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## GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 654

9 May 1997

LABOUR RELATIONS ACT, 1995

#### AMENDMENT OF SCHEDULE 7

Under section 207 (1) of the Labour Relations Act, 1995 (Act No. 66 of 1995), I hereby amend Schedule 7 to that Act by effecting the additions and changes set out in the Annexure.

T. T. MBOWENI

Minister of Labour

#### ANNEXURE

##### AMENDMENT OF SCHEDULE 7 TO THE LABOUR RELATIONS ACT, 1995

Part G of Schedule 7 to the Labour Relations Act, 1995 (Act No. 66 of 1995), is hereby amended—

(a) by the substitution for item 24 of the following item:

##### "24. Essential services in the public service

- (1) An essential service contemplated in section 20 (1) of the Public Service Labour Relations Act, will be deemed to have been designated an essential service in terms of *this Act* for a period of 10 months as from the commencement of *this Act*.

- (2) Despite the provisions of subitem (1), a designation made by the essential services committee in terms of section 71 (8) of *this Act* in respect of a service contemplated in section 20 (1) of the Public Service Labour Relations Act, will be effective from the date of publication of notice of designation in the *Government Gazette*.
- (b) by the substitution for item 25 of the following item:

**"25. Essential service provided for in the Labour Relations Act**

- (1) The services in which employers referred to in paragraph (a) and (b) of section 46 (1) of the Labour Relations Act, and employees referred to in paragraphs (e) and (f) of that section are engaged, as well as any service contemplated in paragraph (a) or (b) of section 46 (1) of that Act in which are engaged the employers and employees to whom a notice in terms of the latter section applied immediately before the commencement of *this Act*, will be deemed to have been designated essential services in terms of *this Act* for a period of 10 months as from the commencement of *this Act*.
- (2) Despite the provisions of subitem (1), a designation made by the essential services committee in terms of section 71 (8) of *this Act* in respect of a service in which employers referred to in paragraphs (a) and (b) of section 46 (1) of the Labour Relations Act, and employees referred to in paragraphs (e) and (f) of that section are engaged, as well as any service contemplated in paragraphs (a) and (b) of section 46 (1) of that Act in which are engaged the employers and employees to whom a notice in terms of the latter section applied immediately before the commencement of *this Act*, will be effective from the date of publication of notice of designation in the *Government Gazette*.

No. R. 654

9 Mei 1997

WET OP ARBEIDSVERHOUDINGE, 1995

WYSIGING VAN BYLAE 7

Kragtens die bevoegdheids my verleen by artikel 207 (1) van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), wysig ek hierby Bylae 7 by daardie Wet deur die byvoegings en veranderings soos in die Aanhangsel uiteengesit, aan te bring.

T. T. MBOWENI

Minister van Arbeid

AANHANGSEL

WYSIGING VAN BYLAE 7 BY DIE WET OP ARBEIDSVERHOUDINGE, 1995

Deel G van Bylae 7 by die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), word hierby gewysig—

- (a) deur item 24 deur die volgende item te vervang:

**"24. Noodsaaklike dienste in die staatsdiens**

- (1) 'n Noodsaaklike diens beoog in artikel 20 (1) van die Wet op Arbeidsverhoudinge vir die Staatsdiens, word geag ingevolge *hierdie Wet* as 'n noodsaaklike diens aangewys te gewees het vir 'n tydperk van 10 maande vanaf die inwerkingtreding van *hierdie Wet*.
- (2) Ondanks die bepalings van subitem (1), 'n aanwysing gemaak deur die komitee vir noodsaaklike dienste kragtens artikel 71 (8) van *hierdie Wet* ten opsigte van 'n diens beoog in artikel 20 (1) van die Wet op Arbeidsverhoudinge vir die Staatsdiens, sal van krag wees vanaf die datum van publikasie van kennisgewing van aanwysing in die *Staatskoerant*.

- (b) deur item 25 deur die volgende item te vervang:

**"25. Noodsaaklike dienste waarvoor in Wet op Arbeidsverhoudinge voorsiening gemaak is**

- (1) Die dienste waarmee werkgewers bedoel in paragrawe (a) en (b) van artikel 46 (1) van die Wet op Arbeidsverhoudinge, en werknemers bedoel in paragrawe (e) en (f) van daardie artikel gemoeid is, asook enige diens beoog in paragraaf (a) of (b) van artikel 46 (1) van daardie Wet waarmee die werkgewers en werknemers op wie 'n kennisgewing ingevolge laasgenoemde artikel onmiddellik voor die inwerkingtreding van *hierdie Wet* van toepassing was, gemoeid is, word geag ingevolge *hierdie Wet* as noodsaaklike dienste aangewys te gewees het vir 'n tydperk van 10 maande vanaf die inwerkingtreding van *hierdie Wet*.
- (2) Ondanks die bepalings van subitem (1), 'n aanwysing gemaak deur die komitee vir noodsaaklike dienste kragtens artikel 71 (8) van *hierdie Wet* ten opsigte van 'n diens waarna in paragrawe (a) en (b) van artikel 46 (1) van die Wet op Arbeidsverhoudinge, en werknemers bedoel in paragrawe (e) en (f) van daardie artikel gemoeid is, asook enige diens beoog in paragrawe (a) en (b) van artikel 46 (1) van daardie Wet waarmee werkgewers en werknemers op wie 'n kennisgewing ingevolge laasgenoemde artikel van toepassing was, gemoeid is, onmiddellik voor die inwerkingtreding van *hierdie Wet* sal van krag wees vanaf die datum van publikasie van kennisgewing van aanwysing in die *Staatskoerant*.

No. R. 656

9 May 1997

## LABOUR RELATIONS ACT, 1956

**BUILDING INDUSTRY, BLOEMFONTEIN: AMENDMENT OF MAIN 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 the second Monday after the date of publication of this notice and for the period ending 30 October 1997, upon the employers' organisation and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation 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) (a), shall be binding, with effect from the second Monday after the date of publication of this notice and for the period ending 30 October 1997, 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****INDUSTRIAL COUNCIL FOR THE BUILDING INDUSTRY (BLOEMFONTEIN)****AGREEMENT**

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

**Bloemfontein Master Builders' and Allied Trades Association**

(hereinafter referred to as the "employers" or the "employers' organisation"), of the one part, and the

**Amalgamated Union of Building Trade Workers of South Africa,****Construction and Allied Workers' Union**

and

**Building Workers' Union**

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

being the parties to the Industrial Council for the Building Industry (Bloemfontein)

to amend the Main Agreement published under Government Notice No. R. 2473 of 6 November 1987, as amended, renewed and re-enacted by Government Notices Nos. R. 1639 of 12 August 1988, R. 2453 of 2 December 1988, R. 1488 of 7 July 1989, R. 1805 of 18 August 1989, R. 1147 and R. 1148 of 25 May 1990, R. 1367 of 14 June 1991, R. 1797 of 2 August 1991, R. 1867 of 3 July 1992, R. 2580 of 11 September 1992, R. 728 of 30 April 1993, R. 844 of 29 April 1994, R. 1289 of 22 July 1994, R. 624 of 28 April 1995, R. 1893 of 8 December 1995, R. 707 of 26 April 1996 and R. 1744 of 1 November 1996.

**1. AREA AND SCOPE OF APPLICATION OF AGREEMENT**

- (1) The terms of this Agreement shall be observed in the Building and Monumental Masonry Industries—
  - (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions;
  - (b) in the Magisterial District of Bloemfontein (including that portion of Bloemfontein which in terms of Government Notice No. 1081 of 18 May 1990, fell within the District of Botshabelo).
- (2) Notwithstanding the provisions of subclause (1) (a), the terms of this Agreement shall—
  - (a) apply only those classes of employees for whom wages are prescribed in this Agreement and to learner artisans;
  - (b) apply to apprentices only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder;
  - (c) apply to trainees only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any conditions fixed thereunder;
  - (d) apply to working partners and working directors, principals and contractors;
  - (e) not apply to persons who are engaged in the installation and/or wiring of lighting, heating or other permanent electrical fixtures in buildings or the repair or maintenance of lifts in buildings where such work is undertaken by an employer who falls under the jurisdiction of another industrial council;



- (f) not apply to university students and graduates in building science, construction supervisors, construction surveyors and other such persons doing practical work as a part of their academic training, or to supervisory personnel;
- (g) not include the Iron, Steel, Engineering and Metallurgical Industries as defined in paragraph G of the Certificate of Registration of the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industries of South Africa;
- (h) be subject to the provisions of any determination by the Industrial Court in relation to the Building Industry and Furniture Industry.

## 2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on a date to be fixed by the Minister of Labour in terms of section 48 (1) of the Act and shall remain in force for the period ending 30 October 1997 or for such period as may be determined by him.

## 3. CLAUSE 4: WAGES

- (1) Substitute respectively subclauses (1) and (3) for the following:

"(1) *General:* No employer shall pay and no employee shall accept wages at rates lower than the following:

	<i>Cents per hour</i>
(a) Artisan .....	11,10
(b) All other employees.....	4,03

- (3) *Calculation of wages:* The weekly wage of an employee shall be his hourly wage multiplied by 40, in the case of artisans and all other categories of employees."

- (2) Insert the following new subclause (c)

"(c) *Across the board increase:* An employee in respect of a wage higher than that prescribed in Category A should receive an increase to be calculated at the percentage difference between the previously prescribed wage and the agreed wages."

- (3) Delete subclause 3 (a) (ii).

## 4. CLAUSE 8: WORKING DAYS AND HOURS OF WORK

- (1) Substitute the following for subclause (1) (a):

(1) No employer shall require or permit his employees, in the case of artisans and all other employees, to work more than 40 hours in any one week or more than eight hours in any one day."

- (2) Delete subclause 1 (a) (ii).

## 5. CLAUSE 9: OVERTIME PAYMENT FOR OVERTIME AND WORK ON CERTAIN DAYS

Substitute the following for clause 9:

"(1) *General:* An employer shall not work or require or allow an employee to work overtime: Provided that three hours' overtime may be worked daily in excess of the ordinary hours prescribed in clause 8 without the permission of the Council. Permission to work overtime in excess of three hours per day shall first be obtained by the employer from the Council in writing. Written permission to work overtime on essential services shall also be obtained by the employer from the Council prior to commencing such work. In the case of emergency work, overtime may be worked without prior permission of the Council: Provided that the employer shall report such work to the Council within the first four hours of the next working day after such emergency has arisen. For the purposes of this Agreement, all time worked in excess of the number of ordinary hours or work prescribed in clause 8 shall be deemed to be overtime: Provided that an employee shall be paid for overtime at overtime rates only after having completed 40 hours per week at his rate of wages, except in the case where an employee has started with an employer during such week and for that reason has not been able to complete 40 hours' ordinary time: Provided further that time lost with his employer's permission or covered by a medical certificate shall, for the purposes of this proviso, be deemed to be time worked: Provided further that the above shall not apply to an employee who is patrolling premises and guarding property.

- (2) *Payment for overtime:* An employee who is required to work any time outside the hours as prescribed in clause 8 shall be paid—

- (a) at his rate of wages, plus one third thereof, for the first ten hours' overtime worked per week; and
- (b) at one and a half times his rate of wages for all overtime in excess of one hour per day, and for any overtime, except any day which may be worked in with the permission of the Council.

- (3) *Payment for work on certain days:* An employer shall pay an employee at least double the rate of his wage, unless otherwise stated in the certificate of exemption, for all time worked on Sundays, or a public holiday in terms of the Public Holidays Act, 1994, and any such other days as may be covered by the annual leave period prescribed in clause 10 of this Agreement.

- (4) *Maximum hours:* The ordinary hours of work plus overtime shall not exceed 56 hours per week."

**6. CLAUSE 20: SUPPLEMENTARY REMUNERATION AND CONTRIBUTIONS**

(1) In subclause (1) substitute the following for the existing paragraph (a) to (j) and the subsequent table:

(1) Except in respect of an employee who works for an employer for less than four weeks, and subject to the provisions of subclause (5) and (6) hereof, every employer shall pay each week to the Secretary of the Council in respect of each category of employee, as stipulated below, the total sum prescribed in Column G hereunder: Provided that such sum shall be allocated as set out hereunder: Provided further that the amount referred to in subclause (4) (b) shall be added to the sum payable in terms of this clause:

(a) Holiday Fund .....	Column A
(b) Pension Scheme contributions .....	Column B
(c) Sick Fund contributions .....	Column C
(d) Medical Aid Fund contributions .....	Column D
(e) Contributions to Industrial Council expenses .....	Column E
(f) Wage guarantee insurance .....	Column F
(g) Stabilisation Funds .....	Column G
(h) Life Assurance Scheme .....	Column H
(i) Provided Fund for General Workers .....	Column I
(j) Total sum .....	Column J

Employees	Per week									
	A	B	C	D	E	F	G	H	I	J
	R	R	R	R	R	R	R	R	R	R
All employees earning R11,10 up to and including R13,15 per hour .....	37,20	55,03	1,24	25,05	0,40	0,45	1,00	—	—	120,37
All employees earning R13,16 and more per hour .....	42,80	65,03	1,24	25,60	0,40	0,45	1,00	—	—	136,52
All employees earning R4,03 up to and including R5,37 per hour .....	13,20	—	0,55	—	0,40	0,45	0,90	0,45	11,29	27,24
All employees earning R5,38 up to and including R6,59 per hour .....	17,60	—	0,55	—	0,40	0,45	0,90	0,45	11,29	31,64
All employees earning R6,60 up to and including R8,05 per hour .....	21,60	—	0,55	—	0,40	0,45	0,90	0,45	11,29	35,64
All employees earning R8,06 up to and including R9,51 per hour .....	26,40	—	0,55	—	0,40	0,45	0,90	0,45	11,29	40,44
All employees earning R9,52 up to and including R11,09 per hour .....	31,20	—	0,55	—	0,40	0,45	0,90	0,45	11,29	45,24

(2) In subclause (3), substitute the following for the existing table:

"Employees	Per week						
	A	B	C	D	E	F	G
	c	c	c	c	c		
All employees earning R11,10 up to and including R13,15 per .....	0,93	1,375	2	,415	,025	—	2,765
All employees earning R13,16 and more per hour .....	1,07	1,625	2	,425	,025	—	3,165
All employees earning R4,03 up to and including R5,37 per hour .....	0,33	—	1	—	,0225	,135	0,50
All employees earning R5,38 up to and including 6,59 per hour .....	0,44	—	1	—	,0225	,135	0,61
All employees earning R6,60 up to and including R8,45 per hour .....	0,54	—	1	—	,0225	,135	0,71
All employees earning R8,06 up to and including R9,51 per hour .....	0,66	—	1	—	,0225	,135	0,83
All employees earning R9,52 up to and including R11,09 per hour .....	0,78	—	1	—	,0225	,135	0,95

(3) In subclause (4) (a), substitute the following for the existing table:

"Employees	Per week								
	A	B	C	D	E	F	G	H	I
	R	R	R	R	R	R	R	R	R
All employees earning R11,10 up to and including R13,15 per hour.....	37,20	55,03	1,24	25,05	0,40	—	—	1,00	119,92
All employees earning R13,16 and more per hour.....	42,80	65,03	1,24	25,60	0,40	—	—	1,00	136,07
All employees earning R4,03 up to and including R5,37 per hour.....	13,20	—	0,55	—	0,40	0,45	11,29	0,90	26,79
All employees earning R5,38 up to and including R6,59 per hour.....	17,60	—	0,55	—	0,40	0,45	11,29	0,90	31,19
All employees earning R6,60 up to and including R8,05 per hour.....	21,60	—	0,55	—	0,40	0,45	11,29	0,90	35,19
All employees earning R8,06 up to and including R9,51 per hour.....	26,40	—	0,55	—	0,40	0,45	11,29	0,90	39,99
All employees earning R9,52 up to and including R11,09 per hour.....	31,20	—	0,55	—	0,40	0,45	11,29	0,90	44,79".

(4) Substitute the following for subclause (5) (a) to (d):

- "(5) (a) Save as provided in clause 9 no payment as referred to in subclause (3) shall be made in respect of hours worked outside the ordinary hours of work prescribed in clause 8: Provided that the amount in respect of an artisan shall be calculated at a maximum of 40 hours per week.
- (b) No payment as referred to in subclause (1) or deduction as referred to in subclause (4) shall be made in respect of an employee who has worked for an employer for less than four weeks.
- (c) In the event of an employee working for an employer for less than four weeks the amounts due in terms of subclause (3) shall be paid to such employee immediately upon termination of employment or at the end of the last working day of the week, whichever is the earlier."

#### 7. CLAUSE 34: LABOUR-ONLY SUBCONTRACTS

Substitute the following for clause 34:

- "(1) For the purposes of this clause the expression "labour-only subcontract" means a contract, agreement, arrangement or understanding in terms of which a person undertakes to provide a service or services to a contractor for an agreed sum or sums, which entails performing work that is normally carried out by skilled employees and/or general workers where such person is not responsible for the payment to manufacturers or suppliers, who in the ordinary course of their business supply material to the Building Industry, for all materials to be used in the execution of such work.
- (2) Any person who undertakes work in the Building Industry in terms of a labour-only subcontract shall, whether he is an employer or not, register with the Council as an employer or as if he were an employer in accordance with the provisions of clause 15. The onus shall be on the contractor giving out such work to satisfy himself that such person is so registered prior to that person commencing the said work.
- (3) Any contractor shall—
- keep a record of the following particulars in respect of each person to whom work is given out in a labour-only subcontract:
    - His first name and his surname;
    - his trading name;
    - his business address and/or residential address;
    - his telephone number;
  - upon being requested to do so by an agent, produce such records to the agent."

Signed at Bloemfontein, as authorised, for and on behalf of the parties to the Council, this 27th day of November 1996.

**J. A. C. SCHRÖCK**  
Vice-Chairman of the Council

**T. J. MYNHARDT**  
Member of the Council

**A.C. M. VAN VUUREN**  
Secretary of the Council



No. R. 656

9 Mei 1997

## WET OP ARBEIDSVERHOUDINGE, 1956

**BOUNYWERHEID, BLOEMFONTEIN: WYSIGING VAN HOOFDOORENKOMS**

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 (hierna die Wysigingsooreenkoms genoem) wat in die Bylae hiervan verskyn en betrekking het op die Onderneming, Nywerheid, Bedryf of Beroep in die opskrif by hierdie kennisgewing vermeld, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Oktober 1997 eindig, bindend is vir die werkgewersorganisasie en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasie of vereniging is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 1 (1) (a), met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 30 Oktober 1997 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****NYWERHEIDSRAAD VIR DIE BOUNYWERHEID (BLOEMFONTEIN)****OORLEENKOMS**

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

**Bloemfontein Master Builders' and Allied Trades Association**

(hierna die "werkgewers" of die "werkgewersorganisasie" genoem), aan die een kant, en die

**Amalgamated Union of Building Trade Workers of South Africa,****Construction and Allied Workers' Union**

en

**Bouwerkersvakbond**

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nywerheidsraad vir die Bounywerheid (Bloemfontein)

om die Hoofdoorenkoms, gepubliseer by Goewermetskennisgewing No. R. 2473 van 6 November 1987, soos gewysig, hiernieu en herbekragtig deur Goewermetskennisgewings Nos. R. 1639 van 12 Augustus 1988, R. 2453 van 2 Desember 1988, R. 1488 van 7 Julie 1989, R. 1805 van 18 Augustus 1989, R. 1147 en R. 1148 van 25 Mei 1990, R. 1367 van 14 Junie 1991, R. 1797 van 2 Augustus 1991, R. 1867 van 3 Julie 1992, R. 2580 van 11 September 1992, R. 728 van 30 April 1993, R. 844 van 29 April 1994, R. 1289 van 22 Julie 1994, R. 624 van 28 April 1995, R. 1893 van 8 Desember 1995, R. 707 van 26 April 1996 en R. 1744 van 1 November 1996.

**1. GEBIED EN TOEPASSINGSBESTEK VAN OOREENKOMS**

- (1) Hierdie Ooreenkoms moet in die Bou- en Monumentklipmesselnywerheid nagekom word—
  - (a) deur alle werkgewers wat lede van die werkgewersorganisasie en alle werknemers wat lede is van die vakverenigings;
  - (b) in die landdrostdistrik Bloemfontein (met inbegrip van die gedeelte van Bloemfontein wat ingevolge Goewermetskennisgewing 1081 van 18 Mei 1990, by die distrik Botshabelo ingelyf is).
- (2) Ondanks subklousule (1) (a) is hierdie Ooreenkoms—
  - (a) slegs van toepassing op dié klasse werknemers vir wie lone in hierdie Ooreenkoms voorgeskryf word en op leerlingambagsmanne;
  - (b) van toepassing op vakleerlinge slegs vir sover dit nie met die Wet op Mannekrageopleiding, 1981, of met 'n kontrak wat daarkragtens aangegaan is of met voorwaardes wat daarkragtens gestel is, onbestaanbaar is nie;
  - (c) van toepassing op kwekelinge slegs vir sover dit nie met die Wet op Mannekrageopleiding, 1981, of met voorwaardes wat daarkragtens gestel is, onbestaanbaar is nie;
  - (d) van toepassing op werkende vennote en werkende direkteurs, prinsipale en aannemers;

- (e) nie van toepassing op persone wat betrokke is by die installering en/of bedrading van elektriese lig-, verwarmings- of ander permanente vaste elektriese toebehore in geboue of die herstel of onderhoud van hysers in geboue wanneer sodanige werk deur 'n werkgewer onderneem word wat onder die jurisdiksie van 'n ander nywerheidsraad val nie;
- (f) nie van toepassing nie op universiteitstudente en gegradueerdes in die bouwetenskap, konstruksietoetsighouers, konstruksieopmeters en ander persone wat besig is met praktiese werk ter voltooiing van hul akademiese opleiding of toesighoudende personeel;
- (g) nie van toepassing op die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid soos omskryf in paragraaf G van die Registrasiesertifikaat van die Nasionale Nywerheidsraad vir Yster-, Staal-, ingenieurs- en Metallurgiese Nywerheid van Suid-Afrika nie;
- (h) onderworpe aan die bepalings van alle vasstellings gemaak deur die Nywerheidshof met betrekking tot die Bounywerheid en Meubelnywerheid.

## 2. GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Arbeid kragtens artikel 48 (1) van die Wet vasstel, en bly van krag vir die tydperk eiendigende 30 Oktober 1997 of vir die tydperk wat hy bepaal.

## 3. KLOUSULE 4: LONE

- (1) Vervang subklousules (1) en (3) deur onderskeidelik die volgende:

"(1) *Algemeen*: Geen lone wat laer is as dié hieronder genoem, mag deur 'n werkgewer betaal en deur 'n werknemer aangeneem word nie:

	<i>Sent per uur</i>
(a) Ambagsmanne .....	11,10
(b) Alle ander werknemers .....	4,03

(3) *Berekening van lone*: Die weekloon van 'n werknemer is sy uurloon vermenigvuldig met 40, in die geval van ambagsmanne en alle ander klasse werknemers."

- (2) Voeg die nuwe subklousule (c) in:

"(c) *Algemene verhoging (deur die bank)*: 'n Werknemer wat 'n hoër loon ontvang het as die loon voorgeskryf in Kategorie A moet 'n verhoging ontvang wat bereken word teen dieselfde persentasie verskil tussen die vorige voorgeskrewe loon en die nuwe ooreengekome loon."

- (3) Skrap subklousule 3 (a) (ii).

## 4. KLOUSULE 8: WERKDAE EN WERKURE

- (1) Vervang subklousule (1) (a) deur die volgende:

(1) Geen werkgewer mag vereis of toelaat dat sy werknemers, in die geval van ambagsmanne en alle ander werknemers meer as 40 uur in 'n bepaalde week of meer as agt uur op 'n bepaalde dag werk nie."

- (2) Skrap subklousule 1 (a) (ii).

## 5. KLOUSULE 9: OORTYDWERK, BETALING VIR OORTYDWERK EN WERK OP SEKERE DAE

Vervang klousule 9 deur die volgende:

"(1) *Algemeen*: 'n Werkgewer mag nie oortyd werk of van 'n werknemer vereis of hom toelaat om oortyd te werk nie: Met dien verstande dat daar daagliks drie uur langer as die werkure in klousule 8 voorgeskryf, gewerk mag word sonder die toestemming van die Raad. Toestemming om daagliks langer as drie uur oortyd te werk moet skriftelik vooraf deur die werkgewer van die Raad verkry word. Skriftelike toestemming om oortyd te werk aan noodsaaklike dienste moet ook voordat met sodanige werk begin word deur die werkgewer van die Raad verkry word. In noodgevalle kan oortyd wel gewerk word sonder om vooraf toestemming van die Raad te verkry: Met dien verstande dat die werkgewer dit by die Raad moet aanmeld binne die eerste vier ure van die daaropvolgende werkdag nadat sodanige noodwerk verrig moes word. By die toepassing van hierdie Ooreenkoms, moet alle tyd wat daar langer gewerk word as die getal gewone werkure wat in klousule 8 voorgeskryf word, geag word oortydwerk te wees: Met dien verstande dat 'n werknemer vir oortydperk teen oortydskaal betaal moet word slegs nadat hy 40 uur per week teen sy loonskaal voltooi het, behalwe in die geval waar 'n werknemer gedurende sodanige week by 'n werkgewer in diens getree het en om dié rede nie in staat was om 40 uur gewone tyd te voltooi nie: Voorts met dien verstande dat tyd wat met verlof van sy werkgewer verloor is of wat deur 'n mediese sertifikaat gedek word by die toepassing van hierdie voorbehoudsbepaling geag word tyd gewerk te wees: Voorts met dien verstande dat die voorafgaande nie van toepassing is op 'n werknemer wat persele patroleer en eiendom bewaak nie.



- (2) *Besoldiging vir oortydwerk:* 'n Werknemer van wie vereis word om te werk buite die ure soos in klousule 8 voorgeskryf, moet soos volg betaal word:
  - (a) Teen sy loonskaal, plus een derde daarvan, vir die eerste tien uur oortyd gewerk per week; en
  - (b) teen een en 'n half maal sy loonskaal vir alle oortyd wat daar langer as tien uur gewerk word; behalwe enige dag wat ingewerk word met toestemming van die Raad.
- (3) *Besoldiging vir werk op sekere dae:* Tensy anders in die vrystellingsertifikaat bepaal, moet 'n werkgewer 'n werknemer minstens twee maal sy loon betaal vir al die tyd wat hy gewerk het op Sondag, of 'n dag wat ingevolge die Wet op Openbare Feesdae, 1994, soos gewysig, 'n openbare feesdag is en dié ander dae wat gedek word deur die jaarlikse verloftydperk in klousule 10 van hierdie Ooreenkoms voorgeskryf.
- (4) *Maksimum ure:* Die gewone werkure plus oortydure mag hoogstens 56 uur per week beloop.

**6. KLOUSULE 20: AANVULLENDE BESOLDIGING EN BYDRAES**

(1) In subklousule (1) vervang die bestaande paragrawe (a) tot (j) en die daaropvolgende tabel deur die volgende:

(1) Elke werkgewer moet uitgesonderd ten opsigte van 'n werknemer wat minder as vier weke vir hom werk en behoudens subklousules (5) en (6) hiervan, elke week die totale som aangedui in Kolom G hieronder, aan die Sekretaris van die Raad betaal ten opsigte van elke klas werknemer soos hieronder uiteengesit: Met dien verstande dat dié bedrag toegewys word soos hieronder uiteengesit: Met dien verstande voorts dat die bedrag in subklousule 4 (b) bedoel gevoeg word by die bedrag wat ingevolge hierdie klousule betaalbaar is:

- (a) Vakansiefonds ..... Kolom A
- (b) Bydraes tot Pensioenskema..... Kolom B
- (c) Siekefondsbysdraes ..... Kolom C
- (d) Bydraes tot die Mediese Bystandsfonds ..... Kolom D
- (e) Bydraes vir uitgawes van die Nywerheidsraad ..... Kolom E
- (f) Loonwaarborgversekering..... Kolom F
- (g) Stabilisasiefonds..... Kolom G
- (h) Lewensversekeringskema ..... Kolom H
- (i) Voorsorgfonds vir Algemene Werkers ..... Kolom I
- (j) Totale bedrag..... Kolom J

Werknemers	Per week									
	A	B	C	D	E	F	G	H	I	J
	R	R	R	R	R	R	R	R	R	R
Alle werknemers wat R11,10 tot en met R13,45 per uur verdien .....	37,20	55,03	1,24	25,05	0,40	0,45	1,00	—	—	120,37
Alle werknemers wat R13,16 en meer per uur verdien ..	42,80	65,03	1,24	25,60	0,40	0,45	1,00	—	—	136,52
Alle werknemers wat R4,03 tot en met R5,37 per uur verdien .....	13,20	—	0,55	—	0,40	0,45	0,90	0,45	11,29	27,24
Alle werknemers wat R5,38 tot en met R6,59 per uur verdien .....	17,60	—	0,55	—	0,40	0,45	0,90	0,45	11,29	31,64
Alle werknemers wat R6,60 tot en met R8,05 per uur verdien .....	21,60	—	0,55	—	0,40	0,45	0,90	0,45	11,29	35,64
Alle werknemers wat R8,06 tot en met R9,51 per uur verdien .....	26,40	—	0,55	—	0,40	0,45	0,90	0,45	11,29	40,44
Alle werknemers wat R9,52 tot en met R11,09 per uur verdien .....	31,20	—	0,55	—	0,40	0,45	0,90	0,45	11,29	45,24

(2) In subklousule (3), vervang die bestaande tabel deur die volgende:

"Werknemers"	Per week						
	A	B	C	D	E	F	G
	c	c	c	c	c		
Alle werknemers wat R11,10 tot en met R13,15 per uur verdien .....	0,93	1,375	2	,415	,025	—	2,765
Alle werknemers wat R13,16 en meer per uur verdien .....	1,07	1,625	2	,425	,025	—	3,165
Alle werknemers wat R4,03 tot en met R5,37 per uur verdien .....	0,33	—	1	—	,0225	,135	0,50
Alle werknemers wat R5,38 tot en met 6,59 per uur verdien .....	0,44	—	1	—	,0225	,135	0,61
Alle werknemers wat R6,60 tot en met R8,45 per uur verdien .....	0,54	—	1	—	,0225	,135	0,71
Alle werknemers wat R8,06 tot en met R9,51 per uur verdien .....	0,66	—	1	—	,0225	,135	0,83
Alle werknemers wat R9,52 tot en met R11,09 per uur verdien .....	0,78	—	1	—	,0225	,135	0,95

(3) In subklousule (4) (a), vervang die bestaande tabel deur die volgende:

"Werknemers"	Per week								
	A	B	C	D	E	F	G	H	I
	R	R	R	R	R	R	R	R	R
Alle werknemers wat R11,10 tot en met R13,15 per uur verdien .....	37,20	55,03	1,24	25,05	0,40	—	—	1,00	119,92
Alle werknemers wat R13,16 en meer per uur verdien .....	42,80	65,03	1,24	25,60	0,40	—	—	1,00	136,07
Alle werknemers wat R4,03 tot en met R5,37 per uur verdien .....	13,20	—	0,55	—	0,40	0,45	11,29	0,90	26,79
Alle werknemers wat R5,38 tot en met R6,59 per uur verdien .....	17,60	—	0,55	—	0,40	0,45	11,29	0,90	31,19
Alle werknemers wat R6,60 tot en met R8,05 per uur verdien .....	21,60	—	0,55	—	0,40	0,45	11,29	0,90	35,19
Alle werknemers wat R8,06 tot en met R9,51 per uur verdien .....	26,40	—	0,55	—	0,40	0,45	11,29	0,90	39,99
Alle werknemers wat R9,52 tot en met R11,09 per uur verdien .....	31,20	—	0,55	—	0,40	0,45	11,29	0,90	44,79

(4) Vervang subklousule 5 (a) tot (d) deur die volgende:

"(5) (a) Behoudens klousule 9 moet geen bedrag in subklousule (3) bedoel, betaal word ten opsigte van ure wat buite die gewone werkure in klousule 8 voorgeskryf, gewerk word nie: Met dien verstande dat die bedrag ten opsigte van die ambagsman teen 'n maksimum van 40 uur per week bereken word.

(b) Geen bedrag in subklousule (1) bedoel, mag betaal word en geen bedrag in subklousule (4) bedoel, mag afgetrek word ten opsigte van 'n werknemer wat minder as vier weke vir 'n werkgewer werk nie.

(c) Wanneer 'n werknemer minder as vier weke vir 'n werkgewer werk, moet die bedrae wat ingevolge subklousule (3) verskuldig is, onmiddellik ná beëindiging van diens of aan die einde van die laaste werkdag van die week, naamlik die vroegste, aan so 'n werknemer betaal word."

#### 7. KLOUSULE 34: SLEGS-ARBEID-SUBKONTRAKTE

Vervang klousule 34 deur die volgende:

"(1) By die toepassing van hierdie klousule beteken die uitdrukking "slegs-arbeid-subkontrak" 'n kontrak, ooreenkoms, reëling of verstandhouding waarkragtens 'n persoon onderneem om teen 'n ooreengekome bedrag of bedrae aan 'n kontrakteur 'n diens of dienste te lewer wat meebring dat werk verrig word wat normaalweg uitgevoer word deur geskoolde werknemers en/of algemene werkers en waar sodanige persoon nie daarvoor verantwoordelik is om vervaardigers of verskaffers wat in die gewone loop van hul sake materiaal aan die Bounywerheid lewer, vir alle materiaal wat vir die uitvoering van sodanige werk gebruik sal word, te betaal nie.

(2) Iemand wat kragtens 'n slegs-arbeid-subkontrak werk in die Bounywerheid onderneem, moet hom, ooreenkomsig klousule 15 by die Raad laat registreer as 'n werkgewer of asof hy 'n werkgewer is. Die onus berus by die werkgewer wat sodanige werk uitbestee, om homself daarvan te oortuig dat die betrokke persoon aldus geregistreer is, alvorens sodanige werk 'n aanvang neem.

(3) 'n Kontrakteur moet—

- (a) aantekening hou van die volgende besonderhede ten opsigte van elke persoon aan wie werk op 'n slegs-arbeid-subkontrak uitbestee word:
- (i) Sy voornaam en sy van;
  - (ii) sy handelsnaam;
  - (iii) sy besigheidsadres en/of woonadres;
  - (iv) sy telefoonnommer;
- (b) wanneer 'n agent dit versoek, sodanige rekords aan die agent voorlê.”.

Soos gemagtig, vir en namens die partye by die Raad, op hede die 27ste dag van November 1996 te Bloemfontein onderteken.

**J. A. C. SCHRÖCK**  
Visevoorsitter van die Raad

**T. J. MYNHARDT**  
Lid van die Raad

**A.C. M. VAN VUUREN**  
Sekretaris van die Raad

**No. R. 657**

**9 May 1997**

MANPOWER TRAINING ACT, 1981

**TRAINING SCHEME FOR THE CARGO HANDLING SECTOR OF THE MARITIME INDUSTRY**

**CORRECTION NOTICE**

The following corrections to Government Notice No. R. 135 of 31 January 1997 are published hereby for general information:

- (1) Substitute in clause 3 "Definitions" the following:
- (a) " **'Trust'** means the Maritime Education, Training and Development Number One Trust."
  - (b) " **'Trust Fund'** or **'Fund'** means the Maritime Education, Training and Development Number One Trust: Cargo Handling Sector Fund."
- (2) Substitute subclause 7.2 with the following:
- "The afore-mentioned levy shall be referred to as the Maritime levy and may be reflected by the employer on every invoice issued to a client."

**No. R. 673**

**9 May 1997**

LABOUR RELATIONS ACT, 1956

**CANCELLATION OF GOVERNMENT NOTICE**

**IRON STEEL, ENGINEERING AND METALLURGICAL INDUSTRY: TECHNOLOGICAL FUND AGREEMENT**

I, Tito Titus Mboweni, Minister of Labour, hereby, in terms of section 48 (5) of the Labour Relations Act, 1956, cancel Government Notice No. R. 1135 of 12 July 1996, with effect from the second Monday after the date of publication of this notice.

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

**No. R. 673**

**9 Mei 1997**

WET OP ARBEIDSVERHOUDINGE, 1956

**INTREKKING VAN GOEWERMENSKENNISGEWING**

**YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID: TEGNOLOGIESE FONDSOOREENKOMS**

Ek, Tito Titus Mboweni, Minister van Arbeid, trek hierby, kragtens artikel 48 (5) van die Wet op Arbeidsverhoudinge, 1956, Goewermenskennisgewing No. R. 1135 van 12 Julie 1996 in, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing.

**T. T. MBOWENI**  
Minister van Arbeid



**No. R. 674****9 May 1997****LABOUR RELATIONS ACT, 1956****IRON STEEL, ENGINEERING AND METALLURGICAL INDUSTRY: RE-ENACTMENT AND AMENDMENT OF TECHNOLOGICAL FUND AGREEMENT**

I, Tito Titus Mboweni, Minister of Labour, hereby, in terms of section 48 (1) (a) of the Labour Relations Act, 1956, declare that the provisions of the 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 the second Monday after the date of publication of this notice 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.

**T. T. MBOWENI****Minister of Labour****SCHEDULE****NATIONAL INDUSTRIAL COUNCIL FOR THE IRON, STEEL, ENGINEERING AND METALLURGICAL INDUSTRY TECHNOLOGICAL FUND AGREEMENT**

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

**Association of Electric Cable Manufacturers of South Africa**  
**Border Engineering Industries Association**  
**Bright Bar Association**  
**Cape Engineers' and Founders' Association**  
**Constructional Engineering Association (South Africa)**  
**Covered Conductor Manufacturers' Association**  
**Electrical Engineering and Allied Industries Association**  
**Electronics and Telecommunications Industries Association**  
**Ferro Alloy Producers' Association**  
**Gate and Fence Association**  
**Hand Tool Manufacturers' Association**  
**Iron and Steel Producers' Association of South Africa**  
**Lift Engineering Association of South Africa**  
**Light Engineering Industries Association of South Africa**  
**Materials Handling Association**  
**Natal Engineering Industries Association**  
**Non-Ferrous Metal Industries Association of South Africa**  
**Plastics Manufacturers' Association of South Africa**  
**Plumbers and Engineers Brassware Manufacturers' Association**  
**Port Elizabeth Engineers' Association**  
**Pressure Vessel Manufacturers' Association of South Africa**  
**Radio, Appliance and Television Association of South Africa**  
**Refrigeration and Air-Conditioning Manufacturers' and Suppliers' Association**  
**Sheetmetal Industries Association of South Africa**  
**S.A. Association of Shipbuilders and Repairers**  
**S.A. Electro-Plating Industries Association**  
**S.A. Engineers' and Founders' Association**  
**S.A. Fasteners Manufacturers' Association**

**S.A. Industrial Refrigeration and Air-Conditioning Contractors' Association**

**S.A. Pump Manufacturers' Association**

**S.A. Reinforced Concrete Engineers' Association**

**S.A. Tube Makers' Association**

**S.A. Valve and Actuator Manufacturers' Association**

**S.A. Wire and Wire Rope Manufacturers' Association**

(hereinafter referred to as the "employers" or "employers' organisations"), of the one part, and the

**Metal and Electrical Workers' Union of South Africa**

**National Employers' Trading Union**

**Radio, Television, Electronics and Allied Workers' Union**

**S.A. Electrical Workers' Association**

**S.A. Workers' Union**

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

being the parties to the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry.

### 1. SCOPE OF APPLICATION OF AGREEMENT

Any reference in this Agreement to the Republic of South Africa and/or the Provinces of the Cape of Good Hope, the Transvaal, Natal and the Orange Free State shall be deemed to be a reference to the Magisterial Districts of those areas and/or provinces as they existed immediately prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), and the terms of this Agreement shall apply to and be observed throughout the Republic of South Africa by all employers and employees in the Iron, Steel, Engineering and Metallurgical Industries who are members of the employers' organisations and the trade unions, respectively.

### 2. PERIOD OF OPERATION

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 48 of the Labour Relations Act, 1956, and shall remain in force until 10 May 1998 or for such period as the Minister may determine.

### 3. GENERAL PROVISIONS

The provisions of clauses 3, 4 and 5 of the Agreement published under Government Notice No. R. 1334 of 27 June 1980, as re-enacted and amended by Government Notices Nos. R. 1377 of 1 July 1983, R. 227 of 8 February 1985, R. 2055 of 13 September 1985, R. 1001 of 23 May 1986, R. 1797 of 21 August 1987, R. 1500 of 29 June 1990, R. 1800 of 2 August 1991, R. 894 of 28 May 1993, R. 778 of 22 April 1994, R. 450 of 24 March 1995 and R. 1135 of 12 July 1996 (hereinafter referred to as the "Former Agreement") as further extended, renewed, amended and re-enacted from time to time, shall apply to employers and employees.

### 4. CLAUSE 4: SEIFSA TECHNOLOGICAL FUND

Substitute the following for subclause (2):

"(2) As from the date of coming into operation of this Agreement, employers shall pay monthly to the Fund, in respect of all their employees as referred to in clause 3 of this Agreement, a contribution of 75 cents per employee."

Signed at Johannesburg for and on behalf of the parties, this 26th day of March 1997.

**D. A. CARSON**

Member

**W. P. COETZEE**

Member

**D. G. LEVY**

General Secretary

No. R. 674

9 Mei 1997

WET OP ARBEIDSVERHOUDINGE, 1956

**YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID: HERBEKRAGTING EN WYSIGING VAN  
TEGNOLOGIESE FONDSOORENKOMS**

Ek, Tito Titus Mboweni, Minister van Arbeid, verklaar hierby, 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, met ingang van die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 10 Mei 1998 eindig, bindend is vir die werkgewers-organisasies en die vakverenigings wat die Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is.

**T. T. MBOWENI**

Minister van Arbeid

**BYLAE****NASIONALE NYWERHEIDSRaad VIR DIE YSTER-, STAAL-, INGENIEURS- EN METALLURGIESE NYWERHEID  
TEGNOLOGIESE FONDSOORENKOMS**

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

**Association of Electric Cable Manufacturers of South Africa****Border Engineering Industries Association****Bright Bar Association****Cape Engineers' and Founders' Association****Constructional Engineering Association (South Africa)****Covered Conductor Manufacturers' Association****Electrical Engineering and Allied Industries Association****Electronics and Telecommunications Industries Association****Ferro Alloy Producers' Association****Gate and Fence Association****Hand Tool Manufacturers' Association****Iron and Steel Producers' Association of South Africa****Lift Engineering Association of South Africa****Light Engineering Industries Association of South Africa****Materials Handling Association****Natal Engineering Industries Association****Non-Ferrous Metal Industries Association of South Africa****Plastics Manufacturers' Association of South Africa****Plumbers and Engineers Brassware Manufacturers' Association****Port Elizabeth Engineers' Association****Pressure Vessel Manufacturers' Association of South Africa****Radio, Appliance and Television Association of South Africa****Refrigeration and Air-Conditioning Manufacturers' and Suppliers' Association****Sheetmetal Industries Association of South Africa****S.A. Association of Shipbuilders and Repairers****S.A. Electro-Plating Industries Association**



**S.A. Engineers' and Founders' Association**

**S.A. Fasteners Manufacturers' Association**

**S.A. Industrial Refrigeration and Air-Conditioning Contractors' Association**

**S.A. Pump Manufacturers' Association**

**S.A. Reinforced Concrete Engineers' Association**

**S.A. Tube Makers' Association**

**S.A. Valve and Actuator Manufacturers' Association**

**S.A. Wire and Wire Rope Manufacturers' Association**

(hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

**Metal and Electrical Workers' Union of South Africa**

**National Employees' Trade Union**

**Radio, Television, Electronics and Allied Workers' Union**

**S.A. Electrical Workers' Association**

**S.A. Werkersunie**

(hierna die "werknemers" of die "vakverenigings" genoem), aan die ander kant,

wat die partye is by die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid.

## 1. TOEPASSINGSBESTEK VAN OOREENKOMS

Enige verwysing in hierdie Ooreenkoms na die Republiek van Suid-Afrika en/of die provinsies die Kaap die Goeie Hoop, Transvaal, Natal en Oranje-Vrystaat word geag 'n verwysing te wees na die landdrostdistrikte van daardie gebiede en/of provinsies soos hulle bestaan het onmiddellik voor die inwerkingtreeding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), en hierdie Ooreenkoms is van toepassing op en dit moet oral in die Republiek van Suid-Afrika nagekom word deur alle werkgewers en werknemers in die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid wat lede van onderskeidelik die werkgewersorganisasies en die vakverenigings is.

## 2. GELDIGHEIDSDUUR

Hierdie Ooreenkoms tree in werking op die datum wat deur die Minister van Arbeid kragtens artikel 48 van die Wet op Arbeidsverhoudinge, 1956, vasgestel word en bly van krag tot 10 Mei 1998 of vir die tydperk wat die Minister bepaal.

## 3. ALGEMENE BEPALINGS

Die bepalinge van klousules 3, 4 en 5 van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1334 van 27 Junie 1980, soos herbekragtig en gewysig by Goewermentskennisgewings Nos. R. 1377 van 1 Julie 1983, R. 227 van 8 Februarie 1985, R. 2055 van 13 September 1985, R. 1001 van 23 Mei 1986, R. 1797 van 21 Augustus 1987, R. 1500 van 29 Junie 1990, R. 1800 van 2 Augustus 1991, R. 894 van 28 Mei 1993, R. 778 van 22 April 1994, R. 450 van 24 Maart 1995 en R. 1135 van 12 Julie 1996 (hierna die "Vorige Ooreenkoms" genoem), soos van tyd tot tyd verder verleng, hernieu, gewysig en herbekragtig, is van toepassing op werkgewers en werknemers.

## 4. KLOUSULE 4: TEGNOLOGIESE FONDS SEIFSA

Vervang subklousule (2) deur die volgende:

"(2) Vanaf die datum van inwerkingtreeding van hierdie Ooreenkoms moet werkgewers maandeliks, ten opsigte van al hulle werknemers, soos bedoel in klousule 3 van hierdie Ooreenkoms, 'n bydrae van 75 sent per werknemer in die Fonds stort."

Namens die partye op hede die 26ste dag van Maart 1997 te Johannesburg onderteken.

**D. A. CARSON**

Lid

**W. P. COETZEE**

Lid

**D. G. LEVY**

Algemene Sekretaris

**DEPARTMENT OF TRANSPORT  
DEPARTEMENT VAN VERVOER**

No. R. 662

9 May 1997

**PREVENTION AND COMBATING OF POLLUTION OF THE SEA BY OIL ACT, 1981  
(ACT No. 6 OF 1981)**

**AMENDMENT OF REGULATIONS**

The Minister of Transport has, under section 28 of the Prevention and Combating of Pollution of the Sea by Oil Act, 1981 (Act No. 6 of 1981), made the regulations in the Schedule.

**SCHEDULE**

**Definition**

1. In this Schedule, "the Regulations" means the Regulations Relating to the Prevention and Combating of Pollution of the Sea by Oil, published by Government Notice No. R. 1276 of 29 June 1984, as amended by Government Notice No. R. 861 of 15 June 1995.

**Addition of Chapter VII to Regulations**

2. The following chapter is added to the Regulations:

**"CHAPTER VII**

**OIL DISPERSANTS**

**Use of oil dispersants**

28. (1) Subject to subregulation (2), no oil dispersant may be used in the sea within the prohibited area, unless—

- (a) it has been approved; and
- (b) its use in the circumstances has been authorized by an officer of the Department of Environmental Affairs and Tourism.

(2) Subregulation (1) does not prohibit the use of an approved oil dispersant in emergencies specified in the oil dispersant policy.

(3) Oil dispersants must be used, and their use recorded, in accordance with the oil dispersant policy and any directions given by an officer of the Department of Environmental Affairs and Tourism in terms of that policy.

(4) A person who contravenes this regulation is guilty of an offence punishable on conviction by a fine not exceeding R10 000.

(5) In this regulation—

'approved', in relation to an oil dispersant, means approved by the South African Bureau of Standards and having passed the relevant toxicity and efficiency tests prescribed in terms of the oil dispersant policy;

'contravention' includes failing or refusing to comply;

'oil dispersant' means any chemical substance designed to combat pollution of the sea by oil;

'oil dispersant policy' means the *Policy on the use of oil spill dispersants in South African waters*, compiled by, and obtainable from, the Department of Environmental Affairs and Tourism."

No. R. 662

9 Mei 1997

WET OP DIE VOORKOMING EN BESTRYDING VAN BESOEDELING VAN DIE SEE DEUR OLIE, 1981  
(WET No. 6 VAN 1981)

WYSIGING VAN REGULASIES

Die Minister van Vervoer het kragtens artikel 28 van die Wet op die Voorkoming en Bestryding van Besoedeling van die See deur Olie, 1981 (Wet No. 6 van 1981), die regulasies in die Bylae uitgevaardig.

BYLAE

**Woordomskrywing**

1. In hierdie Bylae beteken "die Regulasies" die Regulasies Betreffende die Voorkoming en Bestryding van Besoedeling van die See deur Olie, gepubliseer by Goewermentskennisgewing No. R. 1276 van 29 Junie 1984, soos gewysig deur Goewermentskennisgewing No. R. 861 van 15 Junie 1995.

**Byvoeging van Hoofstuk VII by Regulasies**

2. Die volgende hoofstuk word by die Regulasies gevoeg:

**"HOOFSTUK VII**

**OLIE-OPBREEKMIDDELS**

**Gebruik van olie-opbreekmiddels**

28. (1) Behoudens subregulasie (2), mag geen olie-opbreekmiddel in die see binne die verbode gebied gebruik word nie, tensy—

(a) dit goedgekeur is; en

(b) die gebruik daarvan in die omstandighede deur 'n beamppte van die Departement van Omgewingsake en Toerisme gemagtig is.

(2) Subregulasie (1) belet nie die gebruik van 'n goedgekeurde olie-opbreekmiddel in noodgevalle vermeld in die olie-opbreekmiddelbeleid nie.

(3) Olie-opbreekmiddels moet gebruik en hul gebruik opgeteken word ooreenkomstig die olie-opbreekmiddelbeleid en enige aanwysings gegee deur 'n beamppte van die Departement van Omgewingsake en Toerisme ingevolge daardie beleid.

(4) 'n Persoon wat hierdie regulasies oortree is skuldig aan 'n misdryf strafbaar by skuldigbevinding met 'n boete van hoogstens R10 000.

(5) In hierdie regulasie beteken—

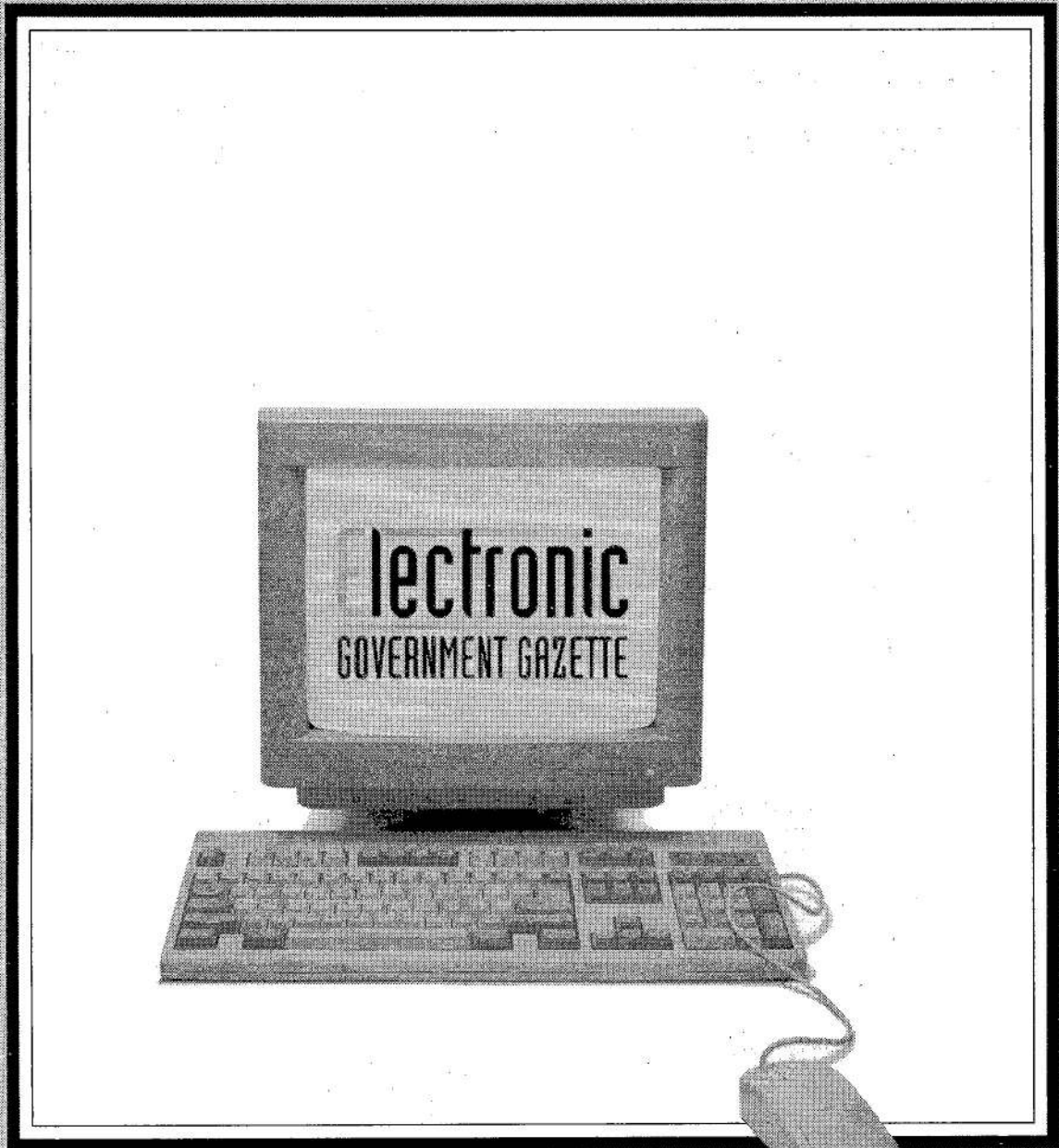
'goedgekeur', met betrekking tot 'n olie-opbreekmiddel, goedgekeur deur die Suid-Afrikaanse Buro vir Standaarde en dat die opbreekmiddel die toepaslike toksisiteits- en doeltreffendheidstoetse voorgeskryf ingevolge die olie-opbreekmiddelbeleid geslaag het;

'olie-opbreekmiddel' 'n chemiese stof ontwerp vir die bestryding van besoedeling van die see deur olie;

'olie-opbreekmiddelbeleid' die *'Policy on the use of oil spill dispersants in South African waters'*, opgestel deur en verkrygbaar by die Departement van Omgewingsake en Toerisme;

'oortreding' ook versuim of weiering om te voldoen aan."





### LET YOUR MOUSE DO THE WALKING

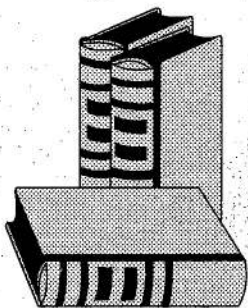
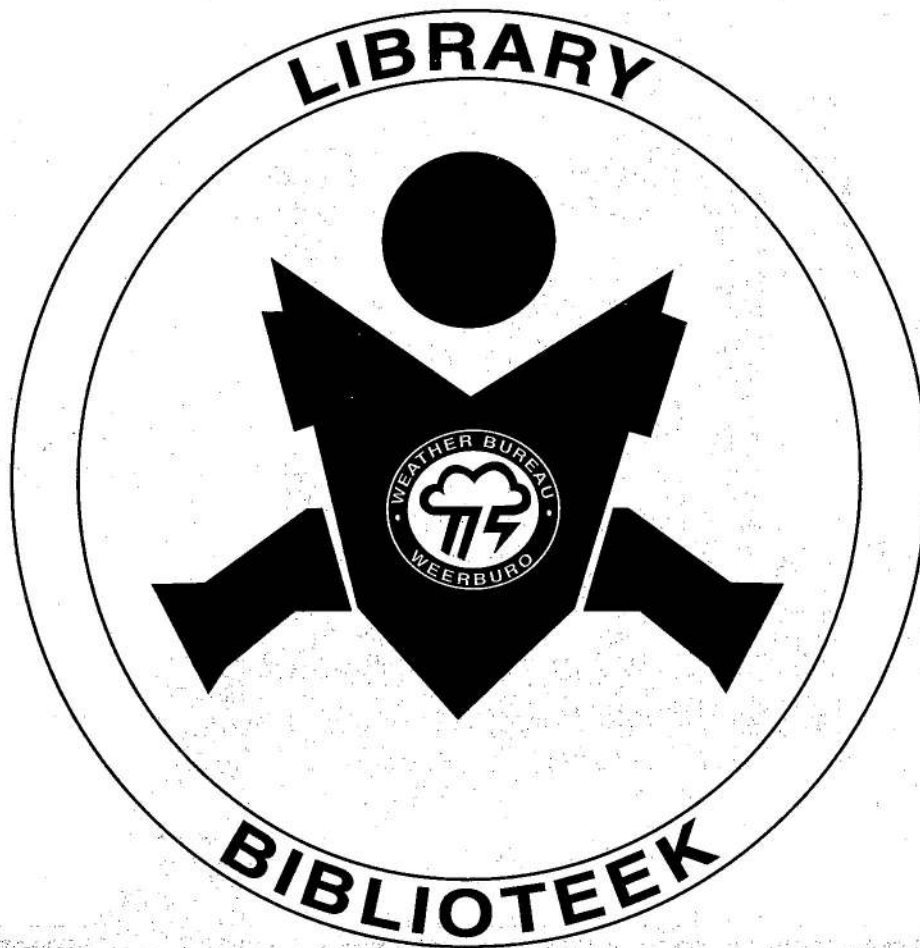
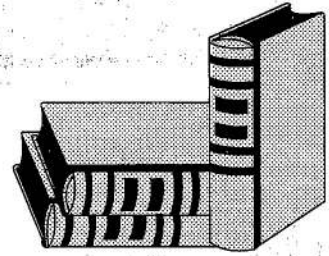
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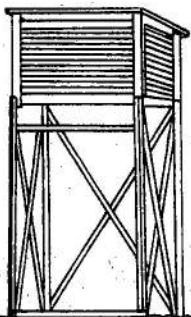
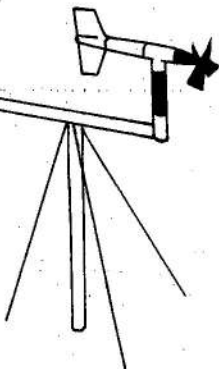
*Where is the largest amount of meteorological information in the whole of South Africa available?*



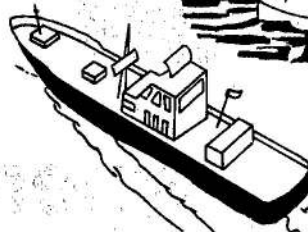
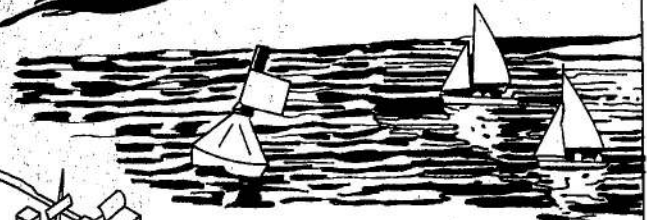
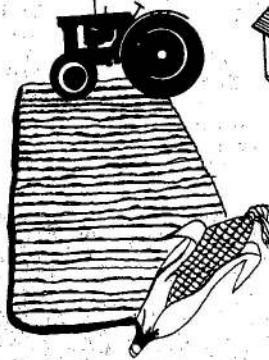
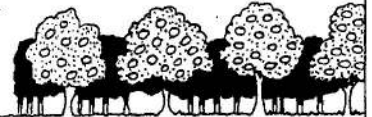
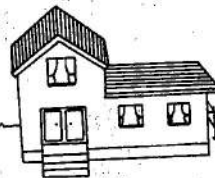
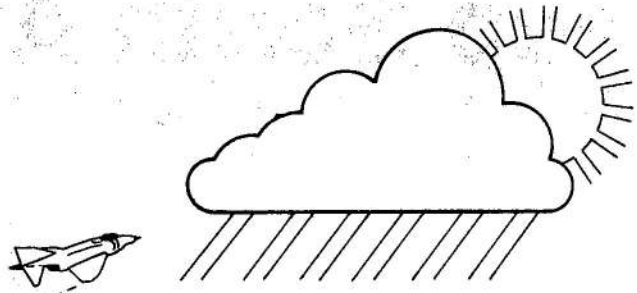
*Waar is die meeste weerkundige inligting in die hele Suid-Afrika beskikbaar?*

Department of Environmental Affairs and Tourism  
 Departement van Omgewingsake en Toerisme

# SA WEATHER BUREAU SA WEERBURO



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# Keep South Africa Clean



**Throw trash where it belongs**

# Hou Suid-Afrika Skoon



**Gooi rommel waar dit hoort**

## Save a drop — and save a million

**W**ater conservation is very important to the community and industry to ensure their survival. So save water!



## Spaar 'n druppel — en vul die dam

**I**ndien almal van ons besparingsbewus optree, besnoei ons nie slegs uitgawes nie maar wen ook ten opsigte van ons kosbare water- en elektrisiteitsvoorraad

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