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*Alle Proklamasies, Goewermements- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.*

GOEWERMENSKENNISGEWING.

Onderstaande Goewermementskennisgewing word vir algemene inligting gepubliseer:—

DEPARTEMENT VAN ARBEID.

* No. 1795.] [8 Augustus 1952.
NYWERHEID-VERSOENINGSWET, 1937.

KLEINHANDELVLEISBEDRYF, PRETORIA.

Ek, PAUL OLIVER SAUER, Waarnemende Minister van Arbeid, verklaar hierby—

- (a) kragtens subartikel (1) van artikel *agt-en-veertig* van die Nywerheid-versoeningswet, 1937, dat al die bepalings van die Ooreenkoms wat in die Bylae hiertoe verskyn, en op die Kleinhandelvleisbedryf betrekking het, vanaf die tweede Maandag na die datum van bekendmaking van hierdie kennisgewing en vir die tydperk wat een jaar vanaf die genoemde tweede Maandag eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van daardie organisasie of daardie vereniging is;
- (b) kragtens subartikel (2) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings vervat in klousules 3 tot en met 13, 15 tot en met 19, 21 en 22 van genoemde Ooreenkoms vanaf die tweede Maandag na die datum van bekendmaking van hierdie kennisgewing en vir die tydperk wat een jaar vanaf die genoemde tweede Maandag eindig, bindend is vir die ander werkgewers en werknemers betrokke by of in diens in genoemde bedryf in die gebied binne 'n omtrek van vyftien myl van Kerkplein, Pretoria; en
- (c) kragtens subartikel (4) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings vervat in klousules 3 tot en met 13, 15 tot en met 19, 21 en 22 van genoemde Ooreenkoms vanaf die tweede Maandag na die datum van bekendmaking van hierdie kennisgewing en vir die tydperk wat een jaar vanaf die genoemde tweede Maandag eindig, in die gebied binne 'n omtrek van vyftien myl van Kerkplein, Pretoria, *mutatis mutandis* van toepassing is ten opsigte van persone in diens in genoemde bedryf, wat nie by die woordskrywing van die uitdrukking „werknemer”, vervat in artikel *een* van genoemde Wet, ingesluit is nie.

P. O. SAUER,
Waarnemende Minister van Arbeid.

*All Proclamations, Government and General Notices published for the first time, are indicated by a * in the left-hand upper corner.*

GOVERNMENT NOTICE.

The following Government Notice is published for general information:—

DEPARTMENT OF LABOUR.

* No. 1795.] [8 August 1952.
INDUSTRIAL CONCILIATION ACT, 1937.

RETAIL MEAT TRADE, PRETORIA.

I, PAUL OLIVER SAUER, Acting Minister of Labour, do hereby—

- (a) in terms of sub-section (1) of section *forty-eight* of the Industrial Conciliation Act, 1937, declare that all the provisions of the Agreement which appears in the Schedule hereto and which relates to the Retail Meat Trade, shall be binding from the second Monday after the date of publication of this notice and for the period ending one year from the said second Monday, upon the employers' organisation and the trade union which entered into the said Agreement and upon the employers and the employees who are members of that organisation or that trade union;
- (b) in terms of sub-section (2) of section *forty-eight* of the said Act, declare that the provisions contained in Clauses 3 to 13 (inclusive), 15 to 19 (inclusive), 21 and 22 of the said Agreement shall be binding from the second Monday after the date of publication of this notice and for the period ending one year from the said second Monday, upon the other employers and employees engaged or employed in the said industry in the area within a radius of fifteen miles from Church Square, Pretoria; and
- (c) in terms of sub-section (4) of section *forty-eight* of the said Act, declare that in the area within a radius of 15 miles from Church Square, Pretoria, and from the second Monday after the date of publication of the notice and for the period ending one year from the said second Monday, the provisions contained in Clauses 3 to 13 (inclusive) 15 to 19 (inclusive), 21 and 22 of the said Agreement shall *mutatis mutandis* apply in respect of such persons employed in the said industry as are not included in the definition of the expression “employee”, contained in section *one* of the said Act.

P. O. SAUER,
Acting Minister of Labour.

BYLAE.

NYWERHEIDSRAAD VIR DIE KLEINHANDELVLEIS-BEDRYF (PRETORIA).

OOREENKOMS

kragtens die bepalings van die Nywerheid-versoeningswet, No. 36 van 1937, gesluit deur die

„Pretoria and District Master Butchers' Association”

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

„Pretoria Retail Meat Trade Employees' Union”

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

wat die partye is by die Nywerheidsraad vir die Kleinhandel-vleisbedryf (Pretoria).

1. BESTEK VAN TOEPASSING VAN OOREENKOMS.

Die bepalings van hierdie Ooreenkoms moet binne 'n straal van 15 myl van Kerkplein, Pretoria, af nagekom word deur alle werkgewers wat lede van die werkgewersorganisasie en aan die kleinhandel-vleisbedryf verbonde is, en deur alle werknemers wat lede van die vakvereniging en in dié bedryf in diens is en vir wie minimum lone in die Ooreenkoms voorgeskryf word.

2. GELDIGHEIDSDUUR VAN OOREENKOMS.

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister van Arbeid ingevolge artikel *agt-en-veertig* van die Wet bepaal en bly een jaar van krag of vir 'n tydperk wat hy vasstel.

3. WOORDBEPALINGS.

Alle uitdrukkings wat in hierdie Ooreenkoms gebesig word en wat in die Wet bepaal is, het dieselfde betekenis as in die Wet. Alle verwysings na 'n wet sluit alle wysigings daarvan in en behalwe waar die teenoorgestelde blykbaar bedoel word, sluit woorde wat die manlike geslag aandui ook vrouens in, en voorts. tensy dit in stryd is met die samehang, beteken—

„Wet”, die Nywerheid-versoeningswet, No. 36 van 1937;

„eerste slagter”, 'n werknemer wat in die hoedanigheid van slagter verantwoordelik is vir 'n kleinhandelslagtery;

„slagter”, 'n werknemer, behalwe 'n leerling-slagter, slagters-assistent of arbeider, met minstens vyf jaar ervaring in die kleinhandel-vleisbedryf, en wat vleis stukkend sny, klante bedien, bestellings opmaak en enige ander werk doen wat in 'n kleinhandelslagtery nodig is;

„leerling-slagter”, 'n werknemer met minder as vyf jaar ervaring in die kleinhandel-vleisbedryf en wat besig is om die bedryf van slagter te leer;

„slagtersassistent”, 'n werknemer, uitgesonderd een wat onder die toesig van 'n werknemer, werklik besig is met die werk van 'n slagter, of, in die geval van 'n werkgewer wat nie self die werk van 'n slagter verrig nie, onder die toesig van 'n slagter, wat slegs beeskware, karkasse van skape, lammers, varke en kalwers in die besondere stukke waaruit dit bestaan, verdeel, maar wat nie toegelaat word om die gereedskap van die bedryf verder daarop te gebruik nie, behalwe om wors en beenvleis en rolvleis te maak en om die pligte uit te voer waarvoor voorsiening ingevolge die woordbepalings van arbeider gemaak word;

„kassier en klerklike assistent”, 'n werknemer wat een of meer van ondergenoemde pligte vervul:—

(a) Geld ontvang vir goedere wat vir kontant of op krediet verkoop is;

(b) klante se bestellings opskryf en die bedrae van goedere wat aan klante gelewer is, debiteer, en rekenings lewer;

(c) met ander klerklike roetine-werk help;

„los werknemer”, 'n werknemer wat hoogstens drie dae in 'n kalenderweek in 'n inrigting in diens is en wie se dienskontrak hoogstens drie dae in 'n kalenderweek geldig is;

„Raad”, die Nywerheidsraad vir die Kleinhandel-vleisbedryf (Pretoria) wat kragtens artikel *negentien* van die Nywerheid-versoeningswet, 1937, geregistreer is;

„inrigting”, gelisensieerde persele of persele wat ingevolge 'n kleinhandelslagterslisensie gelisensieer moet word, en wat persele insluit waar dit toegelaat word om goedere te verkoop deur middel van kleinhandel kragtens 'n groothandelslagterslisensie, maar uitgesonderd 'n natuurlewinkel, soos bepaal in die Winkelure Ordonnansie (Transvaal), 1923, soos gewysig;

„ervaring”—

(1) met betrekking tot 'n slagter, die totale tyd/tye diens wat 'n werknemer as slagter gehad het;

(2) met betrekking tot 'n kassier en klerklike assistent, die totale tyd/tye ervaring wat 'n werknemer in kassiers- en klerklike werk gehad het;

„uurloon”, die weekloon gedeel deur 46 in die geval van 'n weeklikse betaalde werknemer; met dien verstande dat in die geval van 'n maandeliks betaalde werknemer, die weekloon die maandloon moet wees wat deur 4½ gedeel is;

SCHEDULE.

INDUSTRIAL COUNCIL FOR THE RETAIL MEAT TRADE (PRETORIA).

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, No. 36 of 1937, made and entered into by and between

The Pretoria and District Master Butchers' Association

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

Pretoria Retail Meat Trade Employees' Union

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

being parties to the Industrial Council for the Retail Meat Trade (Pretoria).

1. SCOPE OF APPLICATION OF AGREEMENT.

The terms of this Agreement shall be observed within a fifteen mile radius from Church Square, Pretoria, by all employers who are members of the employers' organisation and who are engaged in the Retail Meat Trade, and by all employees who are members of the trade union and who are employed in that trade and for whom minimum wages are prescribed in this Agreement.

2. PERIOD OF OPERATION OF AGREEMENT.

This Agreement shall come into operation on such date as may be specified by the Minister of Labour in terms of section *forty-eight* of the Act, and shall remain in force for one year or for such other period as may be determined by him.

3. DEFINITIONS.

Any terms used in this Agreement, which are defined in the Act, shall have the same meanings as in the Act. Any reference to an Act shall include any amendments thereto and unless the contrary intention appears, words importing the masculine gender shall include females; further, unless inconsistent with the context—

“Act” means the Industrial Conciliation Act, No. 36 of 1937;

“butcher (first)” means an employee who is in charge of a retail butcher shop in the capacity of a butcher;

“butcher” means an employee other than a butcher (learner), butchers' assistant or labourer, who has had not less than five years' experience in the Retail Meat Trade; and who cuts up meat, serves customers, makes up orders and does any other necessary work in a retail butcher shop;

“butcher (learner)” means an employee who has had less than five years' experience in the Retail Meat Trade, and who is engaged in learning the trade of a butcher;

“butcher's assistant” means an employee other than one who under the supervision of an employer who is actually engaged in the work of a butcher, or in the case of an employer who does not himself perform the work of a butcher, under the supervision of a butcher, who is engaged in breaking up quarters of beef, carcasses of mutton, lamb, pork and veal into component cuts only but shall not be permitted to use the tools of the trade further thereon except to make sausages and bone and roll meat and to carry out the duties provided for under the definition of labourer;

“cashier and clerical assistant” means an employee who is engaged in one or more of the following duties:—

(a) Receiving of money for goods purchased for cash or credit sales;

(b) the booking of customers' orders and debiting the amounts of goods supplied to customers and rendering accounts;

(c) assisting in other routine clerical work;

“casual employee” means an employee who is employed in any establishment, and whose contract of employment is not for more than three days in any one calendar week in such establishment;

“Council” means the Industrial Council for the Retail Meat Trade (Pretoria) registered in terms of section *nineteen* of the Industrial Conciliation Act, 1937;

“establishment” means any premises licensed or required to be licensed under a retail butcher's licence and includes any premises from which goods are permitted to be sold by retail under a wholesale butcher's licence but excluding a native shop as defined in the Shop Hours Ordinance (Transvaal), 1923, as amended;

“experience” means—

(1) in relation to a butcher the total period(s) of employment which an employee has had as a butcher;

(2) in relation to a cashier and clerical assistant the total period(s) of experience which an employee has had in cashier and clerical work;

“hourly wage” means the weekly wage divided by 46 in the case of a weekly paid employee; provided that in the case of a monthly paid employee the weekly wage shall be the monthly wage divided by four and one-third;

"arbeider", 'n werknemer wat uitsluitlik vir een of meer van ondergenoemde pligte in diens is:—

Persele skoonmaak, gerei en voertuie skoonmaak en was, bestellings of boodskappe te voet of per fiets, driewieler of handvoertuig aflewer, bestellings van klante buite die slagtery insamel; vleis oplaai, aflaai en/of dra; vleis en bene sny, reg sny, saag; vleis opsny wat gemaal moet word; vet sny, maal en smelt, wors of ander dergelyke preparate maal en vul; pluimvee of wild doodmaak, pluk, skoonmaak; pekel voorberei en vleis pomp; kalwers en/of wilddiere afslag, en enige roetinewerk wat gewoonlik deur 'n arbeider verrig word;

"motorvoertuigbestuurder", 'n werknemer wat 'n motorvoertuig bestuur met die doel om vleis en/of ander goed wat kragtens 'n lisensie vir 'n kleinhandelslagter verkoop kan word, op te haal en af te lewer;

"Kleinhandelvleisbedryf", die bedryf waarin werkgewers en werknemers verbonde is vir die doel om vleis in kleinhandel vanuit 'n vaste besigheidsplek te verkoop;

"sekretaris", die sekretaris van die Nywerheidsraad vir die kleinhandelvleisbedryf, Pretoria.

4. BESOLDIGING.

(1) Geen werkgewer mag laer lone as onderstaande betaal en geen werknemer mag laer lone as onderstaande aanneem nie:—

	Per week.
	£ s. d.
(a) Eerste slagter	8 0 0
(b) Slagter	6 0 0
(c) Slagtersassistent	1 10 0
(d) Leerling-slagter:—	
Eerste jaar ervaring	1 10 0
Tweede jaar ervaring	2 5 0
Derde jaar ervaring	3 5 0
Vierde jaar ervaring	4 5 0
Vyfde jaar ervaring	5 5 0

Per maand.
£ s. d.

(e) Kassier en klerklike assistent:—	
Eerste jaar ervaring	7 10 0
Tweede jaar ervaring	8 10 0
Derde jaar ervaring	9 10 0
Vierde jaar ervaring	10 10 0
Vyfde jaar ervaring	11 10 0
Daarna	12 10 0

Per week.
£ s. d.

(f) Arbeider	1 7 6
(g) Motorvoertuigbestuurder:—	
As die gewig sonder vrag nie meer as 4,000 lb. is nie	3 10 0
As die gewig sonder vrag meer as 4,000 lb. is	4 10 0

(h) Los werknemer.—Een-sesde per dag van die hoogste weekloon wat vir die klas voorgeskryf word waarin hy in diens is.

(2) 'n Lewenskostoelae ooreenkomstig die bepalings van Oorlogsmaatreël No. 43 van 1942, soos gewysig, of soos van tyd tot tyd gewysig kan word, moet terselfdertyd aan werknemers betaal word as wat hulle ander besoldiging betaal word.

(3) *Differensiële loonskale*.—'n Werkgewer wat van 'n lid van een klas van sy werknemers vereis of hom toelaat om op 'n dag ditsy bo en behalwe sy eie werk of in plaas daarvan, altesame vir meer as een uur werk van 'n ander klas te verrig, waarvoor of—

- (a) 'n hoër loon as dié vir sy eie klas; of
(b) 'n opgaande loonskaal wat eindig op 'n hoër loon as dié vir sy eie klas

voorgeskryf word in subartikel (1), moet dié werknemer op daardie dag soos volg betaal:—

- (i) In die geval in paragraaf (a) genoem minstens een-sesde van die hoër weekloon in subartikel (1) genoem; en
(ii) in die geval in paragraaf (b) genoem, minstens een-sesde van die hoogste weekloon vir die hoogste klas;

met dien verstande dat as die onderskeid tussen klasse kragtens subartikel (1) gebaseer is op ervaring, geslag of ouderdom, die bepalings van hierdie subklousule nie van toepassing is nie.

5. BETALING VAN BESOLDIGING.

(1) Lone en lewenskostoelae moet weekliks op Saterdag kontant betaal word aan werknemers wat by die week in diens is, of op of voor die laaste dag van elke maand aan werknemers wat op 'n maandelikse basis betaal word, of by diensbeëindiging in die geval van los werknemers of ander werknemers, indien dit voor die gewone betaaldag van hierdie werknemers plaasvind.

(2) Behalwe soos bepaal by die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, of by die Naturellearbeid Regelingswet, 1911, kan dit van geen werknemer vereis word om as deel van sy dienskontrak by die werkgewer, of by 'n plek deur sy werkgewer aangewys, te eet of in te woon of goedere van sy werkgewer te woon nie.

"labourer" means an employee who is exclusively employed in one or more of the following duties:—

Cleaning of premises, cleaning and washing of utensils and vehicles, delivery of orders or messages on foot or by bicycles, tricycle or manually propelled vehicle, collection of orders from customers beyond the shop; loading, unloading and/or carrier of meat; cutting, trimming, chopping, sawing of meat and bones, cutting up meat to be minced, cutting, mincing and melting of fat, mincing and filling of sausages or other similar preparations; killing, plucking, cleaning of poultry or game; preparing salt brine and pumping of meat; skinning of calves, and/or animal game, and any routine duties normally performed by a labourer;

"motor vehicle driver" means an employee engaged in driving a motor vehicle for the purpose of collecting and delivering meat and/or other goods authorised to be sold under a retail butcher's licence;

"Retail Meat Trade" means the trade in which employers and employees are associated for the purpose of selling meat by retail from a fixed place of business;

"Secretary" means the Secretary of the Industrial Council for the Retail Meat Trade, Pretoria.

4. REMUNERATION.

(1) No employer shall pay and no employee shall accept wages lower than the following:—

	Per Week.
	£ s. d.
(a) Butcher (first)	8 0 0
(b) Butcher	6 0 0
(c) Butcher's assistant	1 10 0
(d) Butcher (learner):—	
First year of experience	1 10 0
Second year of experience	2 5 0
Third year of experience	3 5 0
Fourth year of experience	4 5 0
Fifth year of experience	5 5 0

Per Month.

(e) Cashier and clerical assistant:—	
First year of experience	7 10 0
Second year of experience	8 10 0
Third year of experience	9 10 0
Fourth year of experience	10 10 0
Fifth year of experience	11 10 0
Thereafter	12 10 0

Per Week.

(f) Labourer	1 7 6
(g) Motor vehicle driver:—	
If the unladen weight does not exceed 4,000 lb.	3 10 0
If the unladen weight exceeds 4,000 lb.	4 10 0
(h) Casual employee.—One-sixth per day of the highest weekly wage prescribed for the class in which he is employed.	

(2) Employees shall be paid, at the same time as their other remuneration is paid, a cost of living allowance in accordance with the provisions of War Measure No. 43 of 1942, as amended, or as may be amended from time to time.

(3) *Differential Rates*.—An employer, who requires or permits a member of one class of his employees to perform for longer than one hour in the aggregate on any day, either in addition to his own work or in substitution therefor work of another class for which either—

- (a) a wage higher than that of his own class; or
(b) a rising scale of wages terminating in a wage higher than that of his own class;

is prescribed in sub-section (1), shall pay to such employee in respect of that day—

- (i) in the case referred to in paragraph (a), not less than one-sixth of the higher weekly wage prescribed in sub-section (1); and
(ii) in the case referred to in paragraph (b), not less than one-sixth of the highest weekly wage for the higher class; provided that where the difference between classes is, in terms of sub-section (1) based on experience, sex or age, the provisions of this sub-section shall not apply.

5. PAYMENT OF REMUNERATION.

(1) Wages and cost of living allowance shall be paid in full in cash weekly on Saturdays to employees for whom wages are prescribed on a weekly basis or not later than the last day of each month for employees for whom wages are prescribed on a monthly basis, or on the termination of employment in the case of casual employees or other employees, if this should take place before the ordinary pay-day of such employees.

(2) Save as provided in the Natives (Urban Areas) Consolidation Act, 1945, or in the Native Labour Regulation Act, 1911, no employee shall be required as part of his contract of employment to board and/or lodge with his employer or at any place nominated by his employer or to purchase any goods from his employer.

'n Werknemer wat instem om kos of inwoning of beide kos en inwoning van sy werkgever aan te neem, kan nie verplig of toegelaat word om meer per week te betaal nie as—

	Vir kos en huisvesting.	Slegs vir kos.	Slegs vir huisvesting.
Arbeider, slagtersassistent en werknemer nie andersins genoem....	£ s. d. 0 6 0	£ s. d. 0 4 0	£ s. d. 0 2 0
Alle ander werknemers.....	1 6 0	0 17 4	0 8 8

(3) Geen boetes of kortings van enige aard mag gemaak word van bedrae wat aan 'n werknemer verskuldig is nie; met dien verstande dat—

- as 'n werknemer van die werk wegbly, 'n bedrag in verhouding tot die afwesigheid afgetrek kan word;
- in die geval van 'n werknemer, wat instem om van die werkgever kos en/of huisvesting aan te neem, 'n werkgever van dié bedrae 'n bedrag kan aftrek wat nie die bedrag, soos in subartikel (2) van hierdie artikel bepaal, te bowe gaan nie;
- bydraes aan die Raadsfonds ingevolge die bepalings van artikel 11 (b) en (c) van hierdie Ooreenkoms afgetrek mag word;
- as 'n werkgever kragtens enige wet, ordonnansie of regs-geding verplig is om 'n betaling vir of ten behoeve van 'n werknemer te doen, enige sodanige bedrag wat aldus betaal is, afgetrek kan word.
- Op skriftelike versoek van die werknemer moet elke werkgever weekliks of maandeliks, al na die geval, die bedrag van die ledigheid vir die vakvereniging, soos van tyd tot tyd deur die sekretaris aangegee, van die loon van sy werknemers aftrek wat deur hierdie Ooreenkoms geraak word, en die bedrag aldus afgetrek, by die vorm voorgeskryf in aanhangsel A hiervan, op of voor die 10de dag van elke maand, tesame met die gelde voorgeskryf in klousule 11 van hierdie Ooreenkoms, aan die sekretaris van die Raad stuur.

6. BESIGHEIDSURE.

(1) Geen inrigting mag toegelaat word om te open, en niemand mag met die publiek in of uit die inrigtings soos volg sake doen nie:—

- Op Sondae.
- Op openbare vakansiedae.
- Voor 6 vm. op 'n weekdag.
- Na 1.30 nm. op Maandae, Dinsdae en Donderdae.
- Na 1 nm. op Woensdae en Saterdag.
- Na 2.30 nm. op Vrydae.

(2) Ingeval Sondag onmiddellik voor 'n openbare vakansiedag val, of een openbare vakansiedag op 'n ander volg, word 'n werkgever toegelaat om sy slagtery tussen 6 vm. en 9 vm. op die tweede dag van die twee agtereenvolgende dae oop te hou; met dien verstande dat hy skriftelike toestemming van die Hoofinspekteur, Provinsiale Administrasie, het.

(3) Geen ander werknemer as die eienaar of eerste slagter mag by so 'n geleentheid op diens wees nie; met dien verstande dat die eerste slagter op 'n dubbele uurloon reg het vir die getal ure of gedeelte van 'n uur wat hy werk.

7. WERKNEMERS SE WERKURE.

(1) Die gewone werkure van werknemers ten opsigte van wie lene in artikel 4 van hierdie Ooreenkoms voorgeskryf word (behalwe 'n ononderbroke pouse van een uur) mag nie meer as 46 uur per week van ses werkdade wees nie; met dien verstande dat—

- geen werknemer verplig mag word om later te werk as die sluitingsuur wat in klousule 6 van hierdie Ooreenkoms voorgeskryf word nie; voorts met dien verstande dat werkure tot 4 nm. op die dag voor Kersdag en Nuwejaarsdag verleng mag word en tot 3 nm. op 'n dag voor statutêre vakansiedae; met dien verstande dat hierdie subartikel nie vertolk mag word as sou dit 'n werkgever toelaat om sy inrigting buite die ure oop te hou wat in die Winkelure Ordonnansie bepaal word nie;
- geen werknemer mag toegelaat om meer as 6 uur oortyd in 'n week te werk nie, en vir oortyd moet hy teen 1½ maal op die eerste betaaldag betaal word wat volg op die tydperk waarin hy die oortyd gewerk het.

(2) As 'n werkgever sulks verlang, kan hy by die Nywerheidsraad aansoek om vrystelling van klousules 7 en 8 van die Ooreenkoms ten opsigte van 'n slagter en eerste slagter doen, soos in artikel 3 omskryf; met dien verstande dat dié werknemers 'n loon ontvang van minstens £520 per jaar, met uitsluiting van lewenskostetoelae.

8. TYDSTATE, PRESENSIE- EN LOONREGISTERS.

Elke dag moet elke werknemer, behalwe 'n motorvoertuigbestuurder, 'n slagtersassistent of 'n arbeider, in 'n tydstaat, wat sy werkgever moet verskaf, die tyd aantekene waarop hy met sy werk begin en die tyd wanneer hy uiteindelik vir die dag ophou met werk, asook die begin- en sluitingstye van alle tydperke gedurende die dag waarin hy nie werksaam was nie.

An employee who agrees to accept board or lodging or both from his employer shall not be required or allowed to pay more per week than—

	For Board and Lodging.	For Board only.	For Lodging only.
Labourer, butcher's assistant and employee not elsewhere specified	£ s. d. 0 6 0	£ s. d. 0 4 0	£ s. d. 0 2 0
All other employees.....	1 6 0	0 17 4	0 8 8

(3) No fines or deduction of any kind shall be made from amounts due to any employee; provided that—

- when an employee is away or absents himself without permission from work, a pro rata amount may be deducted for the period of such absence;
- an employer may deduct from such amounts, in the case of an employee who agrees to board and/or lodge with him an amount not exceeding the amount provided for in sub-section (2) of this section;
- contributions to Council funds in terms of section 11 (b) and (c) of this Agreement may be deducted;
- where an employer is compelled by any law or ordinance or legal process to make payment for or on behalf of an employee, any such amount so paid may be deducted;
- every employer shall by the written consent of the employee deduct weekly or monthly, as the case may be, from the wages of his employees affected by this Agreement, the amount of the subscriptions payable to the trade union as advised by the Secretary of the Council from time to time, and shall forward on the form prescribed in Annexure A hereto, the amount thus deducted to the Secretary of the Council not later than the 10th day of each month, together with the fees prescribed in clause 11 of this Agreement.

6. TRADING HOURS.

(1) No establishment shall be permitted to open, and no person shall trade with the public in or from the establishments—

- on Sundays;
- on public holidays;
- before 6 a.m. on any weekday;
- not later than 1.30 p.m. on Mondays, Tuesdays and Thursdays;
- not later than 1 p.m. on Wednesdays and Saturdays;
- not later than 2.30 p.m. on Fridays.

(2) In the event of a Sunday immediately preceding a public holiday, or one public holiday succeeding another, an employer is permitted to keep his shop open between 6 a.m. and 9 a.m. on the second day of the two consecutive days; provided that he has written permission from the Chief Inspector, Provincial Administration.

(3) No other employees than the proprietor or butcher first, shall be employed on such occasion; provided that the butcher first will be entitled to double his hourly wage for the number of hours or part of an hour worked.

7. WORKING HOURS OF EMPLOYEES.

(1) The ordinary working hours of employees in respect of whom minimum wages are prescribed in section 4 of this Agreement shall (excluding an uninterrupted interval of one hour) not exceed 46 hours per week of six working days; provided that—

- no employee shall be required to work later than the closing hours prescribed in clause 6 of this Agreement; provided further that working hours may be extended to 4 p.m. on a day preceding Christmas and New Year's Day, and 3 p.m. on any day preceding statutory holidays; provided that this sub-section shall not be construed as permitting an employer to keep his establishment open outside the hours laid down in the Shop Hours Ordinance;
- no employee shall be permitted to work more than 6 hours overtime in any one week, and shall be paid at time and a half for such overtime on the first pay day following the period in which the overtime was worked.

(2) An employer may, if he so desires, apply to the Industrial Council for exemption from clauses 7 and 8 of the Agreement in respect of a butcher and butcher (first) as defined in section 3; provided that such employees be in receipt of a wage not less than £520 per annum excluding cost of living allowance.

8. TIMESHEETS, ATTENDANCE AND WAGE REGISTERS.

Every employee other than a motor vehicle driver, a butcher's assistant or a labourer shall each day enter in a time register, which his employer shall provide, the time he starts work and the time he finally ceases work for the day, and the commencing and finishing times of any periods during the day during which he was not employed.

9. JAARLIKSE VERLOF EN OPENBARE VAKANSIEDAE.

(1) Aan elke werknemer moet vir elke voltooide jaar van sy diens vir dieselfde werkgever twee agtereenvolgende weke verlof van afwesigheid met volle betaling gegee word; met dien verstande dat indien 'n openbare vakansiedag voorkom wanneer die werknemer op verlof is, daardie vakansiedag tot dieselfde tydperk en 'n verdere verloftydperk met volle betaling toegevoeg word. Die werkgever moet die tyd wanneer die verlof geneem moet word, vasstel, maar indien die werkgever nie aan 'n werknemer hierdie verloftydperk op 'n vroeër datum toegestaan het nie, moet die verlof gegee word binne drie maande na die voltooiing van 'n jaar diens te begin waarop dit betrekking het. Jaarlikse verlof mag nie met 'n tydperk van verpligte opleiding ingevolge die Zuid Afrika Verdedigings Wet, 1912, saamval nie.

(2) By voltooiing van diens moet 'n werkgever aan sy werknemer die volgende betaal:—

- Volle betaling ten opsigte van jaarlikse verlof wat hom toekom teen die besoldiging wat die werknemer ontvang het toe sy verlof moes begin het, maar wat nie voor die datum van beëindiging van diens toegestaan is nie; en
- een vyf-en-twintigste van 'n week se besoldiging ten opsigte van elke voltooide week diens by die werkgever na die datum waarop hy 'n jaar diens ingevolge die bepalings van subartikel (1) voltooi het of die datum van sy diensaanvaarding as sy diens minder as twaalf maande is, al na die geval.

(3) Vir die doel van hierdie artikel word dit beskou dat die uitdrukking „diens” 'n tydperk of tydperke insluit wanneer 'n werknemer—

- afwesig is met verlof ingevolge die bepalings van subartikel (1);
- dit van 'n werknemer vereis word om opleiding ingevolge die Zuid Afrika Verdedigings Wet, 1912, te ondergaan;
- hy afwesig is van werk op bevel of op versoek van sy werkgever;
- hy afwesig is met siekteverlof ingevolge die bepalings van artikel 10;

wat altesaam hoogstens tien weke in 'n jaar bedra, en dit word beskou dat die diens begin—

- in die geval van 'n werknemer wat voor die inwerkingtreding van hierdie Ooreenkoms geregtig was op verlof ingevolge 'n wet, op die datum waarop die werknemer die laaste keer geregtig geword het tot verlof ingevolge so 'n wet;
- in die geval van 'n werknemer wat in diens was voor die datum van inwerkingtreding van hierdie Ooreenkoms, en vir wie 'n wet wat voorsiening maak vir jaarlikse verlof, van toepassing was ingevolge daarvan, van die datum af waarop die diens begin het;
- in die geval van enige ander werknemer, van die datum af waarop die werknemer in sy werkgever se diens begin werk het, of van die datum af van die inwerkingtreding van hierdie Ooreenkoms, watter ook al die jongste is.

(4) Elke werkgever moet die sekretaris van die Raad in kennis stel wanneer enigiemand van sy werknemers met verlof gaan, en moet aan 'n werknemer aan wie verlof ingevolge die bepalings van subartikel (1) van hierdie artikel toegestaan is, sy besoldiging ten opsigte van die verloftydperk nie later as die laaste werkdag voor die begin van genoemde tydperk betaal nie, en die voldaan vir sodanige betaling moet aan die sekretaris van die Raad gestuur word.

(5) Geen werknemer mag werk in die bedryf doen terwyl hy met jaarlikse verlof is nie, en geen werkgever mag 'n werknemer gedurende sy jaarlikse verloftydperk in diens neem nie.

(6) *Openbare vakansiedae.*—'n Werknemer is geregtig tot en moet volle besoldiging op alle openbare vakansiedae toegestaan word.

10. SIEKTEVERLOF.

(1) 'n Werkgever moet aan 'n werknemer wat een maand d'ens by hom voltooi het, en wat afwesig is van werk as gevolg van siekte of 'n ongeluk wat nie deur sy eie wangedrag veroorsaak is nie, uitgesonderd 'n ongeluk waarvoor vergoeding ingevolge die Ongevalwet, 1941, betaal word, altesaam twaalf weke dae siekteverlof in 'n jaar diens in die bedryf toestaan, en moet ten opsigte van elke sodanige werkdag een-sesde van die weeklikse betaling wat hy onmiddellik voor die aanvang van die verlof ontvang het, aan hom betaal; met dien verstande dat die werkgever die voorlegging van 'n sertifikaat, deur 'n geregistreerde praktiserende geneesheer onderteken, kan eis, wat die aard en die duur van die werkegver se siekte ten opsigte van elke tydperk van afwesigheid waarvoor betaling geëis word, aandui; met dien verstande dat siekteverlof nie met verpligte opleiding ingevolge die Zuid Afrika Verdedigings Wet, 1912, mag saamval nie.

(2) Vir die doel van hierdie artikel is die uitdrukking „'n jaar diens” die jaar wat volg op die datum waarop hierdie Ooreenkoms in werking tree.

9. ANNUAL LEAVE AND PUBLIC HOLIDAYS.

(1) Each employee shall be given for each completed year of his service with the same employer two consecutive weeks' leave of absence on full pay; provided that if a public holiday occurs while an employee is on leave, such holiday shall be added to the same period as a further period of leave on full pay. The employer shall fix the time when such leave shall be taken, but if the employer shall not have granted to an employee this period of leave at an earlier date, such leave shall be given so as to commence within three months after the completion of the year's service to which it relates.

Annual leave shall not run concurrently with any period of compulsory training under the South Africa Defence Act, 1912.

(2) Upon termination of employment, an employer shall pay to his employee—

- full pay in respect of annual leave which has accrued to him at the remuneration the employee was receiving when his leave became due but was not granted before the date of termination of employment; and
- one twenty-fifth of a week's pay in respect of each completed week of employment with the employer after the date on which he completed a year's service in terms of sub-section (1) or the date of his engagement when his service is less than twelve months, as the case may be.

(3) For the purpose of this section the expression “employment” shall be deemed to include any period or periods during which an employee is—

- absent on leave in terms of sub-section (1);
- required to undergo training under the South Africa Defence Act, 1912;
- absent from work on the instructions or at the request of his employer;
- absent on sick leave in terms of section 10;

amounting in the aggregate to not more than ten week's in any year and employment shall be deemed to commence—

- in the case of an employee who had before the coming into force of this Agreement become entitled to leave in terms of any law, from the date on which such employee last became entitled to such leave under such law;
- in the case of an employee who was in employment before the date of commencement of this Agreement and to whom any law providing for annual leave applied but who had not become entitled to leave in terms thereof, from the date on which such employment commenced;
- in the case of any other employee, from the date on which such employee entered his employer's service or from the date of coming into force of this Agreement, whichever is the later.

(4) Every employer shall notify the Secretary of the Council when any of his employees proceed on leave and shall pay to an employee to whom leave is granted in terms of sub-section (1) of this section, his pay in respect of the period of leave not later than the last working day before the commencement of the said period and the receipt for such payment shall be forwarded to the Secretary of the Council.

(5) No employee while on annual leave shall perform any work in the trade and no employer shall employ an employee during his annual leave period.

(6) *Public Holidays.*—An employee shall be entitled to and be granted leave on full pay on all public holidays.

10. SICK LEAVE.

(1) An employer shall grant to his employee who has completed one month's service with him and who is absent from work through sickness or accident not caused by his own misconduct other than an accident compensable under the Workmen's Compensation Act, 1941, twelve workdays' sick leave in the aggregate during any one year of service in the trade, and shall pay to him in respect of each such workday one-sixth of the weekly wages he was receiving immediately before the commencement of such leave; provided that the employer may require the production of a certificate signed by a registered medical practitioner, showing the nature and duration of the employee's illness in respect of each period of absence for which payment is claimed; provided that sick leave shall not run concurrently with compulsory training under the South Africa Defence Act, 1912.

(2) For the purpose of this section the expression “year of employment” shall be the year following the date on which this Agreement comes into force.

11. FONDSE VAN DIE RAAD.

Die Raad se fondse wat by die Raad berus en deur hom bestuur word, moet op die volgende wyse verskaf word:—

- (a) Elke werkgewer moet ten opsigte van elke inrigting wat hy besit of bestuur, 'n jaarlikse bydrae van £1. 1s. betaal, en 'n werkgewer wat nie 'n eerste slagter of slagter in diens het nie, moet 'n addisionele £1. 1s. per jaar betaal. Die eerste jaarlikse betaling moet op die datum geskied wanneer hierdie Ooreenkoms in werking tree, of op die datum waarop hy tot die bedryf toetree, watter ook al die jongste datum is, en moet binne twee weke van die datum waarop dit verskuldig is, betaal word. Daaropvolgende jaarlikse betalings is betaalbaar op dieselfde datums in die volgende jare.
- (b) Elke werkgewer moet van ondergenoemde werknemers die volgende bedrae aftrek:—
 - (i) Ses pennies per week van alle werknemers wat 'n loon van oor 50s. per week ontvang, maar minder as 100s. per week; en
 - (ii) 1s. per week in die geval van alle werknemers wat 100s. per week of meer ontvang; met dien verstande dat vir die doel om die weekloon van maandeliks betaalde werknemers te bereken, die maandloon van die werknemer deur 4½ gedeel moet word.
- (c) Die totale bedrag wat aldus afgetrek word, tesame met 'n gelyke bedrag wat deur die werkgewer bygedra moet word, moet deur laasgenoemde aan die sekretaris van die Raad gestuur word op of voor die tiende dag van elke maand wat volg op die maand ten opsigte waarvan die aftrekkings verskuldig is.

12. REGISTRASIE VAN WERKGEWERS EN WERKNEMERS.

(1) (a) Elke werkgewer in die vleisbedryf moet binne een maand van die datum af waarop hierdie Ooreenkoms in werking tree, en elke werknemer wat na daardie datum in die kleinhandel-vleisbedryf begin, moet binne een maand van die datum waarop hy werksaamhede aanvaar, die sekretaris van die Raad verwittig van—

- (i) sy handelsnaam voluit;
- (ii) die naam en adres van die eienaar, vennote of direkteure, al na die geval, voluit;
- (iii) sy besigheidsadres;
- (iv) die naam van elke werknemer voluit, die aard van sy werk en sy loon.

(b) Ingeval die werkgewer 'n vennootskap is, moet die inligting ten opsigte van elke vennoot ooreenkomstig paragraaf (a) van hierdie subartikel verskaf word.

Ingeval 'n vennootskap onbind of die direksie verander word, moet die sekretaris binne een maand na die datum van die ontbinding, skriftelik daarvan verwittig word.

(c) Elke werkgewer moet die sekretaris van die Raad in kennis stel van enige verandering van werknemers binne veertien dae na die datum van die verandering.

(2) Die sekretaris van die Raad moet 'n register hou van al die werkgewers en werknemers wat in subartikel (1) van hierdie artikel genoem word.

13. GETALLEVERHOUDING VAN WERKNEMERS.

(1) Een eerste slagter moet in 'n inrigting in diens wees voordat 'n slagter in diens geneem mag word, en vir elke eerste slagter of slagter in diens mag hoogstens een leerling-slagter in diens geneem word.

(2) Vir die toepassing van hierdie artikel moet elke werkgewer wat werklik die werk van 'n slagter doen, as 'n eerste slagter beskou word.

(3) Ingeval 'n werkgewer sake in meer as een inrigting doen, moet elkeen van hierdie inrigtings as 'n aparte inrigting beskou word en mag hy nie as 'n eerste slagter vir meer as een sodanige inrigting beskou word nie.

(4) In die geval van maatskappye word die besturende direkteur en/of direkteur vir die toepassing van hierdie artikel as werkgewers beskou.

14. ORGANISASIE.

(1) Geen werkgewer wat lid van die werkgewersorganisasie ooreenkomstig die konstitusie van die werkgewersorganisasie is, mag 'n werknemer, wat in aanmerking kom vir lidmaatskap van die vakvereniging in sy diens neem of voortgaan om hom in diens te hou nie, en wat nie ingevolge die bepalings van die konstitusie van die vakvereniging 'n lid is nie, of wie se lidmaatskap by die vakvereniging deur die vakvereniging ooreenkomstig die bepalings van die konstitusie van die vakvereniging opgeskort is nie.

(2) Niemand wat ooreenkomstig die konstitusie van die vakvereniging 'n lid van die vakvereniging is, mag werk aanneem van of voortgaan om in die diens van 'n persoon te bly wat in aanmerking kom vir lidmaatskap van die werkgewersorganisasie nie en—

- (a) wat nie 'n lid van die werkgewersorganisasie is nie; of
- (b) wie se lidmaatskap van die werkgewersorganisasie deur die werkgewersorganisasie ooreenkomstig die konstitusie van die werkgewersorganisasie opgeskort is.

11. COUNCIL FUNDS.

The funds of the Council which shall be vested in and administered by the Council shall be provided in the following manner:—

- (a) Every employer shall in respect of each establishment he owns or conducts, pay to the Council an annual contribution of £1. 1s., and any employer not employing a butcher (first) or butcher, shall pay an additional £1. 1s. per annum. The first annual payment shall become due on the date of coming into force of this Agreement, or the date on which he enters the trade, whichever is the later, and shall be paid within two weeks of the date due. Subsequent annual payments shall become payable on the same dates in succeeding years.
- (b) Each employer shall deduct from the following employees:—
 - (i) A sixpence per week from all other employees who are in receipt of wages exceeding 50s. per week, but under 100s. per week; and
 - (ii) 1s. per week in the case of all employees who are in receipt of wages of 100s. per week or more; provided that for purposes of determining the weekly wage in the case of monthly paid employees, the monthly wage of the employee shall be divided by four and one-third.
- (c) The total amount so deducted, together with an equal amount shall be forwarded by the latter to the Secretary of the Council not later than the tenth day of each month following the month in respect of which such payments are due.

12. REGISTRATION OF EMPLOYERS AND EMPLOYEES.

(1) (a) Every employer in the Retail Meat Trade shall within one month from the date on which this Agreement comes into operation, and every employer entering the Retail Meat Trade after that date shall within one month from the date of commencement of operations by him, forward to the Secretary of the Council—

- (i) the full name and title of his business;
- (ii) the full name and address of the proprietor, partners or directors, as the case may be;
- (iii) his business address;
- (iv) the full names of each employee, the capacity in which he is employed and the wages paid.

(b) Where the employer is a partnership, information in accordance with paragraph (a) of this sub-section shall be furnished in respect of each partner or director as the case may be. In the event of a dissolution of partnership or change in directorate taking place, the fact must be notified, in writing, within one month of the date thereof to the Secretary.

(c) Every employer shall forward to the Secretary a notification of all engagements or discharges of employees within fourteen days of the date upon which such changes take effect.

(2) The Secretary shall maintain a register of all employees and employers referred to in sub-section (1) of this section.

13. PROPORTION OF RATIO OF EMPLOYEES.

(1) One butcher (first) shall be employed in an establishment before a butcher may be employed, and for every butcher (first) or butcher employed not more than one butcher (learner) may be employed.

(2) For the purpose of this section, any employer who is actually engaged in doing the work of a butcher shall be deemed to be a butcher (first).

(3) Where an employer carries on business in more than one establishment, each such establishment shall be deemed to be a separate establishment and he shall not be deemed to be a butcher (first) for more than one such establishment.

(4) In the case of companies, the managing director and/or directors shall for the purpose of this section, be regarded as employers.

14. ORGANISATION.

(1) No employer who is a member of the employers' organisation in accordance with the constitution of such employers' organisation shall employ, or continue to employ an employee who is eligible for membership of the trade union and who is not a member in terms of the constitution of such trade union or whose membership of such trade union has been suspended by the trade union in accordance with the provisions of the constitution of the trade union.

(2) No person who is a member of the trade union in accordance with the constitution of such trade union shall accept employment with, or continue in the employ of any person who is eligible for membership of the employers' organisation and—

- (a) who is not a member of such employers' organisation; or
- (b) whose membership of such employers' organisation has been suspended by the employers' organisation in accordance with the constitution of the employers' organisation.

(3) (a) Enigeen vir wie lidmaatskap van die vakvereniging of van die werkgewersorganisasie geweier is, kan binne 30 dae nadat hy in kennis gestel is van die weiering, die weiering skriftelik by die Raad aanmeld, wat dit dan moet oorweeg. Indien die Raad na oorweging van die weiering tevrede is dat lidmaatskap van 'n party by hierdie Ooreenkoms sonder 'n redelike oorsaak vir so 'n persoon geweier is, kan hy verklaar dat subartikel (1) of (2) van hierdie artikel nie van toepassing op die persoon is nie, en as die Raad so 'n verklaring doen, moet hy die verklaring skriftelik voorlê aan die party by hierdie Ooreenkoms wat lidmaatskap aan die persoon geweier het.

Onmiddellik nadat die Raad verklaar het dat subartikel (1) of (2) van hierdie artikel nie van toepassing moet wees op so 'n persoon vir wie lidmaatskap van 'n party by hierdie Ooreenkoms geweier is nie, is subartikel (1) of (2) van hierdie artikel nie van toepassing op so 'n persoon nie.

(b) Indien die Raad na oorweging van die saak nie verklaar dat die weiering tot lidmaatskap vir 'n persoon deur 'n party by hierdie Ooreenkoms sonder 'n redelike oorsaak is nie, kan die persoon die feite aan die Minister van Arbeid voorlê, en indien die Minister, na oorweging met die Raad, aldus besluit, is subartikel (1) of (2) van hierdie artikel met ingang van die datum af wat deur die Minister vasgestel word, nie op so 'n persoon van toepassing nie.

(c) Vir die gerief van werkgewers by die nakoming van die bepalings van hierdie artikel, is die voorlegging van 'n lidmaatskapkaart van die vakvereniging deur 'n werknemer wat geldig is vir die lopende jaar, 'n bewys van lidmaatskap van die vakvereniging van die werknemer. Die besit van so 'n kaart verleen egter nie groter regte aan die houder daarvan nie as dié waartoe hy ingevolge die bepalings van die konstitusie van die vakvereniging geregtig is nie, te meer ten opsigte van die lidmaatskapstatus in die vakvereniging, en indien lidmaatskap van die vakvereniging so 'n persoon ontnem of opgeskort word, kom hy nie in aanmerking vir diens by 'n persoon wat 'n lid van die werkgewersorganisasie is nie; ook mag hy nie voortgaan om daar te werk nie, nieetenaande die feit dat hy in besit is van 'n lidmaatskapkaart van sodanige vakvereniging.

(4) 'n Persoon wat behoorlik skriftelik deur die vakvereniging en die Raad gemagtig is, kan enige kleinhandelslagterswinkel binnegaan op 'n tyd wat vir die werkgewer gerieflik is vir die doel om—

- (a) werknemers in verband met vakverenigingsake te spreek;
- (b) nuwe lede in te skryf;
- (c) kennisgewings uit te deel wat deur die vakvereniging uitgegee word.

(5) Die bepalings van hierdie artikel is nie van toepassing op 'n immigrant gedurende die eerste jaar na die datum van sy binnekoms in die Unie van Suid-Afrika nie; met dien verstande dat wanneer die immigrant te eniger tyd na die eerste drie maande wat hy in die bedryf begin werk het, weier om op versoek van die betrokke vakvereniging lid daarvan te word, die bepalings van hierdie artikel onmiddellik van toepassing word.

15. VRYSTELLINGS.

(1) Die Raad kan vrystelling van enigeen van die bepalings van hierdie Ooreenkoms verleen om enige goeie en voldoende rede.

(2) Die Raad moet ten opsigte van elke persoon aan wie vrystelling kragtens die bepalings van subartikel (1) van hierdie artikel verleen word, die voorwaardes waarop en die tydperk waarvoor sodanige vrystelling verleen word, vasstel; met dien verstande dat die Raad na goeie dunde en nadat een week skriftelike kennis aan die betrokke persoon gegee is, enige vrystelling kan herroep, of die tydperk waarvoor vrystelling verleen is, verstryk het of nie.

(3) Die Sekretaris van die Raad moet aan elke persoon aan wie vrystelling ooreenkomstig die bepalings van hierdie artikel verleen word, 'n vrystellingstifikaat, deur hom onderteken, uitreik, waarin vermeld word—

- (a) die naam van die betrokke persoon voluit;
- (b) die bepalings van die Ooreenkoms waarvan vrystelling verleen word;
- (c) die voorwaardes ooreenkomstig die bepalings van subartikel (2) van hierdie artikel vasgestel waarop die vrystelling toegestaan word; en
- (d) die tydperk waarvoor die vrystelling geldig is.

(4) Die Sekretaris van die Raad moet—

- (a) alle uitgereikte sertifikate in volgorde nommer;
- (b) 'n afskrif van elke uitgereikte sertifikaat bewaar; en
- (c) ingeval vrystelling aan 'n werknemer verleen word, 'n afskrif van die sertifikaat aan die betrokke werkgewer en 'n verdere afskrif aan die Afdelingsinspekteur, Departement van Arbeid, Pretoria, stuur.

16. PREMIES.

Geen premie vir die opleiding van 'n werknemer mag deur 'n werkgewer gevorder of aangeneem word nie.

17. BESTAANDE KONTRAKTE.

(1) Enige dienskontrak wat van krag is op die aanvangsdatum van hierdie Ooreenkoms, of wat na dié datum aangegaan word, is onderworpe aan die bepalings van hierdie Ooreenkoms; met dien verstande dat niks in hierdie Ooreenkoms beskou word dat dit 'n vermindering magtig van die loon van 'n werknemer wat by die inwerkingtreding van hierdie Ooreenkoms 'n hoër loon ontvang het as wat in artikel 4 voorgeskryf word nie.

(2) In hierdie Ooreenkoms is alle voorgeskrewe lone, minimum lone, en die betaling van hoër lone word nie verbied nie.

(3) (a) Any person who has been refused membership of the trade union or the employers' organisation may, within 30 days of being notified of such refusal, report such refusal in writing to the Council which shall consider such report. If the Council, after consideration of such report, is satisfied that membership of a party to this Agreement has been refused to such person without reasonable cause, it may declare that sub-section (1) or (2) of this section shall not apply to such person, and should the Council so declare, it shall convey such declaration, in writing, to the party to this Agreement who has refused membership to such person. Immediately the Council declares that sub-section (1) or (2) of this section shall not apply to such person who has been refused membership of a party to this Agreement, sub-section (1) or (2) of this section shall not apply to such person.

(b) If the Council after consideration of such matter does not declare the refusal of membership to any person by a party to this Agreement to be without reasonable cause, such person may report the facts to the Minister of Labour, and if the Minister, after consultation with the Council, so decides, sub-section (1) or (2) of this section shall not apply to such person with effect from the date specified by the Minister.

(c) For the convenience of employers in complying with the provisions of this section, the production by an employee of membership card of the trade union valid for the current year shall be proof of membership of the trade union of such employee. Possession of such card shall not, however, confer on its holder any greater rights than the holder is entitled to in terms of the constitution of the trade union, more especially in regard to the membership status in the trade union, and should such member be removed or suspended from membership of the trade union, he shall not be eligible for engagement by nor for continued employment with any person who is a member of the employers' organisation, notwithstanding such trade union member's possession of a membership card.

(4) A person duly authorised by the trade union and the Council in writing may enter any retail butcher shop at a time convenient to the employer for the purpose of—

- (a) interviewing employees on trade union matters;
- (b) enrolling new members;
- (c) distributing notices issued by the trade union.

(5) The provisions of this section shall not apply in respect of an immigrant during the first year after the date of his entry into the Union of South Africa; provided that if any immigrant has at any time after the first three months of his employment in the trade refused any invitation from the trade union concerned to become a member thereof, the provisions of this section shall immediately come into operation.

15. EXEMPTIONS.

(1) The Council may grant exemptions from any of the provisions of this Agreement to or in respect of any person for any good and sufficient reason.

(2) The Council shall fix, in respect of any person granted exemption under the provisions of sub-section (1) of this section, the conditions subject to which such exemption shall operate; provided that the Council may, if it deems fit, after one week's notice in writing has been given to the person concerned, withdraw an exemption, whether or not the period for which the exemption was granted has expired.

(3) The Secretary of the Council shall issue to every person granted exemption in accordance with the provisions of this section a licence of exemption signed by him, setting out—

- (a) the full name of the person concerned;
- (b) the provisions of the Agreement from which exemption is granted;
- (c) the conditions fixed in accordance with the provisions of sub-section (2) of this section, subject to which such exemption is granted; and
- (d) the period during which the exemption shall operate.

(4) The Secretary of the Council shall—

- (a) number consecutively all licences issued;
- (b) retain a copy of each licence issued; and
- (c) where an exemption is granted, forward a copy of the licence to the employer and employee concerned and a further copy to the Divisional Inspector, Department of Labour, Pretoria.

16. PREMIUMS.

No premiums shall be charged or accepted by an employer for the training of an employee.

17. EXISTING CONTRACTS.

(1) Any contract of service in operation at the date of commencement of this Agreement shall be subject to the provisions of the Agreement; provided that nothing in this Agreement shall be deemed to authorise any reduction in wages of any employee who at the commencement of this Agreement is in receipt of wages higher than prescribed in section 4.

(2) In this Agreement all wages prescribed are the minimum rates and do not prevent the payment of higher rates of wages.

18. VERTONING VAN OOREENKOMS.

Elke werkgever moet op 'n duidelik sigbare plek in sy inrigting, wat maklik toeganklik is vir sy werknemers, 'n leesbare kopie van hierdie Ooreenkoms in albei amptelike tale vertoon en vertoon hou.

19. INDIENSNEMING VAN SEKERE PERSONE.

Geen werkgever mag 'n persoon onder 16 jaar in diens hê nie.

20. AGENTE.

Die Raad kan een of meer bepaalde persone as agente aanstel om behulpsaam te wees by die toepassing van die bepalings van hierdie Ooreenkoms.

Elike werkgever en werknemer is verplig om dié agente toe te laat om die ondersoek in te stel en die boeke en/of stukke te ondersoek wat vir hierdie doel nodig mag wees.

21. DIENSSERTIFIKAAT.

Elke werkgever moet aan elkeen van sy werknemers wat uit sy diens tree, 'n dienssertifikaat kosteloos uitreik, wat aantoon die werknemer se naam en adres, aard van werk, dienstyd en loon wat aan elkeen van sy werknemers, behalwe 'n slagters-assistent, 'n werknemer nie elders genoem nie of 'n arbeider, betaal is toe hy sy werkgever se diens verlaat het.

22. BEÏNDIGING VAN DIENSKONTRAK.

(1) Onderworpe aan—

- (a) die reg van 'n werkgever of 'n werknemer om die kontrak sonder diensopsegging te beëindig om 'n rede wat wetlik as voldoende erken word;
- (b) die bepalings van 'n skriftelike ooreenkoms tussen werkgever en werknemer wat voorsiening maak vir diensopseggingstryd wat langer is as dié wat hierin bepaal word;

moet 'n werkgever of sy werknemer, behalwe 'n los werknemer, skriftelik kennis gee (en die kennisgewing gaan in op die tyd-stip waarop dit gegee word) van sy voorneme om die dienskontrak te beëindig, van minstens—

- (i) vier-en-twintig uur gedurende die eerste twee weke diens;
- (ii) een week na die eerste twee weke diens.

(2) Ingeval 'n werkgever of 'n werknemer versuim om kennis te gee soos by subartikel (1) hiervan vereis, moet hy onskadelik die ondergenoemde verbeur—

- (a) in die geval van 'n werknemer genoem in subartikel (1) (i) van hierdie artikel, 'n bedrag gelyk aan een dag se besoldiging;
- (b) in die geval van 'n werknemer genoem in subartikel (1) (ii) van hierdie artikel, 'n bedrag gelyk aan een week se besoldiging.

(3) Nieteenstaande andersluidende bepalings in hierdie Ooreenkoms, is die werkgever, ingeval geld wat deur die werkgever aan die werknemer verskuldig is by wyse van lone, onvoldoende is om die volle bedrag van die verbeuring te dek wat in subartikel (2) van hierdie artikel genoem word, daartoe geregtig om dié bedrag te behou uit ander voordele (as daar so iets is) wat besig is om vir die werknemer op te loop ten tyde van die beëindiging van sy dienskontrak.

Vir die toepassing van hierdie subartikel moet betaling wat ingevolge artikel 9 (2) (b) van hierdie Ooreenkoms aan 'n werknemer verskuldig is, as 'n voordeel beskou word wat besig is om op te loop.

(4) Ingeval 'n ooreenkoms-kragtens subartikel 1 (b) van hierdie artikel gesluit word, moet die betaling of verbeuring in plaas van diensopsegging in verhouding wees tot die diensopseggingstyd waartoe ooreengekom is.

(5) Die diensopsegging wat in subartikel 1 genoem word, mag nie met jaarlikse verlof kragtens artikel 10 of met siekteverlof kragtens artikel 11 saamval nie.

Namens die partye by die Nywerheidsraad vir die Klein-handelvisbedryf (Pretoria) hede die vyf-en-twintigste dag van Februarie 1952 in Pretoria onderteken.

J. C. DU PLESSIS,
Voorsitter van die Raad.

G. C. DU TOIT,
Ondervoorsitter van die Raad.

N. W. GELDENHUIS,
Sekretaris van die Raad.

18. EXHIBITION OF AGREEMENT.

Every employer shall affix and keep affixed in his establishment in a conspicuous place readily accessible to his employees a legible copy of this Agreement in both official languages.

19. EMPLOYMENT OF CERTAIN PERSONS.

No employer shall employ any person under the age of 16 years.

20. AGENTS.

The Council may appoint one or more specified persons as agents to assist in giving effect to the terms of this Agreement.

It shall be the duty of every employer and employee to permit such agents to institute such enquiries and to examine such books and/or documents as may be necessary for this purpose.

21. CERTIFICATE OF SERVICE.

Every employer shall issue free of charge a certificate of service showing the name and address, nature of occupation, period of service, and wages paid to each of his employees other than a butcher's assistant, an employee not elsewhere specified or a labourer at the time he leaves such employers' service.

22. TERMINATION OF CONTRACT OF EMPLOYMENT.

(1) Subject to—

- (a) the right of an employer or an employee to terminate a contract of employment without notice, for any good cause recognised by the law as sufficient;
- (b) the provisions of any written agreement between employer and employee stipulating for a period of notice in excess of that provided for herein;

an employer or his employee, other than a casual employee, shall give notice in writing to take effect from the time it is given, of his intentions to terminate the contract of employment, of not less than—

- (i) twenty-four hours during the first two weeks of employment;
- (ii) one week's notice after the first two weeks of employment.

(2) In the event of an employer or an employee failing to give notice as provided for in sub-section (1) hereof, he shall pay or forfeit respectively—

- (a) in the case of an employee such as referred to in sub-section (1) (i) of this section an amount equal to one day's remuneration;
- (b) in the case of an employee such as referred to in sub-section (1) (ii) of this section, an amount equal to one week's remuneration.

(3) Notwithstanding anything to the contrary in this Agreement, should any money owing by an employer to an employee by way of wages be insufficient to meet the full amount of forfeiture referred to in sub-section 2 of this section, the employer shall be entitled to retain such amount from other benefits (if any) which were in the process of accrual to such employee at the time of termination of his contract of employment.

For the purpose of this sub-section any payment which may be due to an employee in terms of section 9 (2) (b) of this Agreement, shall also be regarded as a benefit in the process of accrual.

(4) When an agreement is entered into in terms of sub-section 1 (b) of this section, the payment or forfeiture in lieu of notice shall be proportionate to the period of notice agreed upon.

(5) The notice referred to in sub-section (1) shall not run concurrently with annual leave, in terms of section 10, or sick leave, in terms of section 11.

Signed at Pretoria on behalf of the Parties to the Industrial Council for the Retail Meat Trade (Pretoria), this twenty-fifth day of February, 1952.

J. C. DU PLESSIS,
Chairman of the Council.

G. C. DU TOIT,
Vice-Chairman of the Council.

N. W. GELDENHUIS,
Secretary of the Council.

AANHANGSEL A.

NYWERHEIDSRAAD VIR KLEINHANDELVLEISBEDRYF (PRETORIA).

MAANDELIKSE OPGAWE DEUR WERKGEWERS. KLOUSULES 5 (3) (e) EN 11 VAN NYWERHEIDSOOREENKOMS.

Geliewe hierdie staat saam met Raadsgelde en ledegeld vir Vakvereniging te stuur aan:—

Die Sekretaris,

Nywerheidsraad vir die Kleinhandelvleisbedryf (Pretoria),

Posbus _____, Pretoria.

Naam van maatskappy/venootskap/firma/slagtery _____

Pos- en Kantooradres _____

Telefoon _____

Name van werknemers.	Hoedanigheid waarin in diens.	Loon per week of maand.	WERKNEMERS SE KONTRIBUSIE.		Werkgewers se kontribusie t.o.v. Raadsfonds.	Totaal.
			Ledegeld vir vakvereniging.	Raadsgelde.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.

ANNEXURE A.

INDUSTRIAL COUNCIL FOR THE RETAIL MEAT TRADE (PRETORIA).

MONTHLY RETURNS BY EMPLOYERS. INDUSTRIAL AGREEMENT CLAUSES 5 (3) (e) AND 11.

Kindly return this statement together with Council Levies and Union Fees to:—

The Secretary,

Industrial Council for the Retail Meat Trade (Pretoria),

P.O. Box _____, Pretoria.

Name of Company/Partnership/Firm/Butchery _____

Postal and Office Address _____

Telephone _____

Name of Employees.	Capacity in which Employed.	Rate of Pay per Week or Month.	EMPLOYEES' CONTRIBUTIONS.		Employers' Contributions to Council Funds.	Total.
			Union Subscriptions.	Council Levies.		
		£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.

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