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**No. 17755**

## GOVERNMENT NOTICE GOEWERMENTSKENNISGEWING

### DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

**No. R. 171**

**31 January 1997**

LABOUR RELATIONS ACT, 1956

#### **MOTOR INDUSTRY: AMENDMENT OF ADMINISTRATIVE AGREEMENT**

I, Tito Titus Mboweni, Minister of Labour, hereby—

- (a) in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the Agreement (hereinafter referred to as the Amending Agreement) which appears in the Schedule hereto and which relates to the undertaking, Industry, Trade or Occupation referred to in the heading to this notice, shall be binding, with effect from 3 February 1997 and for the period ending 10 May 1998, upon the employers' organisations and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisations or unions; and
- (b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the Amending Agreement, excluding those contained in clause 1 (1) (b), shall be binding, with effect from 3 February 1997 and for the period ending 10 May 1998, upon all employers and employees, other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Undertaking, Industry, Trade or Occupation in the areas specified in clause 1 of the Amending Agreement.

**T. T. MBOWENI**  
Minister of Labour

**SCHEDULE****THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY****ADMINISTRATIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1956, made and entered into by and 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

**National Union of Metalworkers of South Africa**

**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 Industries Council for the Motor Industry,

to amend the Administrative Agreement published under Government Notice No. R. 1599 of 16 September 1994, as amended and extended by Government Notices Nos. R. 99 of 27 January 1995, R. 834 of 23 June 1995, R. 1042 of 21 July 1995, R. 2001 of 29 December 1995 and R. 1395 of 23 August 1996.

**1. SCOPE OF APPLICATION**

- (1) The terms of this Agreement shall be observed in the Motor Industry—
  - (a) throughout the Republic of South Africa as it existed prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993);
  - (b) by the employers and the employees in the Motor Industry who are members of the employers' organisations and the trade unions, respectively.
- (2) Notwithstanding the provisions of subclause (1), the provisions of this Agreement shall apply to—
  - (a) apprentices only in so far as they are not inconsistent with the provisions of or any conditions fixed under the Manpower Training Act, 1981; and
  - (b) trainees undergoing training under the Manpower Training Act, 1981, only in so far as they are not inconsistent with the provisions of or any conditions fixed under that Act.

**2. CLAUSE 4: EXEMPTIONS**

- (1) Insert the following new subclause (6):
  - "(6) The Secretary of the Regional Council or the General Secretary of the Council, as the case may be, shall issue to every person granted a consent, a letter of authority signed by him setting out, read with the changes required by the context, the information referred to in (4) and (5) above."

**3. CLAUSE 11: RETURNS TO THE COUNCIL**

- (1) In subclause (6), substitute the expression "R1,15" for "80c".

Signed at Randburg, on behalf of the parties, this 18th day of December 1996.

**T. NIEUWOUDT**

**President of the Council**

**M. LOUW**

**Vice-President of the Council**

**B. G. DU PREEZ**

**General Secretary of the Council**

No. R. 171

31 Januarie 1997

## WET OP ARBEIDSVERHOUDINGE, 1956

**MOTORNYWEHEID: WYSIGING VAN ADMINISTRATIEWE OOREENKOMS**

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby—

- (a) kragtens artikel 48 (1) (a) van die Wet op Arbeidsverhoudinge, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, vanaf 3 Februarie 1997 en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is;
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (b), met ingang van 3 Februarie 1997 en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir alle ander werkgewers en werknemers as dié genoem in paragraaf (a) van hierdie kennisgewing wat betrokke is by of in diens is in genoemde Onderneming, Nywerheid, Bedryf of Beroep in die gebiede in klousule 1 van die Wysigingsooreenkoms gespesifiseer.

**T. T. MBOWENI****Minister van Arbeid****BYLAE****DIE NASIONALE NYWERHEIDSRaad VIR DIE MOTORNYWERHEID****ADMINISTRATIEWE OOREENKOMS**

ooreenkomstig die Wet op Arbeidsverhoudinge, 1956, gesluit deur en aangegaan tussen 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

**National Union of Metalworkers of South Africa**

**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,

tot wysiging van die Administratiewe Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1599 van 16 September 1994, soos gewysig en verleng by Goewermentskennisgewings Nos. R. 99 van 27 Januarie 1995, R. 834 van 23 Junie 1995, R. 1042 van 21 Julie 1995, R. 2001 van 29 Desember 1995 en R. 1395 van 23 Augustus 1996, te wysig.

**1. TOEPASSINGSBESTEK**

(1) Hierdie Ooreenkoms moet in die Motornywerheid nagekom word—

- (a) oral in die Republiek van Suid-Afrika soos dit bestaan het onmiddellik voor die datum van inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993);
- (b) deur die werkgewers en die werknemers in die Motornywerheid wat lede is van onderskeidelik die werkgewers-organisasie en die vakverenigings.

(2) Ondanks subklousule (1), is hierdie Ooreenkoms van toepassing op—

- (a) vakleerlinge slegs vir sover dit nie onbestaanbaar is met die Wet op Mannekragopleiding, 1981, of voorwaardes wat daarkragtens gestel is nie; en
- (b) kwekelinge wat opleiding ingevolge die Wet op Mannekragopleiding, 1981, ondergaan, slegs vir sover dit nie onbestaanbaar is met daardie Wet of voorwaardes wat daarkragtens gestel is nie.



**2. KLOUSULE 4: VRYSTELLINGS**

(1) Voeg die volgende nuwe subklousule (6) by:

"(6) Die Sekretaris van die Streekraad of die Hoofsekreteris van die Raad, na gelang van die geval, moet aan elke persoon aan wie goedkeuring verleen is, 'n magtigingsbrief uitreik onderteken deur hom, waarin 'n uiteensetting gegee word van die inligting, gelees met die veranderings soos vereis deur die konteks, bedoel in (4) en (5) hierbo."

**3. KLOUSULE 11: OPGAWES AAN DIE RAAD**

(1) In subklousule (6) vervang die uitdrukking "80c" deur die uitdrukking "R1,15".

Namens die partye op hede die 18de dag van Desember 1996 te Randburg onderteken.

**T. NIEUWOUDT**

**President van die Raad**

**M. LOUW**

**Vise-president van die Raad**

**B. G. DU PREEZ**

**Hoofsekreteris van die Raad**

**CONTENTS****INHOUD**

No.	Page No.	Gazette No.	No.	Bladsy No.	Koerant No.
<b>GOVERNMENT NOTICE</b>			<b>GOEWERMENSKENNISGEWING</b>		
<b>Labour, Department of</b>			<b>Arbeid, Departement van</b>		
<i>Government Notice</i>			<i>Goewermenskennisgewing</i>		
R. 171			R. 171		
Labour Relations Act (28/1956): Motor Industry: Amendment of Administrative Agreement.....	1	17755	Wet op Arbeidsverhoudinge (28/1956): Motornywerheid: Wysiging van Administratiewe Ooreenkoms .....	3	17755