

REPUBLIC
OF
SOUTH AFRICA



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VAN
SUID-AFRIKA

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PRETORIA, 13 SEPTEMBER 1996

No. 17423

PROCLAMATION

by the

President of the Republic of South Africa

No. R. 53, 1996

COMMENCEMENT OF CERTAIN FURTHER SECTIONS OF THE LABOUR RELATIONS ACT, 1995 (ACT No. 66 OF 1995)

In terms of section 214 (2) of the Labour Relations Act, 1995 (Act No. 66 of 1995), read with section 13 (3) of the Interpretation Act, 1957 (Act No. 33 of 1957), I hereby determine **13 September 1996** as the date on which sections 122, 127, 128 and 132 of the said Act shall come into operation.

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

N. R. MANDELA

President

By Order of the President-in-Cabinet:

T. T. MBOWENI

Minister of the Cabinet

GOVERNMENT NOTICE

DEPARTMENT OF LABOUR

No. R. 1497

13 September 1996

LABOUR RELATIONS ACT, 1995 (ACT No. 66 OF 1995)

REGULATIONS

The Minister of Labour has under section 208 of the Labour Relations Act, 1995 (Act No. 66 of 1995), and after consulting NEDLAC made the Regulations in the Schedule.

SCHEDULE

1. DEFINITIONS

In these regulations, any word or expression to which a meaning is given in this Act has that meaning, unless the context otherwise indicates -

"the Act" means the Labour Relations Act, 1995, (Act No. 66 of 1995); and

"Annexure" means a document attached to these regulations.

2. FORM OF REQUESTS AND APPLICATIONS

Whenever a request or application is contemplated in terms of a section of the Act shown in column 1 of Table LRA 1, for a purpose listed in column 2 of that Table, the request or application must be in the form of the annexure listed opposite that section number in column 3 of that Table and must be completed subject to any conditions listed opposite that section number in column 4 of that Table.

TABLE LRA 1 - TABLE OF REQUESTS AND APPLICATIONS

127(1)	Application by council for accreditation.	LRA 61	Attach a copy of the certificate of registration, council's code of conduct and the motivation for accreditation to the form.
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127(1)	Application by private agency for accreditation.	LRA 62	Attach a copy of the certificate of registration, agency's code of conduct and the motivation for accreditation to the form.
132(1)	Application by accredited council for a subsidy.	LRA 68	Attach certificate of accreditation (if applicable).
132(1)	Application by accredited agency for a subsidy.	LRA 69	Attach certificate of accreditation (if applicable).

3. FORM OF CERTIFICATES OR PARTICULARS

Whenever a certificate or statement of particulars is contemplated in terms of a section of the Act shown in column 1 of Table LRA 2, for a purpose listed in column 2 of that Table, the document must be in the form of the annexure listed opposite that section number in column 3 of that Table and must be completed subject to any conditions listed opposite that section number in column 4 of that Table.

TABLE LRA 2 - TABLE OF CERTIFICATES AND PARTICULARS

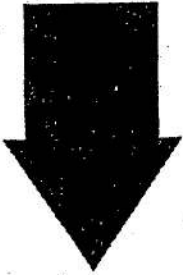
127(5)(a)(ii)	Certificate of Accreditation of council.	LRA 63	Must include terms of accreditation.
127(5)(a)(ii)	Certificate of Accreditation of private agency.	LRA 64	Must include terms of accreditation.

4. SHORT TITLE AND COMMENCEMENT

These regulations are called the Labour Relations Regulations and come into operation on 13 September 1996.

LRA Form 61
Section 51(1) and 127(1)
Labour Relations Act, 1995

READ THIS FIRST



**WHAT IS THE PURPOSE
OF THIS FORM?**

This form allows a Council to apply to the Governing Body of the CCMA for accreditation to perform various dispute resolution functions.

**WHO FILLS IN
THIS FORM?**

The chairperson of the Council.

**WHERE DOES THIS
FORM GO?**

Governing Body, CCMA
 Private Bag X94
 Marshalltown
 2107

OTHER INSTRUCTIONS

A copy of the certificate of registration, a motivation for accreditation and the Council's code of conduct must be attached to this form.

List the conciliation and arbitration dispute functions the Council wants to perform.

Note that the Council cannot include disputes listed in Section 127(2). Examples of these are disputes dealing with agency shops and closed shops, pickets and the demarcation of sectors and areas of councils.



**COUNCIL APPLIES FOR
ACCREDITATION AS
DISPUTE-RESOLVING BODY**



1) COUNCIL DETAILS

Name:

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Address (postal and street)

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Tel: Fax:

Contact person:

Reference number:

**2) ACCREDITATION IS SOUGHT FOR THESE DISPUTE-
RESOLUTION FUNCTIONS (Disputes involving non-parties to the
Council - see section 51(2) and Form 23)**

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CCMA Ref. No.

... please turn over →

READ THIS FIRST

LRA Form 61
 Council applies for accreditation of dispute-resolving body
 Page 2 of 3

The Council may appoint another agency to perform some of its functions. If this Council wants to appoint another agency its details must be included.

The scope of the appointment in terms of area, type of function and categories of dispute must also be included.



3) DETAILS OF ACCREDITED AGENCY APPOINTED BY COUNCIL (If any)

Name:

Address (postal and street)

Tel: Fax:

The scope of the appointment including categories of dispute:

4) NUMBERS OF EMPLOYEES AND EMPLOYERS COVERED BY COUNCIL

	The number of employees and employers within the Council's registered scope	The number of employers who are not members of the employers' organisation in the Council and the number of their employees	The number of employees who are not members of unions in the Council.
Employees			
Employers			N/A

... please turn over →

5) MOTIVATION

a) Prepare a motivation for the governing body of the CCMA which deals the issues raised in Section 127(4) of the LRA.

Some of these issues are:

- the standard of services
- the independence of those who perform the functions for which the Bargaining Council seeks accreditation
- an acceptable code of conduct
- acceptable disciplinary procedures
- the representivity of the service

b) Describe management and human resource capacity

Provide information on -

the committee or body that will perform dispute resolution (provide information on the name of the committee/body, how its affairs will be governed, how it will be resourced in terms of administrative staff, premises, other facilities, etc);

information relating to the conciliators and arbitrators (provide the names of dispute resolvers, their qualifications, training and experience; supply details, if applicable, of the steps the applicant is taking to promote a service comprising practitioners broadly representative of South African society);

training (supply details of initial and ongoing training, or training opportunities, available to conciliators and arbitrators).

the extent to which the provisions of each section in Part C of Chapter 7 of the Act should be made applicable to it - see S127(6). Please motivate.

Form submitted by:

Name:

Signature:

Position:

Date:

Place:

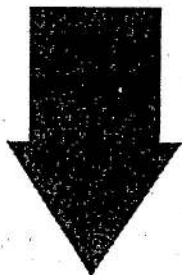
CHECK!

Have you attached to this form:

- * a copy of the certificate of registration
- * a motivation for accreditation
- * the Council's code of conduct

LRA Form 62
Section 127(1)
Labour Relations Act, 1995

READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form allows a private agency to apply to the Governing Body of the CCMA for accreditation to perform various dispute resolution functions.

WHO FILLS IN THIS FORM?

The chairperson of the private agency.

WHERE DOES THIS FORM GO?

Governing Body of the CCMA
Private Bag X94
Marshalltown
2107

OTHER INSTRUCTIONS

A copy of the certificate of registration, a motivation for accreditation and the private agency's code of conduct must be attached to this form.

PRIVATE AGENCY APPLIES FOR ACCREDITATION



1) PRIVATE AGENCY DETAILS

Name:

Legal status (company, cc, trust, etc):

Date of formation:

Physical address:

Postal address:

Tel: Fax:

Contact person:

Reference number:

Full names of directors, members, trustees or partners:

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CCMA Ref. No.

please turn over →

READ THIS FIRST



The nature of the business/activities engaged in by the private agency (provide a description of the range of services offered):

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2) ACCREDITATION IS SOUGHT FOR THESE DISPUTE RESOLUTION FUNCTIONS

List the conciliation and arbitration dispute functions the private agency wants to perform, and on whose behalf it will be performing those functions. These must be the dispute functions for which the private agency wants accreditation.

Note that the private agency cannot include disputes listed in Section 127(2). Examples of these are disputes dealing with agency shops and closed shops, pickets and the demarcation of sectors and areas of councils.

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READ THIS FIRST



LRA Form 62
Private agency applies for accreditation
Page 3 of 4

Provide details on the areas (sectors, provinces, centres and districts) of operation.

3) INFORMATION ON AREA OF OPERATION

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4) MOTIVATION

a) Prepare a motivation for the governing body of the CCMA which deals the issues raised in Section 127(4) of the LRA.

These issues are

- the standard of services
- the independence of those who perform the functions for which the Agency seeks accreditation
- an acceptable code of conduct
- acceptable disciplinary procedures
- the representivity of the service

b) Describe management and human resource capacity

Provide information on-

the committee or body that will perform dispute resolution (provide information on the name of the committee/body, how its affairs will be governed, how it will be resourced in terms of administrative staff, premises, other facilities, etc);

information relating to the conciliators and arbitrators (furnish the names of the individuals the applicant proposes using as dispute resolvers, along with particulars of each individual's qualifications, training and experience; supply details, if applicable, of the steps the applicant is taking to promote a service comprising practitioners broadly representative of South African society);

training (supply details of initial and ongoing training, or training opportunities, available to conciliators and arbitrators.

.. please turn over →

READ THIS FIRST



those sections of Part C of Chapter 7 of the Act which the applicant believes should not be made applicable to it- see S127(6). Please motivate.

c) **Provide information on service users:** for example particular councils, parties in particular sectors, industries and services.

Form submitted by:

Name:

Signature:

Position:

Date:

Place:

CHECK!

Have you attached to this form:

- * a copy of the certificate of registration
- * a motivation for accreditation
- * the agency's code of conduct

Form 63
Labour Relations Act, 1995
Section 127(5)(a)(ii)

CERTIFICATE OF ACCREDITATION OF COUNCIL

This is to certify that

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.....
.....
(name of applicant)

has in terms of section 127 of the Labour Relations Act, 1995, been accredited to
perform dispute resolution functions subject to the terms set out in the accompany-
ing attachment. This certificate is valid from

..... to



(Official stamp of CCMA)

Director, CCMA
Private Bag X94
Marshalltown
2107

Date:

Reference number:

.....

Form 64
Labour Relations Act, 1995
Section 127(5)(a)(ii)

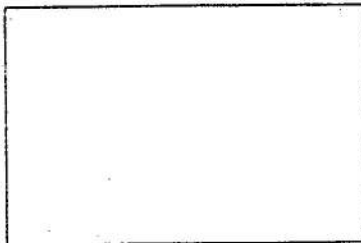
CERTIFICATE OF ACCREDITATION OF PRIVATE AGENCY

This is to certify that

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.....
(name of applicant)

has in terms of section 127 of the Labour Relations Act, 1995, been accredited to perform dispute resolution functions subject to the terms set out in the accompanying attachment. This certificate is valid from

..... to



(Official stamp of CCMA)

Director, CCMA
Private Bag X94
Marshalltown
2107

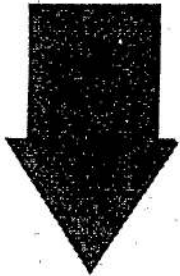
Date:

Reference number:

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LRA Form 68
Section 132(1)
Labour Relations Act, 1995

READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form allows a Council to apply to the Governing Body of the CCMA for a subsidy to perform dispute resolution functions and train people to perform these functions.

WHO FILLS IN THIS FORM?

An accredited Council or a Council applying for accreditation.

WHERE DOES THIS FORM GO?

Governing Body, CCMA
Private Bag X94
Marshalltown
2107

OTHER INSTRUCTIONS

The Council must send:
* the form and
* the current certificate of accreditation (if applicable) as well as any additional information which the Council wants to bring to the attention of the Governing Body.

COUNCIL APPLIES FOR DISPUTE RESOLUTION SUBSIDY



1) COUNCIL DETAILS

Name:

Address (postal and street)

Tel: Fax:

Contact person:

Reference number:

2) DISPUTE RESOLUTION FUNCTIONS FOR WHICH COUNCIL IS ACCREDITED OR SEEKING ACCREDITATION

Is the Council already accredited to perform particular dispute resolution functions?

Yes ☐

No ☐

If yes attach the certificate of accreditation.

Are any dispute resolution functions of the Council performed by an accredited agency?

Yes ☐

No ☐

If yes, name the agency and describe those dispute resolution functions

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.....

CCMA Ref. No.

... please turn over →

Is the council currently applying for accreditation to perform dispute resolution functions?

Yes ☐
No ☐

If yes, attach the relevant application for accreditation.

3) DISPUTE RESOLUTION CASE LOAD

What period does the estimate cover? (Note: the period should end with the close of the CCMA's financial year, ie 31 March)

.....

Accredited functions

Provide best estimates of the number of cases the Council expects to deal with in respect of its accredited functions, as follows:

Section	Dispute	No. of Cases	Total Days spent conciliating	Total Days spent arbitrating
9(1)	Freedom of association and general protections			n/a
24(1)	Interpretation or application of collective agreement			
51(3) and 64 (1)	Any matter of mutual interest			
74(1) and (4)	Essential service dispute			
191(1)	Unfair dismissal			
196(6)	Severance pay			
Sch 7, item 3(1)	Unfair labour practices			
Total				

Form 68

Council applies for dispute resolution subsidy

Page 3 of 5

Other dispute resolution functions

Provide best estimates of the number of cases the Council expects to deal with in respect of its other dispute resolution functions as follows:

Section	Dispute	No. of Cases	Total days spent conciliating	Total Days spent arbitrating	Total days other forms of dispute resolution (specify)
9(1)	Freedom of association and general protections				
24(1)	Interpretation or application of collective agreement				
51(3) and 64(1)	Any matter of mutual interest				
74(1) and (4)	Essential service disputes				
191(1)	Unfair dismissal				
196(6)	Severance pay				
Sch 7, item 3(1)	Unfair labour practices				
Other (specify)					
Total					

... please turn over →

4) BUDGET SUMMARY FOR THE PERIOD COVERED IN (3) ABOVE
(Elaborate on these estimates in a supporting annexure)

Anticipated expenses:

Function	Cost per day (accredited functions)	Cost per day (Other functions)	Total cost	
			Accredited functions	Other functions
Conciliation				
Arbitration				
Other (specify)	n/a			
Training	n/a	n/a		
Admin and infrastructure costs	n/a	n/a		
Total	n/a	n/a		

Grand Total	
-------------	--

Anticipated income

The Councils dispute resolution work will be financed as follows:

(In Rands and as a percentage of the total dispute resolution budget. Supply further details if appropriate)

	Accredited functions		Unaccredited functions	
	In Rands	In %	In Rands	In %
Levies on employers				
User charges	s140(2)	s140(2)		
Commission subsidy				
Other _____				
TOTAL				

Form 68
Council applies for dispute resolution subsidy
Page 5 of 5

The levy per employee will be:

non-union employees

union employees

The levy rate per employer will be:

non-member of party employers' organisation

member of party employers' organisation

5) DETAILS OF SUBSIDY REQUIRED

Provide a financial breakdown of subsidy requested:

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6) MOTIVATION

Motivate your application. In addition, cover the issues raised in S132(3)
In brief these are:

- * the need for your services
- * the reasons for seeking the subsidy
- * the amount requested
- * capacity to deal with finances responsibly.

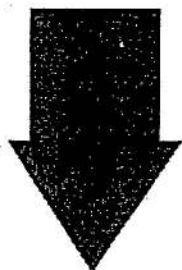
CHECK!

Have you attached your current certificate of accreditation?

Have you attached your motivation (see Section 132(3))?

LRA Form 69
Section 132(1)
Labour Relations Act, 1995

READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form allows an accredited agency or an agency applying for accreditation to apply to the Governing Body of the CCMA for a subsidy to perform dispute resolution functions and train people to perform these functions.

WHO FILLS IN THIS FORM?

An accredited agency or an agency applying for accreditation.

WHERE DOES THIS FORM GO?

Governing Body, CCMA
Private Bag X94
Marshalltown
2107

OTHER INSTRUCTIONS

The agency must send:

- * the form and
- * the current certificate of accreditation (if applicable) as well as
- * any additional information which the Council wants to bring to the attention of the Governing Body.

PRIVATE AGENCY APPLIES FOR DISPUTE RESOLUTION SUBSIDY



1) AGENCY DETAILS

Name:

.....

Address (postal and street)

.....

.....

Tel: Fax:

Contact person:

Reference number:

2) DISPUTE RESOLUTION FUNCTIONS FOR WHICH AGENCY IS ACCREDITED OR SEEKING ACCREDITATION

Is the agency already accredited to perform dispute resolution functions?

Yes ☐

No ☐

If yes attach the certificate of accreditation.

Is the agency currently applying for accreditation to perform dispute resolution functions?

Yes ☐

No ☐

If yes, attach the relevant application for accreditation.

CCMA Ref. No.

... please turn over →

Form 69

Private Agency applies for dispute resolution subsidy

Page 2 of 2

3) ATTACHMENTS**a) Budget**

Prepare a budget which should include details on:

- * the anticipated total number of days spent on dispute resolution work (average case length x number of cases)
- * the total fees bill for conciliators and arbitrators (consider daily rates and retainer fees)
- * administrative and infrastructural costs
- * training costs
- * income for accredited dispute resolution work.

b) Motivation

Motivate your application. In addition, cover the issues raised in Section 132(3).

In brief these are:

- * the need for your services
- * the reasons for seeking the subsidy
- * the amount requested
- * capacity to deal with finances responsibly.

Form submitted by:

Name:

Signature:

Position:

Date:

Place:

CHECK!

Have you attached your current certificate of accreditation?

Have you attached your budget?

Have you attached your motivation (see Section 132(3))?

PROKLAMASIE*van die**President van die Republiek van Suid-Afrika***No. R. 53, 1996****INWERKINGTREDING VAN SEKERE VERDERE BEPALINGS VAN DIE
WET OP ARBEIDSVERHOUDINGE, 1995 (WET No. 66 VAN 1995)**

Kragtens artikel 214 (2) van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), gelees met artikel 13 (3) van die Interpretasie Wet, 1957 (Wet No. 33 van 1957), bepaal ek hierby **13 September 1996** as die datum waarop artikels 122, 127, 128 en 132 van genoemde Wet in werking tree.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Kaapstad, op hede die Vierde dag van September Eenduisend Negehoonderd Ses-en-negentig.

N. R. MANDELA**President**

Op las van die President-in-Kabinet:

T. T. MBOWENI**Minister van die Kabinet**

GOEWERMENSKENNISGEWING

DEPARTEMENT VAN ARBEID**No. R. 1497****13 September 1996****WET OP ARBEIDSVERHOUDINGE, 1995 (WET No. 66 VAN 1995)****REGULASIES**

Die Minister van Arbeid het kragtens artikel 208 van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), en na oorlegpleging met NEOAR die Regulasies in die Bylae uitgevaardig.

BYLAE**1. WOORDOMSKRYWINGS**

In hierdie regulasies het enige woord of uitdrukking waaraan 'n betekenis in die Wet geheg word daardie betekenis en tensy dit uit die samehang anders blyk beteken -

"die Wet" die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995); en

"Aanhangsel" 'n dokument geheg aan hierdie Regulasies.

2. VORM VAN VERSOEKE EN AANSOEKE

Wanneer 'n versoek of aansoek vereis ingevolge 'n artikel van die Wet, getoon in kolom 1 van Tabel WAV 1, vir 'n doel in kolom 2 van daardie Tabel gelys, moet die versoek of aansoek in die vorm wees van die bylae teenoor die artikelnommer in kolom 3 van daardie Tabel gelys en moet voltooi word onderworpe aan die voorwaardes gelys teenoor daardie artikelnommer in kolom 4 van daardie Tabel.

TABEL WAV 1 - TABEL VAN VERSOEKE EN AANSOEKE

127(1)	Aansoek deur raad om akkredireting.	WAV 61	Heg 'n afdruk van die raad se registrasiesertifikaat, raadsgedragskode en die motivering vir akkreditering aan die vorm.
--------	-------------------------------------	--------	--

127(1)	Aansoek deur private agentskap om akkreditering.	WAV 62	Heg 'n afdruk van die registrasiesertifikaat, raadsgedragskode en die motivering vir akkreditering aan die vorm.
132(1)	Aansoek deur geakkrediteerde raad om 'n subsidie.	WAV 68	Heg akkrediteringsertifikaat aan (indien toepaslik).
132(1)	Aansoek deur geakkrediteerde agentskap om subsidie.	WAV 69	Heg akkrediteringsertifikaat aan (indien van toepaslik).

3. VORM VAN SERTIFIKATE OF BESONDERHEDE

Wanneer 'n sertifikaat of staat van besonderhede soos vereis ingevolge 'n artikel van die Wet getoon in kolom 1 van Tabel LRA 2, vir 'n doel in kolom 2 van daardie Tabel gelys, moet die dokument in die vorm van die bylae gelys teenoor die artikelnommer in kolom 3 van daardie Tabel wees en moet voltooi word onderworpe aan enige voorwaardes teenoor daardie artikelnommer in kolom 4 van daardie Tabel gelys.

TABEL WAV 2 - TABEL VAN SERTIFIKATE EN BESONDERHEDE

127(5)(a)(ii)	Akkrediteringsertifikaat van raad.	WAV 63	Moet akkrediteringsvoorwaardes insluit.
127(5)(a)(ii)	Akkrediteringsertifikaat van private agentskap.	WAV 64	Moet akkrediteringsvoorwaardes insluit.

4. KORT TITEL EN INWERKINGTREDING

Hierdie Regulasies heet die Arbeidsverhoudinge Regulasies en tree in werking op 13 September 1996.

WAV-Vorm 61
Artikels 51(1) en 127(1)
Wet op Arbeidsverhoudinge,
1995

LEES EERS HIER



WAT IS DIE DOEL VAN
HIERDIE VORM?

Hierdie vorm maak dit vir 'n raad moontlik om by die Beheerliggaam van die KVBA om akkreditering aansoek te doen om verskeie geskilbeslegtingswerkzaamhede uit te voer.

WIE MOET HIERDIE
VORM INVUL?

Die Voorsitter van die Raad

AAN WIE MOET HIERDIE
VORM GESTUUR WORD?

Die Beheerliggaam, KVBA
Privaatsak X94
Marshalltown
2107

VERDERE INSTRUKSIES

'n Afskrif van die registrasiesertifikaat, 'n motivering vir akkreditering en die Raad se gedragskode moet by hierdie vorm aangeheg word.

Maak 'n lys van die versoenings- en arbitrasiegeskilwerkzaamhede wat die Raad wil uitvoer.

Let daarop dat die Raad nie geskille wat in artikel 127(2) gelys is, mag insluit nie. Voorbeelde hiervan is geskille oor agentskapwerkplekke en geslote geleedere, betooglinies en die afbakening van sektore en gebiede van rade

RAAD DOEN AANSOEK OM AKKREDITERING AS GESKIL- BESLEGTIGINGSLIGGAAM



1) BESONDERHEDE VAN RAAD

Naam:

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Adres (pos- en straatadres).....

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Tel: Faks:

Kontakpersoon:

Verwysingsnommer:

2) AKKREDITERING WORD VERLANG VIR DIE VOLGENDE GESKILBESLEGTINGSWERKSAAMHEDE (Gesille waarby nie-partye by die Raad betrokke is - kyk artikel 51(2) en vorm 23)

.....

.....

.....

KVBA-verwysingsnommer

Blaai asseblief om→.

WAV-Vorm 61

Raad doen aansoek om akkreditering as geskilbeslegtingsliggaam
Bladsy 2

LEES EERS HIER



Die Raad kan 'n ander agentskap aanstel om sommige van sy werksaamhede te verrig. Indien hierdie Raad 'n ander agentskap wil aanstel, moet die besonderhede van die agentskap ingesluit word.

Die bestek van die aanstelling ooreenkomstig gebied, tipe werksaamheid en kategorieë van geskil moet ook ingesluit word.

3) BESONDERHEDE VAN GEAKKREDITEERDE AGENTSKAP AANGESTEL DEUR RAAD (indien wel)

Naam:

Adres (pos- en straatadres)

Tel: Faks:

Die bestek van die aanstelling, met inbegrip van kategorieë van geskil:

4) GETAL WERKNEMERS EN WERKGEWERS GEDEK DEUR RAAD

	Die getal werknemers en werkgewers binne die geregistreerde bestek van die Raad	Die getal werkgewers wat nie lede van die werkgewers-organisasie in die Raad is nie en die getal werknemers in hulle diens	Die getal werknemers wat nie lede van vakbonde in die Raad is nie.
Werknemers			
Werkgewers			Nvt

Blaai asseblief om→

WAV-Vorm 61

Raad doen aansoek om akkreditering as geskilbeslegtingsliggaam
Bladsy 3

5) MOTIVERING

- a) Stel 'n motivering op vir die beheerliggaam van die KVBA wat die vraagstukke hanteer wat in artikel 127(4) van die WAV ter sprake is.

Sommige van hierdie vraagstukke is -

- * die standaard van dienste
- * die onafhanklikheid van die personeel van die Raad
- * 'n aanvaarbare gedragskode
- * aanvaarbare dissiplinêre prosedures
- * die verteenwoordigendheid van die diens

- b) Beskryf bestuur en menslikehulpbronvermoë
Verskaf inligting oor -

die komitee of liggaam wat geskilbeslegting sal uitvoer (verskaf inligting oor die naam van die komitee/liggaam, hoe sy sake beheer sal word, hoe hulpbronne ten opsigte van administratiewe personeel, persele, ander fasiliteite, ens. verskaf sal word);

inligting in verband met die versoeners en arbiters (verskaf die name van geskilbeslegters, hulle kwalifikasies, opleiding en ondervinding; verskaf besonderhede, indien van toepassing, van die stappe wat die aansoeker doen ter bevordering van 'n diens deur praktisyns wat oor die algemeen verteenwoordigend van die Suid-Afrikaanse samelewing is);

opleiding (verskaf besonderhede van aanvanklike en voortgesette opleiding, of opleidingsgeleenthede, beskikbaar vir versoeners en arbiters); en

die mate waarin die bepalinge van elke artikel van Deel C van Hoofstuk 7 van die Wet op hom van toepassing gemaak behoort te word - kyk A127(6). Motiveer asseblief.

Vorm ingedien deur:

Naam:

Handtekening:

Posisie:

Datum:

Plek:

MAAK SEKER!

- * Het u by hierdie vorm aangeheg -
- * 'n afskrif van die registrasiesertifikaat
- * 'n motivering vir akkreditering
- * die Raad se gedragskode

WAV-Vorm 62

Artikel 127(1)

Wet op Arbeidsverhoudinge, 1995

LEES EERS HIER

WAT IS DIE DOEL VAN
HIERDIE VORM?

Hierdie vorm maak dit vir 'n private agentskap moontlik om by die Beheerliggaam van die KVBA aansoek te doen om akkreditering om verskeie geskilbeslegtingswerk-saamhede te verrig.

WIE VUL HIERDIE VORM IN?

Die Voorsitter van die private agentskap.

AAN WIE MOET HIERDIE
VORM GESTUUR WORD?

Die Beheerliggaam van die KVBA
Privaatsak X94
Marshalltown
2107

VERDERE INSTRUKSIES

'n Afskrif van die registrasie-sertifikaat, 'n motivering vir akkreditering en die private agentskap se gedragskode moet by hierdie vorm aangeheg word.

PRIVATE AGENTSKAP DOEN AANSOEK OM AKKREDITERING



1) BESONDERHEDE VAN AGENTSKAP

Naam:

Regstatus (maatskappy, BK, trust, ens.):

Datum van stigting:

Fisiese adres:

Posadres:

Tel: Faks:

Kontakpersoon:

Verwysingsnommer:

Volle name van direkteure, lede, trustees of vennote:

KVBA-verwysingsnommer:

Blaai asseblief om→

WAV-Vorm 62

Private agentskap doen aansoek om akkreditering
Bladsy 2

LEES EERS HIER



Die aard van die besigheid/aktiwiteite waarmee die private agentskap besig is (verskaf 'n beskrywing van die verskeidenheid dienste wat aangebied word):

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2) **AKKREDITERING WORD VERLANG VIR
HIERDIE GESKILBESLEGTINGSWERKSAAM
HEDE**

Maak 'n lys van die versoenings- en arbitrasiegeskilwerkzaamhede wat die private agentskap wil verrig en ten behoewe van wie dit daardie werkzaamhede sal verrig.

Let daarop dat die private agentskap nie geskille wat in artikel 127(2) gelys is, mag insluit nie. Voorbeelde hiervan is geskille oor agentskap-werkplekke en geslote geledere, betooglinievorming en die afbakening van sektore en gebiede van rade.

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Blaai asseblief om →

WAV-Vorm 62

Private agentskap doen aansoek om akkreditering
Bladsy 3

LEES EERS HIER



3) INLIGTING OOR BEDRYFSGEBIED

Verskaf besonderhede oor
die bedryfsgebiede
(sektore, provinsies, sentra
en distrikte).

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4) MOTIVERING

a) Stel vir die beheerliggaam van die KVBA 'n motivering op
oor die kwessies wat in artikel 127(4) van die WAV geopper
word.

Hierdie kwessies is:

- * die standaard van dienste
- * die onafhanklikheid van die personeel van die agentskap
- * 'n aanvaarbare gedragskode
- * aanvaarbare dissiplinêre prosedures
- * die verteenwoordigendheid van die diens

b) Beskryf bestuurs- en menslikehulpbronvermoë
Verskaf inligting oor -

die komitee of liggaam wat geskilbeslegting sal verrig (verskaf
inligting oor die naam van die komitee/liggaam, hoe sy sake beheer
sal word, hoe hulpbronne ten opsigte van administratiewe personeel,
persele, ander fasiliteite, ens. verskaf sal word);

WAV-Vorm 62

Private agentskap doen aansoek om akkreditering
Bladsy 4

inligting in verband met die versoeners en arbiters (verskaf die name van die individue wat die aansoeker van voorneme is om as geskilbeslegters te gebruik, saam met besonderhede oor elke individu se kwalifikasies, opleiding en ondervinding; verskaf besonderhede, indien van toepassing, van die stappe wat die aansoeker doen ter bevordering van 'n diens deur praktisyns wat oor die algemeen verteenwoordigend van die Suid-Afrikaanse samelewing is);

opleiding (verskaf besonderhede van aanvanklike en voortgesette opleiding, of opleidingsgeleenthede, beskikbaar vir versoeners en arbiters en die artikels van Deel C van Hoofstuk 7 van die Wet wat die aansoeker meen nie daarop van toepassing gemaak moet word nie, of wat aangepas moet word voordat dit van toepassing gemaak word - sien artikel 127(6). Verskaf asseblief redes. Die volgende artikels, soos toepaslik verander, sal normaalweg op geakkrediteerde liggame van toepassing gemaak word: artikels 135-136, 138-146 en 149.

c) Verskaf inligting oor diensgebruikers: byvoorbeeld spesifieke rade, partye in spesifieke sektore, nywerhede en dienste.

Vorm ingedien deur:

Naam:

Handtekening:

Posisie:

Datum:

Plek:

MAAK SEKER!

Het u by hierdie vorm aangeheg:

- * 'n afskrif van die registrasiesertifikaat
- * 'n motivering vir akkreditering
- * die agentskap se gedragskode

WAV-Vorm 63
Wet op Arbeidsverhoudinge, 1995
Artikel 127(5)(a)(ii)

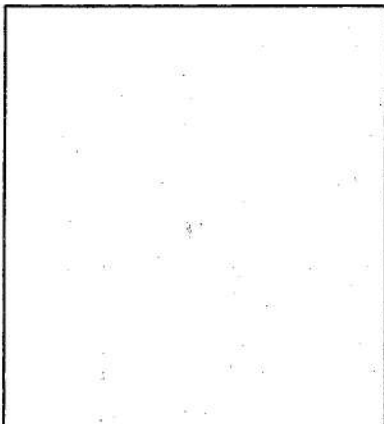
AKKREDITERINGSERTIFIKAAT VAN RAAD

Hierby word verklaar dat

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(naam van aansoeker)

ingevolge artikel 127 van die Wet op Arbeidsverhoudinge, 1995, geakkrediteer is om
geskilbeslegtingswerkzaamhede te verrig behoudens die voorwaardes uiteengesit in die
bygaande byvoegsel. Hierdie sertifikaat is van krag van

..... tot



(Amptelike stempel van KVBA)

Direkteur, KVBA
Privaatsak X94
Marshalltown
2107

Datum:

Verwysingsnommer:
.....

WAV-Vorm 64
Wet op Arbeidsverhoudinge, 1995
Artikel 127(5)(a)(ii)

AKKREDITERINGSERTIFIKAAT VAN PRIVATE AGENTSAP

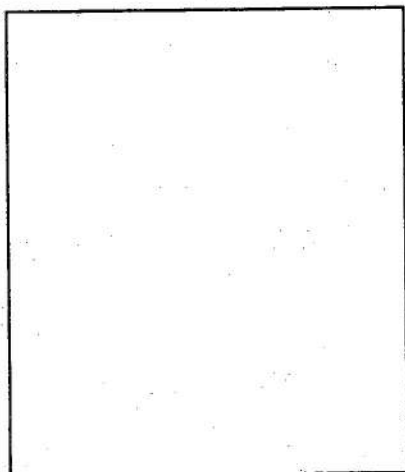
Hierby word verklaar dat

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(naam van aansoeker)

ingevoelge artikel 127 van die Wet op Arbeidsverhoudinge, 1995, geakkrediteer is om
geskilbeslegtingswerkzaamhede te verrig behoudens die voorwaardes uiteengesit in die bygaande
byvoegsel. Hierdie sertifikaat is van krag van

..... tot



(Amptelike stempel van KVBA)

Direkteur, KVBA
Privaatsak X94
Marshalltown
2107

Datum:

Verwysingsnommer:

.....

WAV-Vorm 68
Artikel 132(1)
Wet op Arbeidsverhoudinge,
1995

LEES EERS HIER



**WAT IS DIE DOEL VAN
HIERDIE VORM?**

Hierdie vorm laat toe dat 'n Raad by die Beheerliggaam van die KVBA aansoek kan doen om 'n subsidie vir die verrigting van geskilbeslegtingswerkzaamhede en vir die opleiding van persone om daardie werkzaamhede te verrig.

**WIE MOET HIERDIE
VORM INVUL?**

'n Geakkrediteerde raad of 'n raad wat om akkreditering aansoek doen.

**AAN WIE WORD DIE
VORM GESTUUR?**

Die Beheerliggaam, KVBA
Privaatsak X94
Marshalltown
2107

VERDERE INSTRUKSIES

Die Raad moet die volgende stuur:

- * Die vorm, en
- * die huidige akkrediteringsertifikaat (indien van toepassing) asook enige bykomende inligting wat die Raad onder die aandag van die beheerliggaam wil bring.

RAAD DOEN AANSOEK OM GESKILBESLEGTINGSUBSIDIE



1) BESONDERHEDE VAN RAAD

Naam:

Adres (pos- en straatadres)

Tel: Faks:

Kontakpersoon:

Verwysingsnommer:

2) GESKILBESLEGTINGSWERKSAAMHEDE WAARVOOR DIE RAAD GEAKKREDITEER IS OF AKKREDITERING WIL Hê

Is die Raad reeds geakkrediteer om bepaalde geskilbeslegtingswerkzaamhede te verrig?

Ja ☐

Nee ☐

Indien ja, heg die akkrediteringsertifikaat aan.

Word enige geskilbeslegtingswerkzaamhede van die Raad deur 'n geakkrediteerde agentskap verrig?

Ja ☐

Nee ☐

Indien ja, meld die agentskap en beskryf die geskilbeslegtingswerkzaamhede

.....

KVBA-verwysingsnommer:

Blaai asseblief om →

WAV-Vorm 68
Raad doen aansoek om geskilbeslegtingssubsidie
Bladsy 2

Doen die Raad tans aansoek om akkreditering om sy geskilbeslegtingswerkzaamhede te verrig?

Ja ☐

Nee ☐

Indien ja, heg die toepaslike akkrediteringsaansoek aan.

3) GESKILBESLEGTING SAAK LADING

Watter tydperk word deur die raming gedek? (Nota: die tydperk behoort te eindig saam met die afsluiting van die KVBA se boekjaar, dws 31 Maart)

.....

Geakkrediteerde funksies

Voorsien beste ramings van die aantal sake wat die Raad verwag om mee te handel ten opsigte van sy geakkrediteerde funksies, soos volg:

WAV-Vorm 68
Raad doen aansoek om geskilbeslegtingssubsidie
Bladsy 3

Artikel	Geskil	Getal sake	Totale dae op versoening bestee	Totale dae op arbitrasie bestee
9(1)	Vryheid om te verenig en ander algemene beskermings			nvt
24(1)	Interpretasie of toepassing van kollektiewe ooreenkoms			
51(3) en 64(1)	Enige aangeleentheid van onderlinge belang			
74(1) en (4)	Noodsaaklike dienste geskille			
191(1)	Onbillike ontslag			
196(6)	Uittreeloon			
Byl 7, item 3(1)	Onbillike arbeidspraktyke			
Totaal				

Ander geskilbeslegtingsfunksies

Voorsien beste raming van die aantal sake wat die Raad verwag om mee te handel ten opsigte van sy ander geskilbeslegtingsfunksies soos volg:

Blaai asseblief om→

WAV-Vorm 68
Raad doen aansoek om geskilbeslegtingsubsidie
Bladsy 4

Artikel	Geskil	Getal sake	Totale dae op versoening bestee	Totale dae op arbitrasie bestee	Totale dae op andere vorme van geskilbeslegting bestee (spesifiseer)
9(1)	Vryheid om te verenig en ander algemene beskermings				
24(1)	Interpretasie of toepassing van kollektiewe ooreenkoms				
51(3) en 64(1)	Enige aangeleentheid van onderlinge belang				
74(1) en (4)	Noodsaaklike dienste geskille				
191(1)	Onbillike ontslag				
196(6)	Uittreeloon				
Byl 7, item 3(1)	Onbillike arbeidspraktyke				
Ander (spesifiseer)					
Totaal					

4) BEGROTINGSOPSOMMING VIR DIE TYDPERK IN (3) HIERBO GEDEK

(Wei uit op hierdie beramings in 'n ondersteunende bylae)

Blaai asseblief om →

WAV-Vorm 68
Raad doen aansoek om geskilbeslegtingsubsidie
Bladsy 5

Verwagte uitgawes

Funksie	Koste per dag (geakkrediteerde funksies)	Koste per dag (ander funksies)	Totale koste	
			Geakkrediteerde funksies	Ander funksies
Versoening				
Arbitrasie				
Ander (spesifiseer)	nvt			
Opleiding	nvt	nvt		
Admin en infrastruktuur kostes	nvt	nvt		
Totaal	nvt	nvt		

Groot Totaal	
--------------	--

Verwagte inkomste

Die Raad se geskilbeslegtingswerk sal soos volg gefinansieer word:
(In Rande en as 'n persentasie van die totale geskilbeslegtingsbegroting. Voorsien verdere besonderhede indien toepaslik)

	Geakkrediteerde werksaamhede		Nie-geakkrediteerde werksaamhede	
	In rand	In %	In Rand	In %
Heffings op werkgewers				
Gebruikersheffings	A 140(2)	A 140(2)		
Kommissiesubsidie				
Ander _____				
TOTAAL				

Blaai asseblief om →

WAV-Vorm 68

*Raad doen aansoek om geskilbeslegtingsubsidie
Bladsy 6*

Die heffing per werknemer is soos volg:

nie-vakbondwerknemers

vakbondwerknemers

Die heffingskoers per werkgever is soos volg:

nie-lid van partywerkgewersorganisasie

lid van partywerkgewersorganisasie

5) BESONDERHEDE VAN SUBSIDIE WAT VERLANG WORD

Verskaf 'n finansiële ontleding van subsidie wat verlang word:

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6) MOTIVERING

Motiveer u aansoek. Dek verder die aangeleenthede wat in artikel 132(3) geopper word
Dit is kortliks die volgende:

- * die behoefte aan u dienste
- * die redes waarom 'n subsidie verlang word
- * die bedrag wat vereis word
- * vermoë om finansies verantwoordelik te behartig.

MAAK SEKER!

Het u u huidige akkrediteringsertifikaat aangeheg?

Het u u motivering aangeheg (kyk artikel 132(3))?

WAV-Vorm 69
Artikel 132(1)
Wet op Arbeidsverhoudinge,
1995

LEES EERS HIER



**WAT IS DIE DOEL VAN
HIERDIE VORM?**

Hierdie vorm maak dit vir 'n geakkrediteerde agentskap of 'n agentskap wat aansoek doen om akkreditering, moontlik om aansoek te doen by die Beheerliggaam van die KVBA om 'n subsidie om geskilbeslegtingswerkzaamhede te verrig en om persone op te lei om die werkzaamhede te verrig.

**WIE MOET HIERDIE VORM
INVUL?**

Die geakkrediteerde agentskap of 'n agentskap wat om akkreditering aansoek doen,

**AAN WIE WORD DIE VORM
GESTUUR?**

Die Beheerliggaam, KVBA
Privaatsak X94
Marshalltown
2107

VERDERE INSTRUKSIES

Die agentskap moet die volgende stuur:

- * Die vorm, en
- * die huidige akkreditering-sertifikaat (indien van toepassing) asook
- * enige bykomende inligting wat die Raad onder die aandag van die beheerliggaam wil bring.

PRIVATE AGENTSKAP DOEN AAN- SOEK OM GESKILBESLEGTINGSUB- SIDIE



1) BESONDERHEDE VAN AGENTSKAP

Naam:.....

Adres (pos- en straatadres)

Tel:..... Faks:

Kontakpersoon:.....

Verwysingsnommer:

2) GESKILBESLEGTINGSWERKSAAMHEDE WAARVOOR AGENTSKAP GEAKKREDITEER IS OF AKKREDITERING WIL HE

Is die agentskap reeds geakkrediteer om geskilbeslegtingswerk-
saamhede te verrig?

Ja ☐

Nee ☐

Indien ja, heg die akkrediteringsertifikaat aan.

Doen die agentskap tans aansoek om akkreditering om
geskilbeslegtingswerkzaamhede te verrig?

Ja ☐

Nee ☐

Indien ja, heg die toepaslike akkrediteringsaansoek aan.

KBA-verwysingsnommer:

Blaai asseblief om →

3) AANHANGSELS

a) Begroting

Stel 'n begroting op wat besonderhede omtrent die volgende moet bevat:

- * Die verwagte totale getal dae wat aan geskilbeslegtingswerk bestee word (gemiddelde gevalle x getal gevalle)
- * die totale kosterekening vir versoeners en arbiters (neem daaglikse koerse en retensiegelde in ag)
- * administratiewe en infrastruktuurkoste
- * opleidingskoste
- * inkomste vir geakkrediteerde geskilbeslegtingswerk.

b) Motivering

Motiveer u aansoek. Dek verder die aangeleenthede wat in artikel 132(3) geopper word. Dit is kortliks die volgende:

- * Die behoefte aan u dienste
- * die redes waarom die subsidie verlang word
- * die bedrag verlang
- * vermoë om finansies verantwoordelik te behartig.

Vorm voorgelê deur:

Naam:.....

Handtekening:.....

Posisie:.....

Datum:.....

Plek:.....

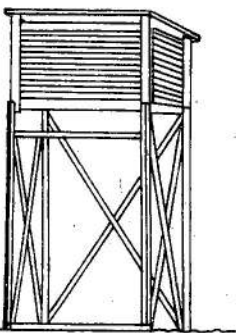
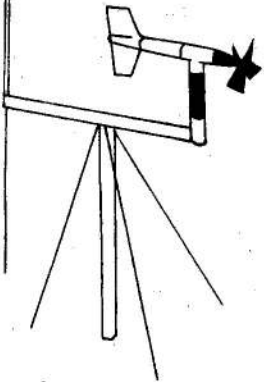
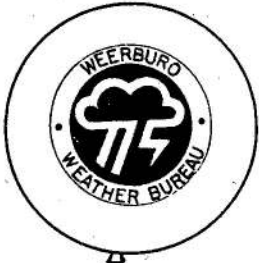
MAAK SEKER!

Het u u huidige akkrediteringsertifikaat aangeheg?

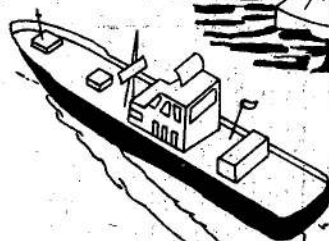
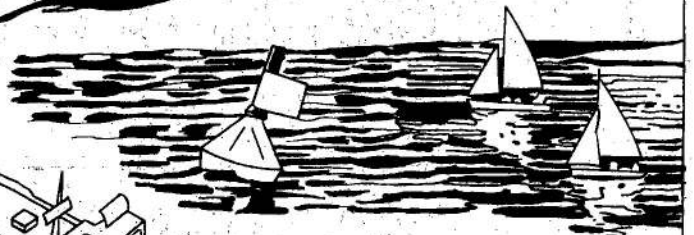
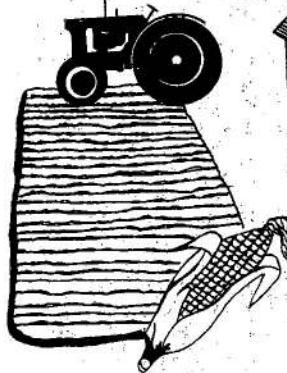
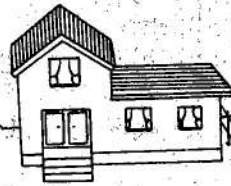
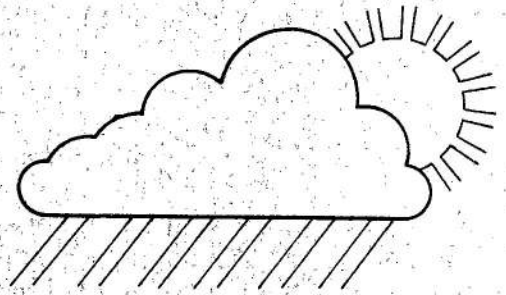
Het u u begroting aangeheg?

Het u u motivering aangeheg (kyk artikel 132(3))?

SA WEATHER BUREAU SA WEERBURO



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