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

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

GOVERNMENT NOTICES.

The following Government Notices are published for general information:—

DEPARTMENT OF LABOUR.

* No. 2294.] [18 November 1955.
INDUSTRIAL CONCILIATION ACT, 1937.

BUILDING INDUSTRY, PORT ELIZABETH.

I, JOHANNES DE KLERK, 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 Building Industry, shall be binding from the first Monday after the date of publication of this notice and for the period ending six months from the said first Monday upon the employer's organisation and the trade unions which entered into the said Agreement and upon the employers and employees who are members of that organisation or those unions;
- (b) in terms of sub-section (2) of section *forty-eight* of the said Act, declare that the provisions contained in clauses 2, 3 and 5 to 7 (inclusive) and 9 of the said Agreement shall be binding from the first Monday after the date of publication of this notice and for the period ending six months from the said first Monday upon the other employers and employees engaged or employed in the said industry in the Magisterial District of Port Elizabeth; and
- (c) in terms of sub-section (4) of section *forty-eight* of the said Act, declare that in the magisterial District of Port Elizabeth and from the first Monday after the date of publication of this notice and for the period ending six months from the said first Monday, the provisions contained in clauses 2, 3, 6, 7 and 9 of the said Agreement shall *mutatis mutandis* apply in respect of such persons in the said industry as are not included in the definition of the expression "employee" contained in section *one* of the said Act.

J. DE KLERK,
Minister of Labour.

GOEWERMENSKENNISGEWINGS.

Onderstaande Goewermentskennisgewings word vir algemene inligting gepubliseer:—

DEPARTEMENT VAN ARBEID.

* No. 2294.] [18 November 1955.
NYWERHEID-VERSOENINGSWET, 1937.

BOUNYWERHEID, PORT ELIZABETH.

Ek, JOHANNES DE KLERK, 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 hierby verskyn en op die Bounywerheid betrekking het, van die eerste Maandag na die datum van publikasie van hierdie kennisgewing af en vir die tydperk wat ses maande van genoemde eerste Maandag af eindig, bindend is vir die werkgewers-organisasie en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van daardie organisasie of daardie verenigings is;
- (b) kragtens subartikel (2) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings in klousules 2, 3 en 5 tot en met 7 en 9 van genoemde Ooreenkoms vervat, van die eerste Maandag na die datum van publikasie van hierdie kennisgewing af en vir die tydperk wat ses maande van genoemde eerste Maandag af eindig, bindend is vir die ander werkgewers en werknemers betrokke by of in diens in genoemde nywerheid in die magistraatsdistrik Port Elizabeth; en
- (c) kragtens subartikel (4) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings in klousules 2, 3, 6, 7 en 9 van genoemde Ooreenkoms vervat, van die eerste Maandag na die datum van publikasie van hierdie kennisgewing af en vir die tydperk wat ses maande van genoemde eerste Maandag af eindig, in die Magistraatsdistrik Port Elizabeth *mutatis mutandis* van toepassing is ten opsigte van persone in genoemde nywerheid wat nie by die woordskrywing van die uitdrukking „werk-nemer”, vervat in artikel *een* van genoemde Wet, ingesluit is nie.

J. DE KLERK,
Minister van Arbeid.

SCHEDULE.

INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY,
PORT ELIZABETH.

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, No. 36 of 1937, made and entered into by and between Port Elizabeth Master Builders' and Allied Trades Association (hereinafter referred to as the "employers" or the "employers' organisation") of the one part, and the

Amalgamated Society of Woodworkers of South Africa,

Amalgamated Union of Building Trade Workers of South Africa,

Operative Plumbers' Association of Port Elizabeth,

South African Electrical workers' Association,

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

being parties to the Industrial Council for the Building Industry, Port Elizabeth.

1. PERIOD OF OPERATION OF AGREEMENT.

This Agreement shall come into force on such date as may be determined by the Minister of Labour, and shall remain in force for a period of six months from that date, or for such period as may be determined by him.

2. SCOPE OF APPLICATION OF AGREEMENT.

(1) The terms of this Agreement shall be observed in the Magisterial District of Port Elizabeth by all employers and employees in the building industry who are members of the employers' organisation and the trade unions, respectively, and for whom wages are prescribed in clause 4 (as amended by clause 6 of this Agreement) of the Agreement published under Government Notice No. 1753, dated the 14th August, 1953 (hereinafter referred to as the "Main Agreement"); provided that—

(2) notwithstanding the provisions of sub-clause (1)—

(a) the terms shall apply to apprentices only in so far as they are not inconsistent with the provisions of the Apprenticeship Act, or any contract entered into or any conditions fixed thereunder;

(b) the terms shall not apply to persons engaged in the erection, maintenance, repair or alterations on farms of—

(i) dwelling-houses at a cost of less than £2,000;

(ii) all other buildings, irrespective of cost, used or to be used exclusively for farming purposes;

(c) the terms shall not apply to administrative or clerical employees;

(d) the terms shall apply to trainees under the Training of Artisans Act, 1951 (Act No. 38 of 1951), only in so far as they are not inconsistent with the provisions of that Act or any conditions fixed thereunder.

3. GENERAL PROVISIONS.

The provisions contained in clauses 3 to 17 (inclusive), 19 to 21 (inclusive), 24, 26 and 28 to 30 (inclusive) of the Main Agreement, as amended by clauses 6, 7, 8 and 9 of this Agreement, shall apply to all employers and employees; provided that clauses 12 and 13 of the Main Agreement shall not apply to employees for whom wages are prescribed in clause 4 (1) (a) (i), (ii), (v) or (x) thereof, as amended by clause 6 of this Agreement.

4. SPECIAL PROVISIONS.

The provisions contained in clauses 25 and 27 of the Main Agreement shall apply to all employers and employees; provided that clause 27 of the Main Agreement shall not apply to employees for whom wages are prescribed in clause 4 (1) (a) (i), (ii), (v) or (x) thereof, as amended by clause 6 of this Agreement.

5. FURTHER SPECIAL PROVISIONS.

The provisions contained in clauses 18, 22 and 23 of the Main Agreement shall apply to all employers and employees.

BYLAWE.

NYWERHEIDSRAAD VIR DIE BOUNYWERHEID,
PORT ELIZABETH.

OOREENKOMS

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

Port Elizabeth Master Builders' and Allied Trades' Association,

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

Amalgamated Society of Woodworkers of South Africa,

Amalgamated Union of Building Trade Workers of South Africa,

Operative Plumbers' Association of Port Elizabeth,

South African Electrical Workers' Association,

(hieronder die „werknemers” of die „vakverenigings” genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bounywerheid, Port Elizabeth.

1. GELDIGHEIDSDUUR VAN OOREENKOMS.

Hierdie Ooreenkoms tree in werking op sodanige datum as wat deur die Minister van Arbeid bepaal word en bly van krag vir 'n tydperk van ses maande van daardie datum af, of vir sodanige tydperk as wat deur hom vasgestel kan word.

2. BESTEK VAN TOEPASSING VAN OOREENKOMS.

(1) Die bepalings van hierdie Ooreenkoms moet in die magistraatsdistrik Port Elizabeth nagekom word deur alle werkgewers en werknemers in die Bounywerheid wat onderskeidelik lede van die werkgewersorganisasie en die vakverenigings is, en vir wie lone voorgeskryf word in klousule 4 (soos gewysig by klousule 6 van hierdie Ooreenkoms) van die Ooreenkoms wat by Gêwermentskennisgewing No. 1753 van 14 Augustus 1953 (hieronder die „Hofooreenkoms” genoem), gepubliseer is; met dien verstande dat—

(2) ondanks die bepalings van subklousule (1)—

(a) die bepalings slegs op vakleerlinge van toepassing is vir sover dit nie met die bepalings van die Wet op Vakleerlinge, of met enige kontrak wat ingevolge daarvan aangegaan of voorwaardes ingevolge daarvan vasgestel, in stryd is nie;

(b) die bepalings nie van toepassing is nie op persone wat in diens is om—

(i) woonhuise teen 'n koste van minder as £2,000;

(ii) alle ander geboue, ongeag die koste, wat uitsluitlik vir boerderydoeleindes gebruik word of sal gebruik word; op te rig, te onderhou, te herstel of te verbou nie;

(c) die bepalings nie van toepassing is op administratiewe of klerklike werknemers nie;

(d) die bepalings van toepassing is op kwekelinge ingevolge die Wet op Opleiding van Ambagsmanne, 1951 (Wet No. 38 van 1951), slegs vir sover dit nie met die bepalings van genoemde Wet of met enige voorwaardes, ingevolge daarvan vasgestel, in stryd is nie.

3. ALGEMENE BEPALINGS.

Die bepalings wat in klousules 3 tot en met 17, 19 tot en met 21, 24, 26 en 28 tot en met 30 van die Hofooreenkoms, soos gewysig by klousules 6, 7, 8 en 9 van hierdie Ooreenkoms vervat word, is van toepassing op alle werkgewers en werknemers; met dien verstande dat klousules 12 en 13 van die Hofooreenkoms nie van toepassing is nie op werknemers vir wie lone voorgeskryf word in klousule 4 (1) (a) (i), (ii), (v) of (x) daarvan, soos gewysig by klousule 6 van hierdie Ooreenkoms.

4. SPESIALE BEPALINGS.

Die bepalings wat in klousules 25 en 27 van die Hofooreenkoms vervat word, is van toepassing op alle werkgewers en werknemers; met dien verstande dat klousule 27 van die Hofooreenkoms nie van toepassing is nie op werknemers vir wie lone voorgeskryf word in klousule 4 (1) (a) (i), (ii), (v) of (x) daarvan, soos gewysig by klousule 6 van hierdie Ooreenkoms.

5. VERDERE SPESIALE BEPALINGS.

Die bepalings wat in klousules 18, 22 en 23 van die Hofooreenkoms vervat word, is van toepassing op alle werkgewers en werknemers.

6. WAGES.

Clause 4 of the Main Agreement is hereby amended by the deletion of sub-clause 1 (a) thereof and the substitution thereof of the following:—

(1) (a) No employer shall pay and no employee shall accept wages at rates lower than the following during the period of operation of this Agreement read with the remaining provisions of this clause:—

	Per Hour.
	s. d.
(i) Unskilled labourers.....	0 9
(ii) Semi-skilled labourers.....	1 7
(iii) Journeymen in painting, french polishing and glazing trades.....	3 3
(iv) Journeymen in all other trades.....	3 6
(v) Drivers of mechanical vehicles of a payload of—	
under 6,000 lb.....	1 6
6,000 lb.....	1 7
over 6,000 lb. but not exceeding 10,000 lb.	2 0
over 10,000 lb. but not exceeding 14,000 lb.	2 3
(vi) Apprentices.....	Basic wages as prescribed in Government Notice No. 1515 of 23rd July, 1948, as amended from time to time.
(vii) Minors in all trades.....	£1. 8s. per week.
(viii) Foremen.....	Shall be paid at rates not less than those prescribed for journeymen in sub-clause (1) (a) (iv).
(ix) General foremen.....	Shall be paid at rates not less than those prescribed for journeymen in sub-clause (1) (a) (iv).
(x) Watchmen.....	40s. per 6-day week (plus statutory cost of living allowance).

(aa) The ordinary hours of work of a watchman shall not exceed 14 hours per shift per day for a six-day week.

(bb) In the event of a lesser number of hours being worked than prescribed in (aa) above, the rate per week shall be reduced pro rata.

(cc) The agreement conditions relating to hours of work, overtime and payment for work on Sundays and certain public holidays and shiftwork, shall not apply to this class of employee.

7. HOURS OF WORK.

Clause 10 of the Main Agreement is hereby amended by the deletion of sub-clauses (1) and (2) thereof and the substitution thereof of the following:—

(1) The ordinary hours of work shall not exceed—

- (a) in the case of semi-skilled labourers, unskilled labourers and drivers of mechanical vehicles—42 hours per week;
- (b) in the case of all other employees (other than watchmen)—40 hours per week.

(2) Subject to the provisions of clause 11 of the Main Agreement and of sub-clause (3) of this clause, an employer shall not require or allow an employee to work, and an employee shall not work at times other than:—

(a) In the case of semi-skilled labourers, unskilled labourers and drivers of mechanical vehicles—

Monday to Thursday: 7.50 a.m. to 5.10 p.m.;
Friday: 7.50 a.m. to 5.30 p.m.;

provided that in every period a lunch interval is observed from 12.50 p.m. to 1.50 p.m.

(b) In the case of all other employees—

Monday to Friday: 8 a.m. to 5 p.m.;
provided that in every period a lunch interval is observed from 1 p.m. to 2 p.m.; provided further that with the prior consent of the Council employees may be allowed to do emergency work or essential work on Saturdays—

(i) in the case of semi-skilled and unskilled labourers, not earlier than 7.50 a.m. and not later than 12.10 p.m.;

(ii) in the case of all other employees, not earlier than 8 a.m. and not later than 12 noon;

on condition that the employees shall be allowed within the next five working days an equivalent number of working hours off, or alternatively that such work done on Saturdays shall be paid for at the rates prescribed in clause 11 (2) (b) of the Main Agreement.

6. LONE.

Klousule 4 van die Hoofoorreenskoms word hierby gewysig deur die skraping van subklousule 1 (a) daarvan en die vervanging daarvan deur die volgende:—

(1) (a) Gedurende die tydperk waarin hierdie Ooreenskoms, geles met die oorblywende bepalings van hierdie klousule, van krag is, mag geen werkgewer lone betaal en geen werknemer lone aanneem teen tariewe wat laer as die volgende is nie:—

	Per uur.
	s. d.
(i) Ongeskoolde arbeiders.....	0 9
(ii) Halfgeskoolde arbeiders.....	1 7
(iii) Vakmanne in die bedrywe skilderwerk, verniswerk en ruite insit.....	3 3
(iv) Vakmanne in alle ander bedrywe.....	3 6
(v) Drywers van meganiese voertuie met loonvragte van—	
minder as 6,000 lb.....	1 6
6,000 lb.....	1 7
meer as 6,000 lb. maar nie meer as 10,000 lb.	2 0
nie.....	2 3
meer as 10,000 lb. maar nie meer as 14,000 lb.	2 3
(vi) Vakleerlinge.....	Basiese lone soos voorgeskryf in Goewermentskennisgewing No. 1515 van 23 Julie 1948, soos van tyd tot tyd gewysig.
(vii) Minderjariges in alle bedrywe.....	£1. 8s. per week.
(viii) Voormanne.....	Moet besoldig word volgens tariewe wat nie minder is as dié vir vakmanne in subklousule (1) (a) (iv) voorgeskryf nie.
(ix) Algemene voormanne.....	Moet besoldig word volgens tariewe wat nie minder is as dié vir vakmanne in subklousule (1) (a) (iv) voorgeskryf nie.
(x) Wagte.....	40s. per week van ses dae (plus wetlike lewenskoste-toelae).

(aa) 'n Wag se gewone werkure mag nie 14 uur per skof per dag in 'n sesdaagse week oorskry nie.

(bb) Ingeval daar minder ure gewerk word, as wat in (aa) hierbo voorgeskryf is, moet die tarief per week pro rata verminder word.

(cc) Die bepalings van die Ooreenskoms met betrekking tot werkure, oortyd en besoldiging vir werk op Sondag en sekere openbare vakansiedae, en vir skofwerk, is nie van toepassing op hierdie klas werknemer nie.

7. WERKURE.

Klousule 10 van die Hoofoorreenskoms word hierby gewysig deur die skraping van subklousules (1) en (2) en die vervanging daarvan deur die volgende:—

(1) Die gewone werkure mag nie—

- (a) in die geval van halfgeskoolde arbeiders, ongeskoolde arbeiders en drywers van meganiese voertuie, 42 uur per week oorskry nie;
- (b) in die geval van alle ander werknemers (uitgesonderd wagte) 40 uur per week oorskry nie.

(2) Behoudens die bepalings van klousule 11 van die Hoofoorreenskoms en van subklousule (3) van hierdie klousule mag 'n werkgewer nie 'n werknemer verplig of toelaat om op ander tye as die volgende te werk nie, en 'n werknemer mag nie op ander tye as die volgende werk nie:—

(a) In die geval van halfgeskoolde arbeiders, ongeskoolde arbeiders en drywers van meganiese voertuie—

Maandag tot Donderdag: 7.50 vm. tot 5.10 nm.;
Vrydag: 7.50 vm. tot 5.30 nm.;

met dien verstande dat daar in elke tydperk 'n onderbreking vir middagete van 12.50 vm. tot 1.50 nm. in ag geneem word.

(b) In die geval van alle ander werknemers—

Maandag tot Vrydag: 8 vm. tot 5 nm.;

met dien verstande dat daar in elke tydperk 'n onderbreking vir middagete van 1 nm. tot 2 nm. in ag geneem word; en voorts met dien verstande dat, na verkryging van die toestemming van die Raad, werknemers toegelaat kan word om noodwerk of essensiële werk op Saterdag te verrig—

(i) in die geval van halfgeskoolde en ongeskoolde arbeiders, nie vroeër as 7.50 vm. en nie later as 12.10 nm. nie;

(ii) in die geval van alle ander werknemers, nie vroeër as 8 vm. en nie later as 12-uur middag nie;

mits die werknemers gedurende die daaropvolgende vyf werkdade 'n gelyke getal werkure vryaf ontvang, of anders, mits vir sodanige werk wat op Saterdag verrig is, betaal word teen tariewe wat in klousule 11 (2) (b) van die Hoofoorreenskoms voorgeskryf is.

8. ENGAGEMENT OF EMPLOYEES.

Clause 27 of the Main Agreement is hereby amended by the addition of the following new sub-clause (6):—

(6) Provided that this clause shall not apply to the employment of any employee who in the opinion of the Minister has good cause for objecting to becoming or remaining a member of the Union concerned.

9. ANNUAL LEAVE AND PAID PUBLIC HOLIDAYS.

Clause 29 of the Main Agreement is hereby amended by the deletion of the following paragraph of sub-clause (1) thereof:—

Every employer shall grant and every employee shall take leave beginning at the normal stopping time on the 17th December, 1953, and the 16th December, 1954, and ending at the normal starting time on the 4th January, 1954, and the 3rd January, 1955, respectively, except . . .

and the substitution therefor of the following new paragraph:—

Every employer shall grant and every employee shall take leave beginning at the normal stopping time on the 22nd December, 1955, and ending at the normal starting time on the 9th January, 1956, except . . .

Signed at Port Elizabeth, on behalf of the parties on the 7th day of October, 1955.

F. G. BLACK,
Chairman of the Council.

F. C. BARWOOD,
Vice-Chairman of the Council.

R. VAN DER MERWE,
Secretary of the Council.

* No. 2295.] [18 November 1955.
FACTORIES, MACHINERY AND BUILDING WORK
ACT, 1941.

BUILDING INDUSTRY, PORT ELIZABETH.

I, JOHANNES DE KLERK, 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 Building Industry, Port Elizabeth, published under Government Notice No. 2294 of the 18th November, 1955, to be not less favourable to the persons whose hours of work are regulated thereby than the relative provisions of the said Act.

J. DE KLERK,
Minister of Labour.

8. INDIENSNEMING VAN WERKNEMERS.

Klousule 27 van die Hoofooreenkoms word hierby gewysig deur die byvoeging van die volgende nuwe subklousule (6):—

(6) Met dien verstande dat hierdie klousule nie van toepassing is op enige werknemer wat volgens die mening van die Minister goeie rede het om daarteen beswaar te maak om 'n lid van die betrokke Unie te word of te bly nie.

9. JAARLIKSE VERLOF EN BESOLDIGDE OPENBARE VAKANSIEDAE.

Klousule 29 van die Hoofooreenkoms word hierby gewysig deur die skapping van subklousule (1) daarvan:—

Elke werkgever moet verlof toestaan en elke werknemer moet verlof neem wat begin op die gewone sluitingstyd op 17 Desember 1953 en 16 Desember 1954, en wat op die gewone begintyd, onderskeidelik 4 Januarie 1954 en 3 Januarie 1955 eindig, uitgesonderd . . .

en die vervanging daarvan deur die volgende nuwe paragraaf:—

Elke werkgever moet verlof toestaan en elke werknemer moet verlof neem wat begin op die gewone sluitingstyd op 22 Desember 1955 en wat eindig op die gewone begintyd op 9 Januarie 1956, uitgesonderd . . .

Namens die partye op hede die 7de dag van Oktober 1955 in Port Elizabeth onderteken.

F. G. BLACK,
Voorsitter van die Raad.

F. C. BARWOOD,
Ondervoorsitter van die Raad.

R. VAN DER MERWE,
Sekretaris van die Raad.

* No. 2295.] [18 November 1955.
WET OP FABRIEKE, MASJINERIE EN BOUWERK,
1941.

BOUNYWERHEID, PORT ELIZABETH.

Ek, JOHANNES DE KLERK, 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 Bounywerheid, Port Elizabeth, gepubliseer by Goewermentskennisgewing No. 2294 van 18 November 1955, vir die persone wie se werke daarby gereël word, nie minder gunstig as die ooreenstemmende bepalings van genoemde Wet is nie.

J. DE KLERK,
Minister van Arbeid.

Statutes of the Union of South Africa, 1954

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