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ALGEMENE KENNISGEWING

DEPARTEMENT VAN ARBEID

WYSIGINGSWETSONTWERP OP NYWERHEIDS-
VERSOENING, 1977

Die volgende Wetsontwerp wat die Minister van Arbeid voornemens is om gedurende die huidige Parlementsitting in te dien, word vir algemene inligting en kommentaar gepubliseer.

Persone wat graag vertoë omtrent die Wetsontwerp wil rig, word versoek om sodanige vertoë, in tweevoud, binne dertig dae na die datum van publikasie van hierdie kennisgewing skriftelik aan die Sekretaris van Arbeid, Posbus 745, Kaapstad, te stuur.

GENERAL NOTICE

DEPARTMENT OF LABOUR

INDUSTRIAL CONCILIATION AMENDMENT
BILL, 1977

The following Bill which the Minister of Labour proposes introducing during the present session of Parliament is published for general information.

Persons desirous of making representations in regard to the Bill are invited to submit such representations, in duplicate, in writing to the Secretary for Labour, P.O. Box 745, Cape Town, within thirty days of the publication of this notice.

GENERAL EXPLANATORY NOTE:

- [** Words in bold type in square brackets indicate omissions proposed by Minister on introduction.
- Words underlined with solid line indicate insertions proposed by Minister on introduction.

BILL

To amend the Industrial Conciliation Act, 1956, so as to extend the power of the Minister to apply the provisions relating to compulsory arbitration to employers and employees engaged in certain activities; and to provide for incidental matters.

BE IT ENACTED by the State President, the Senate and the House of Assembly of the Republic of South Africa, as follows:—

Amendment of section 46 of Act 28 of 1956, as amended by section 9 of Act 41 of 1959 and section 3 of Act 104 of 1967.

1. Section 46 of the Industrial Conciliation Act, 1956, is hereby amended—

(a) by the substitution for paragraph (a) of subsection (7) of the following paragraph:

“(a) **[The Minister]** Subject to the provisions of subsection (7A), the Minister may from time to time by notice in the *Gazette* notify his intention of applying in an area specified in such notice the provisions of this section to employers and employees engaged or employed in such activities connected with—

- (i) the supply, distribution, processing, canning or preserving of any perishable foodstuffs; or
- (ii) the mining, processing, supply or distribution of petrol or other fuels for use by local authorities or other employers in connection with the provision of any service referred in paragraph (b) of subsection (1); or
- (iii) any other matter as may in the discretion of the Minister be an essential service in the national interest, and
as may be specified in the notice.”; and

(b) by the insertion after the said subsection (7) of the following subsection:

“(7A) (a) Whenever the Minister by reason of the urgency of the case and in the national interest deems it necessary he may, without having regard to the provisions of subsection (7), by notice in the *Gazette* and as from a date specified in such notice, apply the provisions of this section in any area specified in the notice to employers and employees engaged or employed in any activity referred to in paragraph (a) of the said subsection (7) and similarly specified in the notice.

(b) Any notice published in terms of paragraph (a) may in like manner be amended or withdrawn.”.

ALGEMENE VERDUIDELIKENDE NOTA:

- Woorde in vet druk tussen vierkantige hake dui aan skrappings deur Minister by indiening voorgestel.
- Woorde met 'n volstreep daaronder, dui aan invoegings deur Minister by indiening voorgestel.

WETSONTWERP

Tot wysiging van die Wet op Nywerheidsversoening, 1956, ten einde die bevoegdheid van die Minister om die bepalings met betrekking tot verpligte arbitrasie toe te pas op werknemers en werkgewers betrokke by sekere bedrywighede, uit te brei; en om vir bykomstige aangeleenthede voorsiening te maak.

DAAR WORD BEPAAL deur die Staatspresident, die Senaat en die Volksraad van die Republiek van Suid-Afrika, soos volg:—

1. Artikel 46 van die Wet op Nywerheidsversoening, 1956, word hierby gewysig—

(a) deur paragraaf (a) van subartikel (7) deur die volgende paragraaf te vervang:

„(a) **[Die Minister]** Behoudens die bepalings van subartikel (7A), kan die Minister van tyd tot tyd by kennisgewing in die *Staatskoerant* sy voorneme bekendmaak om in 'n gebied in sodanige kennisgewing vermeld die bepalings van hierdie artikel toe te pas op werkgewers en werknemers betrokke of in diens by of in die bedrywighede in verband met—

(i) die voorsiening, distribusie, verwerking, inmaak of inlê van enige bederfbare voedselware; of

(ii) die ontginning, verwerking, voorsiening of distribusie van petrol of ander brandstowwe vir gebruik deur plaaslike owerhede of ander werkgewers in verband met die voorsiening van enige in paragraaf (b) van subartikel (1) bedoelde diens; of

(iii) enige ander aangeleentheid wat na die oordeel van die Minister 'n noodsaaklike diens in die nasionale belang is, en

wat in die kennisgewing vermeld word.”; en

(b) deur na die genoemde subartikel (7) die volgende subartikel in te voeg:

„(7A) (a) Wanneer die Minister dit weens die dringendheid van die geval en in die nasionale belang noodsaaklik ag, kan hy, sonder inagneming van die bepalings van subartikel (7), by kennisgewing in die *Staatskoerant* en vanaf 'n datum in die kennisgewing vermeld die bepalings van hierdie artikel toepas in enige gebied in die kennisgewing vermeld op werkgewers en werknemers betrokke of in diens by of in enige bedrywigheid in paragraaf (a) van die genoemde subartikel (7) bedoel en insgelyks in die kennisgewing vermeld.

(b) 'n Kennisgewing ingevolge paragraaf (a) gepubliseer kan op dergelike wyse gewysig of teruggetrek word.”

Wysiging van artikel 46 van Wet 28 van 1956, soos gewysig deur artikel 9 van Wet 41 van 1959 en artikel 3 van Wet 104 van 1967.

Amendment of section 18 of Act 48 of 1953, as substituted by section 1 of Act 59 of 1955 and amended by section 9 of Act 70 of 1973.

Short title.

2. Section 18 of the Bantu Labour Relations Regulation Act, 1953, is hereby amended by the substitution for paragraph (c) of subsection (1A) of the following paragraph:

“(c) any employer to whom the provisions of section 46 of the Industrial Conciliation Act have been applied under subsection (7) or (7A) of that section.”

3. This Act shall be called the Industrial Conciliation Amendment Act, 1977.

2. Artikel 18 van die Wet op die Reëling van Bantoe-
arbeidsverhoudinge, 1953, word hierby gewysig deur paragraaf (c)
van subartikel (1A) deur die volgende paragraaf te vervang:

„(c) 'n werkgewer op wie die bepalinge van artikel 46 van
die Wet op Nywerheidsversoening kragtens subartikel
(7) of (7A) van daardie artikel van toepassing verklaar
is.”

Wysiging van
artikel 18 van
Wet 48 van 1953,
soos vervang deur
artikel 1 van
Wet 59 van 1955
en gewysig deur
artikel 9 van
Wet 70 van 1973.

3. Hierdie Wet heet die Wysigingswet op Nywerheidsversoe- Kort titel.
ning, 1977.

INHOUD

Departement van Arbeid
ALGEMENE KENNISGEWING

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