No. R. 1158****9 December 2005**

LABOUR RELATIONS ACT, 1995

**BUILDING INDUSTRY, NORTH AND WEST BOLAND: RENEWAL OF PERIOD OF OPERATION OF
MAIN COLLECTIVE AGREEMENT**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby, in terms of section 32 (6) (a) (ii) of the Labour Relations Act, 1995, declare the provisions of Government Notice No. R. 1217 of 22 October 2004 to be effective from the date of publication of this notice and for the period ending 31 October 2006.

M. M. S. MDLADLANA
Minister of Labour

No. 1158**9 Desember 2005**

WET OP ARBEIDSVERHOUDINGE, 1995

**BOUNYWERHEID, NOORD- EN WES-BOLAND: HERNUWING VAN TYDPERK VAN HOOF KOLLEKTIEWE
OOREENKOMS**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (6) (a) (ii) van die Wet op Arbeidsverhoudinge, 1995, dat die bepalings van Goewermmentskennisgewing No. R.1217 van 22 Oktober 2004 van krag is met ingang van die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Oktober 2006 eindig.

M. M. S. MDLADLANA
Minister van Arbeid

No. R. 1166**9 December 2005**

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE JEWELLERY AND PRECIOUS METAL INDUSTRY (CAPE):
RENEWAL OF PERIOD OF OPERATION OF MAIN COLLECTIVE AGREEMENT**

I, Thembinkosi Mkalipi, Executive Manager: Collective Bargaining duly authorised thereto by the Minister of Labour, hereby, in terms of section 32 (6) (a) (ii) of the Labour Relations Act, 1995, declare the provisions of Government Notices Nos. R. 526 of 30 April 2004, R. 942 of 13 August 2004 and R. 1165 of 9 December 2005 to be effective from 19 December 2005 and for the period ending 30 June 2007.

T. MKALIPI
Executive Manager: Collective Bargaining

No. R. 1166**9 Desember 2005**

WET OP ARBEIDSVERHOUDINGE, 1995

**BEDINGINGSRAAD VIR DIE JUWELIERSWARE- EN EDELMETAALNYWERHEID (KAAP):
HERNUWING VAN TYDPERK VAN HOOF KOLLEKTIEWE OOREENKOMS**

Ek, Thembinkosi Mkalipi, Uitvoerende Bestuurder: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verklaar hierby, kragtens artikel 32 (6) (a) (ii) van die Wet op Arbeidsverhoudinge, 1995, dat die bepalings van Goewermmentskennisgewings Nos. R. 526 van 30 April 2004, R. 942 van 13 Augustus 2004 en R. 1165 van 9 Desember 2005 van krag is vanaf 19 Desember 2005 en vir die tydperk wat op 30 Junie 2007 eindig.

T. MKALIPI
Uitvoerende Bestuurder: Kollektiewe Bedinging

No. R. 1165

9 December 2005

LABOUR RELATIONS ACT, 1995

BARGAINING COUNCIL FOR THE JEWELLERY AND PRECIOUS METAL INDUSTRY (CAPE): EXTENSION OF AMENDMENT OF MAIN 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, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the Bargaining Council for the Jewellery and Precious Metal Industry (Cape) and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement with effect from 19 December 2005, and for the period ending 30 June 2007.

M. M. S. MDLADLANA
Minister of Labour

No. R. 1165

9 Desember 2005

WET OP ARBEIDSVERHOUDINGE, 1995

BEDINGINGSRAAD VIR DIE JUWELIERSWARE- EN EDELMETAALNYWERHEID (KAAP): UITBREIDING VAN WYSIGING VAN HOOF 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, dat die Kollektiewe Ooreenkoms wat in die Engelse Bylae hierby verskyn, en wat in die Bedingingsraad vir die Juweliersware- en Edelmetaalnywerheid (Kaap) aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 19 Desember 2005, en vir die tydperk wat op 30 Junie 2007 eindig.

M. M. S. MDLADLANA
Minister van Arbeid

SCHEDULE**BARGAINING COUNCIL FOR THE JEWELLERY AND PRECIOUS METAL INDUSTRY (CAPE)****MAIN COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, No. 66 of 1995; made and entered into by and between the

Cape Jewellery Manufacturers' Association

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

Jewellers' and Goldsmith Union

(hereinafter referred to as the "employees" or the "trade union") of the other part, being the parties to the Bargaining Council for the Jewellery and Precious Metal Industry (Cape),

to amend the Agreement published under Government Notice No. R. 526 of 30 April 2004 and Government Notice No. R. 942 of 13 August 2004.

1. SCOPE OF APPLICATION OF AGREEMENT

1.1 The terms of this Agreement shall be observed in the Jewellery and Precious Metal Industry (Cape)—

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

1.1.2 in the Magisterial Districts of Bellville, the Cape, Goodwood and Wynberg.

1.2 Notwithstanding the provision of subclause 1.1, the terms of this Agreement shall—

1.2.1 apply only to employees for whom wages are specified in this Agreement; and to the employers of such employees;

1.2.2 apply to apprentices in so far as the terms are not inconsistent with the provisions of the Manpower Training Act, 1981, or the Skills Development Act, 1998, or any contract entered into or any conditions fixed thereunder;

1.2.3 apply to university or technikon graduates in jewellery.

1.3 Clauses 1.1, 2, 3, 5.2, 5.3, 8.5, 15 and 17 of this Agreement shall not apply to employers and employees who are not members of the employers' organisation and trade union, respectively.

1.4 Should there be a dispute as to whether this Agreement applies to an employer, an employee or a trade union, such dispute shall be determined in terms of clause(s) 24 and/or 29 of the Main Collective Agreement.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation in respect of the parties on 1 July 2005 and in respect of the non-parties on such date as the Minister of Labour may extend the Agreement to non-parties, and the Agreement shall remain in force until 30 June 2007.

3. CLAUSE 4: DEFINITIONS

Substitute the following for clause 4:

"Any expressions used in this Agreement which are defined in the Labour Relations Act, shall have the same meaning as in that Act, any reference to an Act shall include any amendment of such Act, and unless the contrary intention appears, words importing the masculine gender shall include the female gender; further unless inconsistent with the context—

"**Act**" means the Labour Relations Act, No. 66 of 1995, as amended;

"**alloying**" means the calculation and preparation of metals prior to smelting;

"**apprentice**" means any person employed under a contract of apprenticeship in terms of the Manpower Training Act, 1981, as amended;

"**artisan**" a person qualified in one or more of the following designated trades in the jewellery industry:

- (a) Goldsmithing
- (b) Diamond and Gemstone Setting
- (c) Hand Engraving
- (d) Diamond Milling
- (e) Jewellery Casting (not an artisan but at the same level);

"**assembling**" means, for the purposes of work performed by an operative Grade A, the bringing together of component parts for purposes of soldering of preformed jewellery;

"**central controller**" means a person responsible for the data received from the issue clerks and keeping of records of the flow of production, and a person who is competent to issue and collect jewellery articles or components of jewellery articles to and from different departments within the jewellery production process;

"**Council**" means the Bargaining Council for the Jewellery and Precious Metal Industry (Cape) registered in terms of section 29 of the Labour Relations Act, No. 66 of 1995;

"**enamelling**" means a vitrified substance applied to the surface of the metallic object by hand or machine and/or heat process;

"**engraving**" includes, but without limiting the meaning thereof, the following: engraving of floral, decorative and/or abstract designs; engraving of inscriptions, dates, monograms, initials and/or the like; engraving of heraldic designs; engraving of outlines for cutting out; cutting in relief and/or sinking for the purpose of, or in preparation for, enamelling or otherwise; and matting, embossing, carving and/or chasing;

"**establishment**" means any premises in or in connection with which one or more persons are employed in the Jewellery and Precious Metal Industry;

"**experience**" in relation to any particular operations, means the total period or periods of employment which an employee has been in the Industry and in the performance of any operations within the same classification as such first-mentioned operations, without making any adjustment in respect of short time or overtime worked during such period or period of employment;

"**general worker**" means a person who is responsible for:

- (a) Making tea/coffee
- (b) The general cleaning of defined areas within a company/shop (cleaning in this context does not relate to the cleaning of jewellery or jewellery related operations)
- (c) Delivery and collection/picking up and dropping off of defined parcels and persons by means of an automobile
- (d) The collection and delivery of parcels and mail
- (e) Running errands which are reasonable
- (f) Packing jewellery;

"**grade A operator**" means a person who is competent to assemble various jewellery components using filing, sawing, drilling, hammering and soldering techniques;

"**grinder**" means a person who is competent to grind and clean preformed jewellery articles and who is familiar with basic grinding techniques, equipment, consumables and materials;

"Industry" means the Jewellery and Precious Metal Industry;

"Jewellery and Precious Metal Industry" means the joint enterprise in which employer and employee are associated for any one or more of the following purposes:

- (a) The manufacture of the following articles, wrought or unwrought, from precious metals, including all operations incidental to such manufacture: articles of jewellery and/or personal adornment, with or without ornamental stones; mountings for ornamental stones; medals, medallions, badges, masonic jewels and/or like articles; ornaments, ornamental vessels, ornamental utensils and/or like ornamental articles, parts of any of the aforesaid articles;
- (b) The setting and/or resetting of ornamental stones in any articles referred to in paragraph (a);
- (c) the engraving of any articles referred to in paragraph (a);
- (d) the repairing, altering and/or renovating of any such articles referred to in paragraph (a);
- (e) the enamelling of any articles referred to in paragraph (a);
- (f) the making and/or repairing of tools and/or dies used or intended for use in any of the activities referred to in this definition when undertaken by any employer engaged in such activities and when undertaken in connection therewith;
- (g) the engraving of dies used or intended for use in any of the activities referred to in this definition;

"metal roller" means a person competent to roll metal and who would be able to roll metal to the specified requirements, manually or mechanically;

"new recruit" means any person who has entered the Industry for the first time and is in his or her first three months' probation period;

"ornamental stones" means precious and/or semi-precious gemstones and/or any other ornamental stones, whether cut and polished or of natural shape and lustre and/or imitations of any such stones.

"other artisan" means a person qualified in a designated trade in other industries needed in the Jewellery Industry;

"polisher" means a person who is competent to polish jewellery and jewellery related artefacts and who is familiar with basic polishing techniques, equipment, consumables and materials;

"precious metals" means the precious metals gold, silver, platinum and/or palladium and/or any alloy or solution containing the said precious metals or any of them in such proportion with any other metals as to be the greater part in value of such alloy;

"preformed jewellery" means any article of precious metal which is cast or stamped into a specific shape or pattern;

"press puncher" means a person competent to produce jewellery components mechanically by a stamping process;

"quality controller" means a person who is competent to apply the quality standards and policy for the factory/plant and has the understanding to recommend the implementation of remedial action;

"quality inspector" means a person who is competent to examine articles of jewellery at any stage of the manufacturing process to identify visible defects and report the defects to the senior person responsible for the quality standards;

"remuneration" means any payment in money or in kind or both in money and in kind, made or owing to any person, which arises in any manner whatsoever out of employment, and "remunerate" has a corresponding meaning;

"rubber mould cutter" means a person who is competent to make a mould of a piece of jewellery or related artefacts, using the vulcanizing process, as well as cold processes, and to extract the jewellery piece or related artefact from the mould;

"sandblaster/matter/electroformer/plater" means a person who is competent to sandblast, matt, electroform and plate jewellery articles mechanically;

"stone moulder" means a person competent to mount prescribed gemstones into wax patterns or rubber moulds for the purpose of casting (a qualified diamond and gemstone setter would oversee this process);

"stripper/barrel operator/tumbler/bomber" means a person competent to apply a mechanical, chemical or electrical surface-polishing process by which a quantity of jewellery is polished to an acceptable degree;

"trade union" means the Jewellers' and Goldsmiths' Union;

"wage" means that portion of the remuneration payable to any employee in money in respect of the ordinary hours of work or such higher amount that an employer regularly pays an employee in respect of his ordinary hours of work but excluding any other payment;

"wax injector" means a person who is competent to produce a wax pattern from a rubber mould;

"washer" means a person competent to clean jewellery using a clearly defined jewellery cleaning process."

4. CLAUSE 8: TERMS OF EMPLOYMENT

Substitute the following for subclause 5.2:

- "8.5.2 When short time is implemented by reason of slackness of trade, an employer shall give written notice of not less than two working days to his employees of his intentions. During this period, the employer must consult with his employees, the trade union representatives, or the trade union, in order to reach consensus on the period of short time and the alternatives to be considered thereafter."

5. CLAUSE 10: WAGES

Substitute the following for clause 10:

"The minimum weekly wages shall be paid by an employer to each member of the undermentioned classes of employees and shall include any person who is responsible for his/her own output and that of others and shall be subject to the terms and conditions of the Main Agreement. Minimum wages payable are as follows:

	Weekly wage
New recruits (other than general workers and for 3 months only)	R373,00
10.1 GRADE I:	
An employer is required to employ stone mounters in wax patterns and setters at a ratio of two mounters to one setter. This ratio pertains to employment levels only.	
General worker/washer/emery/press puncher/roller/stripper/barrell operator/bomber/tumbler/cleaner/messenger/driver/packer/stone mounter in wax patterns	R535,00
10.2 GRADE II:	
Grade A operator/wax injector/bench filer/solderer/polisher/grinder/bomber/issue clerk and central controller/electroformer/sandblaster/matter/plater/quality inspector	R607,00
10.3 GRADE III:	
Rubber mould cutter	R637,00
10.4 GRADE IV:	
ARTISANS AND PREVIOUSLY DESIGNATED JOURNEYMEN	
(Qualified goldsmith/diamond and gem setter/hand engraver/diamond miller/jewellery caster/modelmakers/machinist/quality controller/other artisans)	R956,00
Employers shall pay to all employees in Grades I and II an increase of R35 per week.	
Employers shall pay to all employees in Grades III and IV an increase of R31 per week.	
10.5 APPRENTICE WAGES AND TECHNIKON GRADUATES	
1st Year—40% of artisan rate	
2nd Year—60% of artisan rate	
3rd Year—70% of artisan rate	
4th Year—90% of artisan rate	
technikon graduate—90% of artisan rate	
10.6 DIFFERENTIAL WAGE:	
Employees who are required to work at a higher grade for longer than half an hour shall be paid at the rate applicable to higher grade."	

6. CLAUSE 28: PENSION FUND

Substitute the following for subclause 28.4:

- "28.4 The contributions specified in subclause 28.3 shall be submitted to the Secretary of the Bargaining Council, P.O. Box 2166, Cape Town, 8000, not later than the last working day of each and every succeeding month together with a detailed statement."

Signed at Cape Town on this 1st day of August 2005.

W. GROENEWALD

Chairperson

Bargaining Council for the Jewellery and Precious Metal Industry (Cape)

K. MARTIN-EYTAM

Secretary

Bargaining Council for the Jewellery and Precious Metal Industry (Cape)

No. R. 1159

9 December 2005

LABOUR RELATIONS ACT, 1995

**BUILDING INDUSTRY, NORTH AND WEST BOLAND: EXTENSION OF AMENDMENT OF
MAIN 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, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the Bargaining Council for the Building Industry, North and West Boland, and 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 Industry, with effect from 19 December 2005, and for the period ending 31 October 2006.

M. M. S. MDLADLANA
Minister of Labour

SCHEDULE**BUILDING BARGAINING COUNCIL NORTH AND WEST BOLAND****COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, No. 66 of 1995, made and entered into by and between the

Master Builders Association North Boland

Master Builders Association West Boland

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

Building Workers Union

(hereinafter referred to as the "employees" or the "trade union") of the other part, being the parties to the Building Bargaining Council North and West Boland,

to amend the Collective Agreement, extended to non-parties, published under Government Notice No. R. 1217 of 22 October 2004 and R. 1074 of 1 November 2005.

1. SCOPE OF APPLICATION

- (1) The terms of this Agreement shall be observed—
 - (a) by all employers and by all employees engaged or employed in the Building Industry who are members of the employers' organisation and the trade unions, respectively;
 - (b) in the Magisterial Districts of Ceres, Hopefield, Montagu, Moorreesburg, Piketberg, Robertson, Swellendam, Tulbagh, Vredenburg and Worcester.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to—
 - (a) only those classes of employees for whom wages are described in this Agreement;
 - (b) apprentices and learners only in so far as they are not consistent with the provisions of the Manpower Training Act, 1981, and the Skills Development Act, 1998, or any conditions fixed hereunder.
 - (c) labour-only contractors, working partners and working directors, principals and contractors.
- (3) Notwithstanding the provisions of subclause (1) (a), in terms of this Agreement shall not apply to—
 - (a) clerical employees and administrative staff;
 - (b) university students and graduates in building science and construction surveyors and other such persons doing practical work in the completion of their academic training;
 - (c) foremen or general foremen;
 - (d) non-parties in respect of clauses 1(1) (a) and 2 of this Agreement.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on the date fixed by the Minister of Labour to be effective date from which Agreement shall be extended to become binding to non-parties, or the date on which the Minister of Labour declines to extend the Agreement to non-parties, and the Agreement shall remain in force until 31 October 2006.

3. CLAUSE 10: REMUNERATION

Substitute the following for subclause (1):

"(1) Basic wage:

The basic wage in the Industry shall be as follows:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per hour	R per hour	R per hour	R per hour
(a) Cleaner.....	7,32	7,32	7,32	7,32
(b) (1) General worker, manufacturing worker, dumper driver and hoist operator	9,16	9,16	9,16	9,16
	Per week	Per week	Per week	Per week
(2) Guard (fulltime).....	412,20	412,20	412,20	412,20
	Per hour	Per hour	Per hour	Per hour
(c) Building worker Category 4.....	9,98	9,98	9,98	9,44
(d) Building worker Category 3.....	11,12	11,12	11,12	10,58
(e) Building worker Category 2.....	12,45	12,45	12,45	11,91
(f) Building worker Category 1.....	13,88	13,88	13,88	13,37
(g) Artisan Category 3: Painter and roofer	15,03	15,03	15,03	14,99
(h) (1) Artisan Category 2: Painter and roofer.....	16,80	16,80	16,80	16,80
(2) Artisan Category 3: In all other trades	16,80	16,80	16,80	—
(i) (1) Artisan Category 2: In all other trades	18,75	18,75	18,75	18,75
(2) Artisan Category 3A: Painter.....	16,80	16,80	16,80	—
(3) Artisan Category 1: Painter and roofer.....	18,75	18,75	18,75	—
(j) Artisan Category 3A: In all other trades.....	20,92	20,92	20,92	20,92
(k) Artisan Category 1: In all other trades	20,92	20,92	20,92	20,92
(l) Driver of motor vehicle and operator of powerdriven plant who are required to be in possession of a—				
(1) Code 5–7 or B licence.....	412,20	412,20	412,20	382,50
(2) Code 8 or EB licence	449,10	449,10	449,10	424,80
(3) Code 10 or EB1 licence	500,40	500,40	500,40	476,10
(4) Code 11–14 or EC licence.....	560,25	560,25	560,25	535,95
	Per hour	Per hour	Per hour	Per hour
(m) (1) Apprentice in first year of training.....	11,12	11,12	11,12	10,58
(2) Apprentice in second year of training.....	12,45	12,45	12,45	11,91
(3) Apprentice in third year of training	13,88	13,88	13,88	13,37
(n) (1) Learner building worker Category 4	9,98	9,98	9,98	9,44
(2) Learner building worker Category 3	11,12	11,12	11,12	10,58
(3) Learner building worker Category 2	12,45	12,45	12,45	11,91
(4) Learner building worker Category 1	13,88	13,88	13,88	13,37

Provided that the aforementioned wages shall not be less than those prescribed in terms of the Manpower Act, 1981, or the Skills Development Act, 1998: Provided further that the wages specified above for drivers/plant operators shall be payable if such employees have worked 45 hours in any week. If such employees have, however, worked less than 45 normal hours in any week, their wages for that week shall be calculated as follows: The above specified wages divided by 45 hours, multiplied by the actual number of normal working hours worked."

- (2) In subclause (7) (a) substitute the expression "R25,00" for the expression "R22,00".

5. CLAUSE 13: BENEFIT STAMPS

Substitute the following for clause 13:

"13. FRINGE BENEFITS

- (1) Every employee who works for an employer for at least 25 hours in any week shall be entitled to receive fringe benefits in terms of this Agreement, and shall for purposes of this Agreement be deemed an "eligible employee".
- (2) Contributions to be deducted and paid to the Council in terms of this Agreement shall, where an employee has worked for two or more employers in the same contribution week, be deducted and paid by the employer by whom such employee was first employed during that week for 25 hours or more, and shall not be made for more than 42 hours in any week.
- (3) An employer shall purchase fringe benefits in the specified form from the Council for the purposes of making contributions specified in this Agreement in respect of "eligible employees".
- (4) The Council shall keep a record in respect of these fringe benefits as purchased by the employer in respect of each employee in its employ. The employer shall indicate the purchase of such fringe benefits on the employee's wage envelope.
- (5) The Council may in its discretion issue separate fringe benefits in respect of each of the funds provided for in this Agreement, and may combine any such fringe benefits."

6. CLAUSE 14: HOLIDAY FUND

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

- (2) **Contributions by the employer:** (a) An employer shall contribute an amount to the holiday fund on behalf of an eligible employee for each week that the employee remains in his employ ("a contribution week"), which amount shall be calculated as follows:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per hour	R per hour	R per hour	R per hour
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	17,64	17,64	17,64	16,38
(ii) clause 10 (1) (b) and (l) (1)	22,26	22,26	22,26	20,58
(iii) clause 10 (1) (c), (l) (2) and (n) (1).....	24,36	24,36	24,36	22,68
(iv) clause 10 (1) (d), (l) (3) (m) (1) and (n) (2).....	26,88	26,88	26,88	25,62
(v) clause 10 (1) (e), (l) (4) (m) (2) and (n) (3).....	30,24	30,24	30,24	28,98
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	33,60	33,60	33,60	32,34
(vii) clause 10 (1) (g)	36,12	36,12	36,12	36,12
(viii) clause 10 (1) (h)	40,32	40,32	40,32	40,32
(ix) clause 10 (1) (i) (1) and (i) (3)	45,36	45,36	45,36	—
(x) clause 10 (1) (i) (2)	40,32	40,32	40,32	45,36
(xi) clause 10 (1) (j).....	47,46	—	47,46	—
(xii) clause 10 (1) (k).....	50,40	50,40	50,40	50,40

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

- "(3) **Contributions by the employee:** (a) Every employer may on each pay day deduct from the wages due every week to each eligible employee that has worked 25 hours or more but less than 42 hour during the contribution week concerned, the contribution specified below multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the holiday fund:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per hour	R per hour	R per hour	R per hour
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	42	42	42	39
(ii) clause 10 (1) (b) and (l) (1)	53	53	53	49
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	58	58	58	54
(iv) clause 10 (1) (d), (l) (3) (m) (1) and (n) (2)	64	64	64	61
(v) clause 10 (1) (e), (l) (4) (m) (2) and (n) (3)	72	72	72	69
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	80	80	80	77
(vii) clause 10 (1) (g)	86	86	86	86
(viii) clause 10 (1) (h)	96	96	86	96
(ix) clause 10 (1) (i) (1) and (l) (3)	108	108	108	—
(x) clause 10 (1) (i) (2)	96	96	96	108
(xi) clause 10 (1) (j)	113	—	113	—
(xii) clause 10 (1) (k)	120	120	120	120

7. CLAUSE 15: RETIREMENT FUNDS

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

- "(4) **Contributions by employer:** (a) Every employer shall contribute an amount to the Retirement Funds on behalf of each eligible employee in respect of each contribution week that the employee remains in its employ, which shall be calculated as follows:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	46,20	46,20	46,20	42,42
(ii) clause 10 (1) (b) and (l) (1)	57,96	57,90	57,90	53,76
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	63,00	63,00	63,00	59,64
(iv) clause 10 (1) (d), (l) (3) (m) (1) and (n) (2)	70,14	70,14	70,14	66,78
(v) clause 10 (1) (e), (l) (4) (m) (2) and (n) (3)	78,54	78,54	78,54	75,18
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	87,78	87,78	87,78	84,42
(vii) clause 10 (1) (g)	94,92	94,92	94,92	94,50
(viii) clause 10 (1) (h)	105,84	105,84	105,84	105,84
(ix) clause 10 (1) (i) (1) and (l) (3)	105,84	105,84	105,84	—
(x) clause 10 (1) (i) (2)	118,44	118,44	118,44	118,44
(xi) clause 10 (1) (j)	123,90	—	123,90	—
(xii) clause 10 (1) (k)	131,88	131,88	131,88	131,88

“(2) Substitute the following for subclause 4 (c):

- “(c) If an employee fails to qualify for death, disability and/or funeral benefits in terms of the Pension or Provident Fund because an employer has neglected or failed to pay contributions owing to him in respect of the employee's membership, such employer shall be liable to pay such employee or his beneficiary an amount of money equal to the death, disability and/or funeral benefits that would have been payable to the employee under the rules of the applicable fund had the contributions been paid by the employer.”.

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

- “(5) **Contribution by the employee:** (a) Every employer may on each pay day deduct from the wages due every week to each eligible employee that has worked 25 hours or more but less than 42 hours during the contribution week concerned, the amounts specified below multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the Retirement Funds:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	C per hour	C per hour	C per hour	C per hour
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	110	110	110	101
(ii) clause 10 (1) (b) and (l) (1)	138	138	138	128
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	150	150	150	142
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	167	167	167	159
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	187	187	187	179
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	209	209	209	201
(vii) clause 10 (1) (g)	226	226	226	225
(viii) clause 10 (1) (h)	252	252	252	252
(ix) clause 10 (1) (i) (1) and (i) (3)	282	282	282	—
(x) clause 10 (1) (i) (2)	282	282	282	282
(xi) clause 10 (1) (j)	295	—	295	—
(xii) clause 10 (1) (k)	314	314	314	314

8. CLAUSE 16: SICK LEAVE AND FAMILY RESPONSIBILITY LEAVE BENEFIT FUND FOR THE BUILDING INDUSTRY

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

- “(3) **Contributions by the employer:** (a) Every employer shall contribute an amount to the Fund on behalf of each eligible employee in respect of each contribution week for which the employee remains in its employ, which shall be calculated as follows:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	4,62	4,62	4,62	4,62
(ii) clause 10 (1) (b) and (l) (1)	5,88	5,88	5,88	5,46
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	6,30	6,30	6,30	6,30
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	7,14	7,14	7,14	6,72
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	7,98	7,98	7,98	7,56
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	8,82	8,82	8,82	8,82
(vii) clause 10 (1) (g)	9,66	9,66	9,66	9,66
(viii) clause 10 (1) (h)	10,92	10,92	10,92	10,92
(ix) clause 10 (1) (i) (1) and (i) (3)	12,18	12,18	12,18	—
(x) clause 10 (1) (i) (2)	10,92	10,92	10,92	10,92
(xi) clause 10 (1) (j)	12,60	—	12,60	—
(xii) clause 10 (1) (k)	13,44	13,44	13,44	13,44

(b) Every employer shall pay the specified contribution to the Council on the employee's normal pay day.”.

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

"(4) **Contributions by the employee:** Every employer may on each pay day deduct from the wages due every week to each eligible employee that has worked 25 hours or more but less than 42 hours during the contribution week concerned, the amounts specified below multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the Fund.

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	C per hour	C per hour	C per hour	C per hour
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	11	11	11	11
(ii) clause 10 (1) (b) and (l) (1)	14	14	14	13
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	15	15	15	15
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	17	17	17	16
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	19	19	19	18
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	21	21	21	21
(vii) clause 10 (1) (g)	23	23	23	23
(viii) clause 10 (1) (h)	26	26	26	26
(ix) clause 10 (1) (i) (1) and (i) (3)	29	29	29	—
(x) clause 10 (1) (i) (2)	26	26	26	26
(xi) clause 10 (1) (j)	30	30	30	—
(xii) clause 10 (1) (k)	32	32	32	32

9. CLAUSE 17: STABILISATION FUND

Substitute the following for clause 17 (2):

"(2) **Contribution:** Every employer shall on each pay day deduct from the wages due every week to each eligible employee the contribution calculated as follows:

The basic wage in the Industry shall be as follows:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	6,75	6,75	6,75	6,75
(ii) clause 10 (1) (b) and (l) (1)	6,75	6,75	6,75	6,75
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	8,25	8,25	8,25	8,25
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	8,25	8,25	8,25	8,25
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	8,25	8,25	8,25	8,25
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	8,25	8,25	8,25	8,25
(vii) clause 10 (1) (g)	9,75	9,75	9,75	9,75
(viii) clause 10 (1) (h)	9,75	9,75	9,75	9,75
(ix) clause 10 (1) (i) (1) and (i) (3)	9,75	9,75	9,75	—
(x) clause 10 (1) (i) (2)	9,75	9,75	9,75	9,75
(xi) clause 10 (1) (j)	9,75	—	9,75	—
(xii) clause 10 (1) (k)	9,75	9,75	9,75	9,75

10. CLAUSE 19: EXPENSES OF THE COUNCIL

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

"(1) **Contributions by the employer:** (a) Every employer shall contribute an amount to the Council in respect of each eligible employee for each contribution week that the employee remains in his employ, which amount shall be calculated as follows:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	6,72	6,72	6,75	6,30
(ii) clause 10 (1) (b) and (l) (1)	8,40	8,40	8,40	7,98
(iii) clause 10 (1) (c), (1) (2) and (n) (1)	9,24	9,24	9,24	8,82
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	10,50	10,50	10,50	10,08
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	11,76	11,76	11,76	11,34
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	13,02	13,02	13,02	12,60
(vii) clause 10 (1) (g)	14,28	14,28	14,28	14,28
(viii) clause 10 (1) (h)	15,96	15,96	15,96	15,96
(ix) clause 10 (1) (i) (1) and (i) (3)	15,96	15,96	15,96	—
(x) clause 10 (1) (i) (2)	17,64	17,64	17,64	17,64
(xi) clause 10 (1) (j)	18,48	—	18,48	—
(xii) clause 10 (1) (k)	19,74	19,74	19,74	19,74

(b) Every employer shall pay the specified amount to the Council on the employee's normal pay day."

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

"(2) **Contribution by employee:** (a) Every employer may on each pay day deduct from the wages due every week to each eligible employee that has worked 25 hours or more but not less than 42 hours during the contribution week concerned the amounts specified below multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the expenses of the Council:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	C per hour	C per hour	C per hour	C per hour
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	16	16	16	15
(ii) clause 10 (1) (b) and (l) (1)	20	20	20	19
(iii) clause 10 (1) (c), (1) (2) and (n) (1)	22	22	22	21
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	25	25	25	24
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	28	28	28	27
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	31	31	31	30
(vii) clause 10 (1) (g)	34	34	34	34
(viii) clause 10 (1) (h)	38	38	38	38
(ix) clause 10 (1) (i) (1) and (i) (3)	42	42	42	—
(x) clause 10 (1) (i) (2)	38	38	38	38
(xi) clause 10 (1) (j)	44	—	44	—
(xii) clause 10 (1) (k)	47	47	47	47

Substitute the following for clause (3):

"(3) **Special levy by the employee:** (a) Every employer may on each pay day deduct from the wages due every week to each eligible employee the amount that is specified below:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	2,52	2,52	2,52	2,10

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
(ii) clause 10 (1) (b) and (l) (1)	2,94	2,94	2,94	2,52
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	2,94	2,94	2,94	2,94
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	3,36	3,36	3,36	3,36
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	3,78	3,78	3,78	3,78
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	4,20	4,20	4,20	4,20
(vii) clause 10 (1) (g)	4,62	4,62	4,62	4,62
(viii) clause 10 (1) (h)	5,04	5,04	5,04	5,04
(ix) clause 10 (1) (i) (1) and (l) (3)	5,46	5,46	5,46	—
(x) clause 10 (1) (i) (2)	5,04	5,04	5,04	5,46
(xi) clause 10 (1) (j)	5,88	—	5,88	—
(xii) clause 10 (1) (k)	6,30	6,30	6,30	6,30

(b) Every employer shall pay the specified amounts to the Council as prescribed in subclause (1) hereof."

11. CLAUSE 20: TRADE UNION DEDUCTIONS

(1) Substitute the following for clause 20:

"(1) **Trade Union member subscriptions:** (a) Every employer shall on each pay day deduct from the wages due every week to which eligible employee who is a member of the trade union which is party to this Agreement, the amount calculated as follows:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	6,75	6,75	6,75	6,75
(ii) clause 10 (1) (b) and (l) (1)	6,75	6,75	6,75	6,75
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	6,75	6,75	6,75	6,75
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	8,25	8,25	8,25	8,25
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	8,25	8,25	8,25	8,25
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	8,25	8,25	8,25	9,75
(vii) clause 10 (1) (g)	9,75	9,75	9,75	9,75
(viii) clause 10 (1) (h)	9,75	9,75	9,75	—
(ix) clause 10 (1) (i) (1) and (l) (3)	9,75	9,75	9,75	9,75
(x) clause 10 (1) (i) (2)	9,75	9,75	9,75	—
(xi) clause 10 (1) (j)	9,75	—	9,75	9,75
(xii) clause 10 (1) (k)	9,75	9,75	9,75	—

(b) Every employer shall pay the amount referred to in subclause (1) (a) to the Council on the employee's normal pay day.

(2) **Agency shop agreement:** (a) The trade union which is party to this Agreement and the employer parties to this Agreement hereby conclude an agency shop agreement in terms of section 25 of the Act.

- (b) In terms of the agency shop agreement concluded in paragraph (a) hereof, every employer shall on each pay day deduct from the wages due every week to each eligible employee who is not a member of the trade union which is party to this Agreement, a similar amount as specified in subclause (1) (a) of this clause.
- (c) Every employer shall pay the amount referred to in subclause (2) (b) to the Council on the employee's normal pay day.
- (3) The Council shall, each month, pay over to the trade union all moneys collected in respect of fringe benefits purchased by the employers in terms of subclauses (1) (b) and (2) (b) above, less a collection fee of 2,5% on gross sales, which amount shall accrue to the general funds of the Council.
- (4) The trade union which is a party to the concluded agency shop agreement shall keep separate account of the moneys collected in terms of subclause (2) hereof as prescribed in section 25 (3) (c) of the Act and shall at all times respect of the said moneys comply with the provisions of section 25 (3) (d) of the Act.
- (5) Notwithstanding anything to the contrary contained in this clause, employees who are not members of the representative trade union shall not be compelled to become members of that trade union."

12. CLAUSE 21: SPECIAL MEMBERSHIP LEVY: EMPLOYERS

Substitute the following for clause 21 (1):

- "(1) Every employer who is a party to this Agreement, shall on each pay day pay to the Council an amount of R4,50 per week in respect of each eligible employee employed by him during that contribution week."

13. CLAUSE 22: WESTERN PROVINCE BUILDING AND ALLIED TRADERS' SICK FUND

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

- "(1) (a) Every employer shall on each pay deduct from the wages due every week to each eligible employee who is a member of the trade union which is a party to this Agreement, the amount calculated as follows:

Category of employee	With effect from 19 December 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Employees for whom wages are prescribed in—				
(i) clause 10 (1) (a)	—	—	—	—
(ii) clause 10 (1) (b) and (l) (1)	—	—	—	—
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	4,50	4,50	4,50	4,50
(iv) clause 10 (1) (d), (l) (3) (m) (1) and (n) (2)	4,50	4,50	4,50	4,50
(v) clause 10 (1) (e), (l) (4) (m) (2) and (n) (3)	4,50	4,50	4,50	4,50
(vi) clause 10 (1) (f), (m) (3) and (n) (4)	4,50	4,50	4,50	4,50
(vii) clause 10 (1) (g)	5,00	5,00	5,00	5,00
(viii) clause 10 (1) (h)	5,00	5,00	5,00	5,00
(ix) clause 10 (1) (i) (1) and (i) (3)	5,00	5,00	5,00	—
(x) clause 10 (1) (i) (2)	5,00	5,00	5,00	5,00
(xi) clause 10 (1) (j)	5,00	—	5,00	—
(xii) clause 10 (1) (k)	5,00	5,00	5,00	5,00

14. CLAUSE 23: GENERAL

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

- "(6) (f) A designated agent appointed by the Minister in terms of section 33 (1) of the Act to attempt to resolve a dispute or to investigate any alleged contravention and for the purposes of routine inspection to enforce compliance with this Agreement, may—
- (a) subpoena for questioning any person who may give information or whose presence at the conciliation or arbitration proceedings may help to resolve the dispute;
 - (b) subpoena any person who is believed to have possession or control of any book, document or object relevant to the resolution of the dispute, to appear before the designated agent to be questioned or to produce that book, document or object;
 - (c) administer an oath or accept affirmation from any person called to give evidence or to be questioned;
 - (d) at any reasonable time, but only after obtaining the necessary written authorisation—
 - (i) enter and inspect any premises on or in which any book, document or object relevant to the resolution of the dispute is to be found or is suspected on reasonable grounds of being there;
 - (ii) examine, demand the production of, and seize any book, document or object that is on or in those premises and that is relevant to the resolution of the dispute; and
 - (iii) take a statement in respect of any matter relevant to the resolution of the dispute from any person on the premises who is willing to make a statement;
 - (e) inspect and retain for a reasonable period, any of the books, documents or objects that have been produced to, or seized by the designated agent.

(2) A subpoena issued for any purposes in terms of subclause (1) must be signed by the Secretary of the Bargaining Council and must—

- (a) specifically require the person named in it to appear before the designated agent;
- (b) sufficiently identify the book, document or object to be produced; and
- (c) state the date, time and place at which the person is to appear.

(3) The written authorisation referred to in subclause (1) (d)—

- (a) if it relates to residential premises, may be given only by a judge of the Labour Court and due regard to section 14 of the Constitution, and then only on the application of the designated agent setting out under oath or affirmation the following information:
 - (i) the nature of the dispute;
 - (ii) the relevance of any book, document or object on the premises;
 - (iii) the presence of any book, document or object on the premises; and
 - (iv) the need to enter, inspect or seize the book, document or object;
- (b) in all other cases, may be given by the Secretary of the Council.

(4) The owner or occupier of any premises that a designated agent is authorised to enter and inspect, and every person employed by that owner or occupier, must provide facilities that a designated agent requires to enter those premises and to carry out the inspection or seizure.

(5) The appointed person must issue a receipt for any book, document or object seized in terms of subclause (1).

(6) The law relating to privilege, as it applies to a witness subpoenaed to give evidence or to produce a book, document or object before a court of law, applies equally to the questioning of any person or to the production or seizure of any book, document or object in terms of this clause.

(7) The appointed person must pay the specified witness fee to each person who appears before him in response to a subpoena issued.

(8) A person commits contempt of the designated agent—

- (a) if, after having been subpoenaed to appear before him, the person without good cause does not attend at the time and place stated in the subpoena;
- (b) if, after having appeared in response to a subpoena, that person fails to remain in attendance until excused by the designated agent;
- (c) by refusing to take the oath or to make an affirmation as a witness when a designated agent so requires;
- (d) by refusing to answer any question fully and to the best of that person's knowledge and being subject to subsection (6);

- (e) if the person, without good cause, fails to produce the book, document or object specified in the subpoena to a designated agent;
- (f) if the person wilfully hinders a designated agent in performing any function conferred by and in terms of the Act;
- (g) if the person insults, disparages or belittles a designated agent, or prejudices or improperly influences an investigation or improperly anticipates the designated agent's recommendations;
- (h) by wilfully interrupting the conciliation or arbitration proceedings or misbehaving in any offensive manner during those proceedings;
- (i) by doing anything else in relation to the designated agent which, if done in relation to a court of law, would have been contempt of court.

(9) The designated agent may refer any contempt to the Labour Court for an appropriate order.

(10) A designated agent may refuse to investigate a complaint submitted by an employee later than 17 weeks after the dispute had arisen: Provided that the employer of such employee be assessed for the full period of non-compliance, including interest in terms of this Agreement.

(11) A designated agent may refuse to investigate a complaint submitted by a trade union, if such trade union has not at first attempt to settle the alleged dispute directly with the employer party."

SIGNED ON BEHALF OF THE PARTIES ON THIS 29TH DAY OF AUGUST 2005.

R. C. DAMON
Chairman

D. J. PHILLIPS
MBA North Board

P. A. BOTHA
MBA West Boland

D. E. SIMMONS
Building Workers' Union

M. DOWRIES
Secretary

Building Bargaining Council North and West Boland

No. R. 1159

9 Desember 2005

WET OP ARBEIDSVERHOUDINGE, 1995

**BOUNYWERHEID, NOORD- EN WES-BOLAND: UITBREIDING VAN WYSIGING VAN KOLLEKTIEWE
HOOFDOOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, die Kollektiewe Ooreenkoms wat in die Bylae hiervan verskyn, en wat in die Bedingingsraad vir die Bounywerheid, Noord- en Wes-Boland aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Ooreenkoms aangegaan het, bindend vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 19 Desember 2005, en vir die tydperk wat op 31 Oktober 2006 eindig.

M. M. S. MDLADLANA
Minister van Arbeid

BYLAE

BOUBEDINGINGSRAAD NOORD- EN WES-BOLAND

KOLLEKTIEWE OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, Wet No. 66 van 1995, gesluit en aangegaan tussen die

**Meesterbouers-Assosiasie, Noord-Boland
Meesterbouers-Assosiasie, Wes-Boland**

(hierna die "werkgever" of die "werkgeversorganisasies" genoem), aan die een kant en die

Bouwerkers Unie

(hierna die "werknemer" of die "vakbond" genoem), aan die ander kant, wat die partye is by die Boubedingingsraad Noord- en Wes-Boland, tot die wysiging van die Kollektiewe Ooreenkoms, uitgebrei na nie-partye, gepubliseer by Goewermentskennisgewing No. R. 1217 van 22 Oktober 2004 en R. 1074 van 1 November 2005

TOEPASSINGSBESTEK

- (1) Hierdie Ooreenkoms moet nagekom word—
 - (a) deur alle werkgevers en alle werknemers wat by die Bounywerheid betrokke of daarin werksaam is en wat lede is van onderskeidelik die werkgeversorganisasies en die vakbond.
 - (b) in die landdrosdistrikte Ceres, Hopefield, Montagu, Moorreesburg, Piketberg, Robertson, Swellendam, Tulbagh, Vredenburg en Worcester.
- (2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing—
 - (a) slegs op die klasse werknemers vir wie lone voorgeskryf word in die Ooreenkoms;
 - (b) vakleerlinge en leerlinge slegs vir sover dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, en die Wet op Vaardigheidsontwikkeling, 1998 of met voorwaardes wat daarkragtens gestel is;
 - (c) slegs-arbeid-kontrakteur, werkende vennote en werkende direkteurs, prinsipale en aannemers.
- (3) Ondanks subklousule (1) (a), is die bepalings van die Ooreenkoms nie van toepassing nie op—
 - (a) klerke en administratiewe personeel;
 - (b) universiteitstudente en gegradueerdes in die bouwetenskap en konstruksie-opmeters en sodanige ander persone wat besig is met praktiese werk ter voltooiing van hul akademiese opleiding
 - (c) voormanne of algemene voormanne;
 - (d) nie-partye ten opsigte van klousules 1 (1) (a) en 2 van die Ooreenkoms.

2. GELDIGHEIDSDUUR VAN OOREENKOMS

"Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Arbeid vasstel as die effektiewe datum waarop die Ooreenkoms vir nie-partye bindend word, of op die datum waarop die Minister weier om die Ooreenkoms tot nie-partye uit te brei, en sal van krag bly tot 31 Oktober 2006."

3. KLOUSULE 10: BESOLDIGING

Vervang subklousule 1 deur die volgende:

"(1) Basiese lone:

Die basiese loon in die Nywerheid is soos volg:

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per uur	R per uur	R per uur	R per uur
(a) Skoonmaker	7,32	7,32	7,32	6,73
(b) (1) Algemene werkers, vervaardigingswerkers, stortwa- bestuurder en hystoestelopers	9,16	9,16	9,16	8,50
	per week	per week	per week	per week
(2) Wagte (voltyds)	412,20	412,20	412,20	382,50
	per uur	per uur	per uur	per uur
(c) Bouwerker Kategorie 4	9,98	9,98	9,98	9,44
(d) Bouwerker Kategorie 3	11,12	11,12	11,12	10,58
(e) Bouwerker Kategorie 2	12,45	12,45	12,45	11,91
(f) Bouwerker Kategorie 1	13,88	13,88	13,88	13,37
(g) Ambagsman Kategorie 3: Dakwerker en verwer	15,03	15,03	15,03	14,99

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per uur	R per uur	R per uur	R per uur
(h) (1) Ambagsman Kategorie 2: Dakwerker en verwer.....	16,80	16,80	16,80	16,80
(2) Ambagsman Kategorie 3: In alle ander ambagte.....	16,80	16,80	16,80	—
(i) (1) Ambagsman Kategorie 2: In alle ander ambagte.....	18,75	18,75	18,75	18,75
(2) Ambagsman Kategorie 3A: Verwer.....	16,80	16,80	16,80	—
(3) Ambagsman Kategorie 1: Dakwerker en verwer.....	18,75	18,75	18,75	—
(j) Ambagsman Kategorie 3A: In alle ander ambagte.....	20,92	20,92	20,92	20,92
(k) Ambagsman Kategorie 1: In alle ander ambagte	20,92	20,92	20,92	20,92
	per week	per week	per week	per week
(l) Voertuigbestuurders en operateurs van kragaangedrewe masjinerie wat in besit moet wees van 'n—				
(1) Kode 5–7 of B-lisensie	412,20	412,20	412,20	382,50
(2) Kode 8 of EB-lisensie.....	449,10	449,10	449,10	424,80
(3) Kode 10 of EB1-lisensie.....	500,40	500,40	500,40	476,10
(4) Kode 11–14 of EC-lisensie	560,25	560,25	560,25	535,95
	per uur	per uur	per uur	per uur
(m) (1) Vakleerling in eerste jaar van opleiding.....	11,12	11,12	11,12	10,58
(2) Vakleerling in tweede jaar van opleiding.....	12,45	12,45	12,45	11,91
(3) Vakleerling in derde jaar van opleiding	13,88	13,88	13,88	13,37
(n) (1) Kwekelingbouwerker Kategorie 4.....	9,98	9,98	9,98	9,44
(2) Kwekelingbouwerker Kategorie 3.....	11,12	11,12	11,12	10,58
(3) Kwekelingbouwerker Kategorie 2.....	12,45	12,45	12,45	11,91
(4) Kwekelingbouwerker Kategorie 1.....	13,88	13,88	13,88	13,37

Met dien verstande dat voormelde lone nie minder mag wees nie as die voorgeskrewe lone ingevolge die Wet op Mannekragopleiding, 1981, of die Wet op Vaardigheidsontwikkeling, 1998: Met dien verstande voorts dat die lone hierbo gespesifiseer vir drywer/masjienbedieners betaalbaar is indien sodanige werknemers 45 gewone werksure in enige week gewerk het. Indien sodanige werknemers egter minder as 45 gewone werksure in enige week gewerk het, moet hul lone, vir die spesifieke week soos volg bereken word: Bogenoemde gespesifiseerde lone gedeel deur 45 uur en vermenigvuldig met die werklike getal gewone werksure gewerk.”

- (2) In subklousule (7) (a) vervang die bedrag “R22,00” deur die bedrag “R25,00”.

5. KLOUSULE 13: VOORDELESEËLS

Vervang klousule 13 deur die volgende:

“13: BYVOORDELE

- (1) Elke werknemer wat ten minste 25 uur in enige week vir 'n werkgewer werk, is daarop geregtig om die byvoordele te ontvang ingevolge hierdie Ooreenkoms, en word vir die doeleindes van hierdie Ooreenkoms geag 'n “geskikte werknemer” te wees.
- (2) Die bydraes wat in die byvoordele ingesluit is ingevolge hierdie Ooreenkoms en aan die Raad oorbetaal word, sal waar 'n werknemer in dieselfde bydraeweek by twee of meer werkgewers in diens was, afgetrek en betaal word deur die werkgewer by wie die werknemer die eerste 25 uur of langer in diens was, en moet ten opsigte van hoogstens 42 uur in enige week gemaak word.
- (3) 'n Werkgewer moet byvoordele aankoop op 'n wyse deur die Raad vir die doel bepaal om bydraes soos bepaal in die Ooreenkoms ten opsigte van “geskikte werknemers” te doen.
- (4) Die Raad moet rekord hou ten opsigte van die byvoordele soos aangekoop deur die werkgewer ten opsigte van werknemers in dien. Die werkgewer moet sodanige aankope van byvoordele op die werknemer se loonkoeferte aandui.
- (5) Die Raad kan volgens sy oordeel afsonderlike byvoordele uitreik ten opsigte van elkeen van die fondse waarvoor daar voorsiening gemaak is in hierdie Ooreenkoms, en kan sulke byvoordele kombineer.”

6. KLOUSULE 14: VAKANSIEFONDS

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

"(1) **Bydraes deur die werkgever:** (a) 'n Werkgever moet tot die vakansiefonds namens 'n geskikte werknemer bydra ten opsigte van elke week wat daardie werknemer in sy diens is (" 'n bydraeweek"), welke bedrag soos volg bereken word:

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Werknemers vir wie lone voorgeskryf word in—				
(i) klousule 10 (1) (a).....	17,64	17,64	17,64	16,38
(ii) klousule 10 (1) (b) en (l) (1).....	22,26	22,26	22,26	20,58
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	24,36	24,36	24,36	22,68
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	26,88	26,88	26,88	25,62
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	30,24	30,24	30,24	28,98
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	33,60	33,60	33,60	32,34
(vii) klousule 10 (1) (g).....	36,12	36,12	36,12	36,12
(viii) klousule 10 (1) (h).....	40,32	40,32	40,32	40,32
(ix) klousule 10 (1) (i) (1) en (i) (3).....	45,36	45,36	45,36	—
(x) klousule 10 (1) (i) (2).....	40,32	40,32	40,32	45,36
(xi) klousule 10 (1) (j).....	47,46	—	47,46	—
(xii) klousule 10 (1) (k).....	50,40	50,40	50,40	50,40

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

"(3) **Bydrae deur die werknemer—**(a) Elke werkgever mag op elke betaaldag van die lone verskuldig elke week aan elke geskikte werknemer wat 25 uur of meer, maar minder as 42 uur, gedurende die besonderhede bydraeweek gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk en 42 uur, aftrek as die werknemer se bydrae tot die vakansiefonds:

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	C per uur	C per uur	C per uur	C per uur
Werknemer vir wie lone voorgeskryf word in—				
(i) klousule 10 (1) (a).....	42	42	42	39
(ii) klousule 10 (1) (b) en (l) (1).....	53	53	53	49
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	58	58	58	54
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	64	64	64	61
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	72	72	72	69
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	80	80	80	77
(vii) klousule 10 (1) (g).....	86	86	86	86
(viii) klousule 10 (1) (h).....	96	96	96	96
(ix) klousule 10 (1) (i) (1) en (i) (3).....	108	108	108	—
(x) klousule 10 (1) (i) (2).....	96	96	96	108
(xi) klousule 10 (1) (j).....	113	—	113	—
(xii) klousule 10 (1) (k).....	120	120	120	120

7. KLOUSULE 15: AFTREDINGSFONDSE

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

"(4) **Bydraes deur die werkgever—**(a) Elke werkgever moet bydra tot die Aftredingsfondse namens elke geskikte werknemer ten opsigte van elke bydraeweek wat daardie werknemer in sy diens is, welke bedrag soos volg bereken word:

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Werknemers vir wie lone voorgeskryf word—				
(i) klousule 10 (1) (a).....	46,20	46,20	46,20	42,42
(ii) klousule 10 (1) (b) en (l) (1).....	57,96	57,96	57,96	53,76
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	63,00	63,00	63,00	59,64
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	70,14	70,14	70,14	66,78
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	78,54	78,54	78,54	75,18
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	87,78	87,78	87,78	84,42
(vii) klousule 10 (1) (g).....	94,92	94,92	94,92	94,50
(viii) klousule 10 (1) (h).....	105,84	105,84	105,84	105,84
(ix) klousule 10 (1) (i) (1) en (i) (3)	105,84	105,84	105,84	—
(x) klousule 10 (1) (i) (2)	118,44	118,44	118,44	118,44
(xi) klousule 10 (1) (j).....	123,90	—	123,90	—
(xii) klousule 10 (1) (k).....	131,88	131,88	131,88	131,88

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

“(c) Indien ’n werknemer nie vir sterfte-, ongeskiktheids- en of begrafnisvoordele in terme van die Pensioen- of Voorsorgfonds kwalifiseer nie, deurdat die werkgever versuim of in gebreke gebly het om die voordele waarop die werknemer geregtig is in te betaal, moet sodanige werknemer of sy begunstigde ’n bedrag van die werkgever verhaal wat gelyk is aan die strefte-, ongeskiktheids- en of begrafnisvoordele wat aan die werknemer in terme van die betrokke fonds betaal sou word, indien die bydraes deur die werkgever gemaak sou word.”

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

(5) **Bydrae deur die werknemer:** (a) Elke werkgever mag op elke betaaldag van die lone elke week verskuldig aan elke geskikte werknemer wat 25 uur of meer maar minder as 42 uur gedurende die besondere bydrae-week gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk en 42 uur, aftrek as die werknemer se bydrae tot die aftredingsfondse:

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	C per uur	C per uur	C per uur	C per uur
Werknemers vir wie lone voorgeskryf word—				
(i) klousule 10 (1) (a).....	110	110	110	101
(ii) klousule 10 (1) (b) en (l) (1).....	138	138	138	128
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	150	150	150	142
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	167	167	167	159
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	187	187	187	179
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	209	209	209	201
(vii) klousule 10 (1) (g).....	226	226	226	225
(viii) klousule 10 (1) (h).....	252	252	252	252
(ix) klousule 10 (1) (i) (1) en (i) (3)	282	282	282	—
(x) klousule 10 (1) (i) (2)	282	282	282	282
(xi) klousule 10 (1) (j).....	295	—	295	—
(xii) klousule 10 (1) (k).....	314	314	314	314

8. KLOUSULE 16: BYSTANDSFONDS VIR SIEKTE- EN FAMILIEVERANTWOORDELIKHEIDSVLOF VIR DIE BOUNYWERHEID

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

“(3) **Bydraes deur die werkgever:** (a) Elke werkgever moet ’n bedrag tot die Fonds bydra namens elke geskikte werknemer ten opsigte van elke bydraeweek wat daardie werknemer in sy diens is, welke bedrag soos volg bereken word:

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Werknemers vir wie lone voorgeskryf word in—				
(i) klousule 10 (1) (a).....	4,62	4,62	4,62	4,62
(ii) klousule 10 (1) (b) en (l) (1).....	5,88	5,88	5,88	5,46
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	6,30	6,30	6,30	6,30
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	7,14	7,14	7,14	6,72
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	7,98	7,98	7,98	7,56
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	8,82	8,82	8,82	8,82
(vii) klousule 10 (1) (g).....	9,66	9,66	9,66	9,66
(viii) klousule 10 (1) (h).....	10,92	10,92	10,92	10,92
(ix) klousule 10 (1) (i) (1) en (i) (3).....	12,18	12,18	12,18	—
(x) klousule 10 (1) (i) (2).....	10,92	10,92	10,92	10,92
(xi) klousule 10 (1) (j).....	12,60	—	12,60	—
(xii) klousule 10 (1) (k).....	13,44	13,44	13,44	13,44

(b) Elke werkgever moet die gespesifiseerde bydrae aan die Raad betaal op die werknemer se gewone betaaldag."

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

"(4) **Bydrae deur die werknemer:** Elke werkgever mag op elke betaaldag van die lone elke week verskuldig aan elke geskikte werknemer wat 25 uur of meer maar minder as 42 uur gedurende die besondere bydraeweek gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk en 42 uur, aftrek as werknemer se bydrae tot die Fonds.

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	C per uur	C per uur	C per uur	C per uur
Werknemers vir wie lone voorgeskryf word in—				
(i) klousule 10 (1) (a).....	11	11	11	11
(ii) klousule 10 (1) (b) en (l) (1).....	14	14	14	13
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	15	15	15	15
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	17	17	17	16
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	19	19	19	18
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	21	21	21	21
(vii) klousule 10 (1) (g).....	23	23	23	23
(viii) klousule 10 (1) (h).....	26	26	26	26
(ix) klousule 10 (1) (i) (1) en (i) (3).....	29	29	29	—
(x) klousule 10 (1) (i) (2).....	26	26	26	26
(xi) klousule 10 (1) (j).....	30	—	30	—
(xii) klousule 10 (1) (k).....	32	32	32	32

9. KLOUSULE 17: STABILISASIEFONDS

Vervang klousule 17 (2) deur die volgende:

- "(2) **Bydraes:** Elke werkgever moet op elke betaaldag van die lone aan elke geskikte werknemer elke week verskuldig die bydraes uiteengesit, aftrek.

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per uur	R per uur	R per uur	R per uur
Werknemers vir wie lone gespesifiseer word in—				
(i) klousule 10 (1) (a).....	6,75	6,75	6,75	6,75
(ii) klousule 10 (1) (b) en (l) (1).....	6,75	6,75	6,75	6,75
(iii) klousule 10 (1) (c), (1) (2) en (n) (1).....	8,25	8,25	8,25	8,25
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	8,25	8,25	8,25	8,25
(v) klousule 10 (1) (e), (l) (4) en (n) (3).....	8,25	8,25	8,25	8,25
(vi) klousule 10 (1) (f), (l) (5) en (n) (4).....	8,25	8,25	8,25	8,25
(vii) klousule 10 (1) (g).....	9,75	9,75	9,75	9,75
(viii) klousule 10 (1) (h).....	9,75	9,75	9,75	9,75
(ix) klousule 10 (1) (i) (1) en (i) (3).....	9,75	9,75	9,75	—
(x) klousule 10 (1) (i) (2).....	9,75	9,75	9,75	9,75
(xi) klousule 10 (1) (j).....	9,75	—	9,75	—
(xii) klousule 10 (1) (k).....	9,75	9,75	9,75	9,75

10. KLOUSULE 19: UITGAWES VAN DIE RAAD

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

- "(1) **Bydrae deur die werkgever:** (a) Elke werkgever moet 'n geldelike bydrae tot die Raad maak ten opsigte van elke geskikte werknemer vir elke bydraeweek wat daardie werknemer in sy diens is, welke bedrag soos volg bereken word:

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Werknemer vir wie lone voorgeskryf word in—				
(i) klousule 10 (1) (a).....	6,72	6,72	6,72	6,30
(ii) klousule 10 (1) (b) en (l) (1).....	8,40	8,40	8,40	7,98
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	9,24	9,24	9,24	8,82
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	10,50	10,50	10,50	10,08
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	11,76	11,76	11,76	11,34
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	13,02	13,02	13,02	12,60
(vii) klousule 10 (1) (g).....	14,28	14,28	14,28	14,28
(viii) klousule 10 (1) (h).....	15,96	15,96	15,96	15,96
(ix) klousule 10 (1) (i) (1) en (i) (3).....	15,96	15,96	15,96	—
(xi) klousule 10 (1) (i) (2).....	17,64	17,64	17,64	17,64
(x) klousule 10 (1) (j).....	18,48	—	18,48	—
(xi) klousule 10 (1) (k).....	19,74	19,74	19,74	19,74

- (b) Elke werkgever moet die gespesifiseerde bydrae van die Raad betaal op die werknemer se gewone betaaldag."

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

- "(4) **Bydrae deur die werknemer:** Elke werkgever kan op elke betaaldag van die lone elke week verskuldig aan elke geskikte werknemer wat 25 uur of meer maar minder as 42 uur gedurende die besondere bydrae week gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk en 42 uur, aftrek as die werknemer se bydrae tot die Fonds:

Kategorie van werknemer		Met ingang van 19 Desember 2005			
		Area 'A'	Area 'B'	Area 'C'	Area 'D'
		C per uur	C per uur	C per uur	C per uur
Werknemer vir wie lone voorgeskryf word in—					
(i)	klousule 10 (1) (a).....	16	16	16	15
(ii)	klousule 10 (1) (b) en (l) (1).....	20	20	20	19
(iii)	klousule 10 (1) (c), (l) (2) en (n) (1).....	22	22	22	21
(iv)	klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	25	25	25	24
(v)	klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	28	28	28	27
(vi)	klousule 10 (1) (f), (m) (3) en (n) (4).....	31	31	31	30
(vii)	klousule 10 (1) (g).....	34	34	34	34
(viii)	klousule 10 (1) (h).....	38	38	38	38
(ix)	klousule 10 (1) (i) (1) en (i) (3).....	42	42	42	—
(x)	klousule 10 (1) (i) (2).....	38	38	38	38
(xi)	klousule 10 (1) (j).....	44	—	44	—
(xii)	klousule 10 (1) (k).....	47	47	47	47

Vervang subklousule (3) deur die volgende:

- "(3) **Spesiale heffing deur die werknemer:** (a) Elke werkgever moet op elke betaaldag van die lone elke week aan elke geskikte werknemer verskuldig, die bedrae hieronder gespesifiseer, aftrek:

Kategorie van werknemer		Met ingang van 19 Desember 2005			
		Area 'A'	Area 'B'	Area 'C'	Area 'D'
		R per week	R per week	R per week	R per week
Werknemer vir wie lone voorgeskryf word in—					
(i)	klousule 10 (1) (a).....	2,52	2,52	2,52	2,10
(ii)	klousule 10 (1) (b) en (l) (1).....	2,94	2,94	2,94	2,52
(iii)	klousule 10 (1) (c), (l) (2) en (n) (1).....	2,94	2,94	2,94	2,94
(iv)	klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	3,36	3,36	3,36	3,36
(v)	klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	3,78	3,78	3,78	3,78
(vi)	klousule 10 (1) (f), (m) (3) en (n) (4).....	4,20	4,20	4,20	4,20
(vii)	klousule 10 (1) (g).....	4,62	4,62	4,62	4,62
(viii)	klousule 10 (1) (h).....	5,04	5,04	5,04	5,04
(ix)	klousule 10 (1) (i) (1) en (i) (3).....	5,46	5,46	5,46	—
(x)	klousule 10 (1) (i) (2).....	5,04	5,04	5,04	5,46
(xi)	klousule 10 (1) (j).....	5,88	—	5,88	—
(xii)	klousule 10 (1) (k).....	6,30	6,30	6,30	6,30

- (b) Elke werkgever moet die gespesifiseerde bydrae aan die Raad oorbetal soos voorgeskryf in subklousule (1) hiervan."

11. KLOUSULE 20: VAKBONDAFTREKKINGS

- (1) Vervang klousule 20 deur die volgende:

- "(1) **Vakbondledegeld:** (a) Elke werkgever moet op elke betaaldag van die lone elke week verskuldig aan elke geskikte werknemer wat lid is van die vakbond wat 'n party by hierdie Ooreenkoms is, die bedrae hieronder uiteengesit, aftrek:

Kategorie van werknemer		Met ingang van 19 Desember 2005			
		Area 'A'	Area 'B'	Area 'C'	Area 'D'
		R per week	R per week	R per week	R per week
Werknemers vir wie lone voorgeskryf word in—					
(i)	klousule 10 (1) (a).....	6,75	6,75	6,75	6,75
(ii)	klousule 10 (1) (b) en (l) (1).....	6,75	6,75	6,75	6,75

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	6,75	6,75	6,75	6,75
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	8,25	8,25	8,25	8,25
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	8,25	8,25	8,25	8,25
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	8,25	8,25	8,25	9,75
(vii) klousule 10 (1) (g).....	9,75	9,75	9,75	9,75
(vii) klousule 10 (1) (h).....	9,75	9,75	9,75	—
(ix) klousule 10 (1) (i) (1) en (i) (3).....	9,75	9,75	9,75	9,75
(x) klousule 10 (1) (i) (2).....	9,75	9,75	9,75	—
(xi) klousule 10 (1) (j).....	9,75	—	9,75	9,75
(xii) klousule 10 (1) (k).....	9,75	9,75	9,75	—

(b) Elke werkgewer moet die bydraes in subklousule (1) (a) aan die Raad bepaal op die werknemer se gewone betaaldag.

- (2) **Agentskapwerkplekooreenkoms:** (a) Die vakbond wat 'n party by hierdie Ooreenkoms is en die werkgewerpartye by hierdie Ooreenkoms sluit hierby 'n agentskapwerkplekooreenkoms ingevolge artikel 25 van die Wet.

(b) Ingevolge die agentskapwerkplekooreenkoms gesluit by paragraaf (a) hiervan, moet elke werkgewer op elke betaaldag van die lone elke week verskuldig aan elke geskikte werknemer wat nie 'n lid is van die vakbond wat 'n party by hierdie Ooreenkoms is nie, 'n soortgelyke bedrag soos gespesifiseer in subklousule (1) (a) van hierdie klousule, aftrek.

(c) Elke werkgewer moet die bedrag bepaal in subklousule (2) (b) aan die Raad betaal op die werknemer se gewone betaaldag.

- (3) Elke maand moet die Raad aan die vakbond oorbetaal alle gelde geïen ten opsigte van byvoordele aangekoop deur die werkgewer ingevolge subklousules (1) (b) en (2) (b) hierbo, min 'n administrasiefooi van 2,5% op bruto verkope, welke bedrag in die algemene fondse van die Raad gestort word.
- (4) Die vakbond wat 'n party is by die agentskapwerkplekooreenkoms wat gesluit is, moet apart rekening hou van gelde ontvang ingevolge subklousule (2) hiervan, soos voorgeskryf in artikel 25 (3) (c) van die Wet, en moet te alle tye voldoen aan die bepalings van artikel 25 (3) (d) van die Wet ten opsigte van sodanige gelde.
- (5) Ondanks enigiets tot die teendeel in hierdie klousule is werknemers wat nie lede van die verteenwoordigende vakbond is nie, nie verplig om lede van daardie vakbond te word nie."

12. KLOUSULE 21: SPESIALE LIDMAATSKAPHEFFING: WERKGEWERS

Vervang klousule 21 (1) deur die volgende:

- "(1) Elke werkgewer wat 'n party by hierdie Ooreenkoms is, moet op elke betaaldag ten opsigte van elke geskikte werknemer in sy diens tydens daardie bydraeweek, die bedrag van R4,50 per week aan die Raad oorbetaal."

13. KLOUSULE 22: SIEKEFONDS VIR DIE WESTELIKE PROVINSIE BOU- EN VERWANTE AMBAGTE

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

- "(1) (a) Elke werkgewer moet op elke betaaldag van die lone elke week verskuldig aan elke geskikte werknemer wat lid is van die vakbond wat 'n party by hierdie Ooreenkoms is, die bedrag hieronder uiteengesit, aftrek.

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
Werknemers vir wie lone voorgeskryf word in—				
(i) klousule 10 (1) (a).....	—	—	—	—
(ii) klousule 10 (1) (b) en (l) (1).....	—	—	—	—
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	4,50	4,50	4,50	4,50
(iv) klousule 10 (1) (d), (l) (3) en (m) (1) en (n) (2)...	4,50	4,50	4,50	4,50
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	4,50	4,50	4,50	4,50
(vi) klousule 10 (1) (f), (m) (3) en (n) (4).....	4,50	4,50	4,50	4,50

Kategorie van werknemer	Met ingang van 19 Desember 2005			
	Area 'A'	Area 'B'	Area 'C'	Area 'D'
	R per week	R per week	R per week	R per week
(vii) klousule 10 (1) (g)	5,00	5,00	5,00	5,00
(viii) klousule 10 (1) (h)	5,00	5,00	5,00	5,00
(ix) klousule 10 (1) (i) (1) and (i) (3)	5,00	5,00	5,00	—
(x) klousule 10 (1) (i) (2)	5,00	5,00	5,00	5,00
(xi) klousule 10 (1) (j)	5,00	—	5,00	—
(xii) klousule 10 (1) (k)	5,00	5,00	5,00	5,00

12. KLOUSULE 23: ALGEMEEN

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

“(6) (f) 'n Aangewese agent wat deur die Minister kragtens artikel 33 (1) van die Wet aangestel is om te poog om geskille te besleg of beweerde oortredings te ondersoek en met die doel om roetine-ondersoeke uit te voer om nakoming van hierdie Ooreenkoms af te dwing, kan—

- (a) vir ondervraging enigiemand dagvaar wat moontlik inligting kan verskaf of wie se teenwoordigheid by die versoening of arbitrasie kan bydra om die geskil te besleg;
- (b) enigiemand dagvaar wat moontlik in besit of in beheer is van enige boek, dokument of voorwerp wat tersaaklik is vir die beslegting van die geskil, om voor 'n aangewese agent te verskyn om ondervra te word of om daardie boek, dokument of voorwerp te oorhandig;
- (c) 'n eed afneem of 'n plegtige verklaring aanvaar van iemand wat geroep is om getuie te lewer of om ondervra te word;
- (d) op enige redelike tyd, maar slegs nadat skriftelike magtiging ontvang is—
 - (i) 'n perseel binnegaan en ondersoek waarop of waarbinne enige boek, dokument of voorwerp tersaaklik vir die beslegting van die geskil gevind kan word of waar daar 'n redelike vermoede bestaan dat dit daar is;
 - (ii) aandring op die oorhandiging en nagaan van enige boek, dokument of voorwerp wat op of binne daardie perseel is en wat tersaaklik vir die beslegting van die geskil is of daarop beslag lê; en
 - (iii) ten opsigte van enige aangeleentheid tersaaklik vir die beslegting van die geskil 'n verklaring afneem van enigiemand op die perseel wat gewillig is om 'n verklaring af te lê.
- (e) enige boeke, dokumente of voorwerpe wat oorhandig is, of waarop daar deur 'n aangewese agente beslag gelê is, nagegaan en vir 'n redelike tydperk behou.

(2) 'n Dagvaarding wat vir enige doel ingevolge subklousule 1 uitgereik is, moet deur die Sekretaris van die bedingingsraad onderteken wees en moet—

- (a) uitdruklik van die persoon daarin genoem, vereis om voor 'n aangewese agent te verskyn;
- (b) die boek, dokument of voorwerp wat oorhandig moet word, voldoende identifiseer; en
- (c) die datum, tyd en plek waar die persoon verskyn, vermeld.

(3) Die skriftelike magtiging bedoel in subklousule (1) (d)—

- (a) mag, indien dit betrekking het op woonpersele, slegs deur 'n regter van die Arbeidshof uitgereik word, met inagneming van artikel 14 van die Grondwet, en dan slegs op aansoek van die aangewese agent, wat onder eed of deur 'n plegtige verklaring die volgende inligting uiteensit:
 - (i) die aard van die geskil;
 - (ii) die tersaaklikheid van enige boek, dokument of voorwerp vir die beslegting van die geskil;
 - (iii) die teenwoordigheid van enige boek, dokument of voorwerp op die perseel; en
 - (iv) die noodsaaklikheid om die perseel binne te gaan om die boek, dokument of voorwerp na te gaan of daarop beslag te lê;
- (b) mag in alle ander gevalle deur die Sekretaris van die Raad uitgereik word.

(4) Die eienaar of bewoner van enige perseel wat 'n aangewese agent gemagtig het om te betree om ondersoek in te stel, en enige persoon wat in diens van daardie eienaar of bewoner is, moet die geriewe verskaf wat 'n aangewese agent nodig het om daardie perseel binne te gaan om die nodige ondersoek of beslaglegging te doen.

(5) Die aangestelde persoon moet 'n kwitansie uitreik vir enige boek, dokument of voorwerp waarop beslag gelê is ingevolge subklousule (1).

(6) Die reg met betrekking tot privilegie, soos van toepassing op 'n getuie wat gedagvaar is om in 'n geregshof getuie te lewer of 'n boek, dokument of voorwerp voor te lê, is in gelyke mate van toepassing op die ondervraging van enige persoon of op die voorlegging of beslaglegging van enige boek, dokument of voorwerp ingevolge hierdie klousule.

(7) Die aangestelde persoon moet die voorgeskrewe getuiegeld betaal aan elke persoon wat voor hom verskyn as gevolg van die dagvaarding aan hom uitgereik.

(8) 'n Persoon maak hom skuldig aan minagting van die aangewese agent—

- (a) indien die persoon gedagvaar is om te verskyn en sonder goeie rede afwesig is op die tyd en plek vermeld in die dagvaarding;
- (b) indien die persoon verskyn het soos vereis by die dagvaarding en versuim om teenwoordig te bly totdat die persoon deur die aangewese agente verskoon is;
- (c) deur te weier om 'n eed af te lê of 'n plegtige verklaring te maak as 'n getuie wanneer die aangewese agent dit vereis;
- (d) deur te weier om vrae volledig en na sy of haar beste wete en oortuiging te beantwoord, onderworpe aan subklousule (6);
- (e) as die persoon, sonder goeie rede, versuim om 'n boek, dokument of voorwerp vermeld in die dagvaarding, aan die aangewese agent te oorhandig;
- (f) indien die persoon opsetlik die aangewese agent verhoed om enige funksie uit te voer aan hom opgedra deur of ingevolge die Wet;
- (g) indien die persoon die aangewese agent beledig, neerhaal of verkleineer, of 'n ondersoek benadeel of onbehoorlik beïnvloed of op onbehoorlike wyse die aangewese agente se aanbevelings vooruitloop;
- (h) deur opsetlik die versoenings- of arbitrasieverrigtinge te onderbreek of deur enige onbehoorlike bedrag tydens sodanige verrigtinge;
- (i) deur enigiets te doen met betrekking tot die aangewese agent wat, indien dit gedoen sou word met betrekking tot 'n Hof, as minagting beskou sou word.

(9) Die aangewese agent kan enige minagting na die Arbeidshof verwys vir 'n gepaste bevel.

(10) 'n Aangewese agent kan weier om 'n klagte te ondersoek wat deur 'n wernemer ingedien is meer as 17 weke nadat die geskil ontstaan het: Met dien verstande die werkgewer van daardie werknemer vir die volle periode van nie-nakoming, met inbegrip van rente voorgeskryf in hierdie Ooreenkoms, aangeslaan word.

(11) 'n Aangewese agent kan weier om 'n klagte wat deur 'n vakbond ingedien is, te ondersoek indien die vakbond nie eers gepoog het om die beweerde geskil-regstreks met die werkgewerparty te besleg nie.”.

Geteken namens die partye op hede hierdie 29ste dag van Augustus 2005.

R. C. DAMON

Voorsitter

D. J. PHILLIPS

MBA Noord-Boland

P. A. BOTHA

MBA Wes-Boland

D. E. SIMMONS

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