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GOEWERMENTSKENNISGEWINGS

DEPARTEMENT VAN MANNEKRAG- BENUTTING

No. R. 1510

25 Julie 1980

WET OP NYWERHEIDSVERSOENING, 1956
MOTORNYWERHEID.—PENSIOENFONDS-
OOREENKOMS VIR MOTORWERKERS

Ek, Stephanus Petrus Botha, Minister van Mannekragenbenutting, verklaar hierby—

(a) kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms wat in die Bylae hiervan verskyn en op die Motornywerheid betrekking het, met ingang van 28 Julie 1980 en vir die tydperk wat op 31 Julie 1985 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is;

(b) kragtens artikel 48 (1) (b) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousules 1, 2 (1) en 7, met ingang van 28 Julie 1980 en vir die tydperk wat op 31 Julie 1985 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 Nywerheid in die Republiek van Suid-Afrika, uitgesonderd die hawe en nedersetting van Walvisbaai en daardie gedeelte van die landdrosdistrik Somerset-Wes wat deur Cape Explosives Works Limited geokkupeer word; en

(c) kragtens artikel 48 (3) (a) van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd dié vervat in klousule 1, 2 (1) en 7, met ingang van 28 Julie 1980 en vir die tydperk wat op 31 Julie 1985 eindig, in die gebiede gespesifiseer in paragraaf (b) van hierdie kennisgewing *mutatis mutandis* bindend is vir alle persone wat nie werknemers is nie en wat in diens is in genoemde Nywerheid by dié werkgewers vir wie enigeen van genoemde bepalings ten opsigte van werknemers bindend is en vir daardie werkgewers ten opsigte van sodanige persone in hul diens.

S. P. BOTHA, Minister van Mannekragenbenutting.

GOVERNMENT NOTICES

DEPARTMENT OF MANPOWER UTILISATION

No. R. 1510

25 July 1980

INDUSTRIAL CONCILIATION ACT, 1956
MOTOR INDUSTRY.—AUTO WORKERS'
PENSION FUND AGREEMENT

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby—

(a) in terms of section 48 (1) (a) of the Industrial Conciliation Act, 1956, declare that the provisions of the Agreement which appears in the Schedule hereto and which relates to the Motor Industry, shall be binding, with effect from 28 July 1980 and for the period ending 31 July 1985, upon the employers' organisations and the trade unions which entered into the said Agreement and upon the employers and employees who are members of the said organisations or unions;

(b) in terms of section 48 (1) (b) of the said Act, declare that the provisions of the said Agreement, excluding those contained in clauses 1, 2 (1) and 7, shall be binding, with effect from 28 July 1980 and for the period ending 31 July 1985, upon all employers and employees other than those referred to in paragraph (a) of this notice, who are engaged or employed in the said Industry in the Republic of South Africa, excluding the port and settlement of Walvis Bay and that portion of the Magisterial District of Somerset West occupied by Cape Explosives Works Limited; and

(c) in terms of section 48 (3) (a) of the said Act, declare that in the areas specified in paragraph (b) of this notice and with effect from 28 July 1980 and for the period ending 31 July 1985, the provisions of the said Agreement, excluding those contained in clauses 1, 2 (1) and 7, shall *mutatis mutandis* be binding upon all persons who are not employees and who are employed in the said Industry by the employers upon whom any of the said provisions are binding in respect of employees and upon those employers in respect of such persons in their employ.

S. P. BOTHA, Minister of Manpower Utilisation.

BYLAE

DIE NASIONALE NYWERHEIDSRaad VIR DIE
MOTORNYWERHEID
MOTORWERKERSPENSIOENFONDS
OOREENKOMS

ingevolge die Nywerheidsversoeningwet, 1956, gesluit deur en aangegaan tussen

The South African Motor Industry Employers' Association
en

The South African Vehicle Builders' and Repairers' Association

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

The Motor Industry Combined Workers' Union

The Motor Industry Employees' Union of South Africa
en

The Motor Industry Staff Association

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

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid.

KLOUSULE 1.—GELDIGHEIDSDUUR

Hierdie Ooreenkoms tree in werking op sodanige datum as wat die Minister van Mannekragbenutting ingevoegde artikel 48 (1) van die Wet bepaal en bly van krag vir vyf jaar vanaf daardie datum of vir sodanige tydperk as wat die Minister bepaal.

KLOUSULE 2.—TOEPASSINGSBESTEK

(1) Behoudens subklousule (2) van hierdie klousule, moet hierdie Ooreenkoms nagekom word deur alle werkgewers in die Motornywerheid in die Republiek van Suid-Afrika wat lede is van die werkgewersorganisasies en deur alle werknemers in die Nywerheid wat lede is van die vakverenigings.

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

(a) werknemers wat in aanmerking kom vir lidmaatskap van The Motor Industry Employees' Union of South Africa of The Motor Industry Staff Association;

(b) lede van The Motor Industry Combined Workers' Union wat lede is van die Pensioenfonds vir die Motornywerheid;

(c) vakmanne of vakleerlinge;

(d) 'n werknemer aan wie aftreebystand toegestaan is deur enige fonds wat vir sodanige bystand voorsiening maak;

(e) werknemers ten opsigte van wie hul werkgever bydra, en so lank as wat hul werkgever aldus bydra, tot 'n pensioenfonds wat in werking was op die datum waarop hierdie Ooreenkoms in werking getree het en wat na die mening van die Raad bystand verskaf wat nie minder gunstig is nie as dié wat deur die Motorwerkerspensioenfonds verskaf word;

(f) 'n werknemer vir ses maande vanaf die datum waarop hy by 'n werkgever in diens tree: Met dien verstande dat 'n werkgever na goedgekeurde van hierdie uitsluiting kan afsien.

KLOUSULE 3.—WOORDOMSKRYWING

Alle uitdrukkings wat in hierdie Ooreenkoms gebring en in die Wet op Nywerheidsversoening, Wet 28 van 1956, en die Hoof-ooreenkoms omskryf word, het dieselfde betekenis as in daardie Wet en daardie Ooreenkoms, waar daar van 'n wet melding gemaak word, omvat dit alle wysigings van dié wet, en tensy die teenoorgestelde bedoeling blyk, omvat woorde wat die manlike geslag aandui ook die vroulike geslag en omgekeerd; voorts, tensy onbestaanbaar met die samehang beteken—

"Wet" die Wet op Nywerheidsversoening, 1956;

"Maatskappy" die Motor Industry Fund Administrators (Pty) Ltd;

"Raad" die Nasionale Nywerheidsraad vir die Motornywerheid wat ingevolge artikel 19 van die Wet geregistreer is; "bedryfsinrigting" die tereen of gedeelte daarvan waarin of waarop werksaamhede in die Motornywerheid of 'n gedeelte daarvan plaasvind;

SCHEDULE

THE NATIONAL INDUSTRIAL COUNCIL FOR THE
MOTOR INDUSTRY
AUTO WORKERS' PENSION FUND
AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into by and between

The South African Motor Industry Employers' Association
and

The South African Vehicle Builders' and Repairers' Association

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

The Motor Industry Combined Workers' Union

The Motor Industry Employees' Union of South Africa
and

The Motor Industry Staff Association

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

being parties to the National Industrial Council for the Motor Industry.

CLAUSE 1.—PERIOD OF OPERATION

This Agreement shall come into operation on such date as may be fixed by the Minister of Manpower Utilisation in terms of section 48 (1) of the Act, and shall remain in operation for five years from that date or for such period as may be determined by the Minister.

CLAUSE 2.—SCOPE OF APPLICATION

(1) Subject to the provisions of subclause (2) of this clause, the terms of this Agreement shall be observed by all employers in the Motor Industry in the Republic of South Africa who are members of the employers' organisations, and by all employees in that Industry who are members of the trade unions.

(2) Notwithstanding the provisions of subclause (1) of this clause, the provisions of this Agreement shall not apply to—

(a) employees who are eligible for membership of The Motor Industry Employees' Union of South Africa or The Motor Industry Staff Association;

(b) members of The Motor Industry Combined Workers' Union who are members of The Motor Industry Pension Fund;

(c) journeymen or apprentices;

(d) any employee who has been granted a retirement benefit by any fund who provides for such benefits;

(e) employees in respect of whom their employer contributes, and for as long as their employer so contributes, to a pension fund which was in operation on the date of commencement of operation of this Agreement, and which in the opinion of the Council provides benefits not less favourable than those provided by the Auto Workers' Pension Fund;

(f) any employee for six months from the date on which he begins employment with any employer: Provided that any employer may in his discretion waive this exclusion.

CLAUSE 3.—DEFINITIONS

Any expressions used in this Agreement and which are defined in the Industrial Conciliation Act, Act 28 of 1956, and the Main Agreement shall have the meanings assigned to them in that Act and that Agreement, references to an act shall include any amendments to such act, and unless the contrary intention appears, words importing the masculine gender shall include females and vice versa; further, unless inconsistent with the context—

"Act" means the Industrial Conciliation Act, 1956;

"Company" means the Motor Industry Fund Administrators (Pty) Ltd;

"Council" means the National Industrial Council for the Motor Industry registered in terms of section 19 of the Act;

"establishment" means any premises or part thereof in or on which activities in the Motor Industry or any part thereof are conducted;

"Fonds" die Motorwerkerspensioenfonds wat ingestel is met die doel om annuïteite of rondebetalings te verskaf aan werknemers in die Motornywerheid of aan die afhanklikes van sodanige werknemers by die afsterwe van sodanige werknemers;

"werknemer groep A" 'n werknemer wie se gewone weeklikse besoldiging hoogstens R35 per week is;

"werknemer groep B" 'n werknemer wie se gewone weeklikse besoldiging meer as R35 maar hoogstens R50 per week is;

"werknemer groep C" 'n werknemer wie se gewone weeklikse besoldiging meer as R50 per week is;

"Hoofooreenkoms" die Ooreenkoms waarin lone en ander diensvoorwaardes vir werknemers in die Motornywerheid voorgeskryf word, soos gepubliseer ingevolge artikel 48 van die Wet;

"Motornywerheid" die Motornywerheid soos van tyd tot tyd in die Hoofooreenkoms omskryf;

"gewone weeklikse besoldiging" die bedrag wat 'n werkgever gereeld aan 'n werknemer betaal ten opsigte van sy gewone werke en omvat dit nie die besoldiging wat 'n werknemer wat in diens is op 'n stukwerk- of kommissiegrondslag ontvang bo en behalwe die bedrag wat hy sou ontvang het as hy nie op so 'n grondslag in diens was nie;

"Streek BR" die landdrostdistrikte Albert, Aliwal-Noord, Barkly-Oos, Cathcart, Elliot, Fort Beaufort, Indwe, King William's Town, Komga, Lady Grey, Maclear, Molteno, Oos-Londen, Queenstown, Sterkstroom, Stockenström, Stutterheim, Tarka en Wodehouse;

"Streek EP" die landdrostdistrikte Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Calitzdorp, Cradock, Colesberg, George, Graaff-Reinet, Hankey, Hanover, Hofmeyr, Humansdorp, Jansenville, Joubertina, Kirkwood, Knysna, Middelburg (K.P.), Mosselbaai, Murraysburg, Noupoot, Oudtshoorn, Pearston, Port Elizabeth, Richmond (K.P.), Steynsburg, Steytlerville, Somerset-Oos, Uitenhage, Uniondale, Venterstad en Willowmore;

"Streek NK" die landdrostdistrikte Barkly-Wes, Britstown, De Aar, Gordonia, Hartswater, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Kuruman, Mafeking, Philipstown, Postmasburg, Prieska, Vryburg en Warrenton;

"Streek NL" die landdrostdistrikte Durban, Pietermaritzburg, Pinetown, Camperdown, Richmond (Natal), Lionsrivier, Estcourt, Kliprivier, Dundee, Matatiele, Newcastle, Vryheid, Lower Tugela, Glencoe, Dannhauser, Mooirivier en Mount Currie;

"Streek OVS" die provinsie die Oranje-Vrystaat;

"Streek TVL" die provinsie Transvaal;

"Streek WP" die landdrostdistrikte Beaufort-Wes, Belville, Bredasdorp, Caledon, Calvinia, Carnarvon, Ceres, Clanwilliam, Die Kaap, Fraserburg, Goodwood, Heidelberg (K.P.), Hermanus, Hopefield, Kuilsrivier, Ladismith, Laingsburg, Malmesbury, Montagu, Namaqualand, Paarl, Piketberg, Prins Albert, Riversdal, Robertson, Simonstad, Somerset-Wes (uitgesonderd die gebied geokkupeer deur die Cape Explosives Works Limited, Somerset-Wes), Stellenbosch, Strand, Sutherland, Swellendam, Tulbagh, Vanrhynsdorp, Victoria-Wes, Vredenburg, Vredendal, Wellington, Williston, Worcester en Wynberg;

"Streekraad" 'n komitee wat die Raad ooreenkomstig sy konstitusie as sodanig aangestel het vir enige Streek hierin omskryf;

"aftreeouderdom" 65 jaar in die geval van 'n manlike werknemer en 60 jaar in die geval van 'n vroulike werknemer;

"week" 'n tydperk van sewe agtereenvolgende dae wat om middernag op 'n Sondag begin.

KLOUSULE 4.—LIDMAATSKAP

(1) Behoudens klousule 2 van hierdie Ooreenkoms en subklousule (2) van hierdie klousule is lidmaatskap van die Fonds verpligtend vir—

(a) elke manlike werknemer groep A, B en C wat in die Motornywerheid werksaam is en wat nog nie die aftreeouderdom bereik het of aan wie nog nie pensioenbystand deur die Fonds toegestaan is nie;

(b) elke vroulike werknemer groep A, B en C wat in die Motornywerheid werksaam is en wat nog nie die aftreeouderdom bereik het of aan wie nog nie pensioenbystand deur die Fonds toegestaan is nie en namens wie en met wie se instemming haar werkgever om lidmaatskap van die Fonds aansoek gedoen het.

"Fund" means the Auto Workers' Pension Fund established in terms of the rules of the Fund for the purpose of providing annuities or lump sum benefits for employees in the Motor Industry or for the dependants of such employees on the death of such employees;

"Group A employee" means an employee whose normal weekly remuneration is R35 or less per week;

"Group B employee" means an employee whose normal weekly remuneration is more than R35 but not exceeding R50 per week;

"Group C employee" means an employee whose normal weekly remuneration is more than R50 per week;

"Main Agreement" means the Agreement in which wages and other conditions of service are prescribed for employees in the Motor Industry as published in terms of section 48 of the Act;

"Motor Industry" means the Motor Industry as defined in the Main Agreement from time to time;

"normal weekly remuneration" means the amount which an employer regularly pays an employee in respect of his ordinary hours of work and does not include any remuneration which an employee who is employed on a piece-work or commission basis receives over and above the amount which he would have received if he had not been employed on such basis;

"Region BR" means the Magisterial Districts of Albert, Aliwal North, Barkly East, Cathcart, East London, Elliot, Fort Beaufort, Indwe, King William's Town, Komga, Lady Grey, Maclear, Molteno, Queenstown, Sterkstroom, Stockenström, Stutterheim, Tarka and Wodehouse;

"Region EP" means the Magisterial Districts of Aberdeen, Adelaide, Albany, Alexandria, Bathurst, Bedford, Calitzdorp, Cradock, Colesberg, George, Graaff-Reinet, Hankey, Hanover, Hofmeyr, Humansdorp, Jansenville, Joubertina, Kirkwood, Knysna, Middelburg (C.P.), Mossel Bay, Murraysburg, Noupoot, Oudtshoorn, Pearston, Port Elizabeth, Richmond (C.P.), Steynsburg, Steytlerville, Somerset East, Uitenhage, Uniondale, Venterstad and Willowmore;

"Region NC" means the Magisterial Districts of Barkly West, Britstown, De Aar, Gordonia, Hartswater, Hay, Herbert, Hopetown, Kenhardt, Kimberley, Kuruman, Mafeking, Philipstown, Postmasburg, Prieska, Vryburg and Warrenton;

"Region NL" means the Magisterial Districts of Durban, Pietermaritzburg, Pinetown, Camperdown, Richmond (Natal), Lions River, Estcourt, Klip River, Dundee, Matatiele, Newcastle, Vryheid, Lower Tugela, Glencoe, Dannhauser, Mooi River and Mount Currie;

"Region OFS" means the Province of the Orange Free State;

"Region TVL" means the Province of the Transvaal;

"Region WP" means the Magisterial Districts of Beaufort West, Bellville, Bredasdorp, Caledon, Calvinia, Carnarvon, Ceres, Clanwilliam, Fraserburg, Goodwood, Heidelberg (C.P.), Hermanus, Hopefield, Kuils River, Ladysmith, Laingsburg, Malmesbury, Montagu, Namaqualand, Paarl, Piketberg, Prince Albert, Riversdale, Robertson, Simonstown, Somerset West (excluding the area occupied by the Cape Explosives Works Limited, Somerset West), Stellenbosch, Strand, Sutherland, Swellendam, The Cape, Tulbach, Vanrhynsdorp, Victoria West, Vredenburg, Vredendal, Wellington, Williston, Worcester and Wynberg;

"Regional Council" means a committee appointed as such by the Council in terms of its constitution for any Region defined herein;

"retirement age" means in the case of a male employee, 65 years and, in the case of a female employee, 60 years;

"week" means a period of seven consecutive days commencing at midnight on a Sunday.

CLAUSE 4.—MEMBERSHIP

(1) Subject to the provisions of clause 2 of this Agreement and of subclause (2) of this clause, membership of the Fund shall be compulsory for—

(a) every group A, B and C male employee employed in the Motor Industry who has not reached retirement age or who has not been granted a pension benefit by the Fund;

(b) every group A, B and C female employee employed in the Motor Industry who has not reached retirement age or has not been granted a pension benefit by the Fund and on whose behalf and with whose concurrence, her employer has applied for membership of the Fund.

(2) Elke werknemer vir wie lidmaatskap ingevolge subklousule (1) van hierdie klousule verpligtend is, moet—

(a) die vorm in Aanhangsel A van hierdie Ooreenkoms voorgeskryf invul en dié ingevulde vorm by die Sekretaris van die Streekraad indien waarin hy werksaam is binne 'n maand ná die datum waarop hy by die Motornywerheid in diens tree, weer in diens tree of in diens geneem word; en vir die toepassing van hierdie paragraaf word geag dat 'n werknemer weer by die Motornywerheid in diens getree het wanneer hy van een streek na 'n ander van werk verander het;

(b) as die Raad, 'n Streekraad of die Fonds dit van hom vereis, sodanige dokumentêre of ander bewys en inligting verstrek as wat nodig is om sy identiteit, sy lidmaatskap van die Fonds en/of betaling of vasstelling van bystand wat uit sodanige lidmaatskap spruit, vas te stel.

KLOUSULE 5.—BYDRAES

(1) Elke werknemer vir wie lidmaatskap van die Fonds ingevolge klousule 4 (1) van hierdie Ooreenkoms verpligtend is, moet—

(a) as hy 'n werknemer groep A is, R1 tot die Fonds bydra vir elke week wat hy in die Motornywerheid werksaam is;

(b) as hy 'n werknemer groep B is, R2 tot die Fonds bydra vir elke week wat hy in die Motornywerheid werksaam is;

(c) as hy 'n werknemer groep C is, R3 tot die Fonds bydra vir elke week wat hy in die Motornywerheid werksaam is;

Met dien verstande dat as 'n werknemer loon vir minder as 23 uur in 'n week ontvang of daarop geregtig is, hy geen bydrae vir daardie week moet betaal nie.

(2) Die werkgever moet, behoudens die voorbehoudsbepaling van subklousule (1), die bydraes in subklousule (1) gespesifiseer van elke werknemer se loon aftrek op die eerste betaaldag ná die inwerkingtreding van hierdie Ooreenkoms en op elke betaaldag daarna.

(3) Elke werkgever moet tot die bedrae wat hy ingevolge subklousule (2) aftrek 'n gelyke bydrae maak en dit by die bydraes voeg.

(4) Die totale bedrag van die bydraes wat ingevolge subklousules (2) en (3) van hierdie klousule van die werknemers se verdienste afgetrek is en wat deur werkgevers bygedra is, moet elke maand betaal word aan die Sekretaris van die Streekraad vir die streek binne die regsgebied waarvan die werkgever se bedryfsinrigting geleë is, en elke sodanige betaling moet vergesel gaan van 'n skriftelike verklaring met die volgende besonderhede:

(a) Die naam, voorletters, lidmaatskapnommer van die vakvereniging (as daar is) en nasionale identiteitsnommer van elke werknemer;

(b) die bedrag ten opsigte van elke werknemer gestuur;

(c) die datum van diensaanvaarding of diensbeëindiging in die geval van werknemers wie se diens begin of geëindig het nadat die vorige besonderhede voorgelê is.

(5) Elke werkgever moet die totale bedrag van die bydraes wat hy en sy werknemers moet betaal en die skriftelike verklaring van besonderhede ingevolge subklousule (4) voor of op die 10de dag van die maand wat onmiddellik volg op dié waarop die bydraes en besonderhede betrekking het aan die Sekretaris van die betrokke Streekraad stuur.

Opmerking.—(a) Die huidige posadres van die Sekretaris van die verskillende Streekraade is soos volg:

Vir Streek BR: Posbus 714, Oos-Londen, 5200.

Vir Streek OP: Posbus 3164, Port Elizabeth, 6000.

Vir Streek NK: Posbus 446, Kimberley, 8300.

Vir Streek NL: Posbus 2838, Durban, 4000.

Vir Streek OVS: Posbus 910, Bloemfontein, 9300.

Vir Streek TVL: Posbus 8477, Johannesburg, 2000.

Vir Streek WP: Posbus 1946, Kaapstad, 8000.

(b) Vorms wat spesiaal opgestel is vir die verskaffing van die besonderhede wat ingevolge hierdie klousule vereis word, is verkrygbaar by die Streeksekretaris van die betrokke streek.

(6) Die bydraes deur werkgevers betaalbaar soos in subklousule (3) voorgeskryf, is nie terugbetaalbaar nie.

(7) Die bydraes ingevolge hierdie klousule deur die Streekraade ingevorder, moet aan die Maatskappy betaal word: Met dien verstande dat die Raad sodanige bedrae as wat van tyd tot tyd onderling deur die Raad en die Maatskappy bepaal word, as terugbetaling vir administratiewe uitgawes kan terughou. Die bedrag wat aldus teruggehou word, moet in die algemene fondse van die Raad gestort word.

(2) Every employee for whom membership is compulsory in terms of subclause (1) of this clause, shall—

(a) complete the form prescribed in Annexure A to this Agreement and lodge such completed form with the Secretary of the Regional Council for the Region in which he is employed, within one month after the date on which he enters, re-enters or becomes employed in the Motor Industry; and for purposes of this paragraph an employee shall be deemed to have re-entered the Motor Industry when he has changed employment from one region to another;

(b) when required to do so by the Council, a Regional Council or the Fund, furnish such evidence and information, documentary or otherwise, as may be necessary for purposes of his identity, his membership of the Fund and/or payment or determining of any benefit arising out of such membership.

CLAUSE 5.—CONTRIBUTIONS

(1) Every employee for whom membership of the Fund is compulsory in terms of clause 4 (1) of this Agreement shall—

(a) if he is a group A employee, contribute R1 to the Fund in respect of each week of his employment in the Motor Industry;

(b) if he is a group B employee, contribute R2 to the Fund in respect of each week of his employment in the Motor Industry;

(c) if he is a group C employee, contribute R3 to the Fund in respect of each week of his employment in the Motor Industry;

Provided that where an employee receives or is entitled to receive wages for less than 23 hours in any week, no contribution shall be payable by him in respect of such week.

(2) The contributions specified in subclause (1) shall, subject to the proviso contained in subclause (1), be deducted by the employer from every employee's wages on the first pay-day after this Agreement comes into operation, and on each pay-day thereafter.

(3) Every employer shall contribute and add to the contributions deducted in terms of subclause (2) contributions of an equal amount.

(4) The total amount of contributions deducted from the earnings of employees and contributed by employers in terms of subclauses (2) and (3) of this clause shall be paid each month to the Secretary of the Regional Council for the region within the area of jurisdiction within which the employer's establishment is situated, and each such payment shall be accompanied by a written statement containing the following details:

(a) Name, initials, trade union membership number (if any) and national identification number of each employee;

(b) amount of contributions remitted in respect of each employee;

(c) the date on which service began or service ended in the case of employees whose employment began or ended since the details were last submitted.

(5) Every employer shall pay the total amount of the contributions payable by him and his employees and render the statement of details in terms of subclause (4) to the Secretary of the Regional Council concerned by not later than the 10th day of the month immediately following that to which the contributions and details relate.

Note.—(a) The present postal addresses of the Secretaries of the various Regional Councils are as follows:

For Region BR: P.O. Box 714, East London, 5200.

For Region EP: P.O. Box 3164, Port Elizabeth, 6000.

For Region NC: P.O. Box 446, Kimberley, 8300.

For Region NL: P.O. Box 2838, Durban, 4000.

For Region OFS: P.O. Box 910, Bloemfontein, 9300.

For Region TVL: P.O. Box 8477, Johannesburg, 2000.

For Region WP: P.O. Box 1946, Cape Town, 8000.

(b) Forms prepared specifically for the furnishing of the details required by this clause may be obtained from the Regional Secretary of the region concerned.

(6) The contributions payable by employers as prescribed in subclause (3) shall not be refundable.

(7) The contributions collected by Regional Councils in terms of this clause shall be paid to the Company: Provided that the Council may retain as recoupment of administrative expenses, such amounts as may from time to time be mutually determined by the Council and the Company. The amount so retained shall be paid into the general funds of the Council.

(8) Indien 'n bedrag wat ooreenkomstig hierdie klousule verskuldig is nie teen die 15de dag van die maand wat volg op die maand ten opsigte waarvan dit betaalbaar is deur die Raad ontvang word nie, moet die werkgewer rente betaal op sodanige bedrag of op sodanige kleiner bedrag wat nie betaal is nie, bereken teen die koers van $1\frac{1}{2}$ persent per maand of gedeelte daarvan vanaf sodanige 15de dag tot op die dag waarop betaling in kontant werklik deur die betrokke Streekraad ontvang word: Met dien verstande dat 'n Streekraad daartoe geregtig is om na goeddunke betaling van sodanige rente of gedeelte daarvan kwyt te skeld.

KLOUSULE 6.—ADMINISTRASIE

(1) Die Fonds moet geadmistreer word ooreenkomstig die reëls wat deur die Raad goedgekeur is en wat nie onbestaanbaar moet wees met die bepalings van hierdie Ooreenkoms of van die Wet nie, en 'n kopie van die reëls en besonderhede omtrent wysigings daarvan moet aan die Direkteur-generaal van Mannekragbenutting gestuur word.

(2) Ingeval die Raad ontbind word of ingeval dit ophou om te funksioneer gedurende die duur van hierdie Ooreenkoms, kan die Nywerheidsregistrator die Maatskappy aanstel om die funksies van die Raad ten opsigte van hierdie Ooreenkoms uit te voer. Indien die Maatskappy onwillig is of nie in staat is om die uitvoering van 'sodanige funksies te onderneem nie, kan die Nywerheidsregistrator 'n trustee of trustees aanstel om die Raad se funksies uit te voer. Die Maatskappy of die trustee(s) aldus aangestel, besit al die bevoegdhede van die Raad vir die toepassing van hierdie Ooreenkoms.

KLOUSULE 7.—AGENTE

Die Raad of die Streekraad kan een of meer aangewese persone as agente aanstel om behulpsaam te wees met die uitvoering van hierdie Ooreenkoms, en dit is die plig van elke werkgewer en elke werknemer om sodanige persone toe te laat om dié perseel te betree, dié ondersoeke in te stel en te voltooi, en dié dokumente, boeke, loonstate, tydstate en loonkaarte na te gaan, en dié individue te ondervra en al dié dinge te doen wat nodig is ten einde vas te stel of hierdie Ooreenkoms nagekom word, en niemand mag 'n valse verklaring aan sodanige agent in verband met sy ondersoek doen nie.

KLOUSULE 8.—VERTONING VAN OOREENKOMS

Elke werkgewer moet 'n eksemplaar van hierdie Ooreenkoms, in die vorm by die regulasies ingevolge die Wet voorgeskryf, in leesbare druk en in albei amptelike tale van die Republiek van Suid-Afrika, op 'n opvallende plek in sy perseel opplak en opgeplak hou.

Namens die partye op hede die 18de dag van April 1980 te Johannesburg onderteken.

F. J. HACKNEY, President van die Raad.
W. DE KLERK, Vise-president van die Raad.
H. C. L. LOOCK, Sekretaris van die Raad.

AANHANGSEL A VAN DIE MOTORWERKERSPENSIOEN-FONDS-OOREENKOMS

AANSOEK OM REGISTRASIE AS LID

Fondsnummer.....
Vakverenigingnummer.....
Identiteitsnummer.....
Familiernaam.....
Voornaam.....
Geboortedatum.....(jaar).....(maand).....(dag)
Geslag (man of vrou).....
Werkzaam by (werkgewer se naam en adres).....
Beroep.....
Aansoeker se huisadres.....

Ek, die ondergetekende, lid van die.....*
doen hierby aansoek om as lid van die Motorwerkerspensioenfonds geregistreer te word en ek onderneem om die Reëls van die Fonds na te kom wat van tyd tot tyd van krag is.

Was u voorheen in die Motornywerheid werkzaam?.....
As die antwoord "Ja" is, meld die werkgewer se naam en adres.....

(8) Should any amount due in terms of this clause not be received by the Council by the 15th day of the month following the month in respect of which it is payable, the employer shall pay interest on such amount or on such lesser amount as remains unpaid, calculated at the rate of $1\frac{1}{2}$ per cent per month or part thereof from such 15th day until the day upon which payment in cash is actually received by the Regional Council concerned: Provided that a Regional Council shall be entitled in its absolute discretion to waive the payment of such interest or part thereof.

CLAUSE 6.—ADMINISTRATION

(1) The Fund shall be administered in accordance with rules approved by the Council, which rules shall not be inconsistent with the provisions of this Agreement or of the Act, and a copy of the rules and details of any amendments to them shall be lodged with the Director-General of Manpower Utilisation.

(2) In the event of the dissolution of the Council or in the event of its ceasing to function during the currency of this Agreement, the Industrial Registrar may appoint the Company to perform the functions of the Council in respect of this Agreement. If the Company is unwilling or unable to undertake the performance of such functions, the Industrial Registrar may appoint a trustee or trustees to perform the Council's functions. The Company or the trustee(s) so appointed shall have all the powers vested in the Council for purposes of this Agreement.

CLAUSE 7.—AGENTS

The Council or any Regional Council may appoint one or more specified persons as agents to assist in giving effect to the terms of this Agreement, and it shall be the duty of every employer and every employee to permit such persons to enter such premises, institute and complete such enquiries and to examine such documents, books, wage sheets, time sheets and pay tickets, and to interrogate such individuals and to do all such acts as may be necessary for the purposes of ascertaining whether the provisions of this Agreement are being observed, and no person shall make a false statement to such agent in connection with his investigations.

CLAUSE 8.—EXHIBITION OF AGREEMENT

Every employer shall affix and keep affixed in some conspicuous place upon his premises, a copy of this Agreement in the form prescribed by the Regulations under the Act, in legible characters, in both official languages of the Republic of South Africa.

Signed at Johannesburg on behalf of the parties this 18th day of April 1980.

F. J. HACKNEY, President of the Council.
W. DE KLERK, Vice-President of the Council.
H. C. L. LOOCK, Secretary of the Council.

ANNEXURE A TO THE AUTO WORKERS' PENSION FUND AGREEMENT

APPLICATION FOR REGISTRATION AS A MEMBER

Fund No.....
Union No.....
Identity No.....
Surname.....
First names.....
Date of birth.....(year).....(month).....(day)
Sex (state male or female).....
Employed by (employer's name and address).....
Occupation.....
Applicant's private address.....

I, the undersigned, a member of the.....*
hereby apply to be registered as a member of the Auto Workers' Pension Fund and agree to abide by the provisions of the Fund's Rules in force from time to time.

Were you employed in the Motor Industry previously?.....
If answer is "Yes", state name and address of employer.....

As my bevoordeelde ingeval ek te sterwe sou kom, benoem ek:
 Voorname (Mnr./Mev./Mej.).....
 Familiernaam.....
 Verwantskap (vrou, man, vader, moeder, seun, dogter, na gelang van die geval).....
 Adres.....
 Bevoordeelde se identiteitsnommer (indien van toepassing).....
 Datum.....
 (Lid se naamtkening)

* Vul naam van vakvereniging in indien van toepassing.

SLEGS VIR KANTOORGEBRUIK

Datum van ontvangs..... Datum van registrasie.....
 Datum van eerste betaling..... Retroernommer.....

Nadat dit ingevul is, moet hierdie vorm gestuur word aan:

Die Streeksekretaris
 Nasionale Nywerheidsraad vir die Motornywerheid
 (Streek.....)
 Posbus.....

No. R. 1511

25 Julie 1980

WET OP NYWERHEIDSVERSOENING, 1956

MOTORNYWERHEID.—WYSIGING VAN PENSIOENFONDSOOREENKOMS

Ek, Stephanus Petrus Botha, Minister van Mannekragbenutting, verklaar hierby, kragtens artikel 48 (1) (a) van die Wet op Nywerheidsversoening, 1956, dat die bepalings van die Ooreenkoms (hierna die Wysigings-ooreenkoms genoem) wat in die Bylae hiervan verskyn en op die Motornywerheid betrekking het, met ingang van 28 Julie 1980 en vir die tydperk wat op 30 Junie 1984 eindig, bindend is vir die werkgewersorganisasies en die vakverenigings wat die Wysigingsooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van genoemde organisasies of verenigings is.

S. P. BOTHA, Minister van Mannekragbenutting.

BYLAE

DIE NASIONALE NYWERHEIDSRAAD VIR DIE MOTORNYWERHEID

PENSIOENFONDSOOREENKOMS VIR DIE MOTORNYWERHEID

ingevolge die Wet op Nywerheidsversoening, 1956, gesluit deur en aangegaan tussen die

South African Motor Industry Employers' Association
 en die

South African Vehicle Builders' and Repairers' Association
 (hierna die "werkgewers" of die "werkgewersorganisasies" genoem), aan die een kant, en die

Motor Industry Employees' Union of South Africa
 en die

Motor Industry Combined Workers' Union

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

wat die partye is by die Nasionale Nywerheidsraad vir die Motornywerheid,

om die Pensioenfondsooreenkoms vir die Motornywerheid, herbekragtig by Goewermentskennisgewing R. 2140 van 14 November 1975, soos gewysig en verleng by Goewermentskennisgewings R. 1033 van 17 Junie 1977, R. 356 van 3 Maart 1978 en R. 890 van 27 April 1979, soos volg te wysig:

I nominate as my beneficiary in the event of my death:

First names (Mr/Mrs/Miss).....
 Surname.....
 Relationship (state: wife, husband, father, mother, son, daughter, as the case may be).....
 Address.....
 Identity No. of beneficiary (where applicable).....

Date.....
 (Member's signature)

* Please insert name of trade union if applicable.

FOR OFFICE USE ONLY

Date received..... Date registered.....
 Date of first payment..... Return No.....

When completed, this form must be sent to:

The Regional Secretary,
 National Industrial Council for the Motor Industry
 (.....Region)
 P.O. Box.....

No. R. 1511

25 July 1980

INDUSTRIAL CONCILIATION ACT, 1956

MOTOR INDUSTRY.—AMENDMENT OF PENSION FUND AGREEMENT

I, Stephanus Petrus Botha, Minister of Manpower Utilisation, hereby, in terms of section 48 (1) (a) of the Industrial Conciliation 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 Motor Industry, shall be binding, with effect from 28 July 1980 and for the period ending 30 June 1984, upon the employers' organisations and the trade unions which entered into the Amending Agreement and upon the employers and employees who are members of the said organisations or unions.

S. P. BOTHA, Minister of Manpower Utilisation.

SCHEDULE

THE NATIONAL INDUSTRIAL COUNCIL FOR THE MOTOR INDUSTRY

MOTOR INDUSTRY PENSION FUND AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act, 1956, made and entered into by and between the
 South African Motor Industry Employers' Association

and the

South African Vehicle Builders' and Repairers' Association
 (hereinafter referred to as the "employers" or the "employers' organisations") of the one part, and the

Motor Industry Employees' Union of South Africa
 and the

Motor Industry Combined Workers' Union
 (hereinafter referred to as the "employees" or the "trade unions"), of the other part,

being parties to the National Industrial Council for the Motor Industry,

to amend the Motor Industry Pension Fund Agreement, re-enacted by Government Notice R. 2140 of 14 November 1975 as amended and extended by Government Notices R. 1033 of 17 June 1977, R. 356 of 3 March 1978 and R. 890 of 27 April 1979, as follows:

1. KLOUSULE 3.—ALGEMENE BEPALINGS

Vervang klausule 3 deur die volgende:

"3. ALGEMENE BEPALINGS

Klousules 3 tot 4, 5 (soos hieronder gewysig) en 6 tot en met 9 van die Ooreenkoms gepubliseer by Goewermentskennisgewing R. 1060 van 21 Junie 1974 is bindend vir die werkgewers en werknemers."

2. KLOUSULE 5.—BYDRAES

Vervang subklousule (1) deur die volgende:

"(1) Elke vakman vir wie lidmaatskap van die Fonds verpligtend is ingevolge klausule 4 (1) moet 'n bedrag van R5 tot die Fonds bydra ten opsigte van elke week van sy diens in die Motornywerheid: Met dien verstande dat waar 'n vakman loon vir minder as 23 uur in 'n bepaalde week ontvang of geregtig is daarop, geen bydraes ten opsigte van so 'n week deur hom betaalbaar is nie."

Namens die partye op hede die 13de dag van November 1979 te Johannesburg onderteken.

F. J. HACKNEY, President van die Raad.

W. DE KLERK, Vice-president van die Raad.

H. C. L. LOOCK, Sekretaris van die Raad.

1. CLAUSE 3.—GENERAL PROVISIONS

Substitute the following for clause 3:

"3. GENERAL PROVISIONS

Clauses 3 to 4, 5 (as amended hereunder) and 6 to 9 inclusive of the Agreement published under Government Notice R. 1060 of 21 June 1974 shall be binding upon the employers and employees."

2. CLAUSE 5.—CONTRIBUTIONS

Substitute the following for subclause (1):

"(1) Every journeyman for whom membership of the Fund is compulsory in terms of clause 4 (1) shall contribute an amount of R5 to the Fund in respect of each week of his employment in the Motor Industry: Provided that where a journeyman receives or is entitled to receive wages for less than 23 hours in any week, no contributions shall be payable by him in respect of such week."

Signed at Johannesburg on behalf of the parties this 13th day of November 1979.

F. J. HACKNEY, President of the Council.

W. DE KLERK, Vice-President of the Council.

H. C. L. LOOCK, Secretary of the Council.

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