



UNIE VAN SUID-AFRIKA
UNION OF SOUTH AFRICA

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BUITENGEWONE

EXTRAORDINARY

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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.*

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

GOEWERMENSKENNISGEWINGS.

Onderstaande Goewermementskennisgewings word vir algemene inligting gepubliseer:—

DEPARTEMENT VAN ARBEID.

* No. 1642.] [31 Julie 1953.
NYWERHEID-VERSOENINGSWET, 1937.

NYWERHEID VIR DIE DROOG EN VERPAKKING VAN VRUGTE (KAAP).

Ek, BAREND JACOBUS SCHOEMAN, Minister van Arbeid, verklaar hierby—

- (a) kragtens subartikel (1) soos toegepas by subartikel (6) 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 Nywerheid vir die Droog en Verpakking van Vrugte betrekking het, vanaf die tweede Maandag na die datum van bekendmaking van hierdie kennisgewing en vir die tydperk wat twee jaar vanaf genoemde tweede Maandag eindig, bindend is vir die werkgewers en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werknemers wat lede van daardie vereniging is;
- (b) kragtens subartikel (2) soos toegepas by subartikel (6) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings in klousules 3 tot en met 5 van genoemde Ooreenkoms vervat, vanaf die tweede Maandag na die datum van bekendmaking van hierdie kennisgewing en vir die tydperk wat twee jaar vanaf genoemde tweede Maandag eindig, vir die ander werkgewers en werknemers betrokke by of in diens in genoemde Nywerheid in die magistraatsdistrikte die Kaap, Worcester en Robertson bindend is; en
- (c) kragtens subartikel (4) soos toegepas by subartikel (6) van artikel *agt-en-veertig* van genoemde Wet dat die bepalings in klousules 3 tot en met 5 van genoemde Ooreenkoms vervat, vanaf die tweede Maandag na die datum van bekendmaking van hierdie kennisgewing en vir die tydperk wat twee jaar vanaf genoemde tweede Maandag eindig, in die magistraatsdistrikte die Kaap, Worcester en Robertson, *mutatis mutandis* van toepassing is ten opsigte van persone in diens in genoemde Nywerheid wat nie by die woordskrywing van die uitdrukking „werknemer”, vervat in artikel *een* van genoemde Wet, ingesluit is nie.

B. J. SCHOEMAN,
Minister van Arbeid.

GOVERNMENT NOTICES.

The following Government Notices are published for general information:—

DEPARTMENT OF LABOUR.

* No. 1642.] [31 July 1953.
INDUSTRIAL CONCILIATION ACT, 1937.

FRUIT DRYING AND PACKING INDUSTRY (CAPE).

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

- (a) in terms of sub-section (1) as applied by sub-section (6) 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 Fruit Drying and Packing Industry shall be binding from the second Monday after the date of publication of this notice and for the period ending two years from the said second Monday, upon the employers who and the trade union which entered into the said Agreement and upon the employees who are members of that union;
- (b) in terms of sub-section (2) as applied by sub-section (6) of section *forty-eight* of the said Act, declare, that the provisions contained in clauses 3 to 5 (inclusive) of the said Agreement shall be binding from the second Monday after the date of publication of this notice and for the period ending two years from the said second Monday, upon the other employers and employees engaged or employed in the said Industry in the Magisterial Districts of the Cape, Worcester and Robertson; and
- (c) in terms of sub-section (4) as applied by sub-section (6) of section *forty-eight* of the said Act, declare that in the Magisterial Districts of the Cape, Worcester and Robertson and from the second Monday after the date of publication of this notice, and for the period ending two years from the said second Monday, the provisions contained in clauses 3 to 5 (inclusive) 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.

BYLAE.

VERSOENINGSRAAD VIR DIE NYWERHEID VIR DIE DROOG EN VERPAKKING VAN VRUGTE.

OOREENKOMS

ingvolge die Nywerheid-versoeningswet, 1937, gesluit en aange-
gaan tussen die

Barry Dried Fruit Co., Ltd.
African Dried Fruit Co., Ltd.
Cape Dried Fruit Co., Ltd.
Emprex Products, Ltd.
Boland Packers Corporation, Ltd.
S.A. Dried Fruit Co., Ltd.
Standard Cannors and Packers, Ltd.

(hieronder die „werkgewers” genoem) aan die een kant, en die
Food and Canning Workers' Union

(hieronder die „werknemers” of die „vakvereniging” genoem)
aan die ander kant;

wat partye is by 'n versoeningsraad vir die Nywerheid vir die
Droog en Verpakking van Vrugte.

1. BESTEK VAN TOEPASSING VAN OOREENKOMS.

Die bepalings van hierdie Ooreenkoms moet in die Nywerheid
vir die Droog en Verpakking van Vrugte in die magistraatsdis-
trikte die Kaap, Worcester, en Robertson nagekom word deur
die werkgewers en die werknemers wat jede is van die vakvereni-
ging en vir wie lone in klousule 3 hiervan voorgeskryf word.

2. GELDIGHEIDSDUUR VAN OOREENKOMS.

Hierdie Ooreenkoms tree in werking op 'n datum wat deur die
Minister van Arbeid, kragtens die Nywerheid-versoeningswet,
1937, bepaal word, en bly van krag vir 'n termyn van twee jaar
of vir 'n termyn wat deur hom vasgestel kan word.

3. LONE.

Die minimum weekloon wat deur die werkgewers aan elkeen
van ondergenoemde klasse werknemers betaal moet word, is
soos volg:—

	In die Magistraats- distrik die Kaap.	In die Magistraats- distrikte Worcester en Robertson.
	Per week.	Per week.
	£ s. d.	£ s. d.
Opsigter, manlik.....	3 8 3	2 17 9
Opsigter, vroulik.....	2 17 9	2 7 3
Masjienhandlanger.....	5 15 6	5 15 6
Weegskaalbediener.....	3 17 3	3 8 3
Ketelbediener.....	2 6 4	2 1 3
Wag.....	2 7 3	1 15 6
Algemene werker:—		
Manlik, gekwalifiseer.....	2 8 5	2 1 3
Manlik, ongekwalifiseer.....	2 3 5	1 16 3
Vroulik, gekwalifiseer.....	2 1 3	1 12 9
Vroulik, ongekwalifiseer.....	1 19 6	1 11 0
Arbeider:—		
Manlik, 18 jaar en ouer.....	2 3 7	1 13 7
Manlik, jonger as 18 jaar.....	1 17 0	1 7 0
Vroulik, 18 jaar en ouer.....	1 61 5	1 6 5
Vroulik, jonger as 18 jaar.....	1 10 6	1 0 6

4. BETALING VAN BESOLDIGING.

(1) *Werknemers, uitgesonderd los werknemers.*—Behalwe soos
bepaal in klousule 6 (3) van Loonvasstelling No. 127, moet enige
bedrag wat aan 'n werknemer, uitgesonderd 'n los werknemer,
verskuldig is, weekliks in 'n kontant betaal word, of as die
werkgever en werknemer skriftelik daarvoor ooreengekom het,
maandeliks gedurende die werkure of binne vyftien minute na
sluistyd op die gewone betaaldag van die inrigting, of by
diensbeëindiging, as dit voor die gewone betaaldag plaasvind,
en moet in 'n verseelde koevert of ander houer wees, of vergesel
wees van 'n skriftelike staat, wat deur die werknemer bewaar moet
word en wat onderstaande toon:—

- Werkgever se naam;
- werknemer se naam of betaalstaatsnommer;
- werknemer se bedryf of graad;
- basisloon;
- lewenskostetoelae;
- tydperk ten opsigte waarvan betaling gedoen word;
- getal gewone en oortydure gewerk;
- bedrae verskuldig vir gewone en oortydure gewerk af-
sonderlik aangedui;
- bykomende bedrae betaal (bv. bonusse, ens.);
- besonderhede van aftrekkings deur werkgever gedoen;
- werklike bedrag aan die werknemer betaal.

(2) *Los werknemer.*—'n Werkgever moet die besoldiging wat
aan sy los werknemer verskuldig is, by beëindiging van sy diens in
kontant betaal.

(3) *Premies.*—Geen betaling ten opsigte van die indiensneming
of opleiding van 'n werknemer mag regstreeks of onregstreeks
aan 'n werkgever gedoen of deur hom aangeneem word nie.

SCHEDULE.

CONCILIATION BOARD FOR THE FRUIT DRYING AND PACKING INDUSTRY.

AGREEMENT

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

Barry Dried Fruit Co., Ltd.
African Dried Fruit Co., Ltd.
Cape Dried Fruit Co., Ltd.
Emprex Products, Ltd.
Boland Packers Corporation, Ltd.
S.A. Dried Fruit Co., Ltd.
Standard Cannors and Packers, Ltd.

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

The Food and Canning Workers' Union

(hereinafter referred to as “the employees” or “the Union”),
of the other part;

being parties to a Conciliation Board for the Fruit Drying and
Packing Industry.

1. SCOPE OF APPLICATION OF AGREEMENT.

The terms of this Agreement shall be observed in the Fruit
Drying and Packing Industry in the Magisterial Districts of the
Cape, Worcester and Robertson by the employers and those
employees who are members of the union and for whom wages
are prescribed in clause 3 hereof.

2. PERIOD OF OPERATION OF AGREEMENT.

The Agreement shall come into operation as and from the
date fixed by the Minister of Labour, in terms of the Industrial
Conciliation Act, 1937, and shall remain in force for a period
of two years or for such period as may be determined by him.

3. WAGES.

The minimum weekly wage which shall be paid by the
employers to each member of the undermentioned classes of
their employees shall be as set out hereunder:—

	In the Magisterial District of the Cape.	In the Magisterial Districts of Worcester and Robertson.
	Per Week.	Per Week.
	£ s. d.	£ s. d.
Supervisor, male.....	3 8 3	2 17 9
Supervisor, female.....	2 17 9	2 7 3
Machine handyman.....	5 15 6	5 15 6
Scalesman.....	3 17 3	3 8 3
Boiler attendant.....	2 6 4	2 1 3
Watchman.....	2 7 3	1 15 6
General worker:—		
Male, qualified.....	2 8 5	2 1 3
Male, unqualified.....	2 3 5	1 16 3
Female, qualified.....	2 1 3	1 12 9
Female, unqualified.....	1 19 6	1 11 0
Labourer:—		
Male, of the age of 18 years and over	2 3 7	1 13 7
Male, under the age of 18 years.....	1 17 0	1 7 0
Female, of the age of 18 years and over.....	1 16 5	1 6 5
Female, under the age of 18 years..	1 10 6	1 0 6

4. PAYMENT OF REMUNERATION.

(1) *Employees other than a Casual Employee.*—Save as
provided in clause 6 (3) of Wage Determination No. 127, any
amount due to an employee other than a casual employee shall
be paid in cash weekly, or if the employer and employee have
agreed thereto in writing, monthly, during the hours of work or
within fifteen minutes of ceasing work on the usual pay day of
the establishment or on termination of employment if this takes
place before the usual pay day and shall be contained in an
envelope or other container or accompanied by a written state-
ment, to be retained by the employee, showing—

- employer's name;
- employer's name or pay roll number;
- employee's occupation or grade;
- basic wages;
- cost of living allowance;
- period in respect of which payment is made;
- number of ordinary and overtime hours worked;
- amounts due for ordinary hours and overtime worked
indicated separately;
- additional amounts paid (e.g. bonuses, etc.);
- details of deductions made by employer;
- actual amount paid to employee.

(2) *Casual Employee.*—An employer shall pay the remuneration
due to his casual employee in cash on termination of his employ-
ment.

(3) *Premiums.*—No payment shall be made to or accepted by
an employer, either directly or indirectly, in respect of the
employment or training of an employee.

(4) *Koop van goedere.*—'n Werkgewer kan nie van sy werknemer vereis om goedere van hom of van 'n winkel of persoon wat hy aanwys, te koop nie.

(5) *Kos en huisvesting.*—Behoudens soos bepaal in die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, of in die Naturellearbeid Regelingswet, 1911, kan 'n werkgewer nie van sy werknemer vereis om van hom, of van 'n persoon of by 'n plek wat hy aanwys, kos en/of huisvesting aan te neem nie.

(6) *Boetes en aftrekking.*—'n Werknemer kan geen boetes van sy werknemer hef of enige bedrag van sy werknemer se besoldiging aftrek nie, uitgesonderd die volgende:—

- Met die skriftelike toestemming van sy werknemer, 'n aftrekking vir verlof-, siekte-, versekerings-, voorsorgs- of pensioenfondse, of ledegeld vir 'n werknemersorganisasie; met dien verstande dat dit in die geval van 'n aftrekking vir siekte- of voorsorgsfondse ingevolge die tweede voorbehoudsbepaling van klousule 7 (1) van Loonvasstelling No. 127, onnodig is om die werknemer se skriftelike toestemming te verkry;
- behalwe as dit anders in Loonvasstelling No. 127 bepaal word, 'n aftrekking, wanneer die werknemer van sy werk afwesig is, in verhouding tot die tydperk van sy afwesigheid, bereken op die basis van die weekloon wat sodanig werknemer toe ten opsigte van sy gewone werkure ontvang het;
- 'n aftrekking van 'n bedrag wat 'n werknemer kragtens 'n wet of 'n bevel van 'n bevoegde hof verplig is, of toegelaat word, om te doen;
- ten opsigte van 'n publieke vakansiedag, uitgesonderd Nuwejaarsdag, Goeie-Vrydag, Geloftedag of Kersdag waarop van 'n werknemer vereis, of hy toegelaat word, om nie te werk nie, 'n aftrekking van die loon wat hy sou ontvang as hy op sodanige dag gewerk het;
- as 'n werknemer toestem of verplig is om kragtens die Naturelle (Stadsgebiede) Konsolidasiewet, 1945, of die Naturellearbeid Regelingswet, 1911, kos en/of huisvesting van sy werkgewer aan te neem, 'n aftrekking van hoogsens die bedrae hieronder gespesifiseer:—

	Per week.	Per maand.
	s. d.	£ s. d.
Kos.....	3 0	0 13 0
Huisvesting.....	2 0	0 8 8
Kos en huisvesting.....	5 0	1 1 8

(f) Wanneer die gewone werkure wat in klousule 5 van Loonvasstelling No. 127 voorgeskryf word, weens korttyd verminder word, 'n aftrekking ten opsigte van elke uur van sodanige vermindering van die werknemer se weekloon gedeel deur die getal gewone ure wat deur sodanige werknemer in 'n week gewerk word; met dien verstande dat geen aftrekking gedoen mag word nie—

- in die geval van korttyd wat veroorsaak word deur 'n tydelike slappe in die bedryf of tekort aan grondstowwe of spoorwegtrokke, tensy die werkgewer sy werknemer minstens vier-en-twintig uur kennis gegee het van sy voorneme om die gewone werkure aldus te verminder;
- in die geval van korttyd wat veroorsaak word deur ongunstige weersgesteldheid of 'n algemene defekraak van installasie of masjinerie as gevolg van 'n ongeval of ander onvoorsiene noodgeval, ten opsigte van die eerste uur wat nie gewerk word nie, tensy die werkgewer sy werknemer op die vorige dag kennis gegee het dat geen werk beskikbaar sal wees nie.

5. ALGEMEEN.

Die diensvoorwaardes, soos voorgeskryf in Loonvasstelling No. 127, gepubliseer by Goewermentskennisgewing No. 1580 van 31 Augustus 1945, word vir sover hulle ten opsigte van werknemers wat deur hierdie Ooreenkoms gedek word, van toepassing is, en vir sover hulle nie strydig is met die bepalings van hierdie Ooreenkoms nie, geag hierby ingelyf te wees, en vir die toepassing van hierdie klousule word enige verwysing in genoemde Vasstelling na die lone wat in klousule 3 (1) (a) daarvan voorgeskryf word, geag 'n verwysing na die minimum loon wat in hierdie Ooreenkoms vir die betrokke werknemers voorgeskryf word, te wees.

Geteken te Kaapstad, op hede die 20ste dag van Mei 1953.

D. J. GEYSER,
Voorsitter.

C. P. ROUX,
Namens Werkgewers.

R. ALEXANDER,
Namens die Food and Canning Workers' Union.

J. H. ADAMS,
Sekretaris.

GETUIES:

- J. A. LOTRIET.
- PHIL FERREIRA.

Kaapstad,
20 Mei 1953.

(4) *Purchase of Goods.*—An employer shall not require his employee to purchase any goods from him or from any shop or person nominated by him.

(5) *Board and Lodging.*—Save as provided in the Natives (Urban Areas) Consolidation Act, 1945, or in the Native Labour Regulation Act, 1911, an employer shall not require his employee to board and/or lodge with him or with any person or at any place nominated by him.

(6) *Fines and Deductions.*—An employer shall not levy any fines against his employee nor shall he make any deductions from his employee's remuneration other than the following:—

- With the written consent of his employee a deduction for holiday, sick, insurance, provident or pension funds or subscriptions to an employees' organization; provided that in cases of a deduction for sick or provident funds in terms of the second proviso to clause 7 (1) of Wage Determination No. 127, the written consent of the employee need not be obtained;
- except where otherwise provided for in Wage Determination No. 127, whenever an employee is not at work a deduction proportionate to the period of his absence calculated on the basis of the weekly wage which such employee was receiving in respect of his ordinary hours of work at the time thereof;
- a deduction of any amount which an employer by any law or any order of any competent court is required or permitted to make;
- a deduction in respect of any public holiday other than New Year's Day, Good Friday, Day of the Covenant or Christmas Day on which an employee is required or permitted not to work of the wage which he would have received had he worked on such day;
- when an employee agrees or is required in terms of the Natives (Urban Areas) Consolidation Act, 1945, or the Native Labour Regulation Act, 1911, to accept board and/or lodging from his employer, a deduction not exceeding the amounts specified hereunder:—

	Per Week.	Per Month.
	s. d.	£ s. d.
Board.....	3 0	0 13 0
Lodging.....	2 0	0 8 8
Board and Lodging.....	5 0	1 1 8

(f) Whenever the ordinary hours of work prescribed in clause 5 of Wage Determination No. 127 are reduced on account of short-time, a deduction in respect of each hour of such reduction of the employee's weekly wage divided by the number of ordinary hours worked by such employee in a week; provided that no deduction shall be made—

- in the case of short-time arising out of temporary slackness of trade or shortage of raw material or railway trucks, unless the employer has given his employee not less than twenty-four hours' notice of his intention so to reduce the ordinary hours of work;
- in the case of short-time arising out of vagaries of the weather or a general breakdown of plant or machinery due to accident or other unforeseen emergency in respect of the first hour not worked, unless the employer has given his employee notice on the previous day that no work will be available.

5. GENERAL.

The conditions of employment prescribed in Wage Determination No. 127, published under Government Notice No. 1580 of 31st August, 1945, shall in so far as they are applicable in respect to employees covered by this Agreement and to the extent in which they are not inconsistent with the terms of this Agreement, be deemed to be incorporated herein and for the purpose of this clause any reference in the said Determination to the wages prescribed in clause 3 (1) (a) thereof shall be deemed to be a reference to the minimum wage prescribed in this Agreement for the employees concerned.

Signed at Cape Town this 20th day of May, 1953.

D. J. GEYSER,
Chairman.

C. P. ROUX,
On behalf of Employers.

R. ALEXANDER,
On behalf of the
Food and Canning Workers' Union.

J. H. ADAMS,
Secretary.

WITNESSES:

- J. A. LOTRIET.
- PHIL FERREIRA.

Cape Town,
20th May, 1953.

★ No. 1643.] [31 Julie 1953.
WET OP FABRIEKE, MASJINERIE EN BOUWERK,
1941.

**NYWERHEID VIR DIE DROOG EN VERPAKKING
VAN VRUGTE.**

Ek, BAREND JACOBUS SCHOEMAN, Minister van Arbeid, handelende ingevolge subartikel (1) van artikel *twee-en-twintig* van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, verklaar hierby dat die bepalings van die Ooreenkoms en kennisgewing in verband met die Nywerheid vir die Droog en Verpakking van Vrugte, bekendgemaak by Goewermentskennisgewing No. 1642 van 31 Julie 1953, vir die persone wie se werkure daarby gereël word, nie minder gunstig is as die ooreenstemmende bepalings van genoemde Wet nie.

B. J. SCHOEMAN,
Minister van Arbeid.

★ No. 1643.] [31 July 1953.
FACTORIES, MACHINERY AND BUILDING WORK
ACT, 1941.

FRUIT DRYING AND PACKING INDUSTRY.

I, BAREND JACOBUS SCHOEMAN, Minister of Labour, hereby, in terms of sub-section (1) of section *twenty-two* of the Factories, Machinery and Building Work Act, 1941, declare the provisions of the Agreement and notice relating to the Fruit Drying and Packing Industry, published under Government Notice No. 1642 of the 31st July, 1953, to be not less favourable to the persons whose hours of work are regulated thereby than the relative provisions of the said Act.

B. J. SCHOEMAN,
Minister of Labour.

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