



REPUBLIEK VAN SUID-AFRIKA

STAATSKOERANT

GOVERNMENT GAZETTE

OF THE REPUBLIC OF SOUTH AFRICA

As 'n Nuusblad by die Poskantoor Geregistreer

Registered at the Post Office as a Newspaper

VOL. 354

KAAPSTAD, 2 DESEMBER 1994

CAPE TOWN, 2 DECEMBER 1994

No. 16126

KANTOOR VAN DIE PRESIDENT

No. 2078.

2 Desember 1994

Hierby word bekend gemaak dat die President sy goedkeuring gegee het aan die onderstaande Wet, wat hierby ter algemene inligting gepubliseer word:

No. 35 van 1994: Wet op die Nasionale Ekonomiese, Ontwikkelings- en Arbeidsraad, 1994.

OFFICE OF THE PRESIDENT

No. 2078.

2 December 1994

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:

No. 35 of 1994: National Economic, Development and Labour Council Act, 1994.

WET

Om voorsiening te maak vir die instelling van 'n nasionale ekonomiese, ontwikkelings- en arbeidsraad; om sekere bepalings van die Wet op Arbeidsverhoudinge, 1956, te herroep; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

*(Engelse teks deur die President geteken.)
(Goedgekeur op 23 November 1994.)*

DAAR WORD BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Woordskrywing

1. In hierdie Wet, tensy uit die samehang anders blyk, beteken—
 - (i) “die georganiseerde arbeidsgemeenskap” die federasies van vakbonde 5
wat die aanvangspartye van die Raad is, en enige federasie wat daarna
toegelaat word; (vii)
 - (ii) “die georganiseerde sakegemeenskap” die sakegemeenskap soos ver-
teenwoordig deur die werkgewers- en sake-assosiasies en federasies van
sodanige assosiasies wat aanvangspartye van die Raad is, en enige 10
assosiasie wat daarna toegelaat word; (vi)
 - (iii) “hierdie Wet” ook ’n regulasie uitgevaardig kragtens artikel 10; (ix)
 - (iv) “maatskaplike en ekonomiese beleid” ook finansiële, fiskale en
monetêre beleid, sosio-ekonomiese programme, handels- en nywer-
heidsbeleid, heropbou- en ontwikkelingsprogramme en alle aspekte van 15
arbeidsmarkbeleid, met inbegrip van opleiding en mensehulp-
bronontwikkeling; (viii)
 - (v) “Minister” die Minister van Arbeid; (ii)
 - (vi) “Nasionale Mannekragskommissie” die kommissie ingestel by artikel 2A
van die Wet op Arbeidsverhoudinge, 1956 (Wet No. 28 van 1956); (iii) 20
 - (vii) “nasionale spitsberaad” die jaarlikse vergadering van verteenwoor-
digers van die georganiseerde sakegemeenskap, die georganiseerde
arbeidsgemeenskap, organisasies van gemeenskaps- en ontwikkelings-
belange, die Staat en belanghebbende partye belê deur die Raad
ingevolge artikel 7; (iv) 25
 - (viii) “organisasies van gemeenskaps- en ontwikkelingsbelange” die nie-
regeringsorganisasies geïdentifiseer deur die Minister sonder Porte-
feulje in die Kantoor van die President ingevolge artikel 3(5) as
verteenwoordigend van gemeenskapsbelange met betrekking tot herop-
bou en ontwikkeling; (v) 30
 - (ix) “Raad” die Nasionale Ekonomiese, Ontwikkelings- en Arbeidsraad
ingestel by artikel 2. (i)

Instelling van Nasionale Ekonomiese, Ontwikkelings- en Arbeidsraad

2. (1) ’n Raad wat as die Nasionale Ekonomiese, Ontwikkelings- en 35
Arbeidsraad bekend staan, word hierby ingestel.
- (2) Die Raad word beheer deur ’n uitvoerende raad en bestaan daarbenewens
uit die volgende vier kamers, naamlik—
 - (a) ’n kamer vir openbare finansies en monetêre beleid;
 - (b) ’n kamer vir handel en nywerheid;
 - (c) ’n kamer vir die arbeidsmark; en 40
 - (d) ’n kamer vir ontwikkeling.
- (3) Die Raad is ’n regspersoon.

ACT

To provide for the establishment of a national economic, development and labour council; to repeal certain provisions of the Labour Relations Act, 1956; and to provide for matters connected therewith.

(English text signed by the President.)
(Assented to 23 November 1994.)

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:—

Definitions

1. In this Act, unless the context otherwise indicates—

- 5 (i) "Council" means the National Economic, Development and Labour Council established by section 2; (ix)
- (ii) "Minister" means the Minister of Labour; (v)
- 10 (iii) "National Manpower Commission" means the Commission established by section 2A of the Labour Relations Act, 1956 (Act No. 28 of 1956); (vi)
- (iv) "national summit" means the annual meeting of representatives of organised business, organised labour, organisations of community and development interests, the State and interested parties convened by the Council in terms of section 7; (vii)
- 15 (v) "organisations of community and development interests" means those non-governmental organisations identified by the Minister without Portfolio in the Office of the President in terms of section 3(5) as representing community interests relating to reconstruction and development; (viii)
- 20 (vi) "organised business" means business as represented by those employer and business associations and federations of such associations that are the founding parties of the Council and any association that is admitted thereafter; (ii)
- 25 (vii) "organised labour" means the federations of trade unions that are the founding parties of the Council and any federation that is admitted thereafter; (i)
- (viii) "socio and economic policy" includes financial, fiscal and monetary policy, socio-economic programmes, trade and industrial policy, reconstruction and development programmes and all aspects of labour market policy, including training and human resource development; (iv)
- 30 (ix) "this Act" includes any regulation made under section 10. (iii)

Establishment of National Economic, Development and Labour Council

2. (1) There is hereby established a council to be known as the National
35 Economic, Development and Labour Council.

(2) The Council shall be governed by an executive council and shall in addition consist of four chambers, namely—

- (a) a public finance and monetary policy chamber;
- 40 (b) a trade and industry chamber;
- (c) a labour market chamber; and
- (d) a development chamber.

(3) The Council shall be a juristic person.

Lidmaatskap van die Raad

3. (1) Die Raad bestaan uit—
- (a) lede wat die georganiseerde sakegemeenskap verteenwoordig;
 - (b) lede wat die georganiseerde arbeidsgemeenskap verteenwoordig;
 - (c) lede wat organisasies van gemeenskaps- en ontwikkelingsbelange 5
verteenwoordig;
 - (d) lede wat die Staat verteenwoordig.
- (2) Die lede bedoel in subartikel (1)(a) word deur die Minister aangestel uit benoemings deur die georganiseerde sakegemeenskap.
- (3) Die lede bedoel in subartikel (1)(b) word deur die Minister aangestel uit 10
benoemings deur die georganiseerde arbeidsgemeenskap.
- (4) Die lede bedoel in subartikel (1)(c) word deur die Minister sonder Portefeulje in die Kantoor van die President aangestel uit persone benoem deur die organisasies van gemeenskaps- en ontwikkelingsbelang geïdentifiseer deur die Minister sonder Portefeulje in die Kantoor van die President ingevolge subartikel (5). 15
- (5) Die Minister sonder Portefeulje in die Kantoor van die President identifiseer in oorleg met die Uitvoerende Raad organisasies van gemeenskaps- en ontwikkelingsbelange wat—
- (a) 'n beduidende gemeenskapsbelang op 'n nasionale grondslag verteen-
woordig; 20
 - (b) 'n direkte belang by heropbou en ontwikkeling het; en
 - (c) demokraties saamgestel is.
- (6) Die President stel die lede bedoel in subartikel (1)(d) aan.
- (7) Die lede aangestel ingevolge subartikels (2), (3), (4) en (6) beklee hulle 25
ampte ooreenkomstig die konstitusie van die Raad.

Konstitusie van Raad

4. Behoudens die bepalings van hierdie Wet moet die konstitusie van die Raad voorsiening maak vir—
- (a) die wyse waarop die georganiseerde sakegemeenskap persone kan 30
benoem vir aanstelling as lede en die wyse waarop lede ontslaan kan word;
 - (b) die wyse waarop die georganiseerde arbeidsgemeenskap persone kan benoem vir aanstelling as lede en die wyse waarop lede ontslaan kan word;
 - (c) die kriteria waarvolgens en wyse waarop die georganiseerde sakege- 35
meenskap werkgewers- en sake-assosiasies of federasies van sodanige assosiasies toelaat;
 - (d) die kriteria waarvolgens en die wyse waarop die georganiseerde arbeidsgemeenskap vakbonde of federasies van vakbonde toelaat;
 - (e) die aanstelling van plaasvervangers vir lede; 40
 - (f) die aanstelling van *ex officio*-lede van die raad in óf 'n verteenwoordigende óf 'n deskundige hoedanigheid;
 - (g) die ontslag van lede;
 - (h) die aanstelling, ontslag, pligte en bevoegdhede van die voorsitters, 45
ampsdraers en beamptes;
 - (i) die instelling, samestelling en werksaamhede van die uitvoerende raad;
 - (j) die instelling, samestelling, bevoegdhede en funksionering van die kamers;
 - (k) die instelling, samestelling, bevoegdhede en funksionering van komi-
tees, met inbegrip van 'n bestuurskomitee, van die Raad; 50
 - (l) die belê van, die kworum vir en die hantering van vergaderings van die uitvoerende raad, die kamers en komitees;
 - (m) die belê van, die voorsitterskap van, en die kriteria vir die deelname deur 55
die georganiseerde sakegemeenskap, die georganiseerde arbeidsgemeenskap, organisasies van gemeenskaps- en ontwikkelingsbelange en ander belanghebbende partye aan, die nasionale spitsberaad;
 - (n) die hou van notules;
 - (o) die wyse waarop besluite geneem word;
 - (p) die wysiging van die konstitusie;
 - (q) enige ander aangeleentheid nodig vir of bykomstig by die verrigting van 60
sy werksaamhede.

Membership of Council

3. (1) The Council shall consist of—
- (a) members who represent organised business;
 - (b) members who represent organised labour;
 - 5 (c) members who represent organisations of community and development interests;
 - (d) members who represent the State.
- (2) The members referred to in subsection 1(a) shall be appointed by the Minister on nominations made by organised business.
- 10 (3) The members referred to in subsection 1(b) shall be appointed by the Minister on nominations made by organised labour.
- (4) The members referred to in subsection 1(c) shall be appointed by the Minister without Portfolio in the Office of the President from persons nominated by the organisations of community and development interest identified by the
- 15 Minister without Portfolio in the Office of the President in terms of subsection (5).
- (5) The Minister without Portfolio in the Office of the President shall in consultation with the executive council identify organisations of community and development interest that—
- 20 (a) represent a significant community interest on a national basis;
 - (b) have a direct interest in reconstruction and development; and
 - (c) are constituted democratically.
- (6) The President shall appoint the members referred to in subsection (1)(d).
- (7) The members appointed in terms of subsections (2), (3), (4) and (6) shall
- 25 hold office in accordance with the constitution of the Council.

Constitution of Council

4. Subject to the provisions of this Act, the constitution of the Council shall provide for—
- 30 (a) the manner in which organised business may nominate persons for appointment as members and the manner in which members may be removed;
 - (b) the manner in which organised labour may nominate persons for appointment as members and the manner in which members may be removed;
 - 35 (c) the criteria by which and manner in which organised business shall admit employers and business associations or federations of such associations;
 - (d) the criteria by which and manner in which organised labour shall admit federations of trade unions;
 - 40 (e) the appointment of alternates to members;
 - (f) the appointment of *ex officio* members of the council in either a representative or an expert capacity;
 - (g) the removal of members;
 - 45 (h) the appointment, removal, duties and powers of the chairpersons, office-bearers and officials;
 - (i) the establishment, composition and functions of the executive council;
 - (j) the establishment, composition, powers and functioning of the chambers;
 - (k) the establishment, composition, powers and functioning of committees, including a management committee, of the Council;
 - 50 (l) the convening of, quorum for and conduct of meetings of the executive council, chambers and committees;
 - (m) the convening of, the chairpersonship of, and the criteria for the participation of organised business, organised labour, organisations of
 - 55 community and development interest and other interested parties in, the national summit;
 - (n) the keeping of minutes;
 - (o) the manner in which decisions are taken;
 - (p) the amendment of the constitution;
 - 60 (q) any other matter necessary for or incidental to the performance of its functions.

Oogmerke, bevoegdhede en werksaamhede van Raad**5. (1) Die Raad moet—**

- (a) daarna strewe om die doelwitte van ekonomiese groei, deelname aan ekonomiese besluitneming en maatskaplike billikheid te bevorder;
- (b) poog om konsensus te bereik en ooreenkomste aan te gaan oor aangeleenthede met betrekking tot maatskaplike en ekonomiese beleid;
- (c) alle voorgestelde arbeidswetgewing met betrekking tot arbeidsmark-beleid oorweeg voordat dit in die Parlement ingedien word;
- (d) alle beduidende veranderinge in maatskaplike en ekonomiese beleid oorweeg voordat dit geïmplementeer word of in die Parlement ingedien word;
- (e) die formulering van gekoördineerde beleid aangaande maatskaplike en ekonomiese aangeleenthede aanmoedig en bevorder.

(2) Die Raad, vir doeleindes van subartikel (1)—

- (a) kan die ondersoek instel wat hy nodig ag;
- (b) moet op deurlopende grondslag opnames doen oor en ontledings doen van maatskaplike en ekonomiese sake;
- (c) moet op die hoogte bly van internasionale ontwikkelings in maatskaplike en ekonomiese beleid;
- (d) moet die doeltreffendheid van wetgewing en beleid wat maatskaplike en ekonomiese beleid raak, op 'n deurlopende grondslag evalueer;
- (e) kan navorsing doen oor maatskaplike en ekonomiese beleid;
- (f) moet ten nouste saamwerk met Staatsdepartemente, statutêre liggame, programme en ander forums en nie-regeringsliggame betrokke by die formulering en die implementering van maatskaplike en ekonomiese beleid.

(3) Niks in hierdie artikel belet die Raad om enige aangeleentheid met betrekking tot maatskaplike en ekonomiese beleid te oorweeg nie.

Bevoegdhede van uitvoerende raad**6. (1) Die bevoegdhede van die uitvoerende raad is—**

- (a) om die bevoegdhede en werksaamhede bedoel in artikel 5 uit te oefen en te verrig;
- (b) om die konstitusie van die Raad aan te neem en dit van tyd tot tyd behoudens die bepalings van hierdie Wet te wysig;
- (c) om die kamers bedoel in artikel 2(2) in te stel;
- (d) om komitees in te stel, met inbegrip van 'n bestuurskomitee, om hom by te staan by die uitoefening van sy bevoegdhede en die verrigting van sy werksaamhede, en om die bevoegdhede en werksaamhede wat hy geskik ag aan sodanige komitees, en die kamers beoog in paragraaf (c), te deleger of op te dra;
- (e) om ondersoek in te stel by die verrigting van sy werksaamhede en die uitoefening van sy bevoegdhede;
- (f) in die algemeen, maar behoudens hierdie Wet, om die bevoegdhede uit te oefen en die werksaamhede te verrig wat nodig is om die oogmerke van die Raad te verwesenlik.

(2) Die uitvoerende raad kan kragtens sy konstitusie enige komitee of persoon magtig om ondersoek in te stel en die bevoegdhede en werksaamhede wat kragtens hierdie Wet aan die uitvoerende raad verleen word, uit te oefen en te verrig.

(3) Die uitvoerende raad ontwikkel konvensies om sy betrekkinge met die Parlement en sy staande komitees en die Ministeries en Departemente wat deur die besluite van die Raad geraak word, te reël.

(4) Die uitvoerende raad ontwikkel reëls en protokolle vir die hantering van betrekkinge met ander instellings betrokke by die formulering of implementering van aspekte van maatskaplike en ekonomiese beleid.

(5) Die uitvoerende raad kan gedragskodes ontwikkel om die gedrag van lede en verteenwoordigers te reël.

(6) Die uitvoerende raad stel 'n sekretariaat aan op die bepalings en voorwaardes wat hy bepaal.

Objects, powers and functions of Council

5. (1) The Council shall—
- (a) strive to promote the goals of economic growth, participation in economic decision-making and social equity;
 - 5 (b) seek to reach consensus and conclude agreements on matters pertaining to social and economic policy;
 - (c) consider all proposed labour legislation relating to labour market policy before it is introduced in Parliament;
 - 10 (d) consider all significant changes to social and economic policy before it is implemented or introduced in Parliament;
 - (e) encourage and promote the formulation of co-ordinated policy on social and economic matters.
- (2) For the purpose of subsection (1), the Council—
- (a) may make such investigations as it may consider necessary;
 - 15 (b) shall continually survey and analyse social and economic affairs;
 - (c) shall keep abreast of international developments in social and economic policy;
 - (d) shall continually evaluate the effectiveness of legislation and policy affecting social and economic policy;
 - 20 (e) may conduct research into social and economic policy;
 - (f) shall work in close co-operation with departments of State, statutory bodies, programmes and other forums and non-governmental agencies engaged in the formulation and the implementation of social and economic policy.
- 25 (3) Nothing in this section shall preclude the Council from considering any matter pertaining to social and economic policy.

Powers of executive council

6. (1) The powers of the executive council shall be—
- 30 (a) to exercise and perform the powers and functions referred to in section 5;
 - (b) to agree to the constitution of the Council and amend it from time to time subject to the provisions of this Act;
 - (c) to establish the chambers referred to in section 2(2);
 - 35 (d) to establish committees, including a management committee, to assist it in the exercise of its powers and the performance of its functions and to delegate or assign such powers and functions as it deems appropriate to such committees, and the chambers contemplated in paragraph (c);
 - 40 (e) to conduct enquiries in the performance of its functions and the exercise of its powers;
 - (f) generally, but subject to this Act, to exercise those powers and perform those functions as are necessary to realise the objectives of the Council.
- (2) The executive council may under its constitution authorise any committee or person to conduct enquiries and exercise the powers and perform the 45 functions conferred on the executive council under this Act.
- (3) The executive council shall develop conventions to regulate its relationships with Parliament and its standing committees and the Ministries and Departments affected by the decisions of the Council.
- (4) The executive council shall develop rules and protocols for the conduct of 50 relations with other institutions engaged in the formulation or implementation of aspects of social and economic policy.
- (5) The executive council may develop codes of conduct to regulate the conduct of members and representatives.
- (6) The executive council shall appoint a secretariat on such terms and 55 conditions as it may determine.

Pligte van uitvoerende raad

7. (1) Die uitvoerende raad belê jaarliks 'n nasionale spitsberaad van belanghebbende partye, ten einde verslag te doen oor die bedrywighede van die Raad en dit te oorweeg.

(2) Die uitvoerende raad moet so gou moontlik na 31 Desember elke jaar die Minister van 'n verslag voorsien, insluitende 'n geouditeerde finansiële rekening en balansstate van die Raad, ten opsigte van sy bedrywighede en die stand van maatskaplike en ekonomiese aangeleenthede in die Republiek gedurende die jaar wat op daardie datum eindig.

(3) Die Raad word uit openbare fondse befonds, en die uitvoerende raad moet 'n jaarlikse begroting vir die finansiering van die Raad opstel vir voorlegging aan die Minister teen 1 September elke jaar vir sy of haar goedkeuring en die instemming van die Minister van Finansies.

Verslae

8. Enige verslag van die Raad, met inbegrip van die jaarverslag of 'n verslag oor enige beoogde wetgewing of beleid met betrekking tot of rakende maatskaplike en ekonomiese aangeleenthede, word aan die Minister voorgelê, en elke sodanige verslag moet so gou doenlik in die Senaat en die Nasionale Vergadering ter Tafel gelê word.

Wysiging van wette en oorgangsmatreëls

9. (1) Die Minister is die tussentydse voorsitter van die Raad.

(2) Vir die doeleindes van subartikel (6) moet die tussentydse voorsitter 'n aanvangsvergadering van die Raad belê deur 'n datum, tyd en plek vir sodanige vergadering te bepaal.

(3) Die Minister nooi die verteenwoordigers van die werkgewers- en sake-assosiasies, federasies van sodanige assosiasies en federasies van vakbonde wat op die Nasionale Mannekragkommissie en die Nasionale Ekonomiese Forum verteenwoordig word, om die vergadering by te woon.

(4) Die Minister, in oorleg met die Minister sonder Portefeulje in die Kantoor van die President, nooi persone wat organisasies van gemeenskaps- en ontwikkelingsbelange verteenwoordig om die vergadering by te woon.

(5) Die President stel die verteenwoordigers van die Staat aan wat die aanvangsvergadering bywoon.

(6) Die pligte van die aanvangsvergadering van die Raad is om—

- (a) 'n konstitusie vir die Raad te aanvaar;
- (b) die voorsitters ingevolge die konstitusie aan te stel en die tussentydse voorsitter van sy of haar pligte te onthef;
- (c) die kamers en die bestuurskomitee en sodanige ander komitees as wat deur die konstitusie voorgeskryf word, in te stel en die lede in sodanige komitees aan te stel;
- (d) die aanstelling van 'n sekretariaat op sodanige bepalings en voorwaardes as wat hy bepaal, te bevestig.

(7) Die bepalings van die Wet in die Bylae vermeld, word hierby herroep met ingang van die datum van die aanvangsvergadering in subartikel (2) bedoel.

(8) Vir die doeleindes van artikel 33(5)(b) van die Grondwet, vervang die Raad die Nasionale Mannekragkommissie, wat met ingang van die datum van die aanvangsvergadering in subartikel (2) bedoel, ophou bestaan, en vanaf daardie datum gaan alle regte, verpligtinge, bates en laste, hetsy kontraktueel of andersins verkry of opgeloopt in verband met aangeleenthede wat aan daardie Kommissie opgedra is, oor op die Raad.

Regulasies

10. Die Minister, in oorleg met die uitvoerende raad, kan regulasies uitvaardig wat voorskryf—

- (a) enige aangeleentheid wat by hierdie Wet voorgeskryf moet of kan word; en
- (b) in die algemeen, alle aangeleenthede wat hy of sy nodig of dienstig ag om voor te skryf ten einde die oogmerke van hierdie Wet te bereik.

Duties of executive council

7. (1) The executive council shall annually convene a national summit of interested parties, to report on and to consider the activities of the Council.
- (2) The executive council shall as soon as possible after 31 December in each year furnish the Minister with a report, including an audited financial account and balance sheets of the Council, in respect of its activities and the state of social and economic matters in the Republic during the year ending on that date.
- (3) The Council shall be publicly funded and the executive council shall prepare an annual budget for the financing of the Council for submission to the Minister by 1 September in each year for his or her approval and the concurrence of the Minister of Finance.

Reports

8. Any report of the Council, including the annual report or a report on any proposed legislation or policy relating to or affecting social and economic matters shall be submitted to the Minister and every such report shall as soon as practicable be laid upon the Table of the Senate and of the National Assembly.

Amendment of laws and transitional measures

9. (1) The Minister shall be the interim chairperson of the Council.
- (2) The interim chairperson shall for the purposes of subsection (6) convene an inaugural meeting of the Council by fixing a date, time and venue for such meeting.
- (3) The Minister shall invite the representatives of the employer and business associations, federations of such associations and federations of trade unions represented on the National Manpower Commission and the National Economic Forum to attend the meeting.
- (4) The Minister, in consultation with the Minister without Portfolio in the Office of the President, shall invite persons who represent organisations of community and development interest to attend the meeting.
- (5) The President shall appoint the representatives of the State to attend the inaugural meeting.
- (6) The duties of the inaugural meeting of the Council shall be to—
- (a) adopt a constitution for the Council;
 - (b) appoint the chairpersons in terms of the constitution and relieve the interim chairperson of his or her duties;
 - (c) establish the chambers and the management committee and such other committees as are prescribed by the constitution and appoint the members to such committees;
 - (d) confirm the appointment of a secretariat on such terms and conditions as it may determine.
- (7) The provisions of the Act mentioned in the Schedule are hereby repealed with effect from the date of the inaugural meeting referred to in subsection (2).
- (8) For the purposes of section 33(5)(b) of the Constitution, the Council shall replace the National Manpower Commission, which shall cease to exist with effect from the date of the inaugural meeting referred to in subsection (2), and from that date all rights, duties, assets and liabilities, whether contractually or otherwise obtained or accumulated in connection with matters entrusted to that Commission, shall pass to the Council.

Regulations

10. The Minister in consultation with the executive council may make regulations prescribing—
- (a) any matter which by this Act is required or permitted to be prescribed; and
 - (b) generally, all matters which he or she considers necessary or expedient to prescribe in order to achieve the objects of this Act.

Misdrywe

11. (1) Enige persoon wat, behalwe wanneer dit in 'n geregshof of ingevolge 'n wetsbepaling van hom of haar vereis word, enige vertroulike inligting openbaar met betrekking tot die finansiële of sake-aangeleenthede van enige persoon, saak of firma, of die Staat, wat verkry is in die uitoefening van sy of haar bevoegdhede of die verrigting van sy of haar pligte kragtens die Wet of die konstitusie van die Raad of sy komitees, is aan 'n misdryf skuldig. 5

(2) Enige persoon wat aan 'n misdryf ingevolge subartikel (1) skuldig bevind word, is strafbaar met 'n boete van hoogstens R1 000.

Kort titel en inwerkingtreding

10

12. Hierdie Wet heet die Wet op die Nasionale Ekonomiese, Ontwikkelings- en Arbeidsraad, 1994, en tree in werking op 'n datum deur die President by proklamasie in die *Staatskoerant* bepaal.

Offences

11. (1) Any person who, except when required to do so before a court of law or under any law, discloses any confidential information in regard to the financial or business affairs of any person, business or firm, or the State, 5 acquired in the exercise of his or her powers or the performance of his or her duties under the Act or the constitution of the Council or its committees shall be guilty of an offence.

(2) Any person who is convicted of an offence in terms of subsection (1) shall be liable to a fine not exceeding R1 000.

10 Short title and commencement

12. This Act shall be called the National Economic, Development and Labour Council Act, 1994, and shall come into operation on a date fixed by the President by Proclamation in the *Gazette*.

BYLAE 1

Wet op Arbeidsverhoudinge, 1956 (Wet No. 28 van 1956): Artikels 2A tot 2D,
en omskrywing van “Kommissie” in artikel 1.

SCHEDULE 1

Labour Relations Act, 1956 (Act No. 28 of 1956): Sections 2A to 2D, and definition of "Commission" in section 1.

