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PROCLAMATION

by the

President of the Republic of South Africa

No. R. 63, 1997

COMMENCEMENT OF THE INTEGRATION OF LABOUR LAWS ACT, 1994 (ACT No. 49 OF 1994)

In terms of section 4 of the Integration of Labour Laws Act, 1994 (Act No. 49 of 1994), as amended by section 2 of the Integration Measures in respect of Labour Laws, Amendment and Adjustments Act, 1996 (Act No. 68 of 1996), hereinafter referred to as "the Integration Act", I hereby determine **1 October 1997** as the date on which—

- (a) section 1 of the Integration Act shall come into operation with respect to the laws mentioned in the Schedule hereto; and
- (b) section 2 of the Integration Act shall, with respect to the Manpower Training Act, 1981 (Act No. 56 of 1981), come into operation in those parts of the national territory which immediately prior to the commencement of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), comprised the territories of the former Republics of Transkei, Bophuthatswana, Venda and Ciskei and the former self-governing territories of Gazankulu, KaNgwana, KwaNdebele, KwaZulu, Lebowa and Qwaqwa.

Given under my Hand and the Seal of the Republic of South Africa at Cape Town this Eleventh day of September, One thousand Nine hundred and Ninety-seven.

N. R. MANDELA

President

By Order of the President-in-Cabinet:

T. T. MBOWENI

Minister of the Cabinet

SCHEDULE I

1. TRANSKEI
Apprenticeship Act, 1974 (Act No. 10 of 1974).
2. BOPHUTHATSWANA
Manpower Training Act, 1993 (Act No. 32 of 1993).
3. VENDA
Manpower Training Act, 1988 (Act No. 9 of 1988).
4. CISKEI
Apprenticeship Act, 1973 (Act No. 7 of 1973).
Manpower Training Act, 1984 (Act No. 33 of 1984).
5. GAZANKULU
Gazankulu Apprenticeship Act, 1974 (Act No. 6 of 1974).
6. KWANDEBELE
KwaNdebele Apprenticeship Act, 1986 (Act No. 4 of 1986).
7. KWAZULU
Manpower Training Act, 1987 (Act No. 23 of 1987).
8. QWAQWA
Apprenticeship Act, 1981 (Act No. 11 of 1981).

SCHEDULE II

Law	Areas
Manpower Training Act, 1981 (Act No. 56 of 1981)	Those parts of the national territory which immediately prior to the commencement of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), comprised the territories of the former Republics of Transkei, Bophuthatswana, Venda, Ciskei and the former self-governing territories of KwaZulu, Qwaqwa, Lebowa, Gazankulu, KaNgwane and KwaNdebele.

PROKLAMASIE*van die****President van die Republiek van Suid-Afrika*****No. R. 63, 1997**

**INWERKINGTREDING VAN DIE WET OP DIE INTEGRERING VAN ARBEIDSWETTE, 1994
(WET NO. 49 VAN 1994)**

Kragtens artikel 4 van die Wet op die Integrering van Arbeidswette, 1994 (Wet No. 49 van 1994), soos gewysig deur artikel 2 van die Wysigings- en Aanpassingswet op Integreringsmaatreëls ten opsigte van Arbeidswette, 1996 (Wet No. 68 van 1996), hierna "die Integreringswet" genoem, bepaal ek hiermee **1 Oktober 1997** as die datum waarop—

- (a) artikel 1 van die Integreringswet in werking tree met betrekking tot die wette in die Bylae hierby vermeld; en
- (b) artikel 2 van die Integreringswet met betrekking tot die Wet op Mannekragopleiding, 1981 (Wet No. 56 van 1981), in werking tree in daardie dele van die nasionale grondgebied wat onmiddellik voor die inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), die grondgebiede van die voormalige Republieke van Transkei, Bophuthatswana, Venda en Ciskei en die voormalige selfregerende gebiede van Gazankulu, KaNgwane, KwaNdebele, KwaZulu, Lebowa en Qwaqwa uitgemaak het.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Elfde dag van September Eenduisend Negehoenderd Sewe-en-negentig.

N. R. MANDELA

President

Op las van die President-in-Kabinet:

T. T. MBOWENI

Minister van die Kabinet

BYLAE I

1. TRANSKEI
Wet op Vakleerlinge, 1974 (Wet No. 10 van 1974).
2. BOPHUTHATSWANA
Wet op Mannekrasopleiding, 1993 (Wet No. 32 van 1993).
3. VENDA
Wet op Mannekrasopleiding, 1988 (Wet No. 9 van 1988).
4. CISKEI
Wet op Vakleerlinge, 1973 (Wet No. 7 van 1973).
Wet op Mannekrasopleiding, 1984 (Wet No. 33 van 1984).
5. GAZANKULU
Gazankulu Wet op Vakleerlingskap, 1974 (Wet No. 6 van 1974).
6. KWANDEBELE
KwaNdebele Wet op Vakleerlingskap, 1986 (Wet No. 4 van 1986).
7. KWAZULU
Wet op Mannekrasopleiding, 1987 (Wet No. 23 van 1987).
8. QWAQWA
Wet op Vakleerlinge, 1981 (Wet No. 11 van 1981).

BYLAE II

Wet	Gebiede
Wet op Mannekrasopleiding, 1981 (Wet No. 56 van 1981)	Daardie dele van die nasionale grondgebied wat onmiddellik voor die inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993), die grondgebiede van die voormalige Republieke van Transkei, Bophuthatswana, Venda, Ciskei en die voormalige selfregerende gebiede van KwaZulu, Qwaqwa, Lebowa, Gazankulu, KaNgwane en KwaNdebele uitgemaak het.

GOVERNMENT NOTICE GOEWERMENSKENNISGEWING

DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 1272

26 September 1997

INTEGRATION OF LABOUR LAWS ACT, 1994

REGULATIONS REGARDING THE MANPOWER TRAINING ACT, 1981

The Minister of Labour, under section 3 of the Integration of Labour Laws Act, 1994 (Act No. 49 of 1994), has made the regulations as set out in the Schedule.

SCHEDULE**Definitions**

1. In these regulations, unless the context otherwise indicates—

“**Act**” means the Manpower Training Act, 1981 (Act No. 56 of 1981), and the regulations made thereunder;

“**effective date**” means the date on which the repeal of the laws referred to in the definition of “*repealed law*” becomes effective, being 1 October 1997;

“**registrar**” means the registrar as defined in section 1 of the Act;

“**repealed law**” means any one of the following laws repealed by section 1 of the Integration of Labour Laws Act, 1994 (Act No. 49 of 1994), as amended by the Integration Measures in respect of Labour Laws, Amendment and Adjustments Acts, 1996 (Act No. 68 of 1996), namely the—

- (a) Apprenticeship Act, 1973 (Act No. 7 of 1973), and the Manpower Training Act, 1984 (Act No. 33 of 1984), of the former Republic of Ciskei;
- (b) Gazankulu Apprenticeship Act, 1974 (Act No. 6 of 1974), of the former self-governing territory of Gazankulu;
- (c) KwaNdebele Apprenticeship Act, 1986 (Act No. 4 of 1986), of the former self-governing territory of kwaNdebele;
- (d) Manpower Training Act, 1987 (Act No. 23 of 1987), of the former self-governing territory of KwaZulu;
- (e) Manpower Training Act, 1988 (Act No. 9 of 1988), of the former Republic of Venda;
- (f) Manpower Training Act, 1993 (Act No. 32 of 1993), of the former Republic of Bophuthatswana;
- (g) Apprenticeship Act, 1981 (Act No. 11 of 1981), of the former self-governing territory of Qwaqwa; and
- (h) Apprenticeship Act, 1974 (Act No. 10 of 1974), of the former Republic of Transkei.

Contracts of apprenticeship registered in terms of repealed laws

2. Any contract of apprenticeship registered in terms of a *repealed law* and in force immediately prior to the *effective date*, remains in force notwithstanding the repeal of such law and shall be deemed to have been registered in terms of the *Act*: Provided that a condition of apprenticeship prescribed under a relevant *repealed law* remains in force and such a contract lapses when the contractual obligations of the parties to such a contract have been complied with or such contract is rescinded in terms of section 24 of the *Act*.

(2) Any person who, or body which, immediately prior to the *effective date* in terms of a *repealed law*, holds in safe-keeping—

- (a) any contract of apprenticeship; or
- (b) certificates or diplomas issued in terms of such a law and of a nature similar to the certificates contemplated in section 13 (12), 27 (1) or 28 (3) of the *Act*; or
- (c) applications for the undergoing of trade tests, trade tests results and proof of the issue of certificates to the effect that trade tests have been passed,

shall, on request of the *registrar*, furnish such document to the *registrar* or an officer authorised by him/her, on a date determined by the *registrar*.

(3) The *registrar* shall, on request of any person to whom a certificate was issued in terms of a *repealed law*, issue a certified copy of such certificate to the person.

Training centres

3. A private training centre which has been registered as such prior to the *effective date* in terms of a *repealed law* or which is deemed to be registered as such, shall be deemed to be registered as a private training centre in terms of section 32 of the *Act* for a period of six months after the *effective date*: Provided that the employer or another person who conducts such a training centre shall within the period concerned apply to the *registrar* in terms of section 32 of the *Act* for the registration of such training centre as a private training centre.

Pending prosecutions

4. Any criminal prosecution pending immediately prior to the *effective date* on account of an offence under a *repealed law*, shall be processed and proceeded with (as the case may be) as if such *repealed law* had not been repealed.

Exemptions

5. Any exemption granted in terms of a *repealed law* and in force immediately prior to the *effective date*, shall be deemed to have been granted under the corresponding provisions of the *Act*.

Commencement

6. These regulations shall come into operation on **1 October 1997**.

No. R. 1272

26 September 1997

WET OP DIE INTEGRERING VAN ARBEIDSWETTE, 1994

REGULASIES BETREFFENDE DIE WET OP MANNEKRAGOPLEIDING, 1981

Die Minister van Arbeid het kragtens artikel 3 van die Wet op die Integrering van Arbeidswette, 1994 (Wet No. 49 van 1994), die regulasies in die Bylae uitgevaardig.

BYLAE

1. In hierdie regulasies, tensy uit die samehang anders blyk, beteken—

“**Wet**” die Wet op Mannekragopleiding, 1981 (Wet No. 56 van 1981), asook die regulasies daarkragtens uitgevaardig;

“**effektiewe datum**” die datum waarop die herroeping van die wette vermeld in die omskrywing van “*herroepe wet*” van krag word, synde 1 Oktober 1997;

“**herroepe wet**” enigeen van die volgende wette by artikel 1 van die Wet op die Integrering van Arbeidswette, 1994 (Wet No. 49 van 1994), soos gewysig deur die Wysigings- en Aanpassingswetsontwerp op Integreringsmaatreëls ten opsigte van Arbeidswette, 1996 (Wet No. 68 van 1996), herroep, naamlik die—

- (a) Wet op Vakleerlinge, 1973 (Wet No. 7 van 1973), en die Wet op Mannekragopleiding, 1984 (Wet No. 33 van 1984), van die voormalige Republiek van Ciskei;
- (b) Gazankulu Wet op Vakleerlingskap, 1974 (Wet No. 6 van 1974), van die voormalige selfregerende gebied van Gazankulu;
- (c) KwaNdebele Wet op Vakleerlingskap, 1986 (Wet No. 4 van 1986), van die voormalige selfregerende gebied van KwaNdebele;
- (d) Wet op Mannekragopleiding, 1987 (Wet No. 23 van 1987), van die voormalige selfregerende gebied in KwaZulu;
- (e) Wet op Mannekragopleiding, 1988 (Wet No. 9 van 1988), van die voormalige Republiek van Venda;
- (f) Wet op Mannekragopleiding, 1993 (Wet No. 32 van 1993), van die voormalige Republiek van Bophuthatswana;
- (g) Wet op Vakleerlinge, 1981 (Wet No. 11 van 1981), van die voormalige selfregerende gebied van Qwaqwa; en
- (h) Wet op Vakleerlinge, 1974 (Wet No. 10 van 1974), van die voormalige Republiek van Transkei;

“**registrateur**” die registrateur soos in artikel 1 van die Wet omskryf.

Kontrakte van vakleerlingskap ingevolge herroepe wette geregistreer

2. (1) Enige kontrak van vakleerlingskap geregistreer ingevolge 'n *herroepe wet* en van krag onmiddellik voor die *effektiewe datum*, bly ondanks die herroeping van sodanige wet van krag en word geag ingevolge die *Wet* geregistreer te wees: Met dien verstande dat so 'n kontrak verval wanneer, en 'n leervoorswaarde voorgeskryf kragtens 'n tersaaklike *herroepe wet* van krag bly totdat, die kontraktuele verpligtinge van die partye by sodanige kontrak voldoen is of sodanige kontrak ingevolge artikel 24 van die *Wet* ontbind word.

(2) Enige persoon of liggaam wat onmiddellik voor die *effektiewe datum* ingevolge 'n *herroepe wet*—

- (a) enige kontrak van vakleerlingskap; of
- (b) sertifikate of diplomas ingevolge so 'n wet uitgereik en van 'n aard soortgelyk aan die sertifikate beoog in artikel 13 (12), 27 (1) of 28 (3) van die *Wet*; of
- (c) aansoeke om die aflegging van ambagstoetse, ambagstoetsresultate en bewyse van uitreiking van sertifikate dat ambagstoetse geslaag is,

in bewaring hou, moet op versoek van die *registrateur* sodanige dokument aan die *registrateur* of 'n beampte deur hom/haar gemagtig, verskaf op 'n datum wat die *registrateur* bepaal.

(3) Die *registrator* moet op versoek van 'n persoon aan wie 'n sertifikaat ingevolge 'n *herroepe wet* uitgereik is, 'n gewaarmerkte afskrif van sodanige sertifikaat uitreik.

Opleidingsentrums

3. 'n Private opleidingsentrum wat onmiddellik voor die *effektiewe datum* ingevolge 'n *herroepe wet* as sodanige geregistreer is, of wat by sodanige wet geag word aldus geregistreer te wees, word geag ingevolge artikel 32 van die *Wet* vir 'n tydperk van ses maande ná die *effektiewe datum* as 'n private opleidingsentrum geregistreer te wees: Met dien verstande dat die werkgewer of 'n ander persoon wat sodanige opleidingsentrum bedryf binne bedoelde tydperk by die *registrator* ingevolge genoemde artikel 3 van die *Wet* aansoek moet doen om die registrasie van sodanige opleidingsentrum as 'n private opleidingsentrum.

Hangende strafregtelike vervolgings

4. Enige strafregtelike vervolging weens 'n misdryf ingevolge 'n *herroepe wet* wat onmiddellik voor die *effektiewe datum* hangende is, word hanteer en mee voortgegaan, of (na gelang van die geval) word voortgesit, asof sodanige *herroepe wet* steeds van toepassing en van krag was.

Vrystellings

5. Enige vrystelling ingevolge 'n bepaling van enige *herroepe wet* verleen en van krag onmiddellik voor die *effektiewe datum*, word geag verleen te gewees het en van krag te wees ingevolge die ooreenstemmende bepaling van die *Wet*.

Inwerkingtreding

6. Hierdie regulasies tree in werking op 1 Oktober 1997.



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