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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF ENVIRONMENTAL AFFAIRS AND TOURISM DEPARTEMENT VAN OMGEWINGSAKE EN TOERISME

No. R. 1089

15 August 1997

AMENDMENT OF REGULATIONS IN TERMS OF THE NATIONAL PARKS ACT, 1976 (ACT No. 57 OF 1976)

The National Parks Board has in terms of section 29 of the National Parks Act, 1976 (Act No. 57 of 1976), with the approval of the Minister of Environmental Affairs and Tourism, amended the regulations as set out in the Schedule.

SCHEDULE

1. In these regulations "the regulations" means the regulations promulgated under Government Notice No. R. 2006 of 6 October 1978, as amended by Government Notices No. R. 1979 of 15 August 1986, R. 661 of 30 March 1990, R. 1276 of 22 July 1994 and R. 908 of 31 May 1996.

2. Regulations 27, 51 and 53 of the Regulations are hereby repealed.

3. Regulation 36, subregulation (1) of regulation 39 and regulation 44 of the Regulations are hereby amended by the deletion of the word "White" wherever it occurs.

4. Regulation 46 of the regulations is hereby amended by the substitution for subregulation (2) of the following subregulation:

"(2) Subject to the decisions of the Board authorised officers and employees may, for the use of employees and for scientific purposes, kill in a park any animals and birds of defined species and numbers."

No. R. 1089**15 Augustus 1997****WYSIGING VAN REGULASIES KRAGTENS DIE WET OP NASIONALE PARKE, 1976 (WET No. 57 VAN 1976)**

Die Nasionale Parkeraad het kragtens artikel 29 van die Wet op Nasionale Parke, 1976 (Wet No. 57 van 1976), die regulasies met die toestemming van die Minister van Omgewingsake en Toerisme gewysig soos in die Bylae uiteengesit.

BYLAE

1. In hierdie regulasies beteken "die regulasies" die regulasies afgekondig by Goewermentskennisgewing No. R. 2006 van 6 Oktober 1978, soos gewysig by Goewermentskennisgewing No. R. 1979 van 15 Augustus 1986, R. 661 van 30 Maart 1990, R. 1276 van 22 Julie 1994 en R. 908 van 31 Mei 1996.
2. Regulasies 27, 51 en 53 van die Regulasies word hierby herroep.
3. Regulasie 36, subregulasie (1) van regulasie 39 en regulasie 44 van die Regulasies word hierby gewysig deur die woord "Blanke" oral waar dit voorkom te skrap.
4. Regulasie 46 van die regulasies word hierby gewysig deur subregulasie (2) deur die volgende subregulasie te vervang:
 "(2) Behoudens die besluite van die Raad, mag gemagtigde beamptes en werknemers van die Raad vir die gebruik van werknemers en vir wetenskaplike doeleindes diere en voëls van omskrewe soorte en getalle in 'n park doodmaak."

**DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID**

No. R. 1086**15 August 1997**

MEDICAL, DENTAL AND SUPPLEMENTARY HEALTH SERVICE PROFESSIONS ACT, 1974

**RULES SPECIFYING THE ACTS OR OMISSIONS IN RESPECT OF WHICH DISCIPLINARY STEPS MAY BE
TAKEN BY A PROFESSIONAL BOARD AND THE COUNCIL**

The Minister of Health intends, in terms of section 61 (1) of the Medical, Dental and Supplementary Health Service Professions Act, 1974 (Act No. 56 of 1974), on the recommendation of the Interim National Medical and Dental Council of South Africa, to make the regulations in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Human Resource Development), within one month of the date of publication of this notice.

SCHEDULE

1. In these rules "the Rules" means the rules published under Government Notice No. R. 1379 of 12 August 1994.

Amendment of Annexure 8 of the Rules

2. Annexure 8 of the Rules is hereby amended—

- (a) by the insertion after item 3 of the following item:

"3A. Advertising by a medical orthotist and prosthetist of prices of orthoses and prostheses manufactured in his or her practice.";

- (b) by the insertion after item 6 of the following item:

"Naming of practices

- 6A. The use by a medical orthotist and prosthetist of a practice name which does not comply with the provisions of item 4 above: Provided that the provisions of this item shall for a period of three years not apply to specific practice names that existed immediately prior to the promulgation of these rules."

No. R. 1086**15 Augustus 1997**

WET OP GENEESHERE, TANDARTSE EN AANVULLENDE GESONDHEIDSDIENSBEROEPE, 1974

**REËLS WAT DIE HANDELINGE OF VERSUIME UITEENSIT TEN OPSIGTE WAARVAN 'N BEROEPSRAAD
EN DIE RAAD TUGSTAPPE KAN DOEN**

Die Minister van Gesondheid is voornemens om, op aanbeveling van die Interim Nasionale Mediese en Tandheelkundige Raad van Suid-Afrika, kragtens artikel 61 (1) van die Wet op Geneeshere, Tandartse en Aanvullende Gesondheidsdiensberoepe, 1974 (Wet No. 56 van 1974), die regulasies in die Bylae uit te vaardig.

Belanghebbendes word versoek om binne drie weke na die datum van publikasie van hierdie kennisgewing gemotiveerde kommentaar oor of in verband met die voorgestelde kennisgewing in te dien by die Direkteur-generaal: Gesondheid, Privaat Sak X828, Pretoria, 0001 (vir die aandag van die Direkteur: Menslike Hulpbronontwikkeling).

BYLAE

1. In hierdie reëls beteken "die Reëls" die reëls afgekondig by Goewermentskennisgewing No. R. 1379 van 12 Augustus 1994.

Wysiging van Aanhangsel 8 van die Reëls

2. Aanhangsel 8 tot die Reëls word hierby gewysig—

(a) deur die volgende item na item 3 in te voeg:

"3A. Die advertering deur 'n geneeskundige ortotis en protetis van die pryse van ortoses en prosteses wat in sy of haar praktyk vervaardig word.";

(b) deur die volgende item na item 6 in te voeg:

"Benaming van praktyke

6A. Die gebruik deur 'n geneeskundige ortotis en protetis van 'n praktyknaam wat nie aan die bepalings van item 4 hierbo voldoen nie: Met dien verstande dat die bepalings van hierdie item vir 'n tydperk van drie jaar nie van toepassing sal wees nie op bepaalde praktykname wat bestaan het onmiddellik voor die afkondiging van hierdie reëls."

No. R. 1098**15 August 1997**

**AMENDMENT OF SCHEDULE 1 TO THE MEDICINES AND RELATED SUBSTANCES CONTROL ACT, 1965
(ACT No. 101 OF 1965)**

Under section 37A of the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965), I, Nkosazana Clarice Dlamini Zuma, Minister of Health, on the recommendation of the Medicines Control Council, hereby amend Schedule 1 to the said Act as set out in the Schedule.

SCHEDULE

Schedule 1 to the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965), is hereby amended by the substitution for the entry "Paracetamol" of the following entry:

"Paracetamol, when contained in rectal suppositories."

N. C. D. ZUMA**Minister of Health****No. R. 1098****15 Augustus 1997**

**WYSIGING VAN BYLAE 1 VAN DIE WET OP DIE BEHEER VAN MEDISYNE EN VERWANTE STOWWE, 1965
(WET No. 101 VAN 1965)**

Ek, Nkosazana Clarice Dlamini Zuma, Minister van Gesondheid, wysig hierby kragtens artikel 37A van die Wet op die Beheer van Medisyne en Verwante Stowwe, 1965 (Wet No. 101 van 1965), en op aanbeveling van die Medisynebeheerraad, Bylae 1 van genoemde Wet soos uiteengesit in die Bylae.

BYLAE

Bylae 1 van die Wet op die Beheer van Medisyne en Verwante Stowwe, 1965 (Wet No. 101 van 1965), word hierby gewysig deur die inskrywing "Parasetamol" deur die volgende inskrywing te vervang:

"Parasetamol, wanneer dit voorkom in rektale setpille."

N. C. D. ZUMA**Minister van Gesondheid****No. R. 1099****15 August 1997**

**AMENDMENT OF SCHEDULE 1 TO THE MEDICINES AND RELATED SUBSTANCES CONTROL ACT, 1965
(ACT No. 101 OF 1965)**

Under section 37A of the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965), I, Nkosazana Clarice Dlamini Zuma, Minister of Health, on the recommendation of the Medicines Control Council, hereby amend Schedule 1 to the said Act as set out in the Schedule.

SCHEDULE

1. Schedule 1 to the Medicines and Related Substances Control Act, 1965 (Act No. 101 of 1965), is hereby amended by the substitution for the entry "Paracetamol, when contained in rectal suppositories" of the following entry:

"Paracetamol—

(1) substances, preparations and mixtures, except—

(a) in tablets or capsules each containing 500 milligrams or less of paracetamol, when—

(i) packed in a primary pack containing not more than an aggregate of 12,5 grams of paracetamol in such tablets or capsules;

- (ii) packed in blister strip packaging or in containers with child-resistant closures;
- (iii) the primary pack is labelled with the following boxed warning, placed prominently on at least the main panel of the immediate container label and outer label (carton):

CONTAINS PARACETAMOL—READ THE PACKAGE INSERT;

- (b) **in individually wrapped powders or in sachets, each containing 1 000 milligrams or less of paracetamol, when—**

- (i) packed in a primary pack containing not more than an aggregate of **12,5 grams** of paracetamol in such powders or sachets;
- (ii) the primary pack is labelled with the following boxed warning, placed prominently on at least the main panel of the immediate container label and outer label (carton):

CONTAINS PARACETAMOL—READ THE PACKAGE INSERT;

- (c) **in liquid or syrup dosage form containing 120 milligrams or less of paracetamol per 5 millilitres or in paediatric dosage form (drops) containing 120 milligrams or less of paracetamol per 1,2 millilitres, when—**

- (i) packed in a primary pack containing not more than 100 millilitres in the case of the liquid or syrup dosage form containing 120 milligrams or less of paracetamol per 5 millilitres;
- (ii) packed in a primary pack containing not more than 20 millilitres in the case of the paediatric dosage form (drops) containing 120 milligrams or less of paracetamol per 1,2 millilitres;
- (iii) the primary pack is labelled with the following boxed warning, placed prominently on at least the main panel of the immediate container label and outer label (carton):

CONTAINS PARACETAMOL—READ THE PACKAGE INSERT;

- (2) when contained in rectal suppositories.”.

2. This amendment to Schedule 1 shall come into operation on 1 January 1998.

N. C. D. ZUMA

Minister of Health

No. R. 1099

15 Augustus 1997

**WYSIGING VAN BYLAE 1 VAN DIE WET OP DIE BEHEER VAN MEDISYNE EN VERWANTE STOWWE, 1965
(WET No. 101 VAN 1965)**

Ek, Nkosazana Clarice Dlamini Zuma, Minister van Gesondheid, wysig hierby kragtens artikel 37A van die Wet op die Beheer van Medisyne en Verwante Stowwe, 1965 (Wet No. 101 van 1965), en op aanbeveling van die Medisynebeheerraad, Bylae 1 van genoemde Wet soos uiteengesit in die Bylae.

BYLAE

1. Bylae 1 van die Wet op die Beheer van Medisyne en Verwante Stowwe, 1965 (Wet No. 101 van 1965), word hierby gewysig deur die inskrywing “Parasetamol, wanneer dit voorkom in rektale setpille” te vervang deur die volgende inskrywing:

“Parasetamol—

- (1) stowwe, preparate en mengsels, uitgesonderd—**

- (a) **wanneer dit voorkom in tablette of kapsules wat elk hoogstens 500 milligram parasetamol bevat en—**

- (i) dit in 'n primêre verpakking wat altesaam hoogstens **12,5 gram** parasetamol in sodanige tablette of kapsules bevat, verpak is;
- (ii) dit in stolpverpakking of in houers met kinderbestande deksels verpak is;
- (iii) die primêre verpakking 'n etiket op het waarop onderstaande omraamde waarskuwing prominent op ten minste die hoofpaneel van die onmiddellike houer-etiket en buite-etiket (karton) gedruk is:

BEVAT PARASETAMOL—LEES DIE VOUBILJET;

- (b) **wanneer dit voorkom in enkel verpakte poeiers of sachets wat elk hoogstens 1 000 milligram parasetamol bevat, en—**

- (i) dit in 'n primêre verpakking wat altesaam hoogstens **12,5 gram** parasetamol in sodanige poeiers of sachets bevat, verpak is;
- (ii) die primêre verpakking 'n etiket op het waarop onderstaande omraamde waarskuwing prominent op ten minste die hoofpaneel van die onmiddellike houer-etiket en buite-etiket (karton) gedruk is:

BEVAT PARASETAMOL—LEES DIE VOUBILJET;

- (c) **wanneer dit voorkom in vloeistof- of stroopvorm wat hoogstens 120 milligram parasetamol per 5 milliliter bevat, of in pediatriese doseervorm (druppels) wat hoogstens 120 milligram parasetamol per 1,2 milliliter bevat, en—**
- (i) in die geval van die vloeistof- of stroopvorm wat hoogstens 120 milligram parasetamol per 5 milliliter bevat, dit in 'n primêre verpakking wat hoogstens 100 milliliter bevat, verpak is;
 - (ii) in die geval van die pediatriese doseervorm wat hoogstens 120 milligram parasetamol per 1,2 milliliter bevat, dit in 'n primêre verpakking wat hoogstens 20 milliliter bevat, verpak is;
 - (iii) die primêre verpakking 'n etiket op het waarop onderstaande omraamde waarskuwing prominent op ten minste die hoofpaneel van die onmiddellike houer-etiket en buite-etiket (karton) gedruk is:

BEVAT PARASETAMOL—LEES DIE VOUBILJET;

- (2) wanneer dit voorkom in rektale setpille.”

2. Hierdie wysiging van Bylae 1 tree in werking op 1 Januarie 1998.

N. C. D. ZUMA

Minister van Gesondheid

**DEPARTMENT OF MINERALS AND ENERGY
DEPARTEMENT VAN MINERALE EN ENERGIE**

No. R 1088

15 August 1997

MINE HEALTH AND SAFETY ACT, 1996 (ACT No. 29 OF 1996)

**DIVISION OF THE REPUBLIC INTO REGIONS FOR THE PURPOSES OF THE MINE HEALTH AND SAFETY ACT, 1996
(ACT No. 29 OF 1996)**

Under section 47 (2) of the Mine Health and Safety Act, 1996 (Act No. 29 of 1996), I, Penuell Mpapa Maduna, Minister of Minerals and Energy, hereby—

- (a) amend the Free State and North West regions of the country as set out in paragraph 5 of the Schedule for the purpose of administering the Act through regional offices of the Mine Health and Safety Inspectorate of the Department of Minerals and Energy; and
- (b) determine that this notice comes into operation on 15 August 1997.

P. M. MADUNA

Minister of Minerals and Energy

SCHEDULE

5. The following farms are excluded from the Free State Region and included in the North West Region:

Jonkerskraal 475, Boshhoek 466, Weltevreden 130, Bellevue 365, Hermania 128, Groot Vaders Bosch 222, Groot Vaders Bosch 470, Gold Reef 166, Main Reef 131, Poortje 221, Kaffir River 252, Witkop 132, Erasmusrus 357, Witrand 156, Pilgrim's Estate 272, Vaalburg Landing 385, Brynidris 94, Batsfontein 290, Du Pont Landing 500, Altona 50, Grootdraai 468, Pretorius Kraal 53, Edom 277, Kleinfontein 472, Sihor 275, Barberspan 452, Doornkom West 446, Crystalkop 69, Zuiping 394, Die Hoek 114, Mizpah 274, Moab 279, Gerar 278, Hormah 276, Doornkom Oost 447, Zaaiplaats 190, Fraai Uitzicht 189, Golden Vaal 562 and Kleinfontein 369, situated in the Magisterial District of Viljoenskroon.

No. R 1088

15 Augustus 1997

WET OP GESONDHEID EN VEILIGHEID IN MYNE, 1996 (WET No. 29 VAN 1996)

**VERDELING VAN DIE REPUBLIEK IN STREKE VIR DIE DOELEINDES VAN DIE WET OP GESONDHEID EN VEILIGHEID
IN MYNE, 1996 (WET No. 29 VAN 1996)**

Ek, Penuell Mpapa Maduna, Minister van Minerale en Energie, handelende kragtens artikel 47 (2) van die Wet op Gesondheid en Veiligheid in Myne, 1996 (Wet No. 29 van 1996)—

- (a) wysig hierby die Vrystaat- en Noordwesstreek van die land soos uiteengesit in paragraaf 5 van die Bylae ten einde die Wet deur streekkantore van die Inspektoraat: Myngesondheid en -veiligheid van die Departement van Minerale en Energie te administreer; en
- (b) bepaal hierby dat hierdie kennisgewing met ingang van 15 Augustus 1997 in werking tree.

P. M. MADUNA

Minister van Minerale en Energie

BYLAE

5. Die volgende plase word uitgesluit by die Vrystaatstreek en ingesluit by die Noordwesstreek:

Jonkerskraal 475, Boshoeck 466, Weltevreden 130, Bellevue 365, Hermania 128, Groot Vaders Bosch 222, Groot Vaders Bosch 470, Gold Reef 166, Main Reef 131, Poortje 221, Kaffir River 252, Witkop 132, Erasmusrus 357, Witrand 156, Pilgrim's Estate 272, Vaalburg Landing 385, Brynidris 94, Batsfontein 290, Du Pont Landing 500, Altona 50, Grootdraai 468, Pretorius Kraal 53, Edom 277, Kleinfontein 472, Sihor 275, Barberspan 452, Doornkom West 446, Crystalkop 69, Zuiping 394, Die Hoek 114, Mizpah 274, Moab 279, Gerar 278, Hormah 276, Doornkom Oost 447, Zaaiplaats 190, Fraai Uitzicht 189, Golden Vaal 562 en Kleinfontein 369, geleë in die landdrosdistrik Viljoenskroon.

**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS**

No. R. 1091

15 August 1997

CUSTOMS AND EXCISE ACT, 1964

IMPOSITION OF PROVISIONAL PAYMENT (VB/51)

Under section 57A of the Customs and Excise Act, 1964, the provisional payment in relation to anti-dumping duty imposed in terms of Government Notice No. R. 994 of 18 July 1997 is hereby amended by substituting the Schedule to that notice by the Schedule to this notice, **with retrospective effect to 18 July 1997.**

J. J. LOUW

Commissioner for Customs and Excise

SCHEDULE

Subheading	Description of Goods	Provisional Payment	Imported From or Originating In
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in sheets (excluding paper of heading No. 48.01 or 48.03 and monoglazed paper and paperboard in sheets of a mass of 120 g/m ²)	13,2%	Sweden
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in rolls (excluding paper of heading No. 48.01 or 48.03)	26,4%	Votorantim Celulose E Papel, Brazil
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in sheets (excluding paper of heading No. 48.01 or 48.03 and monoglazed paper and paperboard in sheets of a mass of 120 g/m ²)	6,14%	Votorantim Celulose E Papel, Brazil

Subheading	Description of Goods	Provisional Payment	Imported From or Originating In
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in rolls or sheets (excluding paper of heading No. 48.01 or 48.03 and monoglazed paper and paperboard in sheets of a mass of 120 g/m ²)	9,95%	Ripasa SA Celulose E Papel, Brazil
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in rolls (excluding paper of heading No. 48.01 or 48.03)	19%	Champion Papel E Celulose LTDA, Brazil
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in sheets (excluding paper of heading No. 48.01 or 48.03 and monoglazed paper and paperboard in sheets of a mass of 120 g/m ²)	12,65%	Champion Papel E Celulose LTDA, Brazil
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in sheets (excluding paper of heading No. 48.01 or 48.03 and monoglazed paper and paperboard in sheets of a mass of 120 g/m ²)	12,65%	Companhia Suzano de Papel E Celulose, Brazil
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in rolls (excluding paper of heading No. 48.01 or 48.03)	26,4%	Brazil (excluding that imported from Votorantim Celulose E Papel, Ripasa SA Celulose E Papel, Champion Papel E Celulose LTDA and Companhia Suzano de Papel E Celulose)

Subheading	Description of Goods	Provisional Payment	Imported From or Originating In
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in sheets (excluding paper of heading No. 48.01 or 48.03 and monoglazed paper and paperboard in sheets of a mass of 120 g/m ²)	12,65%	Brazil (excluding those imported from Votorantim Celulose E Papel, Ripasa SA Celulose E Papel, Champion Papel E Celulose LTDA and Companhia Suzano de Papel E Celulose)
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in rolls (excluding paper of heading No. 48.01 or 48.03)	15,5%	Poland
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in sheets (excluding paper of heading No. 48.01 or 48.03 and monoglazed paper and paperboard in sheets of a mass of 120 g/m ²)	8,92%	Poland
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in rolls or sheets (excluding paper of heading No. 48.01 or 48.03 and monoglazed paper and paperboard in sheets of a mass of 120 g/m ²)	20,59%	Indonesia (excluding that imported from Indah Kiat's Tangerang Mill)

No. R. 1091

15 Augustus 1997

DOEANE- EN AKSYNSWET, 1964

OPLEGGING VAN VOORLOPIGE BETALING (VB/51)

Kragtens artikel 57A van die Doeane- en Aksynswet, 1964, word 'n voorlopige betaling met betrekking tot anti-dumpingreg wat kragtens Goewermmentskennisgewing No. R. 994 van 18 Julie 1997 opgelê is, hiermee gewysig deur die Bylae tot daardie kennisgewing deur die Bylae tot hierdie kennisgewing **met terugwerkende krag tot 18 Julie 1997**, te vervang.

J. J. LOUW

Kommissaris van Doeane en Aksyns

BYLAE

Subpos	Beskrywing van Goedere	Voorlopige Betaling	Ingevoer Vanaf of Afkomstig Van
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in velle (uitgesonderd papier van pos No. 48.01 of 48.03 en monoverglansde papier en papierbord in velle met 'n massa van 120 g/m ²)	13,2%	Swede
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in rolle (uitgesonderd papier van pos No. 48.01 of 48.03)	26,4%	Votorantim Celulose E Papel, Brasilië
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in velle (uitgesonderd papier van pos No. 48.01 of 48.03 en monoverglansde papier en papierbord in velle met 'n massa van 120 g/m ²)	6,14%	Votorantim Celulose E Papel, Brasilië

Subpos	Beskrywing van Goedere	Voorlopige Betaling	Ingevoer Vanaf of Afkomstig Van
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in rolle of velle (uitgesonderd papier van pos No. 48.01 of 48.03 en monoverglansde papier en papierbord in velle met 'n massa van 120 g/m ²)	9,95%	Ripasa SA Celulose E Papel, Brasilië
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in rolle (uitgesonderd papier van pos No. 48.01 of 48.03)	19%	Champion Papel E Celulose LTDA, Brasilië
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in velle (uitgesonderd papier van pos No. 48.01 of 48.03 en monoverglansde papier en papierbord in velle met 'n massa van 120 g/m ²)	12,65%	Champion Papel E Celulose LTDA, Brasilië
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in velle (uitgesonderd papier van pos No. 48.01 of 48.03 en monoverglansde papier en papierbord in velle met 'n massa van 120 g/m ²)	12,65%	Companhia Suzano de Papel E Celulose, Brasilië
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in rolle (uitgesonderd papier van pos No. 48.01 of 48.03)	26,4%	Brasilië (uitgesonderd dié ingevoer vanaf Votorantim Celulose E Papel, Ripasa SA Celulose E Papel, Champion Papel E Celulose LTDA en Companhia Suzano de Papel E Celulose)

Subpos	Beskrywing van Goedere	Voorlopige Betaling	Ingevoer Vanaf of Afkomstig Van
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in velle (uitgesonderd papier van pos No. 48.01 of 48.03 en monoverglansde papier en papierbord in velle met 'n massa van 120 g/m ²)	12,65%	Brasilië (uitgesonderd dié ingevoer vanaf Votorantim Celulose E Papel, Ripasa SA Celulose E Papel, Champion Papel E Celulose LTDA en Companhia Suzano de Papel E Celulose)
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in rolle (uitgesonderd papier van pos No. 48.01 of 48.03)	15,5%	Pole
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in rolle of velle (uitgesonderd papier van pos No. 48.01 of 48.03 en monoverglansde papier en papierbord in velle met 'n massa van 120 g/m ²)	8,92%	Pole
4802.52	Onbestrykte papier en papierbord, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie of waarvan hoogstens 10 persent, volgens massa, van die totale veselinhoud uit sodanige vesels bestaan, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in rolle of velle (uitgesonderd papier van pos No. 48.01 of 48.03)	20,59%	Indonesië (uitgesonderd dié ingevoer vanaf Indah Kiat's Tangerang Mill)

No. R. 1092**15 August 1997**

CUSTOMS AND EXCISE ACT, 1964

IMPOSITION OF PROVISIONAL PAYMENT (VB/52)

Under section 57A of the Customs and Excise Act, 1964, a provisional payment in relation to anti-dumping duty is imposed up to and including 16 January 1998 to the extent and on the goods set out in the Schedule hereto.

J. J. LOUW

for Commissioner for Customs and Excise

SCHEDULE

Subheading	Description of Goods	Provisional Payment	Imported From or Originating In
4802.52	Uncoated paper and paperboard, white, not containing fibres obtained by a mechanical process, of a mass of 40 g/m ² or more but not more than 150 g/m ² , of a kind used for writing, printing or other graphic purposes, and punch card stock and punch tape paper, in rolls (excluding paper of heading No. 48.01 or 48.03)	13,2%	Sweden

No. R. 1092**15 Augustus 1997**

DOEANE- EN AKSYNSWET, 1964

OPLEGGING VAN VOORLOPIGE BETALING (VB/52)

Kragtens artikel 57A van die Doeane- en Aksynswet, 1964, word 'n voorlopige betaling met betrekking tot anti-dumpingreg tot en met 16 Januarie 1998, opgelê, in die mate en op die goedere in die Bylae hiervan aangetoon.

J. J. LOUW

vir Kommissaris van Doeane- en Aksyns

BYLAE

Subpos	Beskrywing van Goedere	Voorlopige Betaling	Ingevoer Vanaf of Afkomstig Van
4802.52	Onbestrykte papier en papierbord, wit, wat nie vesels bevat wat deur 'n meganiese proses verkry is nie, met 'n massa van minstens 40 g/m ² maar hoogstens 150 g/m ² , van 'n soort vir skryfwerk, drukwerk of ander grafiese doeleindes gebruik, en ponskaartvoorraad en ponsbandpapier, in rolle (uitgesonderd papier van pos No. 48.01 of 48.03)	13,2%	Swede

No. R. 1093

15 August 1997

CORRECTION NOTICE

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/363)

The preamble of Government Notice No. R.415 of 12 March 1997 appearing in *Government Gazette* No. 17851 is hereby amended, to read as follows:

"Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended, with retrospective effect to 1 January 1997, to the extent set out in the Schedule hereto."

T. A. MANUEL

Minister of Finance

No. R. 1093

15 Augustus 1997

VERBETERINGSKENNISGEWING

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/363)

Die aanhef van Goewermentskennisgewing No. R. 415 van 12 Maart 1997 wat in *Staatskoerant* No. 17851 verskyn, word hiermee gewysig, om soos volg te lees:

"Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 1 Januarie 1997, in die mate in die Bylae hiervan aangetoon."

T. A. MANUEL

Minister van Finansies

No. R. 1101

15 August 1997

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/1/839)

Under section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended, with retrospective effect to 5 February 1997, to the extent set out in the Schedule hereto.

T. A. MANUEL

Minister of Finance

SCHEDULE

Head=ing	Subheading	C. D.	Article Description	Statistical Unit	Rate of Duty	Anno=tations
33.02			By the substitution for subheading No. 3302.10 of the following:			
	"3302.10		- Of a kind used in the food or drink industries:			
	.20	7	-- Containing ethyl or propyl alcohol	kg	10%	
	.90	8	-- Other	kg	free"	
33.03			By the substitution for heading No. 33.03 of the following:			
"33.03	3303.00	1	Perfumes and toilet waters	kg	20%"	

No. R. 1101

15 Augustus 1997

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/1/839)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by genoemde Wet hiermee gewysig, met terugwerkende krag tot 5 Februarie 1997, in die mate in die Bylae hiervan aangetoon.

T. A. MANUEL

Minister van Finansies

BYLAE

Pos	Subpos	T. S.	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg	Anno= tasies
33.02			Deur subpos No. 3302.10 deur die volgende te vervang:			
	"3302.10		- Van 'n soort deur die voedsel- of dranknywerhede gebruik:			
	.20	7	-- Wat etiel- of propielalkohol bevat	kg	10%	
	.90	8	-- Ander	kg	vry"	
33.03			Deur pos No. 33.03 deur die volgende te vervang:			
"33.03	3303.00	1	Parfume en toiletwaters	kg	20%"	

No. R. 1094

15 August 1997

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 1 (No. 1/2/103)

Under section 48 of the Customs and Excise Act, 1964, Part 2B of Schedule 1 to the said Act is hereby amended, to the extent set out in the Schedule hereto.

T. A. MANUEL

Minister of Finance

SCHEDULE

Item	Heading	Subheading	Article Description	Rate of Duty		Annotations
				Excise	Customs	
126.03			By the substitution for item 126.03 of the following:			
"126.03	87.03	8703.00	Motor cars and other motor vehicles principally designed for the transport of persons (excluding those of heading No. 87.02), including station wagons and racing cars (excluding hearses and ambulances)	{(0,000035 x A) - 0,5}% with a maximum of 20% (See Note 1 to this Part)	{(0,000035 x B) - 0,5}% with a maximum of 20% (See Note 2 to this Part)"	

No. R. 1094

15 Augustus 1997

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 1 (No. 1/2/103)

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 2B van Bylae 1 by genoemde Wet hiermee gewysig, in die mate in die Bylae hiervan aangetoon.

T. A. MANUEL

Minister van Finansies

BYLAE

Item	Pos	Subpos	Artikel Beskrywing	Skaal van reg		Anno= tasies
				Aksyns	Doeane	
126.03			Deur item 126.03 deur die volgende te vervang:			
126.03	87.03	8703.00	Motorkarre en ander motorvoertuie hoofsaaklik ontwerp vir die vervoer van persone (uitgesonderd dié van pos No. 87.02), met inbegrip van stasiewaens en resieskarre (uitgesonderd lykswaens en ambulanse)	{(0,000035 x A) - 0,5}% met 'n maksimum van 20% (Kyk Opmerking 1 tot hierdie Deel)	{(0,000035 x B) - 0,5}% met 'n maksimum van 20% (Kyk Opmerking 2 tot hierdie Deel)	

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID****No. R. 1096****15 Augustus 1997**

LABOUR RELATIONS ACT, 1956

RESTAURANT, CATERING AND ALLIED TRADES: 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 10 May 1998, 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 2 (1) (a), 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 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 2 (1) (b) of the Amending Agreement.

T. T. MBOWENI**Minister of Labour****SCHEDULE****INDUSTRIAL COUNCIL FOR THE RESTAURANT, CATERING AND ALLIED TRADES
AGREEMENT**

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

CATRA, The Restaurant and Food Services Association of South Africa

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

Catering Employees' Union

and

The Restaurant and Catering Trade Union

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

being the parties to the Industrial Council for the Restaurant, Catering and Allied Trades,

to amend the Agreement published under Government Notice No. R. 412 of 1 March 1991, as amended, extended and re-enacted by Government Notices Nos. R. 3295 and R. 3296 of 11 December 1992, R. 1944 and R. 1945 of 15 October 1993, R. 1466 of 26 August 1994 and R. 1693 of 3 November 1995.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Tearoom, Restaurant and Catering Trade—
 - (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 Districts of Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Johannesburg, Kempton Park, Krugersdorp, Randburg, Randfontein, Roodepoort, Springs and Westonaria.

2. CLAUSE 3: DEFINITIONS

- (1) Substitute the following for the definition of "catering assistant":

" 'catering assistant' means an employee who—

- (a) prepares any one or more of the following: Plain or toasted sandwiches, fresh fruit, fruit salads, salads from fresh or prepared vegetables, hamburgers, hot dogs, waffles, pancakes, pizzas, pies (except where pizzas and pies are a speciality), curry and rice, common pan foods, grills, popcorn, fish and chips, vetkoek and grilled chicken, and/or assists with the preparation of the menu of the establishment;
- (b) transmits orders and places such items of food mentioned in paragraph (a), and cold prepared foods and prepared salad dressings, stews, boiled meats and/or vegetables, either on plates or in containers ready for conveyance to the customer;
- (c) operates an ice-cream dispenser and/or soda fountain and/or semi-automatic machine;
- (d) receives verbal or written orders from a waiter/wine steward for the supply/handling over to him/her of bottles and alcoholic or no-alcoholic drinks;"

(2) Substitute the following for the definition of "general assistant":

"**general assistant**" means an employee engaged in any one or more of the following duties:

- (a) making pap or preparing meals for the exclusive consumption of the employees of the establishment;
- (b) packing/wrapping edibles for sale or delivery;
- (c) assisting with the checking of stores under supervision;
- (d) checking crockery, glassware, napery and other pantry requirements; checking dining equipment, filling butter and jam dishes or cruets, and setting tables;
- (e) cleaning premises, workplaces or any article;
- (f) cleaning, plucking or cutting raw poultry, raw fish or raw meat as part of the cleaning process; cleaning or peeling fruit and vegetables; cutting fruit and vegetables other than for salads; cutting bread;
- (g) carrying, stacking or moving goods;
- (h) making or maintaining fires; removing ashes and refuse;
- (i) vending, collecting and/or delivering orders off the premises and accepting payment therefor;
- (j) making tea, coffee, cocoa or similar beverages;
- (k) loading and unloading;
- (l) repetitive mass-measuring to a set mass-meter;
- (m) opening or closing packets;
- (n) heat closing polythene or similar prefilled containers;
- (o) gardening;
- (p) sharpening knives;
- (q) decanting into other containers, except for table use;
- (r) guarding premises or other movable or immovable property by day, but excluding a watchman;"

(3) Substitute the expression "griller (see "catering assistant") for the expression "griller (see "cook");".

(4) Substitute the following for the definition of "manager";

"**manager**" means an employee who is charged by his/her employer with the overall supervision over, responsibility for and direction of the activities carried on, in or in connection with that section of the establishment which has been placed under his/her authority, and who is directly responsible to the employer, and further includes the provision of attendance registers to all employees and the daily completion thereof and the wage register when so instructed by his/her employer:

Provided that where fewer than six employees are employed this employee shall be deemed to be a supervisor;"

3. CLAUSE 8: HOURS OF WORK, OVERTIME AND PAYMENT OF OVERTIME

Add a further proviso to subclause (6):

"Provided further that a contract waiter shall be remunerated at a rate not less than the prescribed rate for a waiter."

4. CLAUSE 11: CONTRACT OF EMPLOYMENT

(1) Substitute the following for this clause:

"(1) Every employer shall provide each new employee with a letter of employment or enter into an agreement showing at least the following:

- (a) The employee's full name and identity number;
- (b) the date of commencement of service;
- (c) the type of work and the basic wage offered; and
- (d) that the conditions of employment as prescribed in this Agreement apply.

(2) The original of this letter of employment shall be signed by both the employer and employee and the employer shall keep a copy for himself/herself."

5. CLAUSE 18: CERTIFICATE AND SERVICE

(1) Substitute the following for the heading of clause 18:

"18. CERTIFICATE OF SERVICE".

(2) Delete subclause (2).

6. CLAUSE 19: EXPENSES OF THE COUNCIL

(1) Insert the following new subclause (1A):

"(1A) *Dispute resolution*: For the purposes of meeting the expenses of the Council in the administration of a fund to be used for resolving disputes, every employer shall deduct from the wages of each employee R1,00 per month in the case of all employees who have worked in that month: Provided that, for the purposes of this subclause, an employee shall be deemed to have worked during any period in which he/she is absent from work on paid leave or sick leave as provided in this Agreement. A separate account shall be kept by the Council for this fund."

(2) In subclause (2), substitute the following for paragraph (a):

"(a) an amount equal to that deducted from the employees as prescribed in subclauses (1) and (1A);".

Signed at Johannesburg this 24th day of April 1997.

J. MICHAELIDES

Chairman

E. SIEW

Vice-Chairman

S. B. VAN DYK

Secretary

No. R. 1096

15 Augustus 1997

WET OP ARBEIDSVERHOUDINGE, 1956

RESTOURANT-, SPYSENIERS- EN VERWANTE BEDRYWE: WYSIGING VAN HOOFOOREENKOMS

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 10 Mei 1998 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 verenigings is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd dié vervat in klousule 2 (1) (a), 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 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 2 (1) (b) van die Wysigingsooreenkoms gespesifiseer.

T. T. MBOWENI

Minister van Arbeid

BYLAE

**NYWERHEIDSRAAD VIR DIE RESTOURANT-, SPYSENIERS- EN VERWANTE BEDRYWE
OOREENKOMS**

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

CATRA, The Restaurant and Food Services Association of South Africa

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

Catering Employees' Union

en

The Restaurant and Catering Trade Union

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

wat die partye is by die Nywerheidsraad vir die Restaurant-, Spyseniers- en Verwante Bedrywe,

tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 412 van 1 Maart 1991, soos gewysig, verleng en herbekragtig deur Goewermentskennisgewings Nos. R. 3295 en R. 3296 van 11 Desember 1992, R. 1944 en R. 1945 van 15 Oktober 1993, R. 1466 van 26 Augustus 1994 en R. 1693 van 3 November 1995.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Restaurant-, Spyseniers- en Verwante Bedrywe nagekom word—

- (a) deur alle werkgewers wat lede is van die werkgewersorganisasie en deur alle werknemers wat lede is van die vakverenigings;
- (b) in die landdrostdistrikte Alberton, Benoni, Boksburg, Brakpan, Delmas, Germiston, Johannesburg, Kempton Park, Krugersdorp, Randburg, Randfontein, Roodepoort, Springs en Westonaria.

2. KLOUSULE 3: OMSKRYWING

(1) Vervang die omskrywing van "spyseniersassistent" deur die volgende:

"**spyseniersassistent**" 'n werknemer wat—

- (a) enigeen of meer van die volgende berei of gaarmaak: Gewone of geroosterde toebrødjies, vars vrugte, vrugte-slaaie, slaaie van vars of bereide groente, hamburgers, worsbrødjies, wafels, pannekoek, pizzas, pasteitjies (behalwe waar pizzas en pasteitjies 'n spesialiteit is), kerrie en rys, gewone pankosse, roostergerigte, springmielies, vis en aartappelskyfies, vetkoek en geroosterde hoender, en/of met die voorbereiding van die bedryfsinrigting en spyskaart behulpsaam is;
- (b) bestellings oordra en die kossoorte in paragraaf (a) genoem, die koue bereide kosse en bereide slaaisouse, gestoofde geregte, gekookte vleis en/of groente of op borde óf in houters plaas, gereed om na die klant geneem te word;
- (c) 'n roomysafmeter en/of sodapomp en/of halfoutomatiese masjien bedien;
- (d) mondelinge of geskrewe bestellings van 'n kelner/wynkelner ontvang vir die verskaffing/oorhandiging aan hom/haar van bottels en alkoholiese of nie-alkoholiese drank".

(2) Vervang die omskrywing van "algemene assistent" deur die volgende:

"**algemene assistent**" 'n werknemer wat enigeen of meer van die volgende werksaamhede verrig:

- (a) Maaltye vir die uitsluitlike verbruik deur die werknemers van die bedryfsinrigting berei en pap maak;
- (b) eetware vir verkoop of aflewering verpak/toedraai;
- (c) help met die nagaan van voorraad onder toesig;
- (d) breekgoed, glasware, tafellinne en ander voorraadkamerbenodighede nagaan; eetkamertoerusting nagaan, botterhouters, konfytpotjies of sout-en-peperstelle vul en tafels dek;
- (e) persele, werkplekke of enige artikel skoonmaak;
- (f) rou pluimvee, rou vis of rou vleis as deel van die skoonmaakproses skoonmaak, pluk of sny; vrugte en groente skoonmaak of skil; vrugte of groente sny, uitgesonderd vir slaaie; brood sny;
- (g) goedere dra, opstapel of verskuif;
- (h) vuur maak of aan die gang hou; as en vullis verwyder;
- (i) bestellings weg van die perseel af vent, neem en/of aflewering en betaling daarvoor ontvang;
- (j) koffie, tee, kakao en soortgelyke drankke maak;
- (k) laai en aflaai;
- (l) herhalend massa volgens 'n gestelde massameter bepaal;
- (m) pakkies oop- of toemaak;
- (n) politeen- of dergelyke voorafge vulde houters met hitte toemaak;
- (o) tuinmaak;
- (p) messe slyp;
- (q) in ander houters oorgiet, behalwe vir tafelgebruik;
- (r) persele of ander los of vaste eiendom bedags bewaak, maar uitgesonderd 'n wag;"

(3) Vervang die uitdrukking "roosterbediener (sien "kok")" deur die uitdrukking "roosterbediener (sien "spyseniers-assistent")";.

(4) Vervang die omskrywing van "bestuurder" deur die volgende:

"**bestuurder**" 'n werknemer wat deur sy werkgever belas is met die algehele toesig oor, verantwoordelikheid vir en leiding van die werksaamhede in of in verband met daardie seksie van die bedryfsinrigting wat soos sy/haar gesag geplaas is, en wat regstreeks aan die werkgever verantwoordelik is, en omvat dit verder die voorsiening van bywoningsregisters aan alle werknemers en die daaglikse afhandeling daarvan sowel as van die salarisregister indien so deur die werkgever beveel:

Met dien verstande dat waar minder as ses werknemers in diens is, so 'n werknemer geag word 'n toesighouer te wees.

3. KLOUSULE 8: WERKURE, OORTYD EN BETALING VIR OORTYDWERK

Voeg 'n verdere voorbehoudsbepaling by subklousule (6):

"Met dien verstande voorts dat 'n kontrakkelnar vergoed sal word teen minstens die voorgeskrewe koers vir 'n kelner.".

4. KLOUSULE 11: DIENSKONTRAKTE

- (1) Vervang hierdie klousule deur die volgende:
- (1) "Elke werkgewer moet elke nuwe werknemer voorsien van 'n diensbrief of moet 'n kontrak sluit wat minstens die volgende toon:
- (a) Die werknemer se volle naam en identiteitsnommer;
 - (b) die datum van indienstreding;
 - (c) die tipe werk en die basiese loon aangebied; en
 - (d) dat die diensvoorwaardes soos in hierdie Ooreenkoms voorgeskryf, van toepassing is.
- (2) Die oorspronklike van hierdie diensbrief moet deur die werkgewer sowel as die werknemer onderteken word en die werkgewer moet 'n kopie vir homself/haarself hou."

5. KLOUSULE 18: DIENSSERTIFIKAAT

- (1) In die Engelse teks vervang die opskrif van klousule 18 deur die volgende:
- "18. CERTIFICATE OF SERVICE".
- (2) Skrap subklousule (2).

6. KLOUSULE 19: UITGAWES VAN DIE RAAD

- (1) Voeg die volgende nuwe subklousule (1A) in:
- "(1A) *Geskilbeslegting*: Om die Raad se uitgawes betreffende die administrasie van 'n fonds vir geskilbeslegting te dek, moet die werkgewer R1,00 afgetrek van elke werknemer wat gedurende die maand gewerk het: Met dien verstande dat, vir die doeleindes van hierdie subklousule, dit geag sal word dat 'n werknemer gewerk het tydens betaalde vakansie- of siekteverlof ingevolge hierdie Ooreenkoms. Die Raad moet 'n afsonderlike rekening vir hierdie fonds hê."
- (2) In subklousule (2) vervang paragraaf (a) deur die volgende:
- "(a) 'n Bedrag gelyk aan dié wat van die werknemer se loon afgetrek word soos voorgeskryf in subklousules (1) en (1A);"

Onderteken te Johannesburg op hede die 24ste dag van April 1997.

J. MICHAELIDES

Voorsitter

E. SIEW

Ondervoorsitter

S. B. VAN DYK

Sekretaris

No. R. 1100

15 August 1997

LABOUR RELATIONS ACT, 1956

FURNITURE AND BEDDING MANUFACTURING INDUSTRY, TRANSVAAL: 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 31 December 1997, upon the employers' organisation and the trade union which entered into the Amending Agreement and upon the employers and employees who are members of the said organisation or union; 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 31 December 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 FURNITURE AND BEDDING MANUFACTURING INDUSTRY, TRANSVAAL
AGREEMENT

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

Transvaal Furniture, Bedding & Upholstery Manufacturers' Association
 (hereinafter, referred to as the "employers" or the "employers' organisation"), of the one part, and the

National Union of Furniture & Allied Workers South Africa

and

Paper, Printing, Wood & Allied Workers' Union of South Africa

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

being the parties to the Bargaining Council for the Furniture and Bedding Manufacturing Industry, Transvaal, to amend the Agreement published under Government Notice No. R. 1347 of 30 June 1981, as amended, extended, renewed and re-enacted by Government Notices Nos. R. 1819 of 27 August 1986, R. 1453 of 1 July 1983, R. 1920 of 2 September 1983, R. 2501 of 8 November 1985, R. 1344 of 27 June 1986, R. 1878 of 12 September 1986, R. 1206 of 26 June 1988, R. 1722 of 26 August 1988, R. 205 of 2 February 1990, R. 1492 of 29 June 1990, R. 3041 of 4 January 1991, R. 1418 of 21 June 1991, R. 2662 of 8 November 1991, R. 2795 of 22 November 1991, R. 1683 of 19 June 1992, R. 3006 of 30 October 1992, R. 3098 of 13 November 1992, R. 129 of 29 January 1993, R. 1224 of 9 July 1993, R. 2078 and R. 2079 of 5 November 1993, R. 1109 of 24 June 1994, R. 2248 of 23 December 1994, R. 961 of 30 June 1995, R. 458 of 22 March 1996, R. 1069 of 28 June 1996, R. 1577 of 27 September 1996 and R. 2062 of 13 December 1996.

CHAPTER I

1. SCOPE OF APPLICATION

- (1) The terms of this Agreement shall be observed in the Furniture and Bedding Manufacturing Industry, Transvaal—
 - (a) by all employers who are members of the employers' organisation and by all employees who are members of the trade union, and who are engaged and employed in the Furniture & Bedding Manufacturing Industry, respectively;
 - (b) in the Province of the Transvaal as it existed immediately prior to the date of coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), and in the Magisterial District of Vryburg as it was constituted as at 24 June 1960.
- (2) Notwithstanding the provisions of subclause (1), the provisions of this Agreement shall—
 - (a) apply only to employees for whom wages are prescribed therein and to the employers of such employees;
 - (b) apply to apprentices in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or the Manpower Training Amendment Act, 1990, or any contracts entered into or any conditions fixed thereunder; and
 - (c) be subject to the provisions of the Determination by the Court, dated 30 October 1984, in the matter between the Industrial Councils for the Furniture and Bedding Manufacturing Industry, Transvaal and Natal, and the Industrial Councils for the Building Industry, Transvaal and Natal, and the National Industrial Council for the Iron, Steel, Engineering and Metallurgical Industry.

2. CLAUSE 3: DEFINITIONS

- (1) In the definition of "foreman and/or supervisor", insert the following after the word "Agreement" in paragraph (f):
 "subject thereto that a foreman/supervisor shall not be entitled to payment for hours of work lost owing to short time being worked, stay-aways and absence without prior permission;"
- (2) In the definition of "piece-work", delete the expression "except as provided for in clause 5 of Chapter I of this Agreement".
- (3) In the definition of "probationer" substitute the expression "two months" for the expression "one month";.

3. CLAUSE 4: CLOSING OF ESTABLISHMENT FOR ANNUAL HOLIDAY SHUT-DOWN

Substitute the following for clause 4:

"No employer shall perform work or require or allow an employee to perform work and no employee shall undertake or perform work, whether for remuneration or not, during the following period:

From the evening of Friday, 19 December 1997 to the morning of Thursday, 15 January 1998."

4. CLAUSE 5: PIECE-WORK AND WORK UNDER AN INCENTIVE SCHEME

- (1) Substitute the following for the heading to this clause:
 "WORK UNDER AN INCENTIVE SCHEME"
- (2) Delete subclauses (1) and (2) and renumber subclauses (3) to (6) to read (1) to (4).

5. CLAUSE 8: SHORT-TIME

- (1) Substitute the following for the heading to this clause:

"SHORT-TIME AND DISMISSALS BASED ON OPERATIONAL REQUIREMENTS".

- (2) Substitute the following for subclause (2):

- "(2) (a) When an employer contemplates dismissing one or more employees for reasons based on the employer's operational requirements, subject thereto that shorttime of less than 35 hours per week had been worked over a continuous period of one week, the employer must consult:
- (i) any person whom the employer is required to consult in terms of a collective agreement;
 - (ii) a workplace forum, if there is no collective agreement that requires consultation and the employees likely to be affected by the proposed dismissals are employed in a workplace where there is a workplace forum;
 - (iii) any registered trade union whose members are likely to be affected by the proposed dismissals, if there is no workplace forum in the workplace where such employees are employed; and
 - (iv) the employees likely to be affected by the proposed dismissals or their representatives nominated for that purpose, if there is no such trade union.
- (b) The consulting parties must attempt to reach consensus on—
- (i) appropriate measures—
 - (aa) to avoid the dismissals;
 - (ab) to minimise the number of dismissals;
 - (ac) to change the timing of the dismissals; and
 - (ad) to mitigate the adverse effects of the dismissals; and
 - (ii) the method of selecting the employees to be dismissed.
- (c) Severance pay of one week's normal wages for each completed year of service is payable: Provided that during the first year and last year of service, 10 months' or more service shall be regarded as a completed year.
- (d) The employer must disclose in writing to the other parties, all relevant information, including, but not limited to:
- (i) the reasons for the proposed dismissals;
 - (ii) the alternatives that the employer considered before proposing the dismissals, and the reasons for rejecting each of these alternatives;
 - (iii) the number of employees likely to be affected and the job categories in which they are employed;
 - (iv) the proposed method of selecting which employees to dismiss;
 - (v) the time when, or the period during which, the dismissals are likely to take effect;
 - (vi) the severance pay proposed;
 - (vii) any assistance that the employer proposes to offer employees likely to be dismissed; and
 - (viii) the possibility of re-employment of dismissed employees in the future.
- (e) The provisions of section 16 of the Labour Relations Act, 1995, apply, read with the changes required by the context, to the disclosure of information in terms of paragraph (d).
- (f) During consultation the employer must allow the other parties an opportunity to make representations on any matter about which they are consulting.
- (g) The employer must consider and respond to the representations made by the other parties and, if the employer does not agree with them, the employer must state reasons for disagreeing.
- (h) The employer must select the employees to be dismissed according to selection criteria—
- (i) that have been agreed to by the consulting parties; or
 - (ii) that are fair and objective, if no criteria have been agreed to.

6. CLAUSE 34: TERMINATION OF EMPLOYMENT

- (1) In subclause (1), insert the following expression after the word "service" where it first appears in the subclause:
- "during the two months' probationary period, whereafter the notice period shall be one week".
- (2) In subclause (2), delete the expression "than one hour" after the word "notice".
- (3) In subclause (3), insert the following expression after the word "hour":
- "or one week, as the case may be,".

7. CHAPTER II:**MINIMUM WAGES**

Substitute the following for clause 1 of Chapter II:

"1. (a) *Wage increases: Furniture manufacturing:* The following shall be the minimum weekly wages prescribed for the respective classes of work emunerated hereunder: Provided that on each occasion the minimum prescribed rate has to be increased in terms of this agreement. Employees who are in receipt of a wage in excess of the minimum prescribed rate for the class of work performed by them shall, notwithstanding anything to the contrary herein contained, receive an increment equivalent to the amount shown hereunder for the wage category:

<i>Actual earnings</i>	<i>Period ending 30 June 1998</i>
Foreman/Supervisor earning R496,25 per week or more.....	Weekly wage to be increased by R44,00
Chargehand earning R481,40 per week or more	Weekly wage to be increased by R44,00
Grade IV chargehand earning R409,28 per week or more.....	Weekly wage to be increased by R44,00
Grade I employee earning R451,72 per week or more	Weekly wage to be increased by R44,00
Grade II employee earning R443,92 per week or more	Weekly wage to be increased by R44,00
Grade III employee earning R416,20 per week or more	Weekly wage to be increased by R44,00
Grade IV employees earning R394,20 per week or more	Weekly wage to be increased by R44,00
Grade IV A employees earning R396,83 per week or more	Weekly wage to be increased by R44,00
Grade V employees earning R8,09 per hour.....	Wage to be increased by R1,00 per hour
Casual employee earning R8,59 per hour	Wage to be increased by R1,15 per hour

(b) *Wage increases: Bedding manufacturing:* The following shall be the minimum weekly wages prescribed for the respective classes of work enumerated hereunder: Provided that on each occasion the minimum prescribed wage has to be increased in terms of this Agreement. Employees who are in receipt of a wage in excess of the minimum prescribed wage for the class of work performed by them shall, notwithstanding anything to the contrary herein contained, receive an increment equivalent to be amount shown hereunder for the wage category:

<i>Actual earnings</i>	<i>Period ending 30 June 1998</i>
Grade I employee earning R443,92 per week or more	Weekly wage to be increased by R44,00
Grade I A employee earning R451,72 per week or more	Weekly wage to be increased by R44,00
Grade II employee earning R434,51 per week or more	Weekly wage to be increased by R44,00
Grade III employee earning R416,20 per week or more	Weekly wage to be increased by R44,00
Grade III A employee earning R411,16 per week or more.....	Weekly wage to be increased by R44,00
Grade IV employee earning R394,13 per week or more	Weekly wage to be increased by R44,00
Grade V employee earning R8,09 per hour.....	Wages to be increased by R1,00 per hour
Casual employee earning R8,59 per hour	Wage to be increased by R1,15 per hour

(c) The following shall be the minimum weekly wages prescribed for apprentices in designated trades. An apprentice who is in receipt of a wage in excess of the minimum prescribed rate of the skills level for which he has qualified, shall, notwithstanding anything to the contrary contained herein, receive an increase of not less than R44,00 per week:

<i>Classification</i>	<i>Minimum wages Period ending 30 June 1998</i>
At indenturing	R448,33
Passing Phase 1	R468,33
Passing Phase 2	R475,33
Passing Phase 3	R488,33
Passing Phase 4	R500,33
Passing Phase 5	R513,33".

8. CLAUSE B: WAGE INCREASE AND MINIMUM WAGES

Substitute the following for subclause (1) of clause B:

"(1) The following shall be the minimum weekly wages prescribed for the respective classes of work enumerated hereunder: Provided that on each occasion the minimum prescribed rate has to be increased in terms of this Agreement. Employees who are in receipt of a wage in escess of the minimum prescribe rate for the class of work performed by them shall, notwithstanding anything to the contrary herein contained, receive an increment equivalent to the amount shown hereunder for that wage category:

<i>Classification</i>	<i>For the period 30 June 1998</i>
Driver classified under 1 (a) (i).....	Weekly wage to be increased by R44,00
Driver classified under 1 (a) (ii)	Weekly wage to be increased by R44,00
Driver classified under 1 (a) (iii)	Weekly wage to be increased by R44,00
Driver classified under 1 (a) (iv) and (b)	Weekly wage to be increased by R44,00
Driver classified under 1 (b)	Weekly wage to be increased by R44,00

CASUAL DRIVERS

Casual drivers classified under 1 (c) (i)	Weekly wage to be increased by R10,35
Casual drivers classified under 1 (c) (ii)	Weekly wage to be increased by R10,35
Casual drivers classified under 1 (c) (iii)	Weekly wage to be increased by R10,35
Casual drivers classified under 1 (c) (iv) and (d)	Weekly wage to be increased by R10,35
Casual drivers classified under 1 (d)	Weekly wage to be increased by R10,35

Signed at Johannesburg, on behalf of the parties, this 28th day of May 1997.

R. CORNICK

Chairman of the Council

M. SEFF

Vice-Chairman of the Council

P. C. SMIT

General Secretary of the Council

No. R. 1100

15 Augustus 1997

WET OP ARBEIDSVERHOUDINGE, 1956

MEUBEL- EN BEDDEGOEDNYWERHEID, TRANSVAAL: 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 31 Desember 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 organisasies of verenigings is; en
- (b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van die Wysigingsooreenkoms, uitgesonderd die 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 31 Desember 1997 eindig, bindend is vir alle ander werkgewers en werknemers as die 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 MEUBEL- EN BEDDEGOEDVERVAARDIGINGSNYWERHEID, TRANSVAAL
OOREENKOMS**

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

Transvaal Furniture, Bedding & Upholstery Manufacturers' Association

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

National Union of Furniture & Allied Workers South Africa

en

Paper, Printing, Wood & Allied Workers' Union of South Africa

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

wat die partye is by die Bedingingsraad vir die Meubel- en Beddegoednywerheid, Transvaal, tot wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 1347 van 30 Junie 1981, soos gewysig, verleng, hernu en herbekragtig by Goewermentskennisgewings Nos. R. 1819 van 27 Augustus 1982, R. 1453 van 1 Julie 1983, R. 1920 van 2 September 1983, R. 2501 van 8 November 1985, R. 1344 van 27 Junie 1986, R. 1878 van 12 September 1986, R. 1206 van 26 Junie 1988, R. 1722 van 26 Augustus 1988, R. 205 van 2 Februarie 1990, R. 1492 van 29 Junie 1990, R. 3041 van 4 Januarie 1991, R. 1418 van 21 Junie 1991, R. 2662 van 8 November 1991, R. 2795 van 22 November 1991, R. 1683 van 19 Junie 1992, R. 3006 van 30 Oktober 1992, R. 3098 van 13 November 1992, R. 129 van 29 Januarie 1993, R. 1224 van 9 Julie 1993, R. 2078 en R. 2079 van 5 November 1993, R. 1109 van 24 Junie 1994, R. 2248 van 23 Desember 1994, R. 961 van 30 Junie 1995, R. 458 van 22 Maart 1996, R. 1069 van 28 Junie 1996, R. 1577 van 27 September 1996 en R. 2062 van 13 Desember 1996.

HOOFSTUK I

1. TOEPASSINGSBESTEK VAN OOREENKOMS

- (1) Hierdie Ooreenkoms moet in die Meubel- en Beddegoednywerheid, Transvaal, nagekom word—
 - (a) deur alle werkgewers wat lede van die werkgewersorganisasie is en deur alle werknemers wat lede van die vakverenigings is, en wat onderskeidelik by die Meubel- en Beddegoednywerheid betrokke is en daar werksaam is;
 - (b) in die provinsie Transvaal, 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), en in die landdrosdistrik Vryburg soos dit op 24 Junie 1996 saamgestel was.
- (2) Ondanks subklousule (1), is hierdie Ooreenkoms—
 - (a) slegs van toepassing op werknemers vir wie lone daarin voorgeskryf word en op die werkgewers van sodanige werknemers;
 - (b) van toepassing op vakleerlinge vir sover dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, of die Wysigingswet op Mannekrag, 1990, of enige kontrakte daarkragtens aangegaan of enige voorwaardes daarkragtens vasgestel; en
 - (c) onderworpe aan die bepalings van die Vasstelling van die Nywerheidshof, gedateer 30 Oktober 1984, in die saak tussen die Nywerheidsrade vir die Meubel- en Beddegoednywerheid, Transvaal en Natal, en die Nywerheidsrade vir die Bounywerheid, Transvaal en Natal, en die Nasionale Nywerheidsraad vir die Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid.

2. KLOUSULE 3: WOORDOMSKRYWING

- (1) In die woordoms krywing van "voorman en/of toesighouer" voeg die volgende uitdrukking in aan die einde van paragraaf (f):

"onderworpe daaraan dat 'n voorman/toesighouer nie geregtig op betaling is nie vir verlore werksure as gevolg van korttyd wat gewerk word, wegblyksies en afwesigheid sonder vooraf toestemming;"
- (2) In die woordoms krywing van "stukwerk" skrap die uitdrukking "behoudens klousule 5 van Hoofstuk I van hierdie Ooreenkoms".
- (3) In die woordoms krywing van "proefwerknemer" vervang die uitdrukking "een maand" deur die uitdrukking "twee maande";.

3. KLOUSULE 4: SLUITING VAN BEDRYFSINRICHTING VIR DIE JAARLIKSE VAKANSIESLUITING

Vervang klousule 4 deur die volgende:

"Geen werkgewer mag werk verrig of van 'n wernemer vereis of hom toelaat om werk te verrig, en geen werknemer mag werk onderneem of verrig hetsy teen besoldiging al dan nie, gedurende die volgende tydperk nie:

Vanaf die aand van Vrydag, 19 Desember 1997 tot die oggend van Donderdag, 15 Januarie 1998."

4. KLOUSULE 5: STUKWERK EN WERK VOLGENS 'N AANSPORINGSKEMA

- (1) Vervang die opskrif van hierdie klousule deur die volgende:

"WERK VOLGENS 'N AANSPORINGSKEMA".
- (2) Skrap subklousules (1) en (2) en hernommer subklousule (3) tot (6) om (1) tot (4) te lui.

5. KLOUSULE 8: KORTTYD

- (1) Vervang die opskrif van hierdie klousule deur die volgende:

"KORTTYD EN ONTSLAG GEGROND OP BEDRYFSVEREISTES".
- (2) Vervang subklousule (2) deur die volgende:

"(2) (a) Wanneer 'n werkgewer beoog om een of meer werknemers te ontslaan weens redes gegrond op die werkgewer se bedryfsvereistes, behoudens dat korttyd van minder as 35 uur per week gewerk is oor 'n aaneenlopende tydperk van een week, moet die werkgewer oorleg pleeg—

 - (i) met iemand met wie die werkgewer volgens voorskrif van 'n kollektiewe ooreenkoms oorleg moet pleeg;
 - (ii) met 'n werkplekforum, indien daar nie 'n kollektiewe ooreenkoms is wat oorlegpleging vereis nie, en die werknemers wat waarskynlik deur die beoogde ontslag geraak sal word, in diens is van 'n werkplek ten opsigte waarvan daar 'n werkplekforum is;
 - (iii) indien daar nie 'n werkplekforum is nie in die werkplek waar sodanige werknemers in diens is, met enige geregistreerde vakbond wie se lede waarskynlik deur die beoogde ontslag geraak sal word; en
 - (iv) met die werknemers wat waarskynlik deur die beoogde ontslag geraak sal word of met hulle verteenwoordigers wat vir daardie doel benoem is, indien daar nie so 'n vakbond is nie.

- (b) Die oorlegplegende partye moet poog om eenstemmigheid te bereik oor—
 - (i) geskikte maatreëls—
 - (aa) om die ontslag te vermy;
 - (ab) om die getal persone wat ontslaan word, tot die minimum te beperk;
 - (ac) om die tydsberekening van die ontslag te verander; en
 - (ad) om die nadelige gevolge van die ontslag te versag; en
 - (ii) die metode vir die selektering van die werknemers wat ontslaan sal word.
- (c) Personeelverminderingstoelae van een week se gewone lone vir elke voltooide jaar diens is betaalbaar: Met die verstande dat gedurende die eerste en laaste jaar diens, 10 maande of langer diens beskou word as 'n voltooide jaar diens.
- (d) Die werkgewer moet aan die ander oorlegplegende party skriftelik alle tersaaklike inligting verstrek wat insluit, maar nie beperk is nie tot—
 - (i) die redes vir die beoogde ontslag;
 - (ii) die alternatiewe wat die werkgewer oorweeg het voordat hy ontslag voorgestel het, en die redes waarom elke van daardie alternatiewe verwerp is;
 - (iii) die getal werknemers wat waarskynlik geraak gaan word en die werkkategorieë waarin hulle in diens is;
 - (iv) die voorgestelde metode vir die selektering van welke werknemers ontslaan moet word;
 - (v) die tydstop wanneer, of die tydperk waartydens, ontslag waarskynlik sal van krag word;
 - (vi) die voorgestelde uitreeloon;
 - (vii) enige bystand wat die werkgewer beoog om die werknemers wat waarskynlik ontslaan gaan word, aan te bied; en
 - (viii) die moontlikheid van die herindiensneming van die ontslane werknemers in die toekoms:
- (e) Die bepalings van artikel 16, saamgelees met die veranderinge wat in die konteks nodig is, is van toepassing op die openbaarmaking van inligting ingevolge paragraaf (d).
- (f) Gedurende die oorlegpleging moet die werkgewer die ander oorlegplegende party 'n geleentheid bied om verhoë te rig oor enige aangeleentheid waaroor oorleg gepleeg word.
- (g) Die werkgewer moet die verhoë wat deur die ander oorlegplegende party gerig is, oorweeg en daarop reageer, en indien die werkgewer nie daarmee eens is nie, moet die werkgewer redes daarvoor verstrek.
- (h) Die werkgewer moet die werknemers wat ontslaan staan te word, selekteer volgens selekteringsmaatstawwe—
 - (i) waaroor die oorlegplegende partye ooreengekom het; of
 - (ii) wat billik en objektief is indien daar nie oor maatstawwe ooreengekom is nie.

6. KLOUSULE 34: DIENSBEËINDIGING

- (1) In subklousule (1), voeg die volgende uitdrukking in na die woord “dienskontrak” waar dit eerste in die subklousule voorkom:

"gedurende die twee maande proeftydperk waarna die kennisgewingtydperk een week sal wees".

- (2) In subklousule (2), skrap die uitdrukking “as een uur” na die woord “tydperk”.

- (3) In subklousule (3), voeg die volgende uitdrukking in na die woord “uur”:

"Of een week soos die geval ook mag wees."

7. HOOFSTUK II:

MINIMUM LONE

Vervang klousule I van Hoofstuk II deur die volgende:

“1. (a) *Loonverhogings: Meubelvervaardiging:* Onderstaande is die minimum we eklone voorgeskryf vir die onderskeie klasse werk hieronder opgesom: Met die verstande dat by elke geleentheid die minimum voorgeskrewe loon ingevolge hierdie Ooreenkoms verhoog moet word. 'n Werknemer wat 'n hoër loon ontvang as die minimum voorgeskrewe loon vir die klas werk wat hy verrig, moet ondanks andersluidende bepalings hierin vervat, 'n verhoging ontvang wat gelyk is aan die bedrag hieronder vir daardie loonkategorie aangedui word:

Werklike verdienste

Tydperk eindigende 30 Junie 1998

Voorman/Toesighouer wat R496,25 of meer per week verdien	Weekloon moet verhoog word met R44,00
Onderbaas wat R481,40 of meer per week verdien	Weekloon moet verhoog word met R44,00
Onderbaas graad IV wat R409,28 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemers graad I wat R451,72 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemer graad II wat R443,92 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemer graad III wat R416,20 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemer graad IV wat R394,13 of meer per week verdien	Weekloon moet verhoog word met R44,00

<i>Werklike verdienste</i>	<i>Tydperk eindigende 30 Junie 1998</i>
Werknemer graad IV A wat R396,83, of meer per week verdien.....	Weekloon moet verhoog word met R44,00
Werknemers graad V wat R8,09 per uur verdien	Loon moet verhoog word met R1,15 per uur
Los werknemers wat R8,59 per uur verdien	Loon moet verhoog word met R1,00 per uur

(b) *Loonverhogings: Beddegoedvervaardiging:* Onderstaande is die minimum weeklone voorgeskryf vir die onderskeie klasse werk hieronder opgesom: Met dien verstande dat by elke geleentheid die minimum voorgeskrewe loon ingevolge hierdie Ooreenkoms verhoog moet word. 'n Werknemer wat 'n hoër loon ontvang as die minimum voorgeskrewe loon vir die klas werk wat hy verrig, moet ondanks andersluidende bepalings hierin vervat, 'n verhoging ontvang wat gelyk is aan die bedrag hieronder vir daardie loonkategorie aangedui:

<i>Werklike verdienste</i>	<i>Tydperk eiendigende 30 Junie 1998</i>
Werknemers graad I wat R443,92 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemers graad I A wat R451,72 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemers graad II wat R434,51 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemers graad III wat R416,20 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemers graad III A wat R411,16 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemers graad IV wat R394,13 of meer per week verdien	Weekloon moet verhoog word met R44,00
Werknemers Graad V wat R8,09 per uur verdien.....	Loon moet verhoog word met R1,00 per uur
Los werknemers wat R8,59 per uur verdien	Loon moet verhoog word met R1,15 per uur

(c) Onderstaande is die minimum weeklone voorgeskryf vir vakleerlinge in aangewese ambagte. 'n Vakleerling wat 'n hoër loon ontvang as die minimum voorgeskrewe loon van die vaardigheidsvlak waarvoor hy gekwalifiseer het, moet ondanks andersluidende bepalings hierin vervat, 'n verhoging ontvang van minstens R44,00 per week:

<i>Indeling</i>	<i>Minimum lone</i>	<i>Tydperk eindigende 30 Junie 1998</i>
By inboeking	R448,33	
Slaag Fase 1	R468,33	
Slaag Fase 2	R475,33	
Slaag Fase 3	R488,33	
Slaag Fase 4	R500,33	
Slaag Fase 5	R513,33"	

8. KLOUSULE B: LOONSVERHOGINGS EN MINIMUM LONE

Vervang subklousule (1) van klousule B deur die volgende:

(1) Onderstaande is die minimum weeklone voorgeskryf vir die onderskeie klasse werk hieronder genoem: Met dien verstande dat by elke geleentheid 'n minimum voorgeskrewe loon ingevolge hierdie Ooreenkoms verhoog moet word. 'n Werknemer wat 'n hoër loon ontvang as die minimum voorgeskrewe loon vir die klas werk wat hy verrig, moet ondanks andersluidende bepalings hierin vervat, 'n verhoging ontvang wat gelyk is aan die bedrag hieronder vir daardie loonkategorie aangedui:

<i>Indeling</i>	<i>Tydperk eindigende 30 Junie 1998</i>
Drywer ingedeel onder 1 (a) (i)	Weekloon moet verhoog word met R44,00
Drywer ingedeel onder 1 (a) (ii)	Weekloon moet verhoog word met R44,00
Drywer ingedeel onder 1 (a) (iii).....	Weekloon moet verhoog word met R44,00
Drywer ingedeel onder 1 (a) (iv) en (b).....	Weekloon moet verhoog word met R44,00
Drywer ingedeel onder 1 (b)	Weekloon moet verhoog word met R44,00

LOS DRYWERS

Los drywer ingedeel onder 1 (c) (i)	Weekloon moet verhoog word met R10,35
Los drywer ingedeel onder 1 (c) (ii)	Weekloon moet verhoog word met R10,35
Los drywer ingedeel onder 1 (c) (iii)	Weekloon moet verhoog word met R10,35
Los drywer ingedeel onder 1 (c) (iv) en (d).....	Weekloon moet verhoog word met R10,35
Los drywer ingedeel onder 1 (d)	Weekloon moet verhoog word met R10,35

Namens die partye op hede die 28ste dag van Mei 1997, te Johannesburg onderteken.

R. CORNICK

Voorsitter van die Raad

M. SEFF

Ondervoorsitter van die Raad

P. C. SMIT

Hoofsekretaris van die Raad

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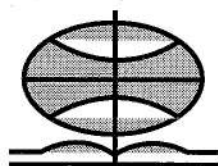
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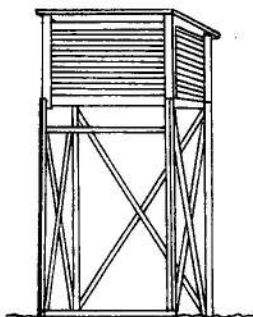
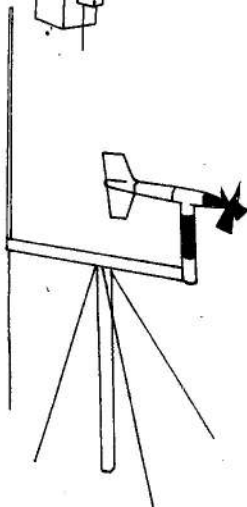
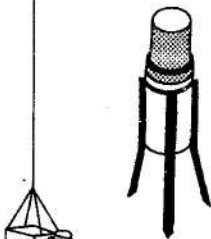
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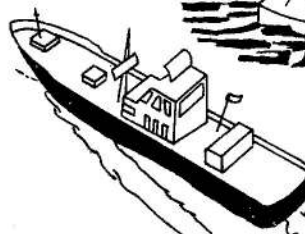
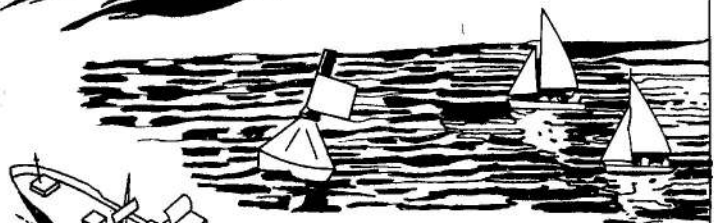
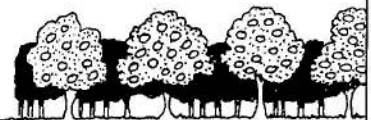
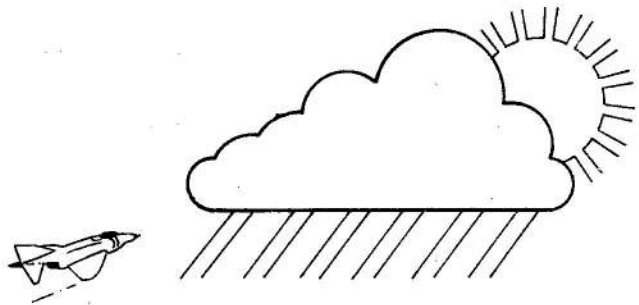
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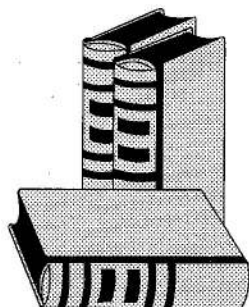
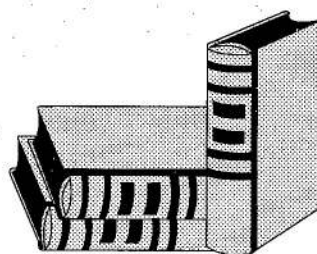
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Department of Environmental Affairs and Tourism
Departement van Omgewingsake en Toerisme

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