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UNION OF SOUTH AFRICA

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UITGEWONE

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

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

## GOEWERMENSKENNISGEWING.

Onderstaande Goewermentskennisgewing word vir algemene inligting gepubliseer:—

### DEPARTEMENT VAN ARBEID.

\* No. 1988.] [29 Augustus 1952.  
NYWERHEID-VERSOENINGSWET, 1937.

### MOTORNYWERHEID SIEKTEFONDSOOREENKOMS (OOSTELIKE PROVINSIE).

Ek, BAREND JACOBUS SCHOEMAN, 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 hiervan verskyn en op die Motornywerheid betrekking het, vanaf 1 September 1952 en vir die tydperk wat op 31 Augustus 1953 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat genoemde ooreenkoms aangegaan het en vir die werkgewers en die werknemers wat lede van die organisasies of die verenigings is;
- (b) kragtens subartikel (2) van artikel *agt-en-veertig* van genoemde Wet dat die bepalings vervat in klousules 1, 4 tot en met 8 en 10 van die genoemde Ooreenkoms vanaf 1 September 1952 en vir die tydperk wat op 31 Augustus 1953 eindig, bindend is vir ander werkgewers en werknemers betrokke by of in diens in genoemde Nywerheid in die magistraatsdistrikte Port Elizabeth, Uitenhage, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Cradock, Colesberg, George, Graaff-Reinet, Hanover, Humansdorp, Jansenville, Knysna, Maraisburg, Middelburg (Kaap), Mosselbaai, Murraysburg, Oudtshoorn (insluitende dié gedeelte wat na die magistraatsdistrik Calitzdorp oorgeplaas is by Proklamasies Nos. 124 en 125, gedateer 28 Mei 1945, gepubliseer in *Staatskoerant* No. 3511 van 22 Junie 1945), Pearston, Richmond (Kaap), Steynsburg, Steytlerville, Somerset-Oos, Uniondale, Venterstad en Willowmore; en
- (c) kragtens subartikel (4) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings vervat in klousules 1, 4 tot en met 8 en 10 van die genoemde Ooreenkoms vanaf 1 September 1952 en vir die tydperk wat op 31 Augustus 1953 eindig, in die magistraatsdistrikte Port Elizabeth, Uitenhage, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Cradock, Colesberg, George, Graaff-Reinet, Hanover, Humansdorp, Jansenville, Knysna, Maraisburg, Middelburg (Kaap), Mosselbaai, Murraysburg, Oudtshoorn (insluitende die

## GOVERNMENT NOTICE.

The following Government Notice is published for general information:—

### DEPARTMENT OF LABOUR.

\* No. 1988.] [29 August 1952.  
INDUSTRIAL CONCILIATION ACT, 1937.

### MOTOR INDUSTRY SICK FUND (EASTERN PROVINCE) AGREEMENT.

I, BAREND JACOBUS SCHOEMAN, Minister of Labour, do hereby declare—

- (a) in terms of sub-section (1) of section *forty-eight* of the Industrial Conciliation Act, 1937, that all the provisions of the agreement which appear in the Schedule hereto and which relate to the Motor Industry shall be binding from the 1st of September, 1952, and for the period ending the 31st August, 1953, upon the employers organisations and the trade unions which entered into the said agreement and upon the employers and the employees who are members of those organisations or those trade unions;
- (b) in terms of sub-section (2) of section *forty-eight* of the said Act, that the provisions contained in clauses 1, 4 to 8 (inclusive) and 10 of the said Agreement shall be binding from the 1st of September, 1952, and for the period ending the 31st August, 1953, upon the other employers and employees engaged or employed in the said industry in the Magisterial Districts of Port Elizabeth, Uitenhage, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Cradock, Colesberg, George, Graaff-Reinet, Hanover, Humansdorp, Jansenville, Knysna, Maraisburg, Middelburg (Cape), Mossel Bay, Murraysburg, Oudtshoorn (including that portion transferred to the Magisterial District of Calitzdorp by Proclamations Nos. 124 and 125, dated 28th May, 1945, published in *Government Gazette* No. 3511, dated 22nd June, 1945), Pearston, Richmond (Cape), Steynsburg, Steytlerville, Somerset East, Uniondale, Venterstad and Willowmore; and
- (c) in terms of sub-section (4) of section *forty-eight* of the said Act, that in the Magisterial Districts of Port Elizabeth, Uitenhage, Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Cradock, Colesberg, George, Graaff-Reinet, Hanover, Humansdorp, Jansenville, Knysna, Maraisburg, Middelburg (Cape), Mossel Bay, Murraysburg, Oudtshoorn (including that portion transferred to the Magisterial District of Calitzdorp by Proclamations Nos. 124 and 125, dated 28th May, 1945, published in *Government Gazette* Nos. 3511, dated

gedeelte wat na die magistraatsdistrik Calitzdorp oorgeplaas is by Proklamasies Nos. 124 en 125, gedateer 28 Mei 1945, gepubliseer in *Staatskoerant* No. 3511 van 22 Junie 1945), Pearston, Richmond (Kaap), Steynsburg, Steytlerville, Somerset-Oos, Uniondale, Venterstad en Willowmore *mutatis mutandis* van toepassing is ten opsigte van persone in diens in genoemde nywerheid wat nie by die woordomskeywing van die uitdrukking „werk-nemer”, vervat in artikel een van genoemde Wet, ingesluit is nie.

B. J. SCHOEMAN,  
Minister van Arbeid.

#### BYLAE.

#### DIE NASIONALE NYWERHEIDSRAAD VIR DIE MOTORNYWERHEID.

#### MOTORNYWERHEIDSIEKEFONDS (OOSTELIKE PROVINSIE) OOREENKOMS

ingevolge die bepalings van die Nywerheid-versoeningswet, 1937, gesluit deur die

South African Motor Industry Employers' Association  
en die

South African Vehicle Builders' and Repairers' Association  
(hierna „die werkgewers” of „die werkgewersorganisasies” genoem) aan die een kant, en die

Motor Industry Employees' Union of South Africa  
en die

Motor Industry Staff Association

(hierna „die werknemers” of „die vakverenigings” genoem) aan die ander kant, wat die partye is by die

Nasionale Nywerheidsraad vir die Motornywerheid.

#### 1. WOORDEBEPALINGS.

Alle uitdrukings wat in hierdie Ooreenkoms gebesig word en in die Wet omskryf is, het dieselfde betekenis as in die Wet, verwysings na 'n Wet sluit wysigings van die Wet in, en tensy die teendeel blykbaar bedoel word, sluit woorde wat die manlike geslag aandui, vrouens in; verder, tensy dit strydig is met die verband, beteken—

„Wet”, die Nywerheid-versoeningswet, 1937;

„vakleerling”, 'n werknemer wat in diens is kragtens 'n geskrewe kontrak van vakleerlingskap wat ingevolge die Vakleerlingskapwet, 1944, geregistreer is of as geregistreer beskou word;

„gebied A (OP)”, die magistraatsdistrik Port Elizabeth en die munisipaliteit van Uitenhage;

„gebied B (OP)”, die magistraatsdistrikte van Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Cradock, Colesberg, George, Graaff-Reinet, Hanover, Humansdorp, Jansenville, Knysna, Maraisburg, Middelburg (Kaap), Mosselbaai, Murraysburg, Oudtshoorn (met inbegrip van die deel wat na die magistraatsdistrik van Calitzdorp oorgedra is by Proklamasies Nos. 124 en 125, van 28 Mei 1945, gepubliseer in *Staatskoerant* No. 3511 van 22 Junie 1945), Pearston, Richmond (Kaap), Steynsburg, Steytlerville, Somerset-Oos, Uitenhage (buiten die munisipaliteit van Uitenhage), Uniondale, Venterstad en Willowmore;

„batterywerktuigkundige”, 'n werknemer wat in 'n batteryherstel-, bedienings- en/of rekondisioneerinrigting in diens is om batterydefekte na te gaan en/of battery te herstel, uitmekaar te haal, te vervang, te hermonteer en/of te herisoleer;

„bakafakelaar”, 'n werknemer in 'n inrigting wat minstens een vakmanspuitverwer en/of een vakmanpaneelmaker in diens het, wat bestuurderskappe, bakke, modderskerms, buffers, deure, masjienkappe, verkoelers, sysskerms, doppe, roosters, loopplanke, baklyswerk, vensterrame, sitplekke, lampe, binnepanele, sitplekoortreksels, vloerplate en modderplate;

„Raad”, die Nasionale Nywerheidsraad vir die Motornywerheid wat ingevolge artikel negentien van die Nywerheid-versoeningswet, 1937, geregistreer is;

„volle werkdag”, die tydperk op enige dag waarin die gewone daagskof gewerk word;

„afhanklike”, 'n bydraer se vrou en/of kinders onder 18 jaar;

„Streksraad vir die Oostelike Provinsie”, 'n komitee wat as sulks aangestel is deur die Raad kragtens sy konstitusie en waarvan die voorlopige adres Posbus 3051, Port Elizabeth, is;

„fondsweek”, die week van middernag tussen Vrydag en Saterdag tot middernag tussen die volgende Vrydag en Saterdag;

„basiese weekloon”, die minimum weekloon wat in 'n geldige ooreenkoms van die Raad vir 'n lid van die fonds voorgeskryf word of, by gemis van so 'n ooreenkoms, in die jongste looneëlingsooreenkoms wat op die nywerheid van toepassing is; indien die weekloon so voorgeskryf word, beteken basiese weekloon die minimum weekloon vermenigvuldig met die aantal ure per week wat gewoonlik deur die lid gewerk word;

22nd June, 1945), Pearston, Richmond (Cape), Steynsburg, Steytlerville, Somerset East, Uniondale, Venterstad and Willowmore and from the 1st of September, 1952, and for the period ending the 31st August, 1953, the provisions contained in clauses 1, 4 to 8 (inclusive) and 10 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.

B. J. SCHOEMAN,  
Minister of Labour.

#### SCHEDULE.

#### THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY.

#### MOTOR INDUSTRY SICK FUND (EASTERN PROVINCE) AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1937, made and entered into between

The South African Motor Industry Employers' Association  
and

The South African Vehicle Builders' and Repairers' Association  
(hereinafter referred to as “the employers” or the “employers' organisations”); of the one part,

and

The Motor Industry Employees' Union of South Africa  
and

The Motor Industry Staff Association

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

being the parties to the National Industrial Council for the Motor Industry.

#### 1. DEFINITIONS.

All expressions used in this Agreement which are defined in the 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 females, further, unless inconsistent with the context—

“Act” means the Industrial Conciliation Act, 1937;

“apprentice” means an employee serving under a written contract of apprenticeship registered or deemed to have been registered under the Apprenticeship Act, 1944;

“Area A (EP)” means the Magisterial District of Port Elizabeth and the Municipal Area of Uitenhage;

“Area B (EP)” means the Magisterial Districts of Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Cradock, Colesberg, George, Graaff-Reinet, Hanover, Humansdorp, Jansenville, Knysna, Maraisburg, Middelburg (Cape), Mossel Bay, Murraysburg, Oudtshoorn (including that portion transferred to the Magisterial District of Calitzdorp by Proclamations Nos. 124 and 125, dated 28th May, 1945, published in *Government Gazette* No. 3511, dated 22nd June, 1945), Pearston, Richmond (Cape), Steynsburg, Steytlerville, Somerset East, Uitenhage (excluding the Municipal Area of Uitenhage), Uniondale, Venterstad and Willowmore;

“battery mechanic” means an employee employed in a battery repairing, servicing and/or reconditioning establishment who diagnoses battery faults and/or repairs, dismantles, replaces reassembles and/or reinsulates batteries;

“body stripper” means an employee who in any establishment employing at least one journeyman spraypainter and/or one journeyman panelbeater, removes and/or replaces cabs, bodies, bumpers, mudguards, doors, bonnets, radiators, valances, shells, grilles, running boards, body mouldings, window frames, seats, lamps, inside panels, seat covers, floor boards and engine mud trays;

“Council” means the National Industrial Council for the Motor Industry registered in terms of section nineteen of the Industrial Conciliation Act, 1937;

“clear working day” means that period on any day during which the usual day's shift is worked;

“dependant” means the wife and/or children under the age of 18 years of a contributor;

“Eastern Province Regional Council” means a committee appointed as such by the Council in terms of its Constitution and whose address for the time being is, P.O. Box 3051, Port Elizabeth;

“fund week” means a week calculated from midnight between Friday and Saturday to midnight between the next succeeding Friday and Saturday;

“basic weekly wage” means the minimum weekly wage prescribed for a member of the fund in any current Agreement of the Council, or in the absence of such Agreement, in the last wage regulating Agreement applicable to the industry and where hourly rates are so prescribed it shall mean the minimum hourly rate multiplied by the number of weekly hours ordinarily worked by a member;

„vakman”, ’n werknemer wat—

- (a) ’n leertyd volgens die bepaling van die Wet op Vakleerlinge of volgens ’n geskrewe kontrak wat deur ’n streeksraad goedgekeur is, by ’n bepaalde nywerheid deurgemaak het; of
- (b) ’n lidmaatskapkaartjie van die Motor Industry Employees’ Union of South Africa besit; of
- (c) ’n streeksraad oortuig het van sy bekwaamheid in ’n erkende bedryf en ’n geskrewe sertifikaat het om dit te bewys;

„beheer Komitee”, die beheer Komitee wat deur die Raad kragtens sy konstitusie aangestel is;

„lid van die fonds”, iemand wat as werknemer ingevolge hierdie Ooreenkomste tot die fonds bydra of bygedra het en/of wat tot die fonds wat ingevolge Goewernementskennisgewing No. 2580 van 27 Oktober 1950, soos gewysig en verleng, ingestel is, bygedra het;

„werktuigkundige aftakelaar”, ’n werknemer in ’n inrigting wat minstens een vakmanmotorwerktuigkundige in diens het, wat onder die toesig van hierdie vakman die waterpype en/of verkoelers van motors afhaal nadat die waterpomp en elektriese dele verwyder is, en/of die boonste en onderste watertanks met ’n asstilleenlamp van die verkoelers afhaal, en/of proppe aan die verkoeler aanbring, en/of bestuurderskappe, bakke, buffers, modderskerm, deure, masjienkappe, verkoelers, skerm, doppe, roosters, loopplanke, baklyswerk, vensterrame, sitplekke, lampe, binnepanele, sitplekoretrekels, voor- en agtervere, spiraalvere, oliepanne, silinderkoppe van syklopenjins, remtrommels, vloerplate, modderplate en los vliegwieldeksels, en/of hele voor- en agteras inrigtings, ratkaste, voorwielhanginrigting, stuur of hele enjins nadat die elektriese dele verwyder is, verwyder maar nie uitmekaarhaal nie;

„Motornywerheid” of „nywerheid” beteken, sonder in enige opsig die gewone betekenis van die uitdrukking te beperk—

- (a) inmeekaarsit, opbou, toets, hervervaardiging, herstel, regstel, nasien, bedrading, bekleding, verfspuit, verf en/of hernuwing, uitgevoer in verband met—
  - (i) die onderstel en/of bakke van motorvoertuie;
  - (ii) binnebrandmasjiene en transmissie-onderdele van motorvoertuie;
  - (iii) die elektriese uitrusting in verband met motorvoertuie met inbegrip van radio’s;
- (b) motoringenieurswerk;
- (c) herstel, vulkaniseer en/of versool van bande;
- (d) herstel, bediening en vernuwing van batterye vir motorvoertuie;
- (e) die besigheid van parkering en/of bewaring van motorvoertuie;
- (f) die besigheid wat gedryf word deur ’n vulstasie of diensstasie;
- (g) die besigheid van die verkoop hoofsaaklik of uitsluitlik van motorvoertuie of motorvoertuigonderdele en/of reserwedele en/of -toebehore (hetsy nuut of gebruik) in verband daarmee, hetsy die verkoop geskied van persele wat aan ’n gedeelte van ’n inrigting verbonde is waarin die inmeekaarsit of herstel van motorvoertuie uitgevoer word, of nie;
- (h) die besigheid van motorsloopplekke;
- (i) die besigheid van vervaardigingsinrigtings waarin motorvoertuigonderdele en/of onderdele en/of toebehore en/of onderdele daarvan vervaardig word;
- (j) voertuigbakbou.

Vir die toepassing van hierdie woordbepaling, beteken—

„motoringenieurswerk”, die vernuwing van binnebrandmasjiene of gedeeltes daarvan vir gebruik in motorvoertuie in inrigtings hoofsaaklik of uitsluitlik aldus werkzaam, hetsy dié inrigting hom besig hou met die uitmekaarhaal en herstel van motorvoertuie of nie;

„motorvoertuig”, enige wielvoertuig gedryf deur middel van meganiese krag (behalwe stoom) of elektrisiteit en bedoel is vir trekwerk en/of die vervoer van persone en/of goedere en/of vrigte en sluit sleepwaens en karavane in maar sluit geen uitrusting in wat bedoel is om op vaste spore te loop nie, nóg sleepwaens wat bedoel is om vrigte van 20 ton of meer te vervoer, nóg vliegtuie; en

„voertuigbakbou” beteken enigeen of almal van ondergenoemde bedrywighede wat in ’n inrigting vir voertuigbakbou uitgevoer word, maar dit sluit nie voertuigbakbou in wat deel uitmaak van die inmeekaarsit van motorvoertuie deur monteeringinrigtings nie:

- (a) die bou, herstel of vernuwing van kappe en/of bakke en/of bobou vir alle soorte voertuie;
- (b) die vervaardiging of herstel van onderdele vir kappe en/of bakke en/of bobou en die inmeekaarsit, verstel en insit van onderdele in kappe, bakke of op die bobou van voertuie;
- (c) kappe en/of bakke en/of bobou aan die onderstelle van enige soort voertuig vassit;
- (d) kappe en/of bakke en/of bobou met beskermings- of siermddels bedek en/of versier;
- (e) die binnekant van kappe en/of bakke en/of bobou uitrus, van toebehore voorsien en afwerk;

„journeyman” means an employee who—

- (a) has served an apprenticeship to a designated trade in accordance with the requirements of the Apprenticeship Act or in accordance with a written contract approved by any Regional Council; or
- (b) is in possession of a Grade A membership card issued by the Motor Industry Employees’ Union of South Africa; or
- (c) has proved to the satisfaction of any Regional Council his competence at any recognised trade and who holds a written certificate to that effect;

„management committee” means the management committee appointed by the Council in terms of its constitution;

„member of the fund” means any person who contributes or has contributed to the fund as an employee in terms of this Agreement and/or who has contributed to the fund established in terms of Government Notice No. 2580 of 27th October, 1950, as amended and extended;

„mechanic’s stripper” means an employee in any establishment in which at least one journeyman motor mechanic is employed, who under the supervision of such journeyman, removes water hoses and/or radiators from cars after the water pump and electrical fittings have been dismantled and/or removes top and bottom water tanks from radiator core with acetylene torch and/or fits plugs to radiator and/or removes cabs, bodies, bumpers, mudguards, doors, bonnets, radiators, valances, shells, grilles, running boards, body mouldings, window frames, seats, lamps, inside panels, seat covers, front and rear springs, coil springs, sumps, cylinder heads from side valve engines, brakedrums, floor boards, engine mud trays, detachable flywheel covers and/or removes but does not dismantle complete front and rear axle assemblies, gear boxes, front wheel suspension, steering and/or complete engines after electrical fittings have been dismantled;

„Motor Industry” or „Industry” means, without in any way limiting the ordinary meaning of the expression:—

- (a) assembling, erecting, testing, remanufacturing, repairing, adjusting, overhauling, wiring, upholstering, spraying, painting and/or reconditioning carried on in connection with—
  - (i) chassis and/or the bodies of motor vehicles;
  - (ii) internal combustion engines and transmission components of motor vehicles;
  - (iii) the electrical equipment connected with motor vehicles, including radios;
- (b) automotive engineering;
- (c) repairing, vulcanising and/or retreading tyres;
- (d) repairing, servicing and/or reconditioning batteries for motor vehicles;
- (e) the business of parking and/or storing motor vehicles;
- (f) the business conducted by filling and/or service stations;
- (g) the business carried on mainly or exclusively for the sale of motor vehicles or motor vehicle parts and/or spares and/or accessories (whether new or used) pertaining thereto, whether or not such sale is conducted from premises which are attached to a portion of an establishment wherein is conducted the assembly of or repairs to motor vehicles;
- (h) the business of motor graveyards;
- (i) the business of manufacturing establishments wherein are fabricated motor vehicle parts and/or spares and/or accessories and/or components thereof;
- (j) vehicle body building.

For the purpose of this definition—

„automotive engineering” means the reconditioning of internal combustion engines or parts thereof for use in motor vehicles in establishments mainly or exclusively so engaged whether such establishment is engaged in the dismantling and repair of motor vehicles or not; and

„motor vehicle” means any wheeled conveyance propelled by mechanical power (other than steam) or electrically and designed for haulage and/or for the transportation of persons and/or goods and/or loads and includes trailers and caravans but shall not include any equipment designed to run on fixed tracks, trailers designed to transport loads of 20 tons or over, or aircraft; and

„vehicle body building” means any or all of the following activities carried on in a vehicle body building establishment, but shall not include vehicle body building done incidentally to the assembling of motor vehicles by assembly establishments:—

- (a) the construction, repair, or renovation of cabs and/or bodies and/or any superstructure for any type of vehicle;
- (b) the manufacture or repair of component parts for cabs and/or bodies and/or any superstructure and the assembling, adjusting and installation of parts in cabs, bodies or on the superstructure of vehicles;
- (c) fixing cabs and/or bodies and/or any superstructure to the chassis of any type of vehicle;
- (d) coating and/or decorating cabs and/or bodies and/or any superstructure with any preservative or decorative substances;
- (e) equipping, furnishing and finishing off the interior of cabs and/or bodies and/or superstructures;

- (f) sleepwaens bou, met uitsluiting van die vervaardiging van wiele, of aste daarvan;
- (g) alle werksaamhede wat hoort by of voortvloei uit die werksaamhede genoem in paragrawe (a), (b), (c), (d), (e) en (f).

Vir die toepassing van hierdie woordbepaling sluit „voertuig” nie vliegtuie in nie, en „motornywerheid” soos hierbo omskryf, sluit nie onderstaande in nie:—

- (i) Die vervaardiging van motorvoertuigonderdele en/of toebehoere en/of reserwedele en/of gedeeltes in inrigtings wat aangelê is vir en gewoonlik metaal en/of plastiese goedere van ’n ander aard op aansienlike skaal produseer;
- (ii) die inmeekaarsit, ophou, toets, herstel, verstel, nasien, bedrading, spuitverf, verf en/of vernieuwing van landbou-trekkers behalwe waar dit uitgevoer word in inrigtings wat dergelike dienste lewer ten opsigte van motorkarre, motorvragwaens of motortrokke;
- (iii) die vervaardiging en/of onderhoud en/of herstel van—
- (a) siviele en meganiese ingenieursuitrusting en/of onderdele daarvan, hetsy dit op wiele gemonteer is of nie;
- (b) landbou-uitrusting of onderdele daarvan; of
- (c) uitrusting bedoel vir gebruik in fabriek en/of werksinkels; met dien verstande dat vir die toepassing van (a), (b) en (c) hierbo, dit nie beskou moet word dat „uitrusting” motorkarre, motorvragwaens en/of motortrokke insluit nie;
- (d) motorvoertuigbakke en ander voertuigbakke en bobou en/of gedeeltes of onderdele daarvan gemaak van plaatstaal een-agtste van ’n duim dik of dikker wanneer dit uitgevoer word in inrigtings wat aangelê is vir en gewoonlik besig is met die vervaardiging en/of onderhoud en/of herstel van siviele en/of meganiese ingenieursuitrusting op ’n aansienlike skaal;
- (iv) monteurinrigtings wat ’n inrigting of gedeelte daarvan beteken waarin motorvoertuie en/of die bakke van motorvoertuie geheel en al of gedeeltelik uit nuwe onderdele op ’n monterlyn inmeekaarsit word en dit sluit in die vervaardiging en/of fabrieer van motorvoertuigonderdele wanneer dit in so ’n inrigting uitgevoer word;

„monteur van nuwe motorvoertuie”, ’n werknemer in ’n inrigting wat in verband met die inmeekaarsit van nuwe motorvoertuie, wiele, vere, stampers, treeplanke, voetplate, moderskerms, koplampe en masjienkappe aflaai, uitpak en waar dit nodig is in posisie plaas; onderdele soos kruisstukke van onderstelle, asse, verkoelers, windskerms, onderdele van bestuurderskappe in posisie hou terwyl die vakman dié onderdele vasbout, klink, sweis of vasheg; batterye in posisie plaas, olie in masjinerie, ratkas en agteras ingooi;

„streeksekretaris”, die sekretaris van Oostelike Provinsie se Streeksraad van die Nasionale Nywerheidsraad vir die Motornywerheid, en sluit alle beamptes in wat aangestel word om die sekretaris te help.

## 2. BESTEK EN TOEPASSING VAN OOREENKOMS.

Die bepalinge van hierdie Ooreenkoms moet deur alle werkgewers nagekom word wat lede van die werkgewersorganisasie is en die motornywerheid uitoefen, en deur alle lede van die fonds wat lede van die vakvereniging is en in die nywerheid in diens is.

## 3. TERMYN VAN TOEPASSING VAN OOREENKOMS.

Hierdie Ooreenkoms tree in werking op die datum wat deur die Minister van Arbeid vasgestel word kragtens subartikel (1) van artikel agt-en-veertig van die Wet en bly van krag vir twaalf maande vanaf daardie datum, of vir sodanige termyn wat deur die Minister vasgestel word.

## 4. ADMINISTRASIE.

(1) Hierby word ’n fonds gestig wat bekend staan as die „Siektebystandfonds vir die Motornywerheid (Oostelike Provinsie)” hierna die „fonds” genoem. Die fonds bestaan uit geld wat kragtens artikels 5 en 7 van hierdie Ooreenkoms van bydraes en rente op beleggings oploep en bevat die bate en laste van die Siektebystandfonds vir die Motornywerheid (Oostelike Provinsie), wat by Goewermentskennisgewing No. 2580 van 27 Oktober 1950 (soos gewysig en verleng), gestig is.

(2) Die doel van die fonds is om aan lede en hul afhanklikes, wat in slegte gesondheid verkeer, bystand te verleen soos bepaal in artikel 6 hiervan.

(3) Die fonds word beheer deur ’n beheerkomitee wat bestaan uit drie verteenwoordigers van die werknemers en drie verteenwoordigers van die werkgewers, wat deur die Raad, kragtens sy konstitusie, uit sy lede aangestel word. Vir elke verteenwoordiger kan ’n plaasvervanger benoem word. Ingeval die beheerkomitee om een of ander rede nie sy pligte kan vervul nie, dan moet die Streeksraad (Oostelike Provinsie) of die Raad daardie pligte vervul en die bevoegdhede uitoefen.

- (f) building of trailers, but not including the manufacture of wheels or axles therefor;
- (g) all operations incidental to or consequent upon the activities referred to in paragraphs (a), (b), (c), (d), (e), and (f).

For the purpose of this definition, „vehicle” does not include an aircraft, and „motor industry” as defined above shall not include the following:—

- (i) the manufacture of motor vehicle parts and/or accessories and/or spares and/or components in establishments laid out for and normally producing metal and/or plastic goods of a different character on a substantial scale, or the sale of motor spare parts and accessories by assembly establishments from such establishments;
- (ii) the assembling, erecting, testing, repairing, adjusting, overhauling, wiring, spraying, painting and/or reconditioning of agricultural tractors except where carried on in establishments rendering similar service in respect of motor cars, motor lorries or motor trucks;
- (iii) the manufacture and/or maintenance and/or repair of—
- (a) civil and mechanical engineering equipment and/or parts thereof whether or not mounted on wheels;
- (b) agricultural equipment or parts thereof; or
- (c) equipment designed for use in factories and/or workshops;
- Provided that for the purposes of (a), (b) and (c) above, „equipment” shall not be taken to mean motor cars, motor lorries and/or motor trucks;
- (d) motor vehicle or other vehicle bodies and/or superstructures and/or parts or components thereof made of steel plate of one-eighth of an inch thickness or thicker when carried on in establishments laid out for and normally engaged in the manufacture and/or maintenance and/or repair of civil and/or mechanical engineering equipment on a substantial scale;
- (iv) assembly establishments which shall mean an establishment or portion thereof wherein motor vehicles and/or the bodies thereof are completely or partially assembled from new components on an assembly line and includes the manufacture and/or fabricating of any motor vehicle parts or components when carried on in such establishments.

„new motor vehicle assembler” means an employee in any establishment who, in connection with the assembly of new motor vehicles; offloads, unpacks, and where necessary, fits wheels, springs, bumpers, footboards, runningboards, fenders, headlamps and engine bonnets in position; holds in position such parts as chassis cross members, axles, radiators, wind screens, parts of cabs while the journeyman bolts, rivets, welds or screens such parts; places batteries in position and oils in engines, gearboxes and back axles;

„Regional Secretary” means the Secretary of the Eastern Province Regional Council of the National Industrial Council for the Motor Industry and includes any official appointed to assist the Secretary.

## 2. SCOPE AND APPLICATION OF AGREEMENT.

The terms of this Agreement shall be observed by all employers who are members of the employers’ organisations and who are engaged in the motor industry and by all members of the fund who are members of the trade unions and who are employed in the industry in Areas A (EP) and B (EP).

## 3. PERIOD OF OPERATION OF AGREEMENT.

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of sub-section (1) of section forty-eight of the Act, and shall remain in force for twelve months from that date or for such period as may be determined by the Minister.

## 4. ADMINISTRATION.

(1) There is hereby established a fund which shall be known as the „Motor Industry Sick Benefit Fund (Eastern Province)” hereinafter referred to as „the fund”. The fund shall consist of moneys accruing from contributions and interest on investments, in terms of sections 5 and 7 of this Agreement and shall incorporate the assets and liabilities of the Motor Industry Sick Benefit Fund (Eastern Province), established in terms of Government Notice No. 2580 of 27th October, 1950 (as amended and extended).

(2) The objects of the fund shall be the provision of benefits as defined in section 6 hereof to members and their dependants who are in a condition of ill-health.

(3) The fund shall be under the control of a management committee consisting of three representatives of the employees and three representatives of the employers appointed by the Council in terms of its Constitution from amongst its members. An alternate may be appointed in respect of each representative. Should the management committee be unable to perform its duties for any reason the Eastern Province Regional Council or the Council shall perform those duties and exercise its powers.

(4) Die beheerkomitee het die bevoegdheid om reëls vir die beheer van die fonds op te stel, te wysig en te verander, en daardie reëls moet deur die Raad goedgekeur word voordat hulle toegepas kan word.

Kopieë van die reëls en elke wysiging daarvan, moet by die Sekretaris vir Arbeid ingedien word.

(5) Elke lid wat hom nie met 'n uitspraak van die beheerkomitee kan vereenselwig nie, het die reg om teen daardie uitspraak by die Streeksraad van die Oostelike Provinsie te appelleer en die Streeksraad moet *mutatis mutandis* met die appèl handel ooreenkomstig die handelwyse voorgeskryf in klousule 10 van die Raad se reglement.

(6) Ondanks enigiets wat in hierdie Ooreenkoms vervat is, het die beheerkomitee bevoegdheid om na eie goeëdunke te handel vir die toestaan van ekstra hulp aan lede en afhanklikes in daardie gevalle wat, na sy mening, binne die doel van die fonds val, en kan ook in gevalle van ontbering wat uit siekte ontstaan, aan lede bystand verleen in die vorm van geldelike skenkings, lenings of andersins op voorwaardes wat die komitee van tyd tot tyd kan vasstel.

#### 5. BYDRAES.

(1) Elke werkgewer moet op elke betaaldag 'n bedrag ooreenkomstig onderstaande tabel van die loon van elke vakman, batterywerktuigkundige, bakaftakelaar, werktuigkundige aftakelaar en/of monteur van nuwe motorvoertuie in sy diens aftrek en 'n bedrag per week ooreenkomstig onderstaande tabel ten opsigte van elke vakman, batterywerktuigkundige, bakaftakelaar, werktuigkundige aftakelaar en/of monteur van nuwe motorvoertuie in sy diens bydra:—

##### Weeklikse bydraes.

|                                                                                | s. d. |           | s. d. |
|--------------------------------------------------------------------------------|-------|-----------|-------|
| Vakman en/of batterywerktuigkundige                                            | 3 0   | Werkgewer | 1 6   |
| Bakaftakelaar, werktuigkundige aftakelaar en/of monteur van nuwe motorvoertuie | 2 0   | Werkgewer | 1 0   |

en moet die totale bedrag, aldus bereken, uiterlik die tiende dag van die maand wat volg op dié waarop dit betrekking het, aan die Streeksekretaris, Posbus 3051, Port Elizabeth, stuur, tesame met die vorms wat van tyd tot tyd deur die beheerkomitee voorgeskryf kan word.

(2) Bydraes deur 'n lid wat loon gedurende die fondswEEK vir een dag of meer ontvang het, moet ten opsigte van die hele week betaal word.

(3) As 'n lid gedurende 'n fondswEEK by meer as een werkgewer in diens is, moet die werkgewer by wie hy gedurende daardie week die eerste in diens is, beide sy eie bydrae en dié wat deur die lid verskuldig is ten opsigte van die hele week betaal en kan die bydrae wat deur daardie werknemer verskuldig is, van sy loon aftrek soos bepaal in subartikel (1) en geen verdere bydrae is in of ten opsigte van daardie week betaalbaar nie.

(4) Die weeklikse bydrae soos bepaal in subartikel (1) van hierdie artikel is betaalbaar ten opsigte van elke tydperk wat 'n lid met jaarlikse verlof met volle betaling is, ooreenkomstig enige ooreenkoms wat deur die Raad gesluit is.

(5) Die bydraes ooreenkomstig hierdie subartikel is ten opsigte van vakmanne, batterywerktuigkundiges, bakaftakelaars, werktuigkundige aftakelaars en/of monteurs van nuwe motorvoertuie betaalbaar en van geen ander werknemer kan vereis word om aan die fonds by te dra nie en van geen werkgewer kan vereis word om ten opsigte van ander werknemers as vakmanne, batterywerktuigkundiges, bakaftakelaars, werktuigkundige aftakelaars en/of monteurs van nuwe motorvoertuie by te dra nie.

#### 6. BYSTAND.

(1) 'n Lid van die fonds wat gedurende dertien weke sy bydraes betaal het, het reg op—

- toelaes ten opsigte van uitgawes wat gedoen is in verband met mediese behandeling vir homself en sy afhanklikes, of spesialistegedeelte maar nie die koste van X-straalondersoek en die behandeling van venereiese siektes nie, en daardie toelaes moet hoogstens 10s. per konsultasie of besoek wees;
- kostelose medisyne, verdowingsmiddels, salwe en wasmiddels vir homself en sy afhanklikes as hulle ingevolge 'n resep wat deur 'n geneesheer geteken is, gelewer word, maar nie die lewering van patentmedisyne of -voedsels nie;
- die betaling van sy hospitaal- of verpleeginrigtingkoste tot op 'n bedrag van £5 in 'n kalenderjaar, en betaling van chirurgiese operasies tot op 'n bedrag van £10 in 'n kalenderjaar;
- 'n bevallings-toelaes van £5;
- die betaling van inspuittings, behalwe inspuittings bedoel vir inenting of die voorkoming van siekte, tot en met 'n bedrag van £5;
- siekte- of ongevallebetaling gelyk aan die helfte van die basiese weekloon van daardie lid ten opsigte van 'n tydperk of tydperke waarin hy deur siekte of ongeval verhinder is om sy gewone loon te verdien, maar hoogstens 'n tydperk van 13 weke ten opsigte van enige afsonderlike ongeval of siekte in 'n kalenderjaar;

met dien verstande dat geen werknemer geregtig is om in 'n kalenderjaar ongevallebetaling van altesame meer as 26 weke te ontvang nie;

(4) The management committee shall have the power to make, amend and alter rules governing the administration of the fund, and such rules shall be approved by the Council before being put into effect.

Copies of the rules and any amendments thereof shall be lodged with the Secretary for Labour.

(5) Any member of the fund who is dissatisfied with any decision of the management committee may appeal to the Eastern Province Regional Council against that decision and the Regional Council shall deal with such appeal *mutatis mutandis* in accordance with the procedure laid down in clause 10 of the Council's Constitution.

(6) Notwithstanding anything contained in this Agreement the management committee shall have discretionary powers to grant additional assistance to members and dependants in cases which it considers fall within the objects of the fund, and it may also in cases of hardship arising from illness grant special relief to members by means of pecuniary grants, loans or otherwise on such conditions as it may lay down from time to time.

#### 5. CONTRIBUTIONS.

(1) Each employer shall on each pay day deduct from the wages of each journeyman, battery mechanic, body stripper, mechanic's stripper and/or new motor vehicle assembler in his employ, and shall contribute in respect of each journeyman, battery mechanic, body stripper, mechanic's stripper and/or new motor vehicle assembler in his employ, an amount per week in accordance with the following table:—

##### Weekly Contributions.

|                                                                       | s. d. |          | s. d. |
|-----------------------------------------------------------------------|-------|----------|-------|
| Journeyman and/or battery mechanic                                    | 3 0   | Employer | 1 6   |
| Body stripper, mechanic's stripper and/or new motor vehicle assembler | 2 0   | Employer | 1 0   |

and shall forward the aggregate of the amount so calculated to the Regional Secretary, P.O. Box 3051, Port Elizabeth, not later than the tenth day of the month following that to which it refers, together with such forms as may be prescribed by the management committee from time to time.

(2) Contributions in respect of a member who received wages for one day or more during any fund week shall be payable in respect of a whole week.

(3) Where a member is employed by more than one employer in the industry during a fund week, the employer by whom he is first employed during such week shall pay both his own contributions and those due by the member in respect of the whole week, and may deduct the contribution due by such member from his earnings as provided in sub-section (1) and no further contributions shall be payable in respect of that week.

(4) The weekly contributions provided for in terms of sub-section (1) of this section shall be payable in respect of any period during which a member is in receipt of an annual holiday on full pay in terms of any agreement negotiated by the Council.

(5) The contributions in terms of this sub-section shall in respect of journeymen, battery mechanics, body strippers, mechanic's strippers and/or new motor vehicle assemblers and no other employee shall be required to contribute to the fund and no employer shall be required to contribute in respect of employees other than journeymen, battery mechanics, body strippers, mechanic's strippers and/or new motor vehicle assemblers.

#### 6. BENEFITS.

(1) A member of the fund who has paid contributions for 13 weeks shall be entitled to—

- grants towards expenses incurred in connection with medical attention, or specialists' treatment for himself and his dependants, excluding the cost of X-ray examinations and the treatment of venereal disease, such grants not to exceed 10s. per consultation or visit;
- free medicines, drugs, ointments and lotions for himself and his dependants when supplied on the authority of a prescription signed by a medical practitioner, but excluding the supply of patent medicines or foods;
- the payment of his hospital or nursing home expenses up to an amount of £5 in any calendar year and payment of the costs of any surgical operation up to an amount of £10 in any one calendar year;
- a maternity grant of £5;
- the payment of injections, excluding vaccination or preventative injections, up to an amount of £5;
- sick or accident pay equivalent to half the basic weekly wage of such member in respect of any period or periods during which he is precluded by accident or sickness from earning his ordinary wage, but not exceeding a total period of 13 weeks in respect of any one accident or sickness in any one calendar year;

Provided that no employee shall be entitled to receive sick or accident pay exceeding the aggregate of 26 weeks in any one calendar year.

en voorts met dien verstande dat—

- (i) geen lid tot siektebetaling of ongevalbetaling ten opsigte van afwesigheid van werk van drie werkdag of minder geregtig is nie;
- (ii) in gevalle van ongevalle slegs sodanige bystand betaalbaar is as wat nie ingevolge die Ongevalwet, 1941, geëis kan word nie;
- (iii) geen lid of afhanklike op bystand ten opsigte van siekte of ongevalle wat ontstaan uit, of veroorsaak word deur, sy deelneming aan enige vorm van sport, of deur sy eie wangedrag, reg het nie;
- (iv) geen werknemer gedurende enige tydperk wat hy met verlof met betaling ooreenkomstig enige ooreenkoms wat deur die Raad gesluit is, op siektebetaling kragtens hierdie subartikel geregtig is nie;
- (v) siektebetaling ooreenkomstig hierdie subartikel slegs gedoen word teen bewys van 'n sertifikaat wat deur 'n geneesheer onderteken is en wat sertifiseer dat die lid nie in staat is om te werk nie, en elke sodanige sertifikaat is geldig vir 'n tydperk van 7 dae vanaf die datum van uitreiking tensy die geneesheer spesifiek anders verklaar.

(2) Dienste wat deur lede en hul afhanklikes in verband met die volgende vereis word, kan nie uit die fonds betaal word nie:—

- (a) Siekte wat aanhou as 'n lid of afhanklike weier om die redelike voorskrifte of aanbevelings van sy geneesheer te volg;
- (b) mismaaktheid, gebrek, chroniese kwaal of ander kwaal waaraan 'n lid of afhanklike gelyk het op die datum waarop sy lidmaatskap begin het, of siekte wat regstreeks aan sodanige kwaal toegeskryf kan word;
- (c) besering waarvoor 'n derde party aanspreeklik is vir betaling van skadeloosstelling en dit ook betaal, of wat gedek word deur versekering, in die mate van sodanige skadeloosstelling of dekking, na gelang van die geval;
- (d) operasies na keuse;
- (e) verskaffing van kunsledemate of ander kunsdele van die liggaam;
- (f) die lewering van patentmedisyne of -voedsels;
- (g) operasies of bevallings gedurende die eerste ses ononderbroke maande van lidmaatskap;
- (h) tande- en oftalmiese dienste;
- (i) betaling ten opsigte van behandeling voor geboorte en behandeling na geboorte, behalwe die toelae soos bepaal in subartikel (1) (d) van hierdie artikel.

(3) Elke lid wat uit die Nywerheid nittree, verbeur alle aanspraak op die fonds en as hy weer in die Nywerheid kom, moet hy opnuut vir bystand kwalifiseer deur vir 13 agtereenvolgende weke aan die fonds by te dra.

#### 7. GELDELIKE BEHEER.

(1) Uitbetalings uit die fonds ten opsigte van bystand moet gestaak word sodra die bedrag tot krediet van die fonds onder £100 daal en die betaling van verdere bystand kan nie hervat word nie totdat die krediet van die fonds weer die bedrag van £200 bereik het.

(2) (a) Al die geld wat in die fonds inbetaal word, moet gestort word op 'n bankrekening by 'n bank en/of inrigting wat deur die Oostelike Provinsie se Streeksraad goedgekeur is.

(b) Al die uitbetalings uit die fonds moet gedoen word per tjek wat op die fonds se rekening getrek word en daardie tjeks moet geteken word deur twee persone wat daartoe behoorlik deur die beheerkomitee gemagtig is.

(c) Al die gelde wat deur die beheerkomitee as meer as sy vereistes beskou word, kan by 'n bank of 'n boumaatskappy op deposito geplaas word, of dit kan in Unie-leningssertifikate belê word; met dien verstande dat voldoende kontantgeld beskikbaar gehou moet word om die beheerkomitee in staat te stel om onmiddellik aan elke eis teen die fonds te kan voldoen.

(d) Alle onkoste wat in verband met die beheer van die fonds gemaak word, vorm 'n las teen die fonds.

(3) Die beheerkomitee moet elke kwartaal aan die Raad en die Oostelike Provinsie se Streeksraad verslag doen wat o.a. besonderhede van verleende bystand, 'n algemene oorsig van die fonds en die inkomste en uitgawes vir die tydperk waarop die verslag betrekking het, gee.

(4) 'n Ouditeur of ouditeurs wat deur die beheerkomitee aangestel moet word behoudens goedkeuring van die Raad, of die Oostelike Provinsie se Streeksraad moet die fonds se rekenings jaarliks en nie later as Julie van elke jaar auditeer, en 'n staat opstel wat aantoon—

(a) alle gelde wat ontvang is;

(b) uitgawes wat onder al die hofies gedoen is gedurende die twaalf maande wat eindig op die voorgaande 30ste Junie, tesame met 'n staat wat die bate en laste van die fonds aantoon.

Ware afskrifte van hierdie state, wat deur die voorsitter van die beheerkomitee mede-onderteken moet word, en die ouditeur se verslae daaroor, moet op die kantoor van die Oostelike Provinsie se Streeksraad ter insae lê vir persone wat in die Nywerheid werksaam of in diens is en wat die reg het om daarvan afskrifte te maak of uittreksels daaruit te maak. Gesertifiseerde afskrifte van beide die state en die ouditeur se verslag daaroor, moet onmiddellik deur die Streeksekretaris aan die Sekretaris vir Arbeid gestuur word.

As provided further that—

- (i) no member shall be entitled to sick pay or accident pay in respect of any absence from work of three working days or less;
- (ii) in cases of accidents only such benefits shall be payable as are not claimable under the Workmen's Compensation Act, 1941;
- (iii) no member or dependant shall be entitled to any benefits in respect of sickness or accidents arising out of or caused by, his participation in any form of sport, or his own misconduct;
- (iv) no member shall be entitled to receive sick pay in terms of this sub-section for any period during which he is in receipt of leave pay in terms of any agreement negotiated by the Council;
- (v) sick pay in terms of this sub-section shall only be paid on the authority of a certificate signed by a medical practitioner certifying that the member is unable to perform his work, and any such certificate shall be valid for a period of seven days from the date of issue unless the medical practitioner specifically states anything to the contrary.

(2) Services required by members and their dependants in connection with any of the following shall not be a charge upon the fund:—

- (a) Any continuation of illness where a member or dependant refuses to observe any reasonable instruction or recommendation of his medical attendant.
- (b) Any deformity, infirmity, chronic disease, or any other ailment from which a member or dependant was suffering at the date of commencement of membership, or any illness directly attributable to such ailment.
- (c) Any injury for which a third party is liable to pay, and does pay, compensation, or which is covered by insurance, to the extent of such compensation or cover, as the case may be.
- (d) Operations of choice.
- (e) The supply of artificial limbs or other parts of the body.
- (f) The supply of patent medicines or food.
- (g) Operations or confinements during the first six continuous months of membership.
- (h) Dental and ophthalmic services.
- (i) Payment in respect of ante- and post natal treatment other than the maternity grant provided in sub-section 1 (d) of this section.

(3) Any member who leaves the Industry shall forfeit all claims to the fund, provided that if he re-enters the Industry within 13 weeks he will be eligible for immediate benefit.

#### 7. FINANCIAL CONTROL.

(1) Disbursements from the fund in respect of benefits shall cease whenever the amount standing to the credit of the fund falls below £100 and the payment of further benefits shall not recommence till the amount to the credit of the fund has again reached the figure of £200.

(2) (a) All moneys paid into the fund shall be deposited in a banking account to be opened at a bank and/or institution approved by the Eastern Province Regional Council.

(b) All payments from the funds shall be by cheque drawn on the fund's account and such cheques shall be signed by two persons duly authorised thereto by the management committee.

(c) All moneys regarded by the management committee as being surplus to its requirements may be placed on deposit with a bank or registered building society or be invested in Union Loan Certificates, provided that sufficient money is kept in such liquid form as will enable the management committee to meet any claims on the fund immediately it is called upon to do so.

(d) All expenses incurred in connection with the administration of the fund shall form a charge upon the fund.

(3) The management committee shall furnish the Council and the Eastern Province Regional Council with quarterly reports giving *inter alia* particulars of assistance provided, a general view of the fund and the income and expenditure for the period to which the report related.

(4) An auditor or auditors to be appointed by the management committee subject to the approval of the Council or the Eastern Province Regional Council shall audit the accounts of the fund annually and not later than July of each year shall prepare a statement showing—

(a) all moneys received;

(b) expenditure incurred under all headings during the twelve months ended 30th June preceding, together with a statement showing the assets and liabilities of the fund.

True copies of these statements, which shall be countersigned by the chairman of the management committee, and the auditor's reports thereon shall be available for inspection at the Eastern Province Regional Council's office, to persons engaged or employed in the industry, who shall be entitled to make copies thereof, or take extracts therefrom. Certified copies of both statements and the auditor's report thereon shall forthwith be transmitted to the Secretary for Labour by the Regional Secretary.

(5) Ingeval van verstryking van hierdie Ooreenkoms deur verloop van tyd of verstryking weens enige ander oorsaak, moet die fonds verder deur die beheerkomitee bestuur word totdat dit of gelikwider of oorgeplaas is na enige ander fonds wat vir dieselfde doel gestig is as dié waarvoor die oorspronklike fonds gestig is.

#### 8. LIKWIDASIE.

By likwidasië van die fonds kragtens artikel 7 (5) van hierdie Ooreenkoms moet die geld wat op krediet van die fonds staan nadat alle krediteure, administrasie- en likwidasiëkoste betaal is, soos volg uitbetaal word:—

- (1) Vyftig persent aan die Motor Industry Employees' Union of South Africa (afdeling van die Oostelike Provinsie) in verhouding tot die getal lede van daardie unie wat ten tyde van likwidasië bystand kragtens die reglement van daardie unie ontvang het.
- (2) Vyftig persent aan die S.A. Motor Industry Employers' Association (afdeling van die Oostelike Provinsie) in verhouding tot die getal lede van daardie vereniging wat ten tyde van likwidasië bystand kragtens die reglement van daardie vereniging ontvang het.

#### 9. AGENTE.

Die Raad of die Oostelike Provinsie se Streeksraad moet een of meer bepaalde persone aanstel om te help om uitvoering aan hierdie Ooreenkoms te gee, en elke werkgewer en elke werknemer is verplig om daardie persone toe te laat om die persele te betree, die navrae te doen en te voltooi en sodanige dokumente, boeke, loonstate, tydstate en betaalkaartjies te ondersoek, en die persone te ondervra, en alle sodanige dade te verrig wat nodig mag wees vir die doel om vas te stel of die bepalings van hierdie Ooreenkoms nagekom word, en geen persoon mag aan sodanige agent in die loop van sy ondersoek 'n valse verklaring doen nie.

#### 10. VRYSTELLINGS.

Die Raad of die Oostelike Provinsie se Streeksraad kan op aanbeveling van die beheerkomitee, of op eie besluit, aan enige persoon vir enige goeie en afdoende rede vrystelling van enigeen van die bepalings van hierdie Ooreenkoms verleen.

Namens die partye, hede, die 1ste dag van Julie 1952 in Johannesburg geteken.

SYDNEY J. CLOW,  
Voorsitter van die Raad.

F. M. BUSSAC,  
Ondervoorsitter van die Raad.

G. T. STONE,  
Sekretaris van die Raad.

(5) In the event of the expiry of this Agreement by effluxion of time or cessation for any other cause, the fund shall continue to be administered, by the management committee until it be either liquidated or transferred by the Council to any other fund constituted for the same purpose as that for which the original fund was created.

#### 8. LIQUIDATION.

Upon liquidation of the fund in terms of section 7 (5) of this Agreement, the moneys remaining to the credit of the fund, after all creditors, administration and liquidation expenses have been paid, shall be disposed of in the following manner:—

- (1) Fifty per cent. to the Motor Industry Employees Union of South Africa (Eastern Province Division) in proportion to the number of members of that union who are in benefit in terms of the Constitution of that union at the time of liquidation.
- (2) Fifty per cent. to the S.A. Motor Industry Employers' Association (Eastern Province Division) in proportion to the number of members of that association who are in benefit in terms of the Constitution of that association at the time of liquidation.

#### 9. AGENTS.

The Council or the Eastern Province Regional Council shall appoint one or more specified persons as agents to assist in giving effect to the terms of this Agreement, and it shall be the duty of every employer and every employee to permit such persons to enter such premises, institute and complete such enquiries and to examine such documents, books, wage sheets, time sheets and pay tickets; and to interrogate such individuals and to do all such acts as may be necessary for the purpose of ascertaining whether the provisions of this Agreement are being observed, and no person shall make a false statement to such agent during the course of his investigations.

#### 10. EXEMPTIONS.

The Council or the Eastern Province Regional Council may on the recommendation of the management committee or on its own decision, grant exemption from any of the provisions of this Agreement to or in respect of any person for any good and sufficient reason.

Signed at Johannesburg, on behalf of the parties, this 1st day of July, 1952.

SYDNEY J. CLOW,  
Chairman of the Council,  
F. M. BUSSAC,  
Vice-Chairman of the Council  
G. T. STONE,  
Secretary of the Council.



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