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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF AGRICULTURE DEPARTEMENT VAN LANDBOU

No. R. 1594

11 December 1998

LIVESTOCK BRANDS ACT, 1962 (ACT No. 87 OF 1962)

COMPULSORY BRANDING OF LIVESTOCK

I, Angela Thokozile Didiza, Deputy Minister of Agriculture, acting on behalf of the Minister of Agriculture under section 5A of the Livestock Brands Act, 1962 (Act No. 87 of 1962), hereby declare that the branding of cattle and small stock shall be compulsory from 1 January 1999, for the purpose of the said Act in the Magisterial Districts of Eerstehoek, kwaMhlanga, Mbibana, Mdutjana, Mkobola, Nkomazi and Nsikazi.

A. T. DIDIZA

Deputy Minister of Agriculture

No. R. 1594

11 Desember 1998

WET OP VEEBRANDMERKE, 1962 (WET No. 87 VAN 1962)

VERPLIGTE BRANDMERK VAN VEE

Ek, Angela Thokozile Didiza, Adjunkminister van Landbou, handelende namens die Minister van Landbou kragtens artikel 5A van die Wet op Veebrandmerke, 1962 (Wet No. 87 van 1962), verklaar hierby dat die brandmerk van beeste en kleinvee in die landdrostdistrikte van Eerstehoek, kwaMhlanga, Mbibana, Mdutjana, Mkobola, Nkomazi en Nsikazi, ingevolge die bepalings van gemelde Wet vanaf 1 Januarie 1999 verpligtend is.

A. T. DIDIZA

Adjunkminister van Landbou

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID****No. R. 1592****11 December 1998**

LABOUR RELATIONS ACT, 1995

CORRECTION NOTICE**MOTOR INDUSTRY—MIBCO: EXTENSION OF MAIN COLLECTIVE AMENDING AGREEMENT TO NON-PARTIES**

The following correction to Government Notice No. R. 1469 appearing in *Government Gazette* No. 19467 of 20 November 1998, is hereby published for general information:

1. In the English text to the Schedule:

"DIVISION C: CHAPTER 1**2. CLAUSE 3: WAGES"**

Substitute the following for the footnote to the Wage Schedule that applies to a Forecourt attendant:

"Notwithstanding the minimum wage prescribed for this category of employee, all employees earning in excess of the new prescribed minimum wage at the date of publication hereof, shall be paid an actual wage increase of no less than 17 cents per hour. The principle of off-setting will be applied for all employees who received and increase within the current calendar year."

2. In the Afrikaans text to the Schedule:

"AFDELING C: HOOFSTUK 1**2. KLOUSULE 3: LONE"**

Substitute the following for the footnote to the Wage Schedule that applies to a Forecourt attendant:

"Ondanks die minimum loon vir hierdie kategorie werknemer voorgeskryf, moet alle werknemers wat op datum van publikasie hiervan meer as die nuwe voorgeskrewe minimum loon verdien, 'n werklike loonverhoging betaal word van nie minder as 17c per uur nie. Die beginsel van teen rekening sal toegepas word vir alle werknemers wat 'n verhoging gedurende die huidige kalenderjaar ontvang het."

No. R. 1592**11 Desember 1998**

WET OP ARBEIDSVARHOUDINGE, 1995

VERBETERINGSKENNISGEWING**MOTORYWERHEID—MIBCO: UITBREIDING VAN HOOF KOLLEKTIEWE WYSIGINGSOOREENKOMS NA NIE-PARTYE**

Onderstaande verbeterings aan Goewermentskennisgewing No. R. 1469 wat in *Staatskoerant* No. 19467 van 20 November 1998 verskyn, word hierby vir algemene inligting gepubliseer:

1. In die Engelse teks van die Bylae:

"DIVISION C: CHAPTER 1**2. CLAUSE 3: WAGES"**

Vervang die voetnota tot die Loonbylae wat betrekking het op 'n Voorbaanassistent met die volgende:

"Notwithstanding the minimum wage prescribed for this category of employee, all employees earning in excess of the new prescribed minimum wage at the date of publication hereof, shall be paid an actual wage increase of no less than 17 cents per hour. The principle of off-setting will be applied for all employees who received and increase within the current calendar year."

2. In die Afrikaanse teks van die Bylae:

"AFDELING C: HOOFSTUK 1**2. KLOUSULE 3: LONE"**

Vervang die voetnota tot die Loonbylae wat betrekking het op 'n Voorbaanassistent met die volgende:

"Ondanks die minimum loon vir hierdie kategorie werknemer voorgeskryf, moet alle werknemers wat op datum van publikasie hiervan meer as die nuwe voorgeskrewe minimum loon verdien, 'n werklike loonverhoging betaal word van nie minder as 17c per uur nie. Die beginsel van teen rekening sal toegepas word vir alle werknemers wat 'n verhoging gedurende die huidige kalenderjaar ontvang het."

No. R. 1610

11 December 1998

NOTICE OF EXEMPTION IN TERMS OF SECTION 40 (1) OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

Under section 40 (3) (b) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), I, Faiza Salie, appointed as chief inspector in terms of section 27 (1) of the said Act, and by virtue of the power delegated to me by the Minister of Labour in terms of section 42 (1) of the Act, hereby grant exemption in terms of section 40 (1) to persons presently occupied with the activities described under regulation 3 (2) and 5 (3) of the Major Hazard Installation Regulation, 1998, published under Government Notice No. R. 66 of 16 January 1998, from the obligation to carry out a risk assessment and notify the local authority and the provincial director of Labour regarding existing major hazard installations from the date of commencement of the said regulations until 31 December 1999.

F. SALIE

Chief Inspector

No. R. 1610

11 Desember 1998

KENNISGEWING VAN VRYSTELLING INGEVOLGE ARTIKEL 40 (1) VAN DIE WET OP BEROEPSGESONDHEID EN VEILIGHEID, 1993

Onder artikel 40 (3) (b) van die Wet op Beroepsgesondheid en Veiligheid, 1993 (Wet No. 85 van 1993), verleen ek, Faiza Salie, aangestel as hoofinspekteur ingevolge artikel 27 (1) van die genoemde Wet, en kragtens die mag aan my gedelegeer deur die Minister van Arbeid ingevolge artikel 42 (1) van die Wet, hiermee vrystelling ingevolge artikel 40 (1) aan persone wat tans bedrywig is met die aktiwiteite soos beskryf in regulasie 3 (2) en 5 (3) vir Hoërisiko-Installasies, 1998, gepubliseer in Goewermentskennisgewing No. R. 66 van 16 Januarie 1998 om 'n risiko beraming uit te voer en die plaaslike owerheid en provinsiale direkteur van Arbeid van bestaande hoërisiko-installasies in kennis te stel vanaf die datum van inwerkingtreding van genoemde regulasies, tot 31 Desember 1999.

F. SALIE

Hoofinspekteur

No. R. 1611

11 December 1998

NOTICE OF WITHDRAWAL OF EXEMPTIONS UNDER THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

I, Faiza Salie, designated chief inspector in terms of section 27 (1) of the Occupational Health and Safety Act, 1993, and by virtue of the powers delegated to me by the Minister of Labour in terms of section 42 (1) of that Act, hereby withdraw all exemptions issued under section 54 of the Factories, Machinery and Building Work Act, 1941 (Act No. 22 of 1941), and under section 32 of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983): Provided that all exemptions issued under the above-mentioned Acts shall be valid for a further period of 12 months from the date of this notice to allow employers and/or users holding such exemptions to lodge written applications with the respective provincial director of the Department of Labour for an equivalent exemption under section 40 of the Occupational Health and Safety Act, 1993.

F. SALIE

Chief Inspector

No. R. 1611

11 Desember 1998

KENNISGEWING VAN TERUGTREKKING VAN VRYSTELLINGS INGEVOLGE DIE WET OP BEROEPSGESONDHEID EN VEILIGHEID, 1993

Ek, Faiza Salie, aangewese hoofinspekteur ingevolge artikel 27 (1) van die Wet op Beroepsgesondheid en Veiligheid, 1993, en uit hoofde van die bevoegdhede aan my gedelegeer deur die Minister van Arbeid ingevolge artikel 42 (1) van daardie Wet, trek hierby alle vrystellings in wat uitgereik is ingevolge artikel 54 van die Wet op Fabriek, Masjinerie en Bouwerk, 1941 (Wet No. 22 van 1941), en ingevolge artikel 32 van die Wet op Masjinerie en Beroepsveiligheid, 1983 (Wet No. 6 van 1983): Met dien verstande dat alle vrystellings uitgereik ingevolge bogemelde Wette geldig is vir 'n verdere tydperk van 12 maande vanaf die datum van hierdie kennisgewing ten einde werkgewers en/of gebruikers wat sodanige vrystellings het, toe te laat om skriftelike aansoeke aan die onderskeie provinsiale direkteure van die Departement van Arbeid te rig vir 'n gelykwaardige vrystelling ingevolge artikel 40 van die Wet op Beroepsgesondheid en Veiligheid, 1993.

F. SALIE

Hoofinspekteur

No. R. 1612

11 December 1998

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY NORTH AND WEST BOLAND:
EXTENSION OF AMENDMENT OF COLLECTIVE AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the Bargaining Council for the Building Industry and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that industry, with effect from 21 December 1998 and for the period ending 17 May 2003.

M. M. S. MDLADLANA

Minister of Labour

SCHEDULE**BUILDING BARGAINING COUNCIL NORTH AND WEST BOLAND****COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, No. 66 of 1995, made and entered into by and between the

Building Industries Association, North Boland

and

Bou Industrieë Assosiasie, Wes-Boland

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

Building Worker's Union

(hereinafter referred to as the "employees" or the "trade union") of the other part, being the parties to the Building Bargaining Council North and West Boland,

to amend the Collective Agreement, extended to non-parties, published under Government Notice No. R. 699 of 15 May 1998.

1. CLAUSE 1: SCOPE OF APPLICATION

- (1) The terms of this Agreement shall be observed—
 - (a) by all employers and by all employees engaged or employed in the Building Industry who are members of the employers' organisations and the trade unions, respectively;
 - (b) in the Magisterial Districts of Ceres, Hopefield, Montagu, Moorreesburg, Piketberg, Robertson, Swellendam, Tulbagh, Vredenburg and Worcester.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to—
 - (a) only those classes of employees for whom wage are prescribed in the Agreement;
 - (b) apprentices and learners only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any conditions fixed thereunder;
 - (c) labour-only contractors, working partners and working directors, principals and contractors.
- (3) Notwithstanding the provisions of subclause (1) (a), the terms of this agreement shall not apply to—
 - (a) clerical employees and administrative staff;
 - (b) university students and graduates in building science and construction surveyors and other such persons doing practical work in the completion of their academic training;
 - (c) foremen or general foremen;
 - (d) non-parties in respect of clauses 1 (1) (a) and 11 (1) of this Agreement.

2. CLAUSE 4: DEFINITIONS

Substitute the following for the definition of "Owner-Builder":

"**Owner-Builder**" means any person whatsoever, who employs persons, whether at remuneration or not, for the purpose of performing work in the Building Industry, as defined, on an existing dwelling-house, or with the purpose of erecting a new dwelling-house, and who has been issued with a licence as an owner-builder by the Council: Provided that a licence as an owner-builder shall be issued only if application therefor is made in such form and with the furnishing of such information as specified by the Council from time to time, and after payment of an amount of R50,00 to the Council, which amount shall cover the cost of the licence. Provided further that a licence as an owner-builder shall be issued only in respect of building work on a dwelling-house occupied or to be occupied by the applicant himself and not in respect of building work on any building to be used for business purposes or for letting purposes: Provided further that a licence as an owner-builder shall not be issued to the same person in respect of the building work on a second or more dwelling-house in the same village or town or its circumjacent municipal area within any continuous period of three years, or where the value of the building work (material plus labour costs) exceeds R65 000,00 per unit,"

3. CLAUSE 8: EMPLOYMENT STANDARDS

Substitute the following for subclause (2):

"(2) Trial period of employees:

- (a) The employees for whom wages are specified in clause 10 (1) (a) to and including 10 (1) (d) of this Agreement, shall upon employment in the Industry, be subject to a trial period of 42 working hours, not necessarily consecutive.
- (b) Notwithstanding anything to the contrary contained in this Agreement, the employee concerned shall, during the trial period referred to in subclause 8 (2) (a) hereof, be entitled only to the wage prescribed in clause 10 (1) of this Agreement in respect of all hours worked, without any employer contributions to the holiday fund or any other benefit fund of the Council.
- (c) During the trial period referred to in subclause 8 (2) (a) hereof, the employee's employer will not be compelled to issue the benefit stamp of the Council to the employee concerned."

4. CLAUSE 10: REMUNERATION

Substitute the following for subclause (1):

(1) Basic wages:

The basic wage in the industry shall be as follows:

Category of employee	As from date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
	Per hour			
(a) Cleaners	4,31	4,31	3,99	3,29
(b) (1) General workers; manufacturing workers; dumper drivers and hoist operators	5,38	5,38	4,98	4,16
	Per week			
(2) Guards (full time)	225,96	225,96	209,16	174,72
	Per hour			
(c) Building worker Category 4	5,95	5,95	5,56	4,68
(d) Building worker Category 3	6,64	6,64	6,21	5,26
(e) Building worker Category 2	7,43	7,43	6,94	5,92
(f) Building worker Category 1	8,29	8,29	7,75	6,66
(g) Artisan Category 3: Painters and roofers	9,27	9,27	8,66	7,50
(h) (1) Artisan Category 2: Painters and roofers	10,35	10,35	9,67	8,42
(2) Artisan Category 3: In all other trades	10,35	10,35	9,67	8,42
(i) (1) Artisan Category 2: In all other trades	11,56	11,56	10,80	9,48
(2) Artisan Category 3A: Painters	11,56	—	9,67	—
(3) Artisan Category 1: Painters and roofers	11,56	11,56	10,80	9,48
(j) Artisan Category 3A: In all other crafts	12,09	—	11,30	—
(k) Artisan Category 1: In all other crafts	12,90	12,90	12,06	10,67
	Per week			
(l) Drivers of motor vehicles and operators of power-driven plant which are required to be in possession of a—				
(1) Code 5–7 or B licence	225,96	225,96	209,16	174,72
(2) Code 8 or EB licence	249,90	249,90	233,52	196,56
(3) Code 10 or EB1 licence	278,88	278,88	260,82	220,92
(4) Code 11–14 or EC licence	312,06	312,06	291,48	248,64

Category of employee	As from date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
		Per hour		
(m) (1) Apprentices in first year of training	6,64	6,64	6,21	5,26
(2) Apprentices in second year of training.....	7,43	7,43	6,94	5,92
(3) Apprentices in third year of training	8,29	8,29	7,75	6,66
(n) (1) Trainee building worker Category 4	5,95	5,95	5,56	4,68
(2) Trainee building worker Category 3	6,64	6,64	6,21	5,26
(3) Trainee building worker Category 2	7,43	7,43	6,94	5,92
(4) Trainee building worker Category 1	8,29	8,29	7,75	6,66

Provided that the aforementioned wages shall not be less than those prescribed in terms of the Manpower Training Act, 1981: Provided further that the wages specified above for drivers/plant operators shall be payable if such employees have worked 42 normal hours or more but not more than 46 normal working hours in any week. If such employees have, however, worked less than 42 normal working hours in any week, their wages for the respective week shall be calculated as follows: The above specified wages divided by 42 hours, multiplied by the actual number of normal working hours worked.”.

2. In subclause (7) (a) substitute the amount “R10,83” for the amount “R10,10”.

5. CLAUSE 14: HOLIDAY FUND

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

“(2) *Contributions by the employer:* (a) An employer shall contribute an amount to the Holiday Fund on behalf of an eligible employee for each week that the employee remains in his employ (“a contribution week”), which amount shall be calculated as follows:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
		Per week		
(i) clause 10 (1) (a)	10,92	10,92	10,08	8,40
(ii) clause 10 (1) (b) and (l) (1)	13,86	13,86	12,60	10,50
(iii) clause 10 (1) (c), (l) (2) and (n) (1).....	15,12	15,12	14,28	12,18
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2).....	17,22	17,22	15,96	13,44
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3).....	19,32	19,32	17,64	15,12
(vi) clause 10 (1) (f), (l) (5), (m) (3) and (n) (4).....	21,42	21,42	19,74	17,22
(vii) clause 10 (1) (g)	23,94	23,94	22,26	19,32
(viii) clause 10 (1) (h)	26,46	26,46	24,78	21,84
(ix) clause 10 (1) (i) (1) and (i) (3)	29,82	29,82	27,72	24,36
(x) clause 10 (1) (i) (2)	29,82	—	24,78	—
(xi) clause 10 (1) (j).....	31,08	—	28,98	—
(xii) clause 10 (1) (k).....	33,18	33,18	31,08	27,30

(b) Every employer shall pay the specified contribution to the Council on the employee's normal payday, and shall on that day endorse and issue the employee with the specified benefit stamps indicating the amount of the contribution made.”.

- (2) Substitute the following for subclause (3):

“(3) *Contributions by the employee:* Every employer may on each payday deduct from the wages due every week to each eligible employee that has worked 25 hours or more but less than 42 hours during the respective contribution week, the contribution specified hereunder multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the holiday fund:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
	Per hour			
(i) clause 10 (1) (a)	26	26	24	20
(ii) clause 10 (1) (b) and (l) (1)	33	33	30	25
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	36	36	34	29
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	41	41	38	32
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	46	46	42	36
(vi) clause 10 (1) (f), (l) (5), (m) (3) and (n) (4)	51	51	47	41
(vii) clause 10 (1) (g)	57	57	53	46
(viii) clause 10 (1) (h)	63	63	59	52
(ix) clause 10 (1) (i) (1) and (i) (3)	71	71	66	58
(x) clause 10 (1) (i) (2)	71	—	59	—
(xi) clause 10 (1) (j)	74	—	69	—
(xii) clause 10 (1) (k)	79	79	74	65."

6. CLAUSE 15: MEDICAL AID FUND

(1) Substitute the following for subclause (5):

"(5) *Contributions by the employer:* (a) Every employer shall contribute an amount to the Fund on behalf of each eligible employee in respect of each contribution week that the employee remains in its employ, which shall be calculated as follows:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
	Per week			
(i) clause 10 (1) (a)	15,54	15,54	15,54	11,76
(ii) clause 10 (1) (b) and (l) (1)	19,32	19,32	19,32	14,70
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	21,42	21,42	21,42	16,80
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	23,52	23,52	23,52	18,90
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	26,46	26,46	26,46	21,00
(vi) clause 10 (1) (f), (l) (5), (m) (3) and (n) (4)	29,40	29,40	29,40	23,94
(vii) clause 10 (1) (g)	33,18	33,18	33,18	26,88
(viii) clause 10 (1) (h)	36,96	36,96	36,96	30,24
(ix) clause 10 (1) (i) (1) and (i) (3)	41,16	41,16	41,16	34,02
(x) clause 10 (1) (i) (2)	41,16	—	36,96	—
(xi) clause 10 (1) (j)	41,16	—	41,16	—
(xii) clause 10 (1) (k)	46,20	46,20	46,20	38,22

(b) Every employer shall pay the specified contribution to the Council on the employee's normal payday, and shall on that day endorse and issue the employee with the Council's benefit stamps indicating the amount of the contribution made."

(2) Substitute the following for subclause (6):

"(6) *Contributions by the employee:* Every employer may on each payday deduct from the wages due every week to each eligible employee that has worked 25 hours or more, but less than 42 hours during the respective contribution week, the contribution specified hereunder, multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the Fund:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	c	c	c	c
		Per hour		
(i) clause 10 (1) (a)	37	37	37	28
(ii) clause 10 (1) (b) and (l) (1)	46	46	46	35
(iii) clause 10 (1) (c), (l) (2) and (n) (1)	51	51	51	40
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2)	56	56	56	45
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3)	63	63	63	50
(vi) clause 10 (1) (f), (l) (5), (m) (3) and (n) (4)	70	70	70	57
(vii) clause 10 (1) (g)	79	79	79	64
(viii) clause 10 (1) (h)	88	88	88	72
(ix) clause 10 (1) (i) (1) and (l) (3)	98	98	98	81
(x) clause 17 (1) (i) (2)	98	—	88	—
(xi) clause 17 (1) (j)	98	—	98	—
(xii) clause 17 (1) (k)	110	110	110	91".

7. CLAUSE 16: RETIREMENT FUNDS

(1) Substitute the following for subclause (4):

"(4) *Contributions by the employer:* (a) An employer shall contribute an amount to the Retirement Funds on behalf of each eligible employee in respect of each contribution week that the employee remains in its employ, which shall be calculated as follows:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
		per week		
(i) clause 10 (1) (a)	27,30	27,30	25,20	20,58
(ii) clause 10 (1) (b) and (1) (1)	34,02	34,02	31,50	26,04
(iii) clause 10 (1) (c), (1) (2) and (n) (1)	37,38	37,38	34,86	29,40
(iv) clause 10 (1) (d), (1) (3), (m) (1) and (n) (2)	42,00	42,00	39,06	33,18
(v) clause 10 (1) (e), (1) (4), (m) (2) and (n) (3)	46,62	46,62	43,68	37,38
(vi) clause 10 (1) (f), (1) (5), (m) (3) and (n) (4)	52,08	52,08	48,72	42,00
(vii) clause 10 (1) (g)	58,38	58,38	54,60	47,46
(viii) clause 10 (1) (h)	65,10	65,10	60,90	52,92
(ix) clause 10 (1) (i) (1) and (i) (3)	72,66	72,66	68,04	59,64
(x) clause 10 (1) (i) (2)	72,66	—	60,90	—
(xi) clause 10 (1) (j)	72,66	—	68,04	—
(xii) clause 10 (1) (k)	81,48	81,48	76,02	67,20

(b) Every employer shall pay the specified contribution to the Council on the employee's normal payday, and shall on that day endorse and issue the employee with the Council's benefit stamps indicating the amount of the contribution made."

(2) Substitute the following for subclause (5):

"(5) *Contributions by the employee:* Every employer may on each payday deduct from the wages due every week to each eligible employee that has worked 25 hours or more but less than 42 hours during the respective contribution week, the contribution specified hereunder multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the Retirement Funds:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	c	c	c	c
		per hour		
(i) clause 10 (1) (a)	65	65	60	49
(ii) clause 10 (1) (b) and (1) (1)	81	81	75	62
(iii) clause 10 (1) (c), (1) (2) and (n) (1).....	89	89	83	70
(iv) clause 10 (1) (d), (1) (3), (m) (1) and (n) (2)	100	100	93	79
(v) clause 10 (1) (e), (1) (4), (m) (2) and (n) (3)	111	111	104	89
(vi) clause 10 (1) (f), (1) (5), (m) (3) and (n) (4)	124	124	116	100
(vii) clause 10 (1) (g)	139	139	130	113
(viii) clause 10 (1) (h)	155	155	145	126
(ix) clause 10 (1) (i) (1) and (i) (3)	173	173	162	142
(x) clause 17 (1) (i) (2)	173	—	145	—
(xi) clause 17 (1) (j).....	173	—	162	—
(xii) clause 17 (1) (k).....	194	194	181	160.”.

8. CLAUSE 17: SICK PAY FUND FOR THE BUILDING INDUSTRY

(1) Substitute the following for subclause (3):

“(3) *Contributions by the employer:* (a) Every employer shall contribute an amount to the Fund on behalf of each eligible employee in respect of each contribution week for which the employee remains in its employ, which shall be calculated as follows:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
		Per week		
(i) clause 10 (1) (a)	2,52	2,52	2,52	2,10
(ii) clause 10 (1) (b) and (1) (1)	3,36	3,36	2,94	2,52
(iii) clause 10 (1) (c), (1) (2) and (n) (1).....	3,78	3,78	3,36	2,94
(iv) clause 10 (1) (d), (1) (3), (m) (1) and (n) (2)	4,20	4,20	3,78	3,36
(v) clause 10 (1) (e), (1) (4), (m) (2) and (n) (3)	4,62	4,62	4,20	3,78
(vi) clause 10 (1) (f), (1) (5), (m) (3) and (n) (4)	5,04	5,04	4,62	4,20
(vii) clause 10 (1) (g)	5,88	5,88	5,46	4,62
(viii) clause 10 (1) (h)	6,72	6,72	5,88	5,46
(ix) clause 10 (1) (i) (1) and (i) (3)	7,14	7,14	6,72	5,88
(x) clause 10 (1) (i) (2)	7,14	—	5,88	—
(xi) clause 10 (1) (j).....	7,14	—	6,72	—
(xii) clause 10 (1) (k).....	7,98	7,98	7,56	6,72

(b) Every employer shall pay the specified contribution to the Council on the employee's normal payday, and shall on that day endorse and issue the employee with the Council's benefit stamps indicating the amount of the contribution made.”.

(2) Substitute the following for subclause (4):

“(4) *Contributions by the employee:* Every employer may on each payday deduct from the wages due every week to each eligible employee that has worked 25 hours or more but less than 42 hours during the respective contribution week, the contribution specified hereunder multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the Fund:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	c	c	c	c
	Per hour			
(i) clause 10 (1) (a)	6	6	6	5
(ii) clause 10 (1) (b) and (1) (1)	8	8	7	6
(iii) clause 10 (1) (c), (1) (2) and (n) (1).....	9	9	8	7
(iv) clause 10 (1) (d), (1) (3), (m) (1) and (n) (2)	10	10	9	8
(v) clause 10 (1) (e), (1) (4), (m) (2) and (n) (3)	11	11	10	9
(vi) clause 10 (1) (f), (1) (5), (m) (3) and (n) (4)	12	12	11	10
(vii) clause 10 (1) (g)	14	14	13	11
(viii) clause 10 (1) (h)	16	16	14	13
(ix) clause 10 (1) (i) (1) and (i) (3)	17	17	16	14
(x) clause 17 (1) (i) (2)	17	—	14	—
(xi) clause 17 (1) (j)	17	—	16	—
(xii) clause 17 (1) (k).....	19	19	18	16."

9. CLAUSE 18: STABILISATION FUND

1. Substitute the following for subclause (2):

"(2) *Contributions*: Every employer shall on each payday deduct from the wages due every week to each eligible employee the contributions calculated as follows:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
	Per week			
(i) clause 10 (1) (a)	4,00	4,00	4,00	4,00
(ii) clause 10 (1) (b) and (1) (1)	4,00	4,00	4,00	4,00
(iii) clause 10 (1) (c), (1) (2) and (n) (1).....	5,50	5,50	5,50	5,50
(iv) clause 10 (1) (d), (1) (3), (m) (1) and (n) (2).....	5,50	5,50	5,50	5,50
(v) clause 10 (1) (e), (1) (4), (m) (2) and (n) (3).....	5,50	5,50	5,50	5,50
(vi) clause 10 (1) (f), (1) (5), (m) (3) and (n) (4)	5,50	5,50	5,50	5,50
(vii) clause 10 (1) (g)	6,80	6,80	6,80	6,80
(viii) clause 10 (1) (h)	6,80	6,80	6,80	6,80
(ix) clause 10 (1) (i) (1) and (i) (3)	6,80	6,80	6,80	6,80
(x) clause 10 (1) (i) (2)	6,80	—	6,80	—
(xi) clause 10 (1) (j)	6,80	—	6,80	—
(xii) clause 10 (1) (k).....	6,80	6,80	6,80	6,80

(b) Every employer shall pay the contributions referred to in subclause 18 (2) to the Council on the employee's normal payday, and shall on that day endorse and issue the employee with the Council's benefit stamps, indicating the amount of the contribution made.

10. CLAUSE 20: EXPENSES OF THE COUNCIL

1. Substitute the following for subclause (1):

"(2) *Contributions by the employer*: (a) Every employer shall contribute an amount to the Council in respect of each eligible employer for each contribution week that the employee remains in his employ, which amount shall be calculated as follows:

Category of employee	Minimum hourly wage	Pension/ Provident Fund	Medical Aid Fund	Sick Pay Fund	Council levies	Dispute resolution levy	Total
Special category employees:							
Site clerk	12,08	26,46		1,680	2,20		30,34
Driver/plant operator*	10,14	25,62		1,680	2,20		29,50
Driver/plant operator**	9,38	23,52		1,680	2,20		27,40
Driver/plant operator***	7,90	19,32		1,680	2,20		23,20
Site storeman	9,38	23,52		1,680	2,20		27,40
Watchman	4,27	15,60		0,900	1,97		18,47
Cleaner	4,47	11,34		0,840	1,97		14,15

Note: 1. The minimum employee contributions are applicable when a full 42 hour week is worked (inclusive of paid public holidays).

2. Deductions from employees are only to be made if the minimum weekly hours have been worked as set out in clause 26.1.

* With a carrying capacity of more than 4 536 kg.

** With a carrying capacity of more than 1 814 kg up to and including 4 536 kg.

*** With a carrying capacity of up to and including 1 814 kg.

ANNEXURE E

BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (EAST LONDON)

COMBINED WEEKLY CONTRIBUTIONS

	Minimum hourly wage	Holiday Fund	Pension/ Provident Fund	Medical Aid Fund	Sick Pay Fund	Council levies	Total
Construction worker level A	15,34	61,74	100,80	50,40	5,04	4,92	222,90
Construction worker level B	14,61	59,64	97,44	50,40	5,04	4,92	217,44
Construction worker level C	9,62	47,04	49,56	0,00	3,36	4,40	104,36
Construction worker level D	7,90	37,38	38,64	0,00	3,36	4,40	83,78
Construction worker level E	7,10	28,56	35,28	0,00	2,52	4,14	70,50
Special category employees:							
Site clerk	12,08	47,88	52,92	0,00	3,36	4,40	108,56
Driver/plant operator*	10,14	49,14	51,24	0,00	3,36	4,40	108,14
Driver/plant operator**	9,38	44,52	47,04	0,00	3,36	4,40	99,32
Driver/plant operator***	7,90	37,38	38,64	0,00	3,36	4,40	83,78
Site storeman	9,38	36,12	47,04	0,00	3,36	4,40	90,92
Watchman	4,27	21,00	31,20	0,00	1,80	3,94	57,94
Cleaner	4,47	13,44	22,68	0,00	1,68	3,94	41,74

1. Every employer is required to deduct and pay over the combined contributions as set out above if minimum hours have been worked as set out in clause 26.1; and

2. the above weekly contributions and any other deductions (in terms of this agreement) shall be paid over to the Council as provided for in this agreement.

* With a carrying capacity of more than 4 536 kg.

** With a carrying capacity of more than 1 814 kg up to and including 4 536 kg.

*** With a carrying capacity of up to and including 1 814 kg.

Signed at East London on behalf of the parties on this 23rd day of September 1998.

C. VAN SEUMEREN

for the East Cape Master Builders and Allied Industries Association

M. MTAMZELI

for the Amalgamated Union of Building Trade Workers of South Africa

M. KEBENI

for the Construction and Allied Workers Union

(being the parties to the Bargaining Council for the Building Industry, East London) in the presence of—

D. B. CAPLES

Chairman of Council

F. T. KNOX

Secretary

Site clerk and site storeman:

$$\frac{\text{Wage rate} \times 8.5 \text{ hours} \times 22}{2\ 058} = \text{Hourly Holiday Fund allowance (to nearest cent)}$$

Cleaner:

$$\frac{\text{Wage rate} \times 8.5 \text{ hours} \times 17}{2\ 058} = \text{Hourly Holiday Fund allowance (to nearest cent)}$$

Watchman:

$$\frac{\text{Wage rate} \times 10 \text{ hours} \times 23}{2\ 940} = \text{Hourly Holiday Fund allowance (to nearest cent)}$$

Wage rate means the upper limit of the respective wage band, e.g. for a wage of R6,60 the calculation is based on R7,00.

ANNEXURE C**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (EAST LONDON)****EMPLOYER WEEKLY CONTRIBUTIONS**

	Minimum hourly wage	Holiday Fund	Pension/Provident Fund	Medical Aid Fund	Sick Pay Fund	Council levies	Dispute resolution levy	Total weekly contributions
Construction worker level A.	15,34	61,74	50,40	25,20	2,520	2,46		143,32
Construction worker level B.	14,61	58,64	48,72	25,20	2,520	2,46		138,54
Construction worker level C.	9,62	37,04	24,78		1,680	2,20		75,70
Construction worker level D.	7,90	37,38	19,32		1,680	2,20		60,58
Construction worker level E.	7,10	28,56	16,64		1,260	2,07		49,53
Special category employees:								
Site clerk.....	12,08	47,88	26,46		1,680	2,20		78,22
Driver/plant operator*....	10,14	49,14	25,62		1,680	2,20		78,64
Driver/plant operator** ..	9,38	44,52	23,52		1,680	2,20		71,92
Driver/plant operator***	7,90	37,38	19,32		1,680	2,20		60,58
Site storeman.....	9,38	36,12	23,52		1,680	2,20		63,52
Watchman.....	4,27	21,00	15,60		0,900	1,97		39,47
Cleaner	4,47	13,44	11,34		0,840	1,97		27,59

- The weekly contributions to the holiday, pension/provident and sick pay funds are based on a 42 hour week being worked.
- The actual weekly employer contributions to the funds referred to in 1 above will be determined by using the following formula:

Hourly allowance (per annexure B) x actual hours (where actual hours are the hours for which the employer is required to pay the employee for a week with a maximum of 42 hours per week).

- * With a carrying capacity of more than 4 536 kg.
 ** With a carrying capacity of more than 1 814 kg up to and including 4 536 kg.
 *** With a carrying capacity of up to and including 1 814 kg.

ANNEXURE D**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (EAST LONDON)****MINIMUM EMPLOYEE WEEKLY CONTRIBUTIONS**

Category of employee	Minimum hourly wage	Pension/Provident Fund	Medical Aid Fund	Sick Pay Fund	Council levies	Dispute resolution levy	Total
Construction worker level A	15,34	50,40	25,20	2,520	2,46		80,58
Construction worker level B	14,61	48,72	25,20	2,520	2,46		78,90
Construction worker level C	9,62	24,78		1,680	2,20		28,66
Construction worker level D	7,90	19,32		1,680	2,20		23,20
Construction worker level E	7,10	17,64		1,260	2,07		20,97

ANNEXURE B**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (EAST LONDON)****HOURLY ALLOWANCES FOR QUALIFYING EMPLOYEES IN TERMS OF THIS AGREEMENT**

	Minimum hourly wage	Upper limit of wage band	Holiday Fund	Pension/ Provident Fund	Medical Aid Fund	Sick Pay Fund	Total hourly allowance
Construction worker level A	15,34	15,50	1,47	1,20	0,60	0,060	3,33
Construction worker level B	14,61	15,00	1,42	1,16	0,60	0,060	3,24
Construction worker level C	9,62	10,00	1,12	0,59		0,040	1,75
Construction worker level D	7,90	8,00	0,89	0,46		0,040	1,39
Construction worker level E	7,10	7,50	0,68	0,42		0,030	1,13
Special category employees:							
Site clerk	12,08	12,50	1,14	0,63		0,040	1,81
Driver/plant operator*	10,14	10,50	1,17	0,61		0,040	1,82
Driver/plant operator**	9,38	9,50	1,06	0,56		0,040	1,66
Driver/plant operator***	7,90	8,00	0,89	0,46		0,040	1,39
Site storeman	9,38	9,50	0,86	0,56		0,040	1,46
Watchman	4,27	4,50	0,35	0,26		0,015	0,625
Cleaner	4,47	4,50	0,32	0,27		0,020	0,61

* With a carrying capacity of more than 4 536 kg.

** With a carrying capacity of more than 1 814 kg up to and including 4 536 kg.

*** With a carrying capacity of up to and including 1 814 kg.

1. In addition to any other remuneration to which an employee referred to in this schedule may be entitled, every employer shall pay to every such employee in his employ the hourly allowances as set out in this annexure in respect of ordinary hours worked by such employee during a week: Provided that where less than 25.5 hours have been worked in any week then only the allowance pertaining to the holiday and sick funds are applicable.
2. Allowances in respect of holiday fund, pension and provident funds are determined at the upper limit of the wage band, with the calculation being determined per wage band. The wage bands for all categories of employees, except watchman and cleaners (whose wage bands are 25c), are 50c, e.g. 5,01–5,50, 5,51–6,00 etc.
3. Allowances for employees earning in excess of the minimum wage will be determined at the upper level of their applicable wage bands, determined as follows:

■ For the Holiday Fund, in accordance with the formulae set out in 4 below.

■ For the Pension and Provident Funds, the following formulae will apply for each category of employee:

Contribution per table x Upper limit of actual wage band

1

Upper limit of wage band
of minimum rate

4. The formulae for determining allowances are as follows:

Holiday fund

Construction worker levels A and B:

$\frac{\text{Wage rate} \times 8.5 \text{ hours} \times 23}{2\ 058} = \text{Hourly Holiday Fund allowance}$

Construction worker level C, drivers and operators:

$\frac{\text{Wage rate} \times 8.5 \text{ hours} \times 27}{2\ 058} = \text{Hourly Holiday Fund allowance}$

Construction worker levels D and E:

$\frac{\text{Wage rate} \times 8.5 \text{ hours} \times 22}{2\ 058} = \text{Hourly Holiday Fund allowance}$

CHAPTER 1**ADMINISTRATION AND GENERAL****1. AREA AND SCOPE OF APPLICATION OF AGREEMENT**

- 1.1 The terms of this Agreement shall be observed—
- 1.1.1 by all employers and by all employees who are engaged or employed in the Building Industry who are members of the employers' organisation and the trade unions, respectively;
 - 1.1.2 in the Magisterial District of East London (excluding those portions which were in terms of Government Notices Nos. 1877 and 1079 of 4 September 1981, as amended, and 10 June 1988, respectively, transferred from Ciskei).
- 1.2 Notwithstanding the provisions of subclause 1.1—
- 1.2.1 the terms of this Agreement shall apply to apprentices and trainees only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder;
 - 1.2.2 the terms of this Agreement shall not apply in respect of the erection, maintenance, repair or alteration on farms of—
 - (i) dwelling-houses at a cost of less than R14 000; and
 - (ii) all other buildings, irrespective of cost, used or to be used exclusively for farming purposes.
- 1.3 The terms of this Agreement shall not apply to non-parties in respect of subclause 1.1.1.

2. CHAPTER 10: ANNEXURES

Substitute annexures A, B, C, D, and E with following new annexures A, B, C, D and E.

ANNEXURE A**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (EAST LONDON)****CLAUSE 18.1: MINIMUM WAGE RATES**

		<i>Per hour</i>
		R
<i>Category of employee</i>		
Construction worker level A		15,34
Construction worker level B		14,61
Construction worker level C		9,62
Construction worker level D		7,90
Construction worker level E		7,10
<i>Special category employees:</i>		
Site clerk		12,08
Driver/Plant operator—carrying capacity over 4 536 kg		10,14
Driver/Plant operator—carrying capacity over 1 814 kg up to and including 4 536 kg		9,38
Driver/Plant operator—carrying capacity up to and including 1 814 kg		7,90
Site storeman		9,38
Watchman		4,27
Cleaner		4,47

Apprentices: Wages as prescribed in the Manpower Training Act, and in terms of the requirements of the BITB.

Trainee construction workers:

Wages as fixed by the Council, in terms of clause 21 of this agreement, and which will be reflected in this annexure when introduced and will only apply to non-parties if extended to them by the Minister of Labour, as provided for in the Act.

<i>Kategorie werknemer</i>	<i>Per week R</i>
(g) Werknemers betrokke by elektriese installering, wat elektriese bedrading en montering en werksaamhede wat daarmee gepaardgaan, insluit:	
(i) meester installasie-elektrisiën	72,45
(ii) installasie-elektrisiën	65,84
(iii) elektriese toetser vir enkelfase	52,67
(iv) elektriese ambagsman (ongelisensieerd)	52,67
(v) elektriese operateur	39,50
(vi) elektriese algemene werknemer	33,39."

Geteken te Port Elizabeth op hede die 8ste dag van September 1998.

G. B. STEELE

East Cape Master Builders' and Allied Industries Association

B. G. THOMPSON

Electrical Contracting and Allied Industries Association (Eastern Cape)

E. PLAATJIES

Construction and Allied Workers' Union

S. VAN RAYNER

Amalgamated Union of Building Trade Workers of South Africa

[wat die partye is by die Bounywerheid Bedingingsraad (Suid- en Oos-Kaap)], in die teenwoordigheid van V. H. LE ROUX.

No. R. 1618

11 December 1998

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (EAST LONDON): EXTENSION OF
AMENDMENT OF COLLECTIVE AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the schedule hereto, which was concluded in the Bargaining Council for the Building Industry and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in that industry, with effect from 21 December 1998 and for the period ending 16 August 2003.

M. M. S. MDLADLANA

Minister of Labour

SCHEDULE

**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (EAST LONDON)
COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

East Cape Master Builders' and Allied Industries Association

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

Amalgamated Union of Building Trade Workers of South Africa

and

Construction and Allied Workers' Union

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

being the parties to the Bargaining Council for the Building Industry (East London) to amend the agreement published under Government Notice No. R. 990 of 14 August 1998.

- (ii) elke werkgewer sal 'n bedrag van R15,68 per week bydra tot die Bounywerheid Mediese Hulpfonds, Oos-Kaap ten opsigte van elke werknemer na wie verwys word in paragraaf (a) (ii). 'n Werkgewer is geregtig om die bedrag wat kragtens paragraaf (a) (ii) aan die werknemer betaal is, van die vergoeding van sodanige werknemer af te trek."

AANHANGSEL D

BOUNYWERHEID BEDINGINGSRAAD (SUID- EN OOS-KAAP)

KLOUSULE 14 (6): PENSIOEN EN VOORSORGFONDS: TOELAAG EN BYDRAES

- (i) *Toelaes:* Nieteenstaande enige ander vergoeding betaalbaar waarop 'n werknemer geregtig is, sal elke werkgewer werksaam in gebied B ten opsigte van die onderstaande werknemers in sy diens, 'n toelaag betaal vir elke uur gewerk (oortyd uitgesluit) soos hieronder aangedui: Met dien verstande dat die toelaag nie betaal sal word vir meer as 45 uur in enige week nie:

<i>Kategorie werknemer</i>	<i>Per uur</i>
(a) Konstruksiewerker vlak A.....	.97
(b) Konstruksiewerker vlak B:	
Ambagsmanne Graad A in ander ambagte.....	.88
Ambagsmanne Graad A in die ambagte skilder- en ruitwerk	.76
Ambagsmanne in ander ambagte.....	.72
(c) Konstruksiewerker vlak C:	.55
Masjienoppassers en saers en drywers van meganiese hanteeruitrusting	.59
(d) Konstruksiewerker vlak D	.50
(e) Konstruksiewerker vlak E.....	.45
(f) Spesiale kategorie werknemers:	
Drywer in besit van Kode 09 lisensie.....	.54
Wag.....	.44
(g) Werknemers betrokke by elektriese installering, wat elektriese bedrading en montering en werksaamhede wat daarmee gepaardgaan, insluit:	
(i) meester installasie-elektrisiën	.97
(ii) installasie-elektrisiën	.88
(iii) elektriese toetser vir enkelfase	.70
(iv) elektriese ambagsman (ongelisensieerd)	.70
(v) elektriese operateur	.53
(vi) elektriese algemene werknemer	.45

- (ii) *Bydraes:* Elke werkgewer in Gebied B moet ten opsigte van elkeen van ondergenoemde werknemers in sy diens wie 27 gewone werkure gedurende 'n week gewerk het, ooreenkomstig die prosedure voorgeskryf in klousule 14 (6) die volgende bedrae aan die Raad betaal:

<i>Kategorie werknemer</i>	<i>Per week</i> <i>R</i>
(a) Konstruksiewerker vlak A.....	72,45
(b) Konstruksiewerker vlak B:	
Ambagsmanne Graad A in ander ambagte.....	65,84
Ambagsmanne Graad A in die ambagte skilder- en ruitwerk	56,70
Ambagsmanne in ander ambagte.....	54,18
(c) Konstruksiewerker vlak C	41,27
Masjienoppassers en saers, en drywers van meganiese hanteeruitrusting	44,10
(d) Konstruksiewerker vlak D	37,17
(e) Konstruksiewerker vlak E.....	33,39
(f) Spesiale kategorie werknemers:	
Drywer in besit van Kode 09 lisensie.....	40,82
Wag.....	33,33

Kategorie werknemer en gebied		Per uur R
(v) Konstruksiewerker vlak E:		
Gebied A.....		7,34
Gebied B.....		5,30
Gebied C.....		4,09
Gebied D.....		4,11
Gebied E.....		4,08
(vi) Spesiale kategorie werknemers:		
Drywer in besit van Kode 09 lisensie:		
Gebied A.....		9,10
Gebied B.....		6,48
Gebied C.....		4,25
Wagte per week van ses dae:		Per week R
Gebied A.....		311,28
Gebied B.....		238,04
Gebied C.....		208,67
(vii) Vakleerlinge: Lone soos voorgeskryf kragtens die Wet op Mannekragopleiding, 1981, vir vakleerlinge in die Bounywerheid.		
(viii) Minderjariges in alle ambagte: Lone soos vir vakleerlinge in die Bounywerheid bepaal.		
(ix) Kwekeling-konstruksiewerkers: Lone soos bepaal deur die Raad ingevolge klousule 21 van hierdie Ooreenkoms.		
(x) Skoonmakers: 70 persent van die loon vasgestel in paragraaf (v) vir konstruksiewerker vlak E.		
(xi) Werknemers betrokke by elektriese installering wat elektriese montering, bedrading en werksaamhede wat daarmee gepaardgaan, insluit.		

	Per uur R				
	Gebiede				
	A	B	C	D	E
(a) meester installasie-elektrisiën	19,25	11,50	9,93	10,04	10,07
(b) installasie-elektrisiën	17,49	10,45	9,19	9,13	9,15
(c) elektriese toetser vir enkelfase.....	14,12	8,36	7,35	7,30	7,32
(d) elektriese ambagsman (ongelisensieerd)	14,12	8,36	7,35	7,30	7,32
(e) elektriese operateur.....	10,58	6,27	5,61	5,39	5,40
(f) elektriese algemene werknemers	7,34	5,30	4,09	4,11	4,08

AANHANGSEL B

BOUNYWERHEID BEDINGINGSRAAD (SUID- EN OOS-KAAP)

KLOUSULE 14 (4): MEDIESE HULPFONDS: TOELAAG EN BYDRAE

(a) Toelaes:

- Benewens enige ander vergoeding waarop 'n werknemer gemeld in subklousule (1) (i), (ii) en (xi) (a) (b), (c) en (d) geregtig mag wees, sal elke werkgewer aan elke sodanige werknemer in sy diens 'n toelaag van 85,7c per uur betaal ten opsigte van alle normale ure gewerk in enige week soos vasgestel in klousule 12; en
- benewens enige ander vergoeding waarop 'n werknemer geregtig is ooreenkomstig 'n vakleerlingskap-kontrak geregistreer ingevolge die Wet op Mannekragopleiding, 1981, mag wees, sal elke werkgewer aan elke sodanige werknemer 'n toelae van 1,96c per uur betaal vir al die gewone werkure, soos vasgestel in klousule 12, wat sodanige werknemer gedurende 'n week gewerk het.

(b) Bydraes:

- Elke werkgewer sal 'n bedrag van R68,56 per week bydra tot die Bounywerheid Mediese Hulpfonds, Oos-Kaap ten opsigte van elkeen van sy werknemers na wie verwys word in paragraaf (a) (i). 'n Werkgewer is geregtig om die bedrag wat aan die werknemer betaal is ingevolge paragraaf (a) (i), van die vergoeding van sodanige werknemer af te trek; en

- (25) Die Sekretaris van die Raad mag almal of enige van sy pligte en/of funksies aan hom verleen in hierdie klousule, aan enige ander werknemer van die Raad delegeer.
- (26) Kennisgewings waarna verwys word in paragraaf (11) hiervan, geag gegee te gewees het, indien bewys gelewer kan word dat skriftelik kennisgewing gegee is aan sodanige party—
- deur middel van 'n aangetekende pos versend aan sy laasbekende adres en 14 (veertien) dae verstryk het vandat sodanige kennisgewing gepos is; of
 - deur middel van faksversending na sodanige party se laasbekende fasknommer; of
 - per hand afgelewer by sodanige party se laasbekende besigheids- of woonadres.”.
7. Vervang Aanhangsels A, B en D van hierdie Ooreenkoms deur die volgende:

“AANHANGSEL A

BOUNYWERHEID BEDINGINGSRAAD (SUID- EN OOS-KAAP)

KLOUSULE 14 (1): MINIMUM LOONSKALE

<i>Kategorie werknemer en gebied</i>	<i>Per uur R</i>
(i) Konstruksiewerker vlak A:	
Gebied A.....	18,36
Gebied B.....	10,98
Gebied C.....	9,50
Gebied D.....	9,58
Gebied E.....	9,60
(ii) Konstruksiewerker vlak B:	
Gebied A.....	17,49
Glaswerkers in skrynwerkswinkel.....	17,18
Gebied B:	
Ambagsmanne Graad A in alle ander ambagte.....	10,45
Ambagsmanne Graad A in die ambagte skilder- en ruitwerk.....	9,00
Ambagsmanne in ander ambagte.....	8,60
Gebied C:	
Ambagsmanne Graad A in ander ambagte.....	9,05
Ambagsmanne in ander ambagte.....	7,45
Gebied D:	
Ambagsmanne Graad A in ander ambagte.....	9,13
Ambagsmanne in ander ambagte.....	8,26
Gebied E:	
Ambagsmanne Graad A in ander ambagte.....	9,15
Ambagsmanne in ander ambagte.....	8,61
(iii) Konstruksiewerker vlak C:	
Gebied A.....	10,58
Masjienoppassers en saers en drywers van meganiese hanteeruitrusting.....	9,98
Gebied B.....	6,55
Masjienoppassers en saers en drywers van meganiese hanteeruitrusting.....	7,00
Gebied C.....	5,25
Gebied D.....	5,39
Masjienoppassers en saers en drywers van meganiese hanteeruitrusting.....	5,11
Gebied E.....	5,40
Hyseroperateurs, kraandrywers en drywers.....	6,22
(iv) Konstruksiewerker vlak D:	
Gebied A.....	7,98
Gebied B.....	5,90
Gebied C.....	4,13
Gebied D.....	4,65
Gebied E.....	5,03

- (c) moet die agent 'n verslag aan die Sekretaris voorlê betreffende die ondersoek, die stappe geneem om voldoening te bewerkstellig en die uitkoms van daardie stappe.
- (7) By ontvangs van die verslag, mag die Sekretaris—
- versoek dat die aangewese agent verdere ondersoeke doen; of
 - indien verdere versoening aangedui word, 'n bemiddelaar aanstel vanaf die Raad se paneel van bemiddelaars; of
 - 'n voldoeningsbevel uitreik; of
 - die saak na arbitrasie verwys ingevolge hierdie Ooreenkoms.
- (8) Indien 'n bemiddelaar aangestel is, moet die Sekretaris, indien gepas, besluit oor die datum, tyd en plek waar die versoeningsvergadering sal plaasvind en moet hy kennisgewings rakende hierdie besonderhede op die partye tot die geskil dien.
- (9) Indien die geskil na arbitrasie verwys word, moet die Sekretaris 'n arbiter vanaf die Raad se paneel van arbiters aanwys.
- (10) Die Sekretaris moet, in samewerking met die arbiter, die datum, tyd en plek bepaal waar die arbitrasie verhoor sal plaasvind.
- (11) Die Sekretaris moet kennisgewings rakende die datum, tyd en plek van die arbitrasie verhoor, dien op die partye tot die geskil, asook op enige ander persoon wat 'n wetlike belang het by die uitkoms van die arbitrasie.
- (12) Die arbiter moet die arbitrasie uitvoer op die wyse wat hy as gepas beskou ten einde die geskil billik en vinnig te besleg, maar moet met die minimum wetlike formaliteite met die wesenlike meriete van die geskille handel.
- (13) Onderhewig aan die arbiter se diskresie rakende die gepaste formaat van die verrigtinge, mag 'n party by die geskil, insluitende die Raad, getuies aflê, getuies roep, getuies van die ander party ondervra en afsluitend argumente tot die arbiter rig.
- (14) Die arbiter mag die verrigtinge opskort en poog om die geskil by wyse van versoening te besleg indien die Raad en die partye tot die geskil daartoe toestem.
- (15) Tydens die arbitrasie verrigtinge, mag 'n party by die geskil in persoon verskyn of verteenwoordig word deur 'n regspraktisyn, 'n mede-werknemer of 'n lid, ampsbekleder of beampte van daardie party se vakbond of werkgewers-organisasie en, indien die party 'n regspersoon is, deur 'n direkteur of werknemer.
- (16) Indien die party wat die geskil na die Raad verwys het, versuim om in persoon te verskyn of verteenwoordig te word tydens die arbitrasie verrigtinge, mag die arbiter die saak skrap.
- (17) Indien 'n party, anders as die party wat die geskil na die Raad verwys het, versuim om in persoon te verskyn of verteenwoordig te word tydens die arbitrasie verrigtinge, mag die arbiter—
- die arbitrasie verrigtinge in die afwesigheid van daardie party voortsit; of
 - die arbitrasie verrigtinge tot 'n later datum verdaag.
- (18) Binne 14 (veertien) dae na voltooiing van die arbitrasie verrigtinge—
- moet die arbiter 'n gepaste arbitrasie toekenning uitreik, geteken deur die arbiter; en
 - moet die Raad 'n kopie van die toekenning aan elk van die partye by die geskil dien.
- (19) By bewys van afdoende redes, mag die Sekretaris die tydperk verleng waartydens die arbitrasie toekenning en redes gedien as geliasseer moet word.
- (20) Die arbiter mag enige gepaste toekenning maak wat uitvoering aan die Ooreenkoms gee, en wat bindend en finaal sal wees.
- (21) Die arbiter mag nie 'n kostebevel by die arbitrasie toekenning insluit nie, tensy 'n party al herhaaldelik die bepalings van die kollektiewe ooreenkoms oortree het, of die persoon wat die party tydens enige stadium van die geskilbeslegtingsverrigtinge, ligsinning of ergerlik optree.
- (22) Ondanks die bepalings van paragraaf (20) hiervan, mag 'n arbiter op eie inisiatief of op versoek van 'n party wat geraak word deur 'n toekenning, 'n toekenning wysig of herroep indien die toekenning—
- verkeerdelik aangevra is of gemaak is in die afwesigheid van die party wat deur die toekenning geraak word;
 - onduidelik is of 'n duidelike fout of weglating bevat, maar slegs tot die omvang van die onduidelikheid, fout of weglating; of
 - toegestaan is as gevolg van 'n fout algemeen tot die partye by die verrigtinge.
- (23) Die Sekretaris mag aansoek doen dat die arbitrasie toekenning tot 'n bevel van die Arbeidshof omskep word ingevolge artikel 158 (1) van die Wet.
- (24) Die bepalings van hierdie geskilbeslegtingsprosedure is aanvullend tot enige ander wetlike hulpmiddel waarby die Raad die Ooreenkoms mag afdwing.

- (2) Ondanks subklousule (1) is hierdie Ooreenkoms van toepassing op—
- (a) vakleerlinge slegs vir sover dit nie onbestaanbaar is met die Wet op Mannekragopleiding, 1981, of met 'n kontrak wat daarkragtens aangegaan of met voorwaardes wat daarkragtens gestel is nie;
 - (b) kwekelinge wat opgelei word ooreenkomstig die Wet op Mannekragopleiding, 1981, slegs vir sover dit nie onbestaanbaar is met daardie Wet of met voorwaardes wat daarkragtens gestel is nie.
- (3) Ondanks die bepalings van subklousule (1) (a), is die bepalings van hierdie ooreenkoms nie van toepassing nie op—
- (a) klerklike werknemers en administratiewe personeel, maar uitgesonderd terreinmagasynmeesters;
 - (b) universiteitstudente en gegradueerdes in die bouwetenskap, en op konstruksietoeshouers, konstruksie-opmeters en ander persone wat besig is met praktiese werk ter voltooiing van hulle akademiese opleiding;
 - (c) tydelike werknemers soos omskryf deur die Wet op Basiese Diensvoorwaardes, 1983;
 - (d) nie-partye ten opsigte van klousules 1 (1) (a) en 2.

2. KLOUSULE 1: TOEPASSINGSBESTEK VAN OOREENKOMS

Vervang klousule 1 (3) (d) deur die volgende:

“(d) Nie-partye ten opsigte van klousules 1 (1) (a), 2, 14 (10) (i), 26, 33, 35 (1) en 39.”.

3. KLOUSULE 5: WOORDOMSKRYWINGS

- (1) Geen verandering in omskrywing van “messelwerk” soos aangedui in die Engelse teks nie.
 - (2) Voeg die volgende nuwe woordomschrywing in na die woordomschrywing van “ ‘slegs-arbeid’-kontrak”:
- “ ‘meester installasie-elektrisiën’ ’n werknemer wat ingevolge Regulasie 9 van die Elektriese Installasie Regulasies by die Wet op Beroepsgesondheid en -Veiligheid as ’n meester installasie-elektrisiën geregistreer is en wat deur die hoofinspekteur goedgekeur is vir die verifikasie en sertifisering van die konstruksie, toetsing en inspeksie van enige elektriese installasie.”.

4. KLOUSULE 14: BESOLDIGING

In subklousule (7) (a), vervang “42” deur “43”.

5. KLOUSULE 34: UITGAWES VAN DIE RAAD

In subklousule (1), vervang subparagrafe (i) en (ii) deur die volgende:

- “(1) Ten einde die uitgawes van die Raad te bestry, moet elke werkgewer elke week aan die Sekretaris van die Raad die volgende betaal:
- (i) ’n Bedrag van R4,18 in Gebied A en ’n bedrag van R4,29 in Gebiede B, C, D en E ten opsigte van elke werknemer deur hom in diens geneem vir wie lone bepaal word in klousule 14 (1) (i), (ii), (iii), (ix), (xi) (a), (b), (c) en (d) van hierdie Ooreenkoms. ’n Werkgewer is by magte om R2,09 in Gebied A en R2,15 in Gebiede B, C, D en E van die loon van elke sodanige werknemer af te trek vir sodanige week.
 - (ii) ’n Bedrag van R2,82 in Gebied A en R2,60 in Gebiede B, C, D en E ten opsigte van elke werknemer deur hom in diens geneem vir wie lone bepaal word in klousule 14 (i), (iv), (v) en (xi) (e) en (f) van hierdie Ooreenkoms. ’n Werkgewer is by magte om R1,18 in Gebied A en R1,30 in Gebiede B, C, D en E van die loon van elke sodanige werknemer af te trek vir sodanige week.”.

6. Vervang die huidige klousule 38 deur die volgende:

“38. GESKILBESLEGTINGSPROSEDURE

- (1) Enige beweerde oortreding van die bepalings van hierdie Ooreenkoms, sal besleg word *mutatis mutandis* op die wyse hieronder gespesifiseer.
- (2) Enige persoon mag ’n geskil betreffende die interpretasie of toepassing, insluitende die afdwinging van hierdie Ooreenkoms of enige ander geskille, na die Sekretaris van die Raad verwys vir beslegting daarvan ingevolge hierdie klousule.
- (3) Die Sekretaris mag ’n aangewese agent versoek om die geskil te ondersoek.
- (4) Die aangewese agent moet die feite betreffende die geskil ondersoek en indien die agent rede het om te glo dat die Ooreenkoms of die Wet oortree is, mag die agent poog om voldoening aan die Ooreenkoms of Wet te bewerkstellig by wyse van versoening.
- (5) Die aangewese agent moet ’n skriftelike verslag, so spoedig moontlik, aan die Sekretaris voorlê betreffende die ondersoek.
- (6) Indien die aangewese agent, tydens die uitvoering van sy pligte as sulks, ’n moontlike oortreding van die Ooreenkoms of Wet ontdek, mag die agent—
 - (a) die beweerde oortreding ondersoek;
 - (b) poog om voldoening aan die Ooreenkoms of Wet te bewerkstellig; en

	Category of employee	Per week R
(iv)	electrical journeyman (unlicensed)	52,67
(v)	electrical operator.....	39,50
(vi)	electrical general employee	33,39."

Signed at Port Elizabeth on this 8th day of September 1998.

G. B. STEELE

East Cape Master Builders' and Allied Industries Association

B. G. THOMPSON

Electrical Contracting and Allied Industries Association (Eastern Cape)

E. PLAATJIES

Construction and Allied Workers' Union

S. VAN RAYNER

Amalgamated Union of Building Trade Workers of South Africa

[being the parties to the Building Industry Bargaining Council (Southern and Eastern Cape)], in the presence of V. H. LE ROUX.

No. R. 1613

11 Desember 1998

**BOUNYWERHEID BEDINGINGSRAAD (SUID- EN OOS-KAAP): UITBREIDING
VAN WYSIGING VAN KOLLEKTIEWE OOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, die kollektiewe ooreenkoms wat in die Bylae hiervan verskyn, en wat in die Bounywerheid Bedingsraad aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend vir die ander werkgewers en werknemers in die Bounywerheid, met ingang van Desember 1998 en vir die tydperk wat op 28 Februarie 2001 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

BYLAE

BOUNYWERHEID BEDINGINGSRAAD (SUID- EN OOS-KAAP)

KOLLEKTIEWE OOREENKOMS

ooreenkomstig die Wet op Arbeidsverhoudinge, No. 66 van 1995, gesluit deur en aangegaan tussen die

East Cape Master Builders' and Allied Industries Association

Electrical Contracting and Allied Industries' Association (Eastern Cape)

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

Amalgamated Union of Building Trade Workers of South Africa

en

Construction and Allied Workers' Union

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

wat die partye is by die Bounywerheid Bedingsraad (Suid- en Oos-Kaap), die wysiging van die Ooreenkoms gepubliseer by Goewermentskennisgewing No. R. 245 van 20 Februarie 1998.

1. TOEPASSINGSBESTEK VAN OOREENKOMS

(1) Hierdie Ooreenkoms moet in die Bou- en Houtnywerheid nagekom word—

- (a) deur alle werkgewers en werknemers wat lede is van onderskeidelik die werkgewersorganisasies en die vakbonde:
- (b) in die landdrosdistrikte Albany, Alexandria, Bathurst, Beaufort-Wes, Calitzdorp, George, Humansdorp, Joubertina, Knysna, Ladismith, Mosselbaai, Oudtshoorn, Port Elizabeth, Queenstown (uitgesonderd die gedeelte wat voor die publikasie van Goewermentskennisgewing No. 1904 van 30 Augustus 1985 binne die landdrosdistrik Stockenström geval het), Riversdale, Uitenhage, Uniondale, en die gedeelte van die landdrosdistrik Hankey wat voor 1 November 1963 binne die landdrosdistrik Port Elizabeth geval het, maar uitgesonderd die gedeelte van die landdrosdistrik Port Elizabeth wat voor die publikasie van Goewermentskennisgewing No. 1974 van 26 September 1980 binne die landdrosdistrik Hankey geval het.

ANNEXURE D**BUILDING INDUSTRY BARGAINING COUNCIL (SOUTHERN AND EASTERN CAPE)****CLAUSE 14 (6): PENSION & PROVIDENT FUNDS: ALLOWANCE AND CONTRIBUTION**

- (i) *Allowances:* In addition to any other remuneration payable to which an employee may be entitled to, every employer in Area B shall in respect of the undermentioned employees in his employ pay an allowance as specified below in respect of every hour worked (excluding overtime): Provided that the said allowance shall be paid for not more than 45 hours in any one week:

<i>Category of employee</i>	<i>Per hour</i>
(a) Construction worker level A	.97
(b) Construction worker level B:	
Grade A journeymen in all other trades	.88
Grade A journeymen in painting and glazing	.76
Journeymen in other trades	.72
(c) Construction worker level C:	.55
Machine minders and sawyers and mechanical handling equipment drivers	.59
(d) Construction worker level D	.50
(e) Construction worker level E	.45
(f) Special category employees:	
Driver with Code 09 licence	.54
Watchman	.44
(g) Employees engaged in electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
(i) master installation electrician	.97
(ii) installation electrician	.88
(iii) electrical tester for single phase	.70
(iv) electrical journeyman (unlicensed)	.70
(v) electrical operator	.53
(vi) electrical general employee	.45

- (ii) *Contributions:* Every employer in Area B shall pay to the Council in respect of the undermentioned employees in his employ who have worked 27 ordinary hours of work, in any week, in accordance with the procedure referred to in clause 14 (6) (d), the following amounts:

<i>Category of employee</i>	<i>Per week R</i>
(a) Construction worker level A	72,45
(b) Construction worker level B:	
Grade A journeymen in all other trades	65,84
Grade A journeymen in painting and glazing	56,70
Journeymen in other trades	54,18
(c) Construction worker level C	41,27
Machine minders and sawyers and mechanical handling equipment drivers	44,10
(d) Construction worker level D	37,17
(e) Construction worker level E	33,39
(f) Special category employees:	
Driver with Code 09 licence	40,82
Watchman	33,33
(g) Employees engaged in electrical installation, which includes electrical fitting and wiring and operations incidental thereto:	
(i) master installation electrician	72,45
(ii) installation electrician	65,84
(iii) electrical tester for single phase	52,67

(vi) Special category employees:

Driver with Code 09 licence:

Area A.....	9,10
Area B.....	6,48
Area C.....	4,25

Per week

Watchman (per six day week):

R

Area A.....	311,28
Area B.....	238,04
Area C.....	208,67

(vii) *Apprentices*: Wages as prescribed under the Manpower Training Act, 1981, for apprentices in the Building Industry.(viii) *Minors in all trades*: Wages as prescribed for apprentices in the Building Industry.(ix) *Trainee construction workers*: Wages as fixed by the Council in terms of clause 21 of this Agreement.(x) *Cleaners*: 70 per cent of the wage referred to in paragraph (v) for construction worker level E.

(xi) Employees engaged in electrical installation, which includes electrical fitting and wiring and operations incidental thereto:

Per hour

R

Areas

	A	B	C	D	E
(a) master installation electrician	19,25	11,50	9,93	10,04	10,07
(b) installation electrician	17,49	10,45	9,19	9,13	9,15
(c) electrical tester for single phase	14,12	8,36	7,35	7,30	7,32
(d) electrical journeyman (unlicensed).....	14,12	8,36	7,35	7,30	7,32
(e) electrical operator.....	10,58	6,27	5,61	5,39	5,40
(f) electrical general employee	7,34	5,30	4,09	4,11	4,08

ANNEXURE B**BUILDING INDUSTRY BARGAINING COUNCIL (SOUTHERN AND EASTERN CAPE)****CLAUSE 14 (4): MEDICAL AID FUND: ALLOWANCE AND CONTRIBUTION****(a) Allowances:**

- (i) In addition to any other remuneration to which an employee referred to in subclause (1) (i), (ii) and (xi) (a), (b), (c) and (d) may be entitled, every employer shall pay to every such employee in his employ an allowance of 85,7 cents per hour in respect of all the ordinary hours of work referred to in clause 12, worked by such employee during a week; and
- (ii) in addition to any other remuneration which an employee employed under a contract of apprenticeship registered in terms of the Manpower Training Act, 1981, may be entitled, every employer shall pay to every such employee an allowance of 1,96c per hour in respect of all the ordinary hours of work, referred to in clause 12, worked by such employee during a week.

(b) Contributions:

- (i) Every employer shall, contribute to the Building Industry Medical Aid Fund, East Cape an amount of R68,56 per week in respect of each of his employees referred to in paragraph (a) (i). An employer shall be entitled to deduct the amount paid to the employee in terms of paragraph (a) (i) from the remuneration of the employee in respect of whom payment was made; and
- (ii) every employer shall, contribute to the Building Industry Medical Aid Fund, East Cape an amount of R15,68 per week in respect of an employee referred to in paragraph (a) (ii). An employer shall be entitled to deduct the amount paid to the employee in terms of paragraph (a) (ii) from the remuneration of the employee in respect of whom payment was made."

"ANNEXURE A**BUILDING INDUSTRY BARGAINING COUNCIL (SOUTHERN AND EASTERN CAPE)****CLAUSE 14 (1): MINIMUM WAGE RATES**

<i>Category of employee and area</i>		<i>Per hour</i> R
(i) Construction worker level A:		
Area A.....		18,36
Area B.....		10,98
Area C.....		9,50
Area D.....		9,58
Area E.....		9,60
(ii) Construction worker level B:		
Area A.....		17,49
Glaziers in joinery shop.....		17,18
Area B:		
Grade A journeymen in all other trades.....		10,45
Grade A journeymen in painting and glazing.....		9,00
Journeymen in other trades.....		8,60
Area C:		
Grade A journeymen in all trades.....		9,05
Journeymen in all trades.....		7,45
Area D:		
Grade A journeymen in all trades.....		9,13
Journeymen in all trades.....		8,26
Area E:		
Grade A journeymen in all trades.....		9,15
Journeymen in all trades.....		8,61
(iii) Construction worker level C:		
Area A.....		10,58
Machine minders and sawyers, mechanical handling equipment drivers.....		9,98
Area B.....		6,55
Machine minders and sawyers, mechanical handling equipment drivers.....		7,00
Area C.....		5,25
Area D.....		5,39
Machine minders and sawyers, mechanical handling equipment drivers.....		5,11
Area E.....		5,40
Operators of cranes and hoists and motor vehicle drivers.....		6,22
(iv) Construction worker level D:		
Area A.....		7,98
Area B.....		5,90
Area C.....		4,13
Area D.....		4,65
Area E.....		5,03
(v) Construction worker level E:		
Area A.....		7,34
Area B.....		5,30
Area C.....		4,09
Area D.....		4,11
Area E.....		4,08

- (c) issue a compliance order; or
 - (d) refer the dispute to arbitration in terms of this Agreement.
- (8) If a conciliator is appointed, the Secretary must, if appropriate, decide the date, time and venue of the conciliation meeting and must serve notices of these particulars on the parties to the dispute.
 - (9) If the dispute is referred to arbitration, the Secretary must appoint an arbitrator from the panel of arbitrators.
 - (10) The Secretary, in consultation with the arbitrator, must decide the date, time and venue of the arbitration hearing.
 - (11) The Secretary must serve notices of the date, time and venue of the arbitration on the parties to the dispute and any other person who may have a legal interest in the outcome of the arbitration.
 - (12) The arbitrator must conduct the arbitration in a manner that he/she considers appropriate in order to determine the dispute fairly and quickly, but must deal with the substantial merits of the disputes with the minimum of legal formalities.
 - (13) Subject to the arbitrator's discretion as to the appropriate form of the proceedings, a party to the dispute, including the Council, may give evidence, call witnesses, question witnesses of any other party, and address concluding arguments to the arbitrator.
 - (14) The arbitrator may suspend the arbitration proceedings and attempt to resolve the dispute through conciliation if the Council and the parties to the dispute consent to this.
 - (15) In any arbitration proceedings, a party to the dispute may appear in person or be represented by a legal practitioner, a member, office bearer or official of that party's trade union or employers' organisation and, if the party is a juristic person, by a director or employee.
 - (16) If the party who referred the dispute to the Council, fails to appear in person or to be represented at the arbitration proceedings, the arbitrator may dismiss the matter.
 - (17) If a party, other than the party who referred the dispute to the Council, fails to appear in person or to be represented at the arbitration proceedings, the arbitrator may—
 - (a) continue with the arbitration proceedings in the absence of that party; or
 - (b) adjourn the arbitration proceedings to a later date.
 - (18) Within 14 (fourteen) days of the conclusion of the arbitration proceedings—
 - (a) the arbitrator must issue an appropriate arbitration award, signed by the arbitrator; and
 - (b) the Council must serve a copy of that award on each party to the dispute.
 - (19) On good cause shown, the Secretary of the Council may extend the period in which the arbitration award and the reasons are to be served and filed.
 - (20) The arbitrator may make any appropriate award that gives effect to the Agreement, which shall be final and binding.
 - (21) The arbitrator may not include an order for costs in the arbitration award unless a party has repeatedly contravened the provisions of the collective agreement, or the person who represented that party during any stage of the dispute resolution proceedings, acted in a frivolous or vexatious manner.
 - (22) Notwithstanding the provisions of paragraph (20) hereof, an arbitrator may at his own initiative or as a result of an application by an affected party, vary or rescind an award—
 - (a) erroneously sought or made in the absence of any party affected by the award;
 - (b) in which there is ambiguity, or an obvious error or omission, but only to the extent of the ambiguity, error or omission; or
 - (c) granted as a result of a mistake common to the parties to the proceedings.
 - (23) The Secretary may apply to make the arbitration award an order of the Labour Court under section 158 (1) of the Act.
 - (24) The provisions of this dispute procedure stand in addition to any other legal remedy through which the Council may enforce the collective agreement.
 - (25) The Secretary of the Council may delegate all or any of duties and/or functions conferred on him in this clause to another employee of the Council.
 - (26) Notices referred to in paragraph (11) above, shall be deemed to have been given if proof is presented that written notification has been forwarded to a party—
 - (a) by registered mail to such party's last-known address and 14 (fourteen) days have lapsed since such notification has been mailed; or
 - (b) by fax transmission to such party's last-known fax number; or
 - (c) by hand delivery to such party's last-known business or residential address.”.

7. Substitute the following for Annexures A, B & D to this Agreement:

- (b) trainees under the Manpower Training Act, 1981, as amended, only in so far as they are not inconsistent with the provisions of the Act or any conditions fixed thereunder;
- (3) Notwithstanding the provisions of subclause (1) (a), the terms of this Agreement shall not apply to—
 - (a) clerical employees and administrative staff, but excluding site storemen;
 - (b) university students and graduates in building science, and to construction supervisors, construction surveyors and other persons doing practical work, in the completion of their academic training;
 - (c) casual employees as defined by Basic Conditions of Employment Act, 1983;
 - (d) non-parties in respect of clauses 1 (1) (a) and 2.

2. CLAUSE 1: SCOPE AND APPLICATION OF AGREEMENT

Substitute the following for clause 1 (3) (d):

- “(d) non-parties in respect of clauses 1 (1) (a), 2, 14 (10) (i), 26, 33, 35 (1) and 39.”.

3. CLAUSE 5: DEFINITIONS

- (1) In the activity “bricklaying” appearing under the definition “Building Industry” or “Industry”, insert the word “excluding” after the words “fixing of concrete blocks” in the first line.
- (2) Insert the following new definition after the definition of “labour-only contracts”:

“‘master installation electrician’ means an employee who has been registered as a master installation electrician in terms of regulation 9 of the Machinery and Occupational Safety Act, 1983 (Act No. 6 of 1983), and who has been approved by the chief inspector for the verification and certification of the construction, testing and inspection of any electrical installation.”.

4. CLAUSE 14: REMUNERATION

In subclause (7) (a), substitute “42” for “43”.

5. CLAUSE 34: EXPENSES OF THE COUNCIL

Substitute the following for subparagraphs (i) and (ii) of subclause (1):

- “(1) For the purpose of meeting the expenses of the Council every employer shall, each week, pay to the Secretary of the Council the following:
 - (i) An amount of R4,18 in Area A and an amount of R4,29 in Areas B, C, D and E in respect of each employee employed by him and for whom wages are laid down in clause 14 (1) (i) (ii), (iii), (ix), (xi) (a), (b), (c) and (d) of this Agreement. An employer may deduct from the wage of each such employee an amount of R2,09 in Area A and an amount of R2,15 in Areas B, C, D and E for such week.
 - (ii) An amount of R2,82 in Area A and an amount of R2,60 in Areas B, C, D and E in respect of each employee employed by him and for whom wages are laid down in clause 14 (1) (iv), (v), (vi) and (xi) (e) and (f) of this Agreement. An employer may deduct from the wage of each such employee an amount of R1,18 in Area A and an amount of R1,30 in Areas B, C, D and E for such week.”.

6. Substitute the following for the existing clause 38:

“38. PROCEDURE FOR THE RESOLUTION OF DISPUTES

- (1) Any alleged infringements of the provisions of this Agreement, shall be resolved *mutatis mutandis* in the manner specified hereunder.
- (2) Any person may refer a dispute about the interpretation or application including enforcement, of this Agreement or any other disputes, to the Secretary of the Council for resolution in terms of this clause.
- (3) The Secretary may require a designated agent to investigate the dispute.
- (4) The designated agent must investigate the facts surrounding the dispute and if the agent has reason to believe that the Agreement or the Act has been breached, the agent may endeavour to secure compliance with the Agreement or Act through conciliation.
- (5) The designated agent must submit, as soon as possible, a written report to the Secretary on the investigation.
- (6) If in the course of performing a designated agent's duties, an agent discovers what appears to be a breach of the Agreement or Act, the agent—
 - (a) may investigate the alleged breach;
 - (b) may endeavour to secure compliance with the Agreement or Act; and
 - (c) must submit a report to the Secretary on the investigation, the steps taken to secure compliance and the outcome of those steps.
- (7) On receipt of the report, the Secretary may—
 - (a) require the designated agent to make further investigations; or
 - (b) if further conciliation is indicated, appoint a conciliator from the Council's panel of conciliators; or

(b) Elke werkgewer moet die bydraes bedoel in subklousule 24 (1) (a) aan die Raad betaal op die werknemers se gewone betaaldag en moet op daardie dag die Raad se voordele seëls ter waarde van die bydrae gemaak, kanselleer en aan die werknemer uitreik."

(2) In subklousule (2), vervang die uitdrukking "2,5 persent" deur die uitdrukking "5,0 persent".

Geteken namens die partye op hierdie 1ste dag van September 1998.

D. E. SIMMONS

Voorsitter

R. K. WIPPICH

Vise-Voorsitter

N. J. KRUGER

Sekretaris

No. R. 1613

11 December 1998

LABOUR RELATIONS ACT, 1995

**BUILDING INDUSTRY BARGAINING COUNCIL (SOUTHERN AND EASTERN CAPE):
EXTENSION OF AMENDMENT OF COLLECTIVE AGREEMENT TO NON-PARTIES**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the Building Industry Bargaining Council, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the agreement, shall be binding on the other employers and employees in the Building Industry, with effect from December 1998 and for the period ending 28 February 2001.

M. M. S. MDLADLANA

Minister of Labour

SCHEDULE

BUILDING INDUSTRY BARGAINING COUNCIL (SOUTHERN AND EASTERN CAPE)

COLLECTIVE AGREEMENT

in accordance with the provisions of the Labour Relations Act, No. 66 of 1995, made and entered into by and between the

East Cape Master Builders' and Allied Industries Association

Electrical Contracting and Allied Industries' Association (Eastern Cape)

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

Amalgamated Union of Building Trade Workers of South Africa

and

Construction and Allied Workers' Union

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

being the parties to the Building Industry Bargaining Council (Southern- and Eastern Cape), to amend the Agreement published under Government Notice No. R. 245 of 20 February 1998.

1. SCOPE AND APPLICATION

(1) The terms of this Agreement shall be observed in the Building Industry and Timber Trade—

(a) by all employers who are members of the employers' organisations and by employees who are members of the trade unions;

(b) in the Magisterial Districts of Albany, Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Knysna, Ladismith, Mossel Bay, Oudtshoorn, Port Elizabeth, Queenstown (excluding that portion which, prior to the publication of Government Notice No. 1904 of 30 August 1985, fell within the Magisterial District of Stockenström), Riversdale, Uitenhage, Uniondale, and in that portion of the Magisterial District of Hankey which, prior to 1 November 1963, fell within the Magisterial District of Port Elizabeth, but excluding that portion of the Magisterial District of Port Elizabeth which, prior to the publication of Government Notice No. 1974 of 26 September 1980, fell within the Magisterial District of Hankey.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to—

(a) apprentices only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, as amended, or, any contract entered into or any conditions fixed thereunder;

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die Ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
	R	R	R	R
Werknemers vir wie lone voorgeskryf word in—	Per week			
(i) klousule 10 (1) (a).....	4,00	4,00	4,00	4,00
(ii) klousule 10 (1) (b) en (1) (1).....	4,00	4,00	4,00	4,00
(iii) klousule 10 (1) (c), (1) (2) and (n) (1)	5,50	5,50	5,50	5,50
(iv) klousule 10 (1) (d), (1) (3), (m) (1) en (n) (2).....	5,50	5,50	5,50	5,50
(v) klousule 10 (1) (e), (1) (4), (m) (2) en (n) (3).....	5,50	5,50	5,50	5,50
(vi) klousule 10 (1) (f) , (1) (5), (m) (3) en (n) (4).....	5,50	5,50	5,50	5,50
(vii) klousule 10 (1) (g).....	6,80	6,80	6,80	6,80
(viii) klousule 10 (1) (h).....	6,80	6,80	6,80	6,80
(ix) klousule 10 (1) (i) (1) en (i) (3).....	6,80	6,80	6,80	6,80
(x) klousule 10 (1) (i) (2)	6,80	—	6,80	—
(xi) klousule 10 (1) (j).....	6,80	—	6,80	—
(xii) klousule 10 (1) (k).....	6,80	6,80	6,80	6,80

(b) Elke werkgever moet die bydraes bedoel in subklousule 21 (1) (a) aan die Raad betaal op die werknemers se gewone betaaldag en moet op daardie dag die Raad se voordeleleëls ter waarde van die bydrae gemaak, kanselleer en aan die werknemer uitreik."

(2) In subklousule (3), vervang die uitdrukking "2,5 persent" deur die uitdrukking "5,0 persent".

12. KLOUSULE: 22: SPESIALE LIDMAATSKAPHEFFING: WERKGEWERS

In subklousule (2), vervang die uitdrukking "2,5 persent" deur die uitdrukking "5,0 persent".

13. KLOUSULE: 24: SIEKEFONDS VIR DIE WESTELIKE PROVINSIE BOU- EN VERWANTE AMBAGTE

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

"(1) (a) Elke werkgever moet op elke betaaldag van die lone verskuldig elke week aan elke geskikte werknemer, wat lid is van die vakbond wat 'n party by hierdie Ooreenkoms is, die bydraes hieronder uiteengesit, aftrek:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die Ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
	R	R	R	R
Werknemers vir wie lone voorgeskryf word in—	Per week			
(i) klousule 10 (1) (a).....	—	—	—	—
(ii) klousule 10 (1) (b) en (1) (1).....	—	—	—	—
(iii) klousule 10 (1) (c), (1) (2) and (n) (1)	2,01	2,01	2,01	2,01
(iv) klousule 10 (1) (d), (1) (3), (m) (1) en (n) (2).....	2,01	2,01	2,01	2,01
(v) klousule 10 (1) (e), (1) (4), (m) (2) en (n) (3).....	2,01	2,01	2,01	2,01
(vi) klousule 10 (1) (f) , (1) (5), (m) (3) en (n) (4).....	2,01	2,01	2,01	2,01
(vii) klousule 10 (1) (g).....	2,68	2,68	2,68	2,68
(viii) klousule 10 (1) (h).....	2,68	2,68	2,68	2,68
(ix) klousule 10 (1) (i) (1) en (i) (3).....	2,68	2,68	2,68	2,68
(x) klousule 10 (1) (i) (2)	2,68	—	2,68	—
(xi) klousule 10 (1) (j).....	2,68	—	2,68	—
(xii) klousule 10 (1) (k).....	2,68	2,68	2,68	2,68

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	R	R	R	R
	Per week			
(i) klousule 10 (1) (a)	2,52	2,52	2,52	2,10
(ii) klousule 10 (1) (b) en (l) (1)	3,36	3,36	2,94	2,52
(iii) klousule 10 (1) (c), (1) (2) en (n) (1)	3,78	3,78	3,36	2,94
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2)	4,20	4,20	3,78	3,36
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3)	4,62	4,62	4,20	3,78
(vi) klousule 10 (1) (f), (l) (5), (m) (3) en (n) (4)	5,04	5,04	4,62	4,20
(vii) klousule 10 (1) (g)	5,88	5,88	5,46	4,62
(viii) klousule 10 (1) (h)	6,72	6,72	5,88	5,46
(ix) klousule 10 (1) (i) (1) en (i) (3)	7,14	7,14	6,72	5,88
(x) klousule 10 (1) (i) (2)	7,14	—	5,88	—
(xi) klousule 10 (1) (j)	7,14	—	6,72	—
(xii) klousule 10 (1) (k)	7,98	7,98	7,56	6,72

(b) Elke werkgever moet die gespesifiseerde bydrae van die Raad betaal op die werknemer se gewone betaaldag, en moet op daardie dag die Raad se voordele seëls kanselleer en aan die werknemer uitreik ter waarde van bydrae gemaak."

2. Vervang subklousule (2) deur die volgende:

"(2) *Bydraes deur die werknemer*: Elke werknemer mag op elke betaaldag van die lone verskuldig elke week aan elke geskikte werknemer wat 25 uur of meer maar minder as 42 uur gedurende die besondere bydraeweek gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk en 42 uur, aftrek as die werknemer se bydrae tot die Fonds:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	c	c	c	c
	Per uur			
(i) klousule 10 (1) (a)	6	6	6	5
(ii) klousule 10 (1) (b) en (l) (1)	8	8	7	6
(iii) klousule 10 (1) (c), (1) (2) en (n) (1)	9	9	8	7
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2)	10	10	9	8
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3)	11	11	10	9
(vi) klousule 10 (1) (f), (l) (5), (m) (c) en (n) (4)	12	12	11	10
(vii) klousule 10 (1) (g)	14	14	13	11
(viii) klousule 10 (1) (h)	16	16	14	13
(ix) klousule 10 (1) (i) (1) en (i) (3)	17	17	16	14
(x) klousule 10 (1) (i) (2)	17	—	14	—
(xi) klousule 10 (1) (j)	17	—	16	—
(xii) klousule 10 (1) (k)	19	19	18	16."

11. KLOUSULE: 21: VAKBOND AFTREKKINGS

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

"(1) *Vakbond ledigheid*: (a) Elke werkgever moet op elke betaaldag van die lone verskuldig elke week aan elke geskikte werknemer, wat lid is van die vakbond wat 'n party by hierdie Ooreenkoms is, die bydraes hieronder uiteengesit, aftrek:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	c	c	c	c
	Per uur			
(i) klousule 10 (1) (a).....	6	6	6	5
(ii) klousule 10 (1) (b) en (1) (1)	8	8	7	6
(iii) klousule 10 (1) (c), (1) (2) en (n) (1).....	9	9	8	7
(iv) klousule 10 (1) (d), (1) (3), (m) (1) en (n) (2).....	10	10	9	8
(v) klousule 10 (1) (e), (1) (4), (m) (2) en (n) (3).....	11	11	10	9
(vi) klousule 10 (1) (f), (1) (5), (m) (3) en (n) (4).....	12	12	11	10
(vii) klousule 10 (1) (g).....	14	14	13	11
(viii) klousule 10 (1) (h).....	16	16	14	13
(ix) klousule 10 (1) (i) (1) en (i) (3)	17	17	16	14
(x) klousule 10 (1) (i) (2)	17	—	14	—
(xi) klousule 10 (1) (j).....	17	—	16	—
(xii) klousule 10 (1) (k).....	19	19	18	16."

9. KLOUSULE 18: STABILISASIEFONDS

1. Vervang subklousule (2) deur die volgende:

"(2) *Bydraes*: Elke werkgewer moet op elke betaaldag van die lone verskuldig elke week aan elke geskikte werknemer die bydraes uiteengesit, aftrek:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	R	R	R	R
	Per week			
(i) klousule 10 (1) (a)	4,00	4,00	4,00	4,00
(ii) klousule 10 (1) (b) en (l) (1).....	4,00	4,00	4,00	4,00
(iii) klousule 10 (1) (c), (1) (2) en (n) (1)	5,50	5,50	5,50	5,50
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2)	5,50	5,50	5,50	5,50
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3)	5,50	5,50	5,50	5,50
(vi) klousule 10 (1) (f), (l) (5), (m) (c) en (n) (4).....	5,50	5,50	5,50	5,50
(vii) klousule 10 (1) (g)	6,80	6,80	6,80	6,80
(viii) klousule 10 (1) (h)	6,80	6,80	6,80	6,80
(ix) klousule 10 (1) (i) (1) en (i) (3).....	6,80	6,80	6,80	6,80
(x) klousule 10 (1) (i) (2)	6,80	—	6,80	—
(xi) klousule 10 (1) (j).....	6,80	—	6,80	—
(xii) klousule 10 (1) (k)	6,80	6,80	6,80	6,80

(b) Elke werkgewer moet die bydrae bedoel in subklousule 18 (2), aan die Raad betaal op die werknemer se gewone betaaldag, en moet op daardie dag die gespesifiseerde voordeleleëls van die bydrae gemaak, kanselleer en aan die werknemer uitreik.

10. KLOUSULE 20: UITGAWES VAN DIE RAAD

1. Vervang subklousule (1) deur die volgende:

"(2) *Bydrae deur die werkgewer*: (a) Elke werkgewer moet 'n bydrae tot die Raad maak ten opsigte van elke geskikte werknemer ten opsigte van elke bydraeweek wat daardie werknemer in sy diens; is welke bedrag soos volg bereken word:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	c	c	c	c
		Per uur		
(i) klousule 10 (1) (a).....	65	65	60	49
(ii) klousule 10 (1) (b) en (1) (1)	81	81	75	62
(iii) klousule 10 (1) (c), (1) (2) en (n) (1).....	89	89	83	70
(iv) klousule 10 (1) (d), (1) (3), (m) (1) en (n) (2).....	100	100	93	79
(v) klousule 10 (1) (e), (1) (4), (m) (2) en (n) (3).....	111	111	104	89
(vi) klousule 10 (1) (f), (1) (5), (m) (3) en (n) (4).....	124	124	116	100
(vii) klousule 10 (1) (g).....	139	139	130	113
(viii) klousule 10 (1) (h).....	155	155	145	126
(ix) klousule 10 (1) (i) (1) en (i) (3)	173	173	162	142
(x) klousule 17 (1) (i) (2)	173	—	145	—
(xi) klousule 17 (1) (j).....	173	—	162	—
(xii) klousule 17 (1) (k).....	194	194	181	160.

8. KLOUSULE 17: SIEKEFONDS VIR DIE BOUNYWERHEID

(1) Vervang subklousule (3) deur die volgende:

"(3) *Bydraes deur die werkgever:* (a) Elke werkgever moet bydrae tot die Fonds namens elke geskikte werknemer ten opsigte van elke bydraeweek wat daardie werknemer in sy diens is, welke bedrae soos volg bereken word:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	R	R	R	R
		Per week		
(i) klousule 10 (1) (a).....	2,52	2,52	2,52	2,10
(ii) klousule 10 (1) (b) en (1) (1)	3,36	3,36	2,94	2,52
(iii) klousule 10 (1) (c), (1) (2) en (n) (1).....	3,78	3,78	3,36	2,94
(iv) klousule 10 (1) (d), (1) (3), (m) (1) en (n) (2).....	4,20	4,20	3,78	3,36
(v) klousule 10 (1) (e), (1) (4), (m) (2) en (n) (3).....	4,62	4,62	4,20	3,78
(vi) klousule 10 (1) (f), (1) (5), (m) (3) en (n) (4).....	5,04	5,04	4,62	4,20
(vii) klousule 10 (1) (g).....	5,88	5,88	5,46	4,62
(viii) klousule 10 (1) (h).....	6,72	6,72	5,88	5,46
(ix) klousule 10 (1) (i) (1) en (i) (3)	7,14	7,14	6,72	5,88
(x) klousule 10 (1) (i) (2)	7,14	—	5,88	—
(xi) klousule 10 (1) (j).....	7,14	—	6,72	—
(xii) klousule 10 (1) (k).....	7,98	7,98	7,56	6,72

(b) Elke werkgever moet die gespesifiseerde bydrae aan die Raad betaal op die werknemer se gewone betaaldag, en moet op daardie dag die gespesifiseerde voordeleleë ter waarde van die bydrae gemaak, kanselleer en aan die werknemer uitreik."

(2) Vervang subklousule (4) deur die volgende:

"(4) *Bydraes deur die werknemer:* Elke werkgever mag op elke betaaldag van die lone verskuldig elke week aan die geskikte werknemer wat 25 uur of meer maar minder as 42 uur gedurende die besondere bydraeweek gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk, en 42 uur, aftrek as die werknemer se bydrae tot die Fonds:

(2) Vervang subklousule (6) deur die volgende:

- "(6) *Bydraes deur die werknemer:* Elke werkgever mag op elke betaaldag van die lone verskuldig elke week aan elke geskikte werknemer wat 25 uur of meer maar minder as 42 uur gedurende die besondere bydraeweek gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk en 42 uur, aftrek as die werknemer se bydrae tot die Fonds:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	c	c	c	c
	Per uur			
(i) klousule 10 (1) (a).....	37	37	37	28
(ii) klousule 10 (1) (b) en (l) (1)	46	46	46	35
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	51	51	51	40
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	56	56	56	45
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	63	63	63	50
(vi) klousule 10 (1) (f), (l) (5), (m) (3) en (n) (4).....	70	70	70	57
(vii) klousule 10 (1) (g).....	79	79	79	64
(viii) klousule 10 (1) (h).....	88	88	88	72
(ix) klousule 10 (1) (i) (1) en (i) (3)	98	98	98	81
(x) klousule 17 (1) (i) (2)	98	—	88	—
(xi) klousule 17 (1) (j).....	98	—	98	—
(xii) klousule 17 (1) (k).....	110	110	110	91".

7. KLOUSULE 16: AFTREDINGSFONDSE

(1) Vervang subklousule (4) deur die volgende:

- "(4) *Bydraes deur die werkgever* (a) Elke werkgever moet bydra tot die Aftredingsfondse namens elke geskikte werknemer ten opsigte van elke bydraeweek wat daardie werknemer in sy diens is, welke bedrag soos volg bereken word:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	R	R	R	R
	per week			
(i) klousule 10 (1) (a).....	27,30	27,30	25,20	20,58
(ii) klousule 10 (1) (b) en (1) (1)	34,02	34,02	31,50	26,04
(iii) klousule 10 (1) (c), (1) (2) en (n) (1).....	37,38	37,38	34,86	29,40
(iv) klousule 10 (1) (d), (1) (3), (m) (1) en (n) (2).....	42,00	42,00	39,06	33,18
(v) klousule 10 (1) (e), (1) (4), (m) (2) en (n) (3).....	46,62	46,62	43,68	37,38
(vi) klousule 10 (1) (f), (1) (5), (m) (3) en (n) (4).....	52,08	52,08	48,72	42,00
(vii) klousule 10 (1) (g).....	58,38	58,38	54,60	47,46
(viii) klousule 10 (1) (h).....	65,10	65,10	60,90	52,92
(ix) klousule 10 (1) (i) (1) en (i) (3)	72,66	72,66	68,04	59,64
(x) klousule 10 (1) (i) (2)	72,66	—	60,90	—
(xi) klousule 10 (1) (j).....	72,66	—	68,04	—
(xii) klousule 10 (1) (k).....	81,48	81,48	76,02	67,20

(b) Elke werkgever moet die gespesifiseerde bydrae aan die Raad betaal op die werknemer se gewone betaaldag, en moet op daardie dag die gespesifiseerde voordeleëls ter waarde van die bydrae gemaak, kanselleer en aan die werknemer uitreik.

(2) Vervang subklousule (5) deur die volgende:

"(5) *Bydraes deur die werknemer:* Elke werkgever mag op elke betaaldag van die lone verskuldig elke week aan elke geskikte werknemer wat 25 uur of meer maar minder as 42 uur gedurende die besondere bydraeweek gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk en 42 uur, aftrek as die werknemer se bydrae tot die Aftredingsfondse:

(b) Elke werkgever moet die gespesifiseerde bydrae aan die Raad betaal op die werknemer se gewone betaaldag, en moet op daardie dag die gespesifiseerde voordeleleëls, ter waarde van bydrae gemaak, kanselleer en aan die werknemer uitreik."

(2) Vervang subklousule (3) deur die volgende:

"(3) *Bydraes deur die werknemer*— Elke werkgever mag op elke betaaldag van die lone verskuldig elke week aan elke geskikte werknemer wat 25 uur of meer maar minder as 42 uur gedurende die besonderhede bydraeweek gewerk het, die bedrae hieronder gespesifiseer vermenigvuldig met die verskil tussen die ure werklik gewerk en 42 uur, aftrek as die werknemer se bydrae tot die vakansiefonds:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	R	R	R	R
		Per uur		
(i) klousule 10 (1) (a).....	26	26	24	20
(ii) klousule 10 (1) (b) en (l) (1).....	33	33	30	25
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	36	36	34	29
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	41	41	38	32
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	46	46	42	36
(vi) klousule 10 (1) (f), (l) (5), (m) (3) en (n) (4).....	51	51	47	41
(vii) klousule 10 (1) (g).....	57	57	53	46
(viii) klousule 10 (1) (h).....	63	63	59	52
(ix) klousule 10 (1) (i) (1) en (l) (3).....	71	71	66	58
(x) klousule 10 (1) (i) (2).....	71	—	59	—
(xi) klousule 10 (1) (j).....	74	—	69	—
(xii) klousule 10 (1) (k).....	79	79	74	65."

6. KLOUSULE: 15. MEDIESE HULPFONDS

(1) Vervang subklousule (5) deur die volgende:

"(5) *Bydraes deur die werkgever* (a) Elke werkgever moet bydra tot die Fonds namens die geskikte werknemer ten opsigte van elke bydraeweek wat daardie werknemer in sy diens is, welke bedrag soos volg bereken word:

Werknemerskategorie	Vanaf die datum van inwerkingtreding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	R	R	R	R
		Per week		
(i) klousule 10 (1) (a).....	15,54	15,54	15,54	11,76
(ii) klousule 10 (1) (b) en (l) (1).....	19,32	19,32	19,32	14,70
(iii) klousule 10 (1) (c), (l) (2) and (n) (1).....	21,42	21,42	21,42	16,80
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	23,52	23,52	23,52	18,90
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	26,46	26,46	26,46	21,00
(vi) klousule 10 (1) (f), (l) (5), (m) (3) en (n) (4).....	29,40	29,40	29,40	23,94
(vii) klousule 10 (1) (g).....	33,18	33,18	33,18	26,88
(viii) klousule 10 (1) (h).....	36,96	36,96	36,96	30,24
(ix) klousule 10 (1) (i) (1) en (l) (3).....	41,16	41,16	41,16	34,02
(x) klousule 10 (1) (i) (2).....	41,16	—	36,96	—
(xi) klousule 10 (1) (j).....	41,16	—	41,16	—
(xii) klousule 10 (1) (k).....	46,20	46,20	46,20	38,22

(b) Elke werknemer moet die gespesifiseerde bydrae aan die Raad betaal op die werknemer se gewone betaaldag, en moet op daardie dag die gespesifiseerde voordeleleëls ter waarde van die bydrae gemaak, kanselleer en aan die werknemer uitreik."

Werknemerskategorie	Vanaf die datum van inwerking-treding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
(j) Ambagsman Kategorie 3A: In alle ander ambagte	12,09	Per uur		—
(k) Ambagsman Kategorie 1: In alle ander ambagte.....	12,90	—	11,30	—
(l) Voertuigbestuurders en operateurs van kragaan-gedrewe masjinerie wat in besit moet wees van 'n—		12,90	12,06	10,67
(1) Kode 5-7 of B lisensie	225,96	Per week		
(2) Kode 8 of EB lisensie.....	249,90			
(3) Kode 10 of EB1 lisensie.....	278,88			
(4) Kode 11-14 of EC lisensie.....	312,06			
(m) (1) Vakleerlinge in eerste jaar van opleiding	6,64	Per uur		5,26
(2) Vakleerlinge in tweede jaar van opleiding.....	7,43	6,64	6,21	5,92
(3) Vakleerlinge in derde jaar van opleiding	8,29	7,43	6,94	6,66
(n) (1) Kwekelingbouwerker Kategorie 4	5,95	8,29	7,75	6,66
(2) Kwekelingbouwerker Kategorie 3	6,64	5,95	5,56	4,68
(3) Kwekelingbouwerker Kategorie 2	7,43	6,64	6,21	5,26
(4) Kwekelingbouwerker Kategorie 1	8,29	7,43	6,94	5,92
		8,29	7,75	6,66

Met dien verstande dat voormelde lone nie minder mag wees nie as dié voorgeskryf ingevolge die Wet op Mannekrasopleiding, 1981: Met dien verstande voorts dat die lone hierbo gespesifiseer vir drywer/masjien-bedieners betaalbaar is indien sodanige werknemers 42 of meer gewone werksure maar hoogstens 46 gewone werksure in enige week gewerk het. Indien sodanige werknemers egter minder as 42 gewone werksure in enige week het, moet hul lone, vir die spesifieke week soos volg bereken word: Bogemelde gespesifiseerde lone gedeel deur 42 uur en vermenigvuldig met die werklike getal gewone aantal werksure gewerk.

2. In subklousule (7) (a) vervang die bedrag "R10,10" deur die bedrag "R10,83".

5. KLOUSULE 14: VAKANSIEFONDS

- (1) Vervang subklousule (2) deur die volgende:

"(2) *Bydraes deur die werkgewer:* (a) 'n Werkgewer moet bydra tot die vakansiefonds namens 'n geskikte werknemer ten opsigte van elke week wat daardie werknemer in sy diens is ("n bydraeweek"), welke bedrag soos volg bereken word—

Werknemerskategorie	Vanaf die datum van inwerking-treding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
Werknemers vir wie lone voorgeskryf word in—	R	R	R	R
(i) klousule 10 (1) (a).....	10,92	10,92	10,08	8,40
(ii) klousule 10 (1) (b) en (l) (1).....	13,86	13,86	12,60	10,50
(iii) klousule 10 (1) (c), (l) (2) en (n) (1).....	15,12	15,12	14,28	12,18
(iv) klousule 10 (1) (d), (l) (3), (m) (1) en (n) (2).....	17,22	17,22	15,96	13,44
(v) klousule 10 (1) (e), (l) (4), (m) (2) en (n) (3).....	19,32	19,32	17,64	15,12
(vi) klousule 10 (1) (f), (l) (5), (m) (3) en (n) (4).....	21,42	21,42	19,74	17,22
(vii) klousule 10 (1) (g).....	23,94	23,94	22,26	19,32
(viii) klousule 10 (1) (h).....	26,46	26,46	24,78	21,84
(ix) klousule 10 (1) (i) (1) en (i) (3)	29,82	29,82	27,72	24,36
(x) klousule 10 (1) (i) (2)	29,82	—	24,78	—
(xi) klousule 10 (1) (j).....	31,08	—	28,98	—
(xii) klousule 10 (1) (k).....	33,18	33,18	31,08	27,30

- (b) Universiteitstudente en gegradueerdes in die bouwetenskap en konstruksieopmeters en sodanige ander persone wat besig is met praktiese werk ter voltooiing van hul akademiese opleiding;
- (c) voormanne of algemene voormanne;
- (d) nie-partye ten opsigte van klousules 1 (1) (a) en 11 (1) van hierdie Ooreenkoms.

2. KLOUSULE 4: WOORDOMSKRYWINGS

Vervang die omskrywing van "Eienaar-bouer" deur die volgende:

"'Eienaar-bouer' enige persoon wat persone in diens neem, hetsy teen vergoeding of nie, met die doel om werk in die Bounywerheid, soos omskryf, te verrig aan 'n bestaande woonhuis of met die doel om 'n nuwe woonhuis op te rig, en aan wie 'n lisensie as eienaar-bouer deur die Raad uitgereik is: Met dien verstande dat 'n lisensie as eienaar-bouer slegs uitgereik word indien daarom aansoek gedoen word op sodanige wyse en met verskaffing van sodanige inligting as wat die Raad van tyd tot tyd mag spesifiseer en nadat die bedrag van R50,00 aan die Raad betaal is synde die koste van die lisensie te wees: Met dien verstande verder dat 'n lisensie as eienaar-bouer slegs uitgereik word ten opsigte van bouwerk aan 'n woonhuis bewoon deur of vir bewoning deur die aansoeker self en nie ten opsigte van bouwerk aan enige gebou wat vir besigheidsdoeleindes of vir verhuring aangewend word nie, en met dien verstande verder dat 'n lisensie as eienaar-bouer nie uitgereik word nie aan dieselfde persoon ten opsigte van bouwerk aan 'n tweede of meer woonhuise in dieselfde dorp of stad of sy omliggende munisipale gebied, binne enige aaneenlopende tydperk van drie jaar of waar die waarde van die bouwerk (materiaal plus arbeidskoste) die bedrag van R65 000,00 per eenheid oorskry."

3. KLOUSULE 8: INDIENSNEMING STANDAARDE

Vervang subklousule (2) deur die volgende:

"(2) Proeftydperk van werknemers:

- (a) Die werknemers vir wie lone gespesifiseer word in klousule 10 (1) (a) tot en insluitende 10 (1) (d) van hierdie Ooreenkoms is by indienstreding in die Nywerheid onderhewig aan 'n proeftydperk van 42 werkuur, wat nie noodwendig opeenvolgend hoef te wees nie.
- (b) Ondanks andersluidende bepalings vervat in hierdie Ooreenkoms, is die betrokke werknemer gedurende die proeftydperk bedoel in subklousule 8 (2) (a) hiervan, ten opsigte van alle ure gewerk, geregtig op slegs die lone gespesifiseer in klousule 10 (1) van hierdie Ooreenkoms, sonder enige werkgewersbydraes tot die vakansiefonds of enige ander voordeelfonds van die Raad.
- (c) Gedurende die proeftydperk bedoel in subklousule 8 (2) (a) hiervan, is die werkgewer nie verplig om die Raad se voordele seël aan die betrokke werknemer uit te reik nie."

4. KLOUSULE 10: BESOLDIGING

Vervang subklousule (1) deur die volgende:

(1) Basiese lone:

Die basiese loon in die Nywerheid is soos volg:

Werknemerskategorie	Vanaf die datum van inwerking-treding van die ooreenkoms			
	Area "A"	Area "B"	Area "C"	Area "D"
		Per uur		
(a) Skoonmakers.....	4,31	4,31	3,99	3,29
(b) (1) Algemene werkers, vervaardiging werkers stort-wabestuurders en hystoesteloperators	5,38	5,38	4,98	4,16
		Per week		
(2) Wagte (voltyds)	225,96	225,96	209,16	174,72
		Per uur		
(c) Bouwerker Kategorie 4	5,95	5,95	5,56	4,68
(d) Bouwerker Kategorie 3	6,64	6,64	6,21	5,26
(e) Bouwerker Kategorie 2	7,43	7,43	6,94	5,92
(f) Bouwerker Kategorie 1	8,29	8,29	7,75	6,66
(g) Ambagsman Kategorie 3: Dakwerker en verwer	9,27	9,27	8,66	7,50
(h) (1) Ambagsman Kategorie 2: Dakwerker en verwer	10,35	10,35	9,67	8,42
(2) Ambagsman Kategorie 3: In alle ander ambagte	10,35	10,35	9,67	8,42
(i) (1) Ambagsman Kategorie 2: In alle ander ambagte	11,56	11,56	10,80	9,48
(2) Ambagsman Kategorie 3A: Verwer	11,56	—	9,67	—
(3) Ambagsman Kategorie 1: Dakwerker en verwer	11,56	11,56	10,80	9,48

(b) Every employer shall pay the amount referred to in subclause 24 (1) (a) to the Council on the employee's normal payday, and shall on that day endorse and issue the employee with the Council's benefit stamps indicating the amount deducted."

(2) In subclause (2), substituted the expression "5,0 per cent" for the expression "2,5 per cent".

Signed on behalf of the parties on this 1st day of September 1998.

D. E. SIMMONS

Chairman

R. K. WIPPICH

Vice-Chairman

N. J. KRUGER

Secretary

No. R. 1612

11 Desember 1998

WET OP ARBEIDSVERHOUDINGE, 1995

**BEDINGINGSRAAD VIR DIE BOUNYWERHEID NOORD- EN WES BOLAND: UITBREIDING VAN
WYSIGING VAN KOLLEKTIEWE OOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, die kollektiewe ooreenkoms wat in die Bylae hiervan verskyn, en wat in die Bedingingsraad vir die Bounywerheid aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 21 Desember 1998 en vir die tydperk wat op 17 Mei 2003 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

BYLAE

BOUBEDINGINGSRAAD NOORD EN WES BOLAND

KOLLEKTIEWE OOREENKOMS

ooreenkomstig op Wet op Arbeidsverhoudinge, Wet No. 66 van 1995, gesluit deur en aangegaan tussen die

Building Industries Association, North Boland

en

Bou Industrieë Assosiasie, Wes-Boland

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

Building Worker's Union

(hierna die "werknemers" of die "vakvereniging" genoem), aan die ander kant, wat die partye is by die Boubedingingsraad Noord en Wes Boland,

om die Kollektiewe Ooreenkoms, uitgebrei na nie-partye, gepubliseer onder Goewermentskennisgewing No. R. 699 van 15 Mei 1998 te wysig.

1. KLOUSULE 1: TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet nagekom word—

- (a) deur alle werkgewers en alle werknemers wat by die Bounywerheid betrokke of daarin werksaam is en wat lede is van onderskeidelik die werkgewersorganisasies en die vakvereniging;
- (b) in die landdrostdistrikte Ceres, Hopefield, Montagu, Moorreesburg, Piketberg, Robertson, Swellendam, Tulbagh, Vredenburg en Worcester.

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

- (a) slegs op die klasse werknemers vir wie lone voorgeskryf word in hierdie Ooreenkoms;
- (b) vakleerlinge en leerlinge slegs vir sover dit nie onbestaanbaar is nie met die Wet op Mannekragopleiding, 1981, of met voorwaardes wat daarkragtens gestel is;
- (c) slegs-arbeid-kontrakteurs, werkende vennote en werkende direkteurs, prinsipale en aannemers.

(3) Ondanks subklousule (1) (a), is die bepalinge van die Ooreenkoms nie van toepassing nie op—

- (a) klerke en administratiewe personeel;

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
		Per week		
(i) clause 10 (1) (a)	4,00	4,00	4,00	4,00
(ii) clause 10 (1) (b) and (1) (1)	4,00	4,00	4,00	4,00
(iii) clause 10 (1) (c), (1) (2) and (n) (1)	5,50	5,50	5,50	5,50
(iv) clause 10 (1) (d), (1) (3), (m) (1) and (n) (2)	5,50	5,50	5,50	5,50
(v) clause 10 (1) (e), (1) (4), (m) (2) and (n) (3)	5,50	5,50	5,50	5,50
(vi) clause 10 (1) (f), (1) (5), (m) (3) and (n) (4)	5,50	5,50	5,50	5,50
(vii) clause 10 (1) (g)	6,80	6,80	6,80	6,80
(viii) clause 10 (1) (h)	6,80	6,80	6,80	6,80
(ix) clause 10 (1) (i) (1) and (i) (3)	6,80	6,80	6,80	6,80
(x) clause 10 (1) (i) (2)	6,80	—	6,80	—
(xi) clause 10 (1) (j)	6,80	—	6,80	—
(xii) clause 10 (1) (k)	6,80	6,80	6,80	6,80

(b) Every employer shall pay the amount referred to in subclause 21 (1) (a) to the Council on the employee's normal payday, and shall on that day endorse and issue the employee with the Council's benefit stamps indicating the amount deducted."

(2) In subclause (3), substituted the expression "5,0 per cent" for the expression "2,5 per cent".

12. CLAUSE: 22: SPECIAL MEMBERSHIP LEVY: EMPLOYERS

In subclause (2), substitute the expression "5,0 per cent" for the expression "2,5 per cent".

13. CLAUSE: 24: WESTERN PROVINCE BUILDING AND ALLIED TRADERS' SICK FUND

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

"(1) (a) Every employer shall on each payday deduct from the wages due every week to each eligible employee who is a member of the trade union which is a party of the Agreement, the amount calculated as follows:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
		Per week		
(i) clause 10 (1) (a)	—	—	—	—
(ii) clause 10 (1) (b) and (1) (1)	—	—	—	—
(iii) clause 10 (1) (c), (1) (2) and (n) (1)	2,01	2,01	2,01	2,01
(iv) clause 10 (1) (d), (1) (3), (m) (1) and (n) (2)	2,01	2,01	2,01	2,01
(v) clause 10 (1) (e), (1) (4), (m) (2) and (n) (3)	2,01	2,01	2,01	2,01
(vi) clause 10 (1) (f), (1) (5), (m) (3) and (n) (4)	2,01	2,01	2,01	2,01
(vii) clause 10 (1) (g)	2,68	2,68	2,68	2,68
(viii) clause 10 (1) (h)	2,68	2,68	2,68	2,68
(ix) clause 10 (1) (i) (1) and (i) (3)	2,68	2,68	2,68	2,68
(x) clause 10 (1) (i) (2)	2,68	—	2,68	—
(xi) clause 10 (1) (j)	2,68	—	2,68	—
(xii) clause 10 (1) (k)	2,68	2,68	2,68	2,68

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	R	R	R	R
	Per hour			
(i) clause 10 (1) (a)	2,52	2,52	2,52	2,10
(ii) clause 10 (1) (b) and (l) (1)	3,36	3,36	2,94	2,52
(iii) clause 10 (1) (c), (1) (2) and (n) (1).....	3,78	3,78	3,36	2,94
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2).....	4,20	4,20	3,78	3,36
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3).....	4,62	4,62	4,20	3,78
(vi) clause 10 (1) (f), (l) (5), (m) (c) and (n) (4)	5,04	5,04	4,62	4,20
(vii) clause 10 (1) (g)	5,88	5,88	5,46	4,62
(viii) clause 10 (1) (h)	6,72	6,72	5,88	5,46
(ix) clause 10 (1) (i) (1) and (i) (3)	7,14	7,14	6,72	5,88
(x) clause 10 (1) (i) (2)	7,14	—	5,88	—
(xi) clause 10 (1) (j)	7,14	—	6,72	—
(xii) clause 10 (1) (k).....	7,98	7,98	7,56	6,72

(b) Every employer shall pay the specified contribution to the Council on the employee's normal payday, and shall on that day endorse and issue the employee with the Council's benefit stamps indicating the amount of the contribution made."

2. Substitute the following for subclause (2):

"(2) *Contributions by the employee:* Every employer may on each payday deduct from the wages due every week to each eligible employee that has worked 25 hours or more but less than 42 hours during the respective payweek, the contribution specified hereunder multiplied by the difference between the hours actually worked and 42 hours, as the employee's contribution to the expenses of the Council:

Category of employee	As from the date of coming into operation of the Agreement			
	Area A	Area B	Area C	Area D
Employees for whom wages are prescribed in—	c	c	c	c
	Per hour			
(i) clause 10 (1) (a)	6	6	6	5
(ii) clause 10 (1) (b) and (l) (1)	8	8	7	6
(iii) clause 10 (1) (c), (1) (2) and (n) (1).....	9	9	8	7
(iv) clause 10 (1) (d), (l) (3), (m) (1) and (n) (2).....	10	10	9	8
(v) clause 10 (1) (e), (l) (4), (m) (2) and (n) (3).....	11	11	10	9
(vi) clause 10 (1) (f), (l) (5), (m) (c) and (n) (4)	12	12	11	10
(vii) clause 10 (1) (g)	14	14	13	11
(viii) clause 10 (1) (h)	16	16	14	13
(ix) clause 10 (1) (i) (1) and (i) (3)	17	17	16	14
(x) clause 17(1) (i) (2)	17	—	14	—
(xi) clause 17 (1) (j)	17	—	16	—
(xii) clause 17 (1) (k).....	19	19	18	16."

11. CLAUSE: 21: TRADE UNION DEDUCTIONS

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

"(1) *Trade Union membership subscriptions:* (a) Every employer shall on each payday deduct from the wages due every week to each eligible employee who is a member of the trade union which is a party of the Agreement, the amount calculated as follows:

No. R. 1618

11 Desember 1998

WET OP ARBEIDSVERHOUDINGE, 1995

**BEDINGINGSRAAD VIR DIE BOUNYWERHEID (OOS-LONDEN): UITBREIDING VAN WYSIGING
VAN KOLLEKTIEWE OOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, die kollektiewe ooreenkoms wat in die Bylae hiervan verskyn, en wat in die Bedingingsraad vir die Bounywerheid aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 21 Desember 1998 en vir die tydperk wat op 16 Augustus 2003 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

BYLAE**BEDINGINGSRAAD VIR DIE BOUNYWERHEID (OOS-LONDEN)****KOLLEKTIEWE OOREENKOMS**

ooreenkomstig die Wet op Arbeidsverhoudinge, 1995, gesluit deur en aangegaan tussen die

East Cape Master Builders' and Allied Industries Association

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

Amalgamated Union of Building Trade Workers of South Africa

en

Construction and Allied Workers' Union

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

wat die partye is by die Bedingingsraad vir die Bounywerheid (Oos-Londen) tot wysiging van die Ooreenkoms van die Raad gepubliseer by Goewermentskennisgewing No. R. 990 van 14 Augustus 1998.

HOOFSTUK 1**ADMINISTRASIE EN ALGEMEEN****1. TOEPASSINGSBESTEK VAN OOREENKOMS**

1.1 Hierdie Ooreenkoms moet nagekom word—

1.1.1 deur alle werkgewers en alle werknemers wat by die Bounywerheid betrokke of daarin werksaam is en wat lede is van onderskeidelik die werkgewersorganisasie en die vakverenigings;

1.1.2 in die landdrostdistrik van Oos-Londen (uitgesonderd daardie gedeeltes wat ingevolge Goewermentskennisgewings Nos. 1877 en 1079 van onderskeidelik 4 September 1981 en 10 Junie 1988 oorgeplaas is vanaf Ciskei).

1.2 Ondanks die bepalings van subklousule 1.1—

1.2.1 is hierdie Ooreenkoms op vakleerlinge en kwekelinge van toepassing slegs vir sover dit nie teenstrydig is met die bepalings van die Wet op Mannekragopleiding, 1981, of met enige kontrak daarkragtens gesluit, of met enige voorwaardes daarkragtens gestel;

1.2.2 die bepalings van hierdie Ooreenkoms is nie van toepassing nie ten opsigte van die oprigting, onderhoud, herstel of verbouing van die volgende op plase waar—

(i) woonhuise teen 'n koste van minder as R14 000 opgerig word; en

(ii) alle ander geboue, ongeag die koste daaraan verbonde, wat uitsluitlik vir boederydoeleindes gebruik word of gebruik gaan word.

1.3 Hierdie Ooreenkoms is nie van toepassing nie op nie-partye ten opsigte van subklousule 1.1.1.

2. HOOFSTUK 10: AANHANGSELS

Vervang aanhangsels A, B, C, D en E met die volgende nuwe aanhangsels A, B C, D en E.

AANHANGSEL A
BOUNYWERHEID BEDINGINGSRAAD (OOS-LONDEN)
KLOUSULE 19.1—MINIMUM LOONSKALE

	Per uur R
Konstruksiewerker vlak A	15,34
Konstruksiewerker vlak B	14,61
Konstruksiewerker vlak C	9,62
Konstruksiewerker vlak D	7,90
Konstruksiewerker vlak E	7,10

Spesiale kategorie werknemers:

Terrein klerk	12,08
Motorbestuurder—aanlegopérateur met 'n netto dravermoë van meer as 4 536 kg	10,14
Motorbestuurder—aanlegopérateur met 'n netto dravermoë van meer as 1 814 kg tot en met 4 536 kg	9,38
Motorbestuurder—aanlegopérateur met 'n dravermoë tot en met 1 814 kg	7,90
Terrein magasynmeester	9,38
Wag	4,27
Skoonmaker	4,47

Vakleerlinge: Lone soos voorgeskryf in die Wet op Mannekrageopleiding en om die riglyne deur die O.R.B.I. na te kom.

Leerling konstruksie werkers:

Lone soos vasgestel deur die Raad kragtens kousule 22 van die Ooreenkoms en wat in hierdie Aanhangsel gereflekteer sal word wanneer dit ingestel word en ten opsigte van nie-partye van toepassing sal wees slegs indien dit deur die Minister van Arbeid na hulle uitgebrei word, soos daar in die Wet voorsiening voor gemaak word.

AANHANGSEL B
BEDINGINGSRAAD VIR DIE BOUNYWERHEID (OOS-LONDEN)

UURLIKSE TOELAE VIR GESKIKTE WERKNEMERS VIR DIE DOELEINDES VAN HIERDIE OOREENKOMS

	Minimum uurlikse loon	Boonste limiet van die loon- struktuur	Vakansie- fonds	Pensioen/ Voorsorg- fonds	Mediese Bystands- fonds	Siekte Bystands- fonds	Totaal
Konstruksiewerker vlak A	15,34	15,50	1,47	1,20	0,60	0,060	3,33
Konstruksiewerker vlak B	14,61	15,00	1,42	1,16	0,60	0,060	3,24
Konstruksiewerker vlak C	9,62	10,00	1,12	0,59		0,040	1,75
Konstruksiewerker vlak D	7,90	8,00	0,89	0,46		0,040	1,39
Konstruksiewerker vlak E	7,10	7,50	0,68	0,42		0,030	1,13
Spesiale kategorie werknemers:							
Terreinklerk	12,08	12,50	1,14	0,63		0,040	1,81
Motorbestuurder/aanlegopérateur* ..	10,14	10,50	1,17	0,61		0,040	1,82
Motorbestuurder/aanlegopérateur**	9,38	9,50	1,06	0,56		0,040	1,66
Motorbestuurder/aanlegopérateur***	7,90	8,00	0,89	0,46		0,040	1,39
Terreinmagasynmeester	9,38	9,50	0,86	0,56		0,040	1,46
Wag	4,27	4,50	0,35	0,26		0,015	0,625
Skoonmaker	4,47	4,50	0,32	0,27		0,020	0,61

* met 'n netto dravermoë meer as 4 536 kg.

** met 'n netto dravermoë meer as 1 814 kg tot en met 4 536 kg.

*** met 'n dravermoë tot en met 1 814 kg.

- Bo en behalwe enige besoldiging waartoe 'n werknemer in hierdie skedule na verwys, geregtig op is, sal elke werkgewer aan elke werknemer in sy diens die uurlikse toelae soos uiteengesit in hierdie aanhangsel betaal ten opsigte van normale werksure gewerk in enige week. Waar daar egter minder dan 25,5 ure in enige week gewerk is, sal toelaes slegs ten opsigte van vakansie- en siektebystandsfondse van toepassing wees.

2. Toelae ten opsigte van vakansie-, pensioen- en voorsorgfondse word vasgestel teen die boonste limiet van die loonstruktuur wat gebruik word vir die berekening daarvan.
3. Toelae vir werknemers wat meer dan die minimum lone verdien, sal bepaal word deur die boonste limiet van hulle spesifieke loonstrukture, vasgestel as volg:

- Vir die vakansiefonds, volgens die formule uiteengesit in 4 hieronder.
- Vir die pensioen- en voorsorgfondse, die volgende formule sal geld vir elke kategorie.

Bylae per tabel x Boonste vlak van loonstruktuur

1

Boonste limiet van loonstruktuur
of minimum skaal

4. Die formule vir vasstelling van toelae is as volg:

Vakansie fonds

Vakmanne

Loon skaal x 8.5 ure x 23

2 058

= Uurlikse Vakansiefonds toelaag

Operateurs en motorbestuurders:

Loon skaal x 8.5 ure x 27

2 058

= Uurlikse Vakansiefonds toelaag

Algemene werker:

Loon skaal x 8.5 ure x 22

2 058

= Uurlikse Vakansiefonds toelaag

Terrein klerk en terrein magasnynmeester:

Loon skaal x 8.5 ure x 22

2 058

= Uurlikse Vakansiefonds toelaag
(tot die naaste sent)

Skoonmaker:

Loon skaal x 8.5 ure x 17

2 058

= Uurlikse Vakansiefonds toelaag
(tot die naaste sent)

Wag:

Loon skaal x 10 ure x 23

2 940

= Uurlikse Vakansiefonds toelaag
(tot die naaste sent)

Loonskaal beteken die boonste limiet van die verskillende loonstrukture, bv, vir 'n loon van R6,60 word die berekening gebaseer op R7,00.

AANHANGSEL C

BEDINGINGSRAAD VIR DIE BOUNYWERHEID (OOS-LONDEN)

WERKGEWER WEEKLIKSE BYDRAE

	Minimum uurlikse loon	Vakansie- fonds	Pensioen/ Voorsorg- fonds	Mediese Bystands- fonds	Siekte Bystands- fonds	Raad- heffing	Geskil Beslegtings- heffing	Totaal
Konstruksiewerker vlak A.....	15,34	61,74	50,40	25,20	2,520	2,46		143,32
Konstruksiewerker vlak B	14,61	58,64	48,72	25,20	2,520	2,46		138,54
Konstruksiewerker vlak C	9,62	37,04	24,78		1,680	2,20		75,70
Konstruksiewerker vlak D	7,90	37,38	19,32		1,680	2,20		60,58
Konstruksiewerker vlak E	7,10	28,56	16,64		1,260	2,07		49,53
Spesiale kategorie werknemers:								
Terreinklerk	12,08	47,88	26,46		1,680	2,20		78,22
Motorbestuurder/aanleg- operateur*	10,14	49,14	25,62		1,680	2,20		78,64
Motorbestuurder/aanleg- operateur**	9,38	44,52	23,52		1,680	2,20		71,92

	Minimum uurlikse loon	Vakansie- fonds	Pensioen/ Voorsorg- fonds	Mediese Bystands- fonds	Siekte Bystands- fonds	Raad- heffing	Geskil Beslegtings- heffing	Totaal
Motorbestuurder/aanleg- operateur***	7,90	37,38	19,32		1,680	2,20		60,58
Terreinmagasynmeester	9,38	36,12	23,52		1,680	2,20		63,52
Wag.....	4,27	21,00	15,60		0,900	1,97		39,47
Skoonmaker.....	4,47	13,44	11,34		0,840	1,97		27,59

1. Die weeklikse bydrae na die vakansie, pensioen/voorsorgfonds en die siekte bystandsfonds is op 'n 42 uur-werkweek gebaseer.

2. Die eintlike weeklikse werkgewerbydrae na die fondse in 1 hierbo uiteengesit sal soos volg uitgewerk word:

Uurlikse toelaag (Aanhangsel B) x eintlik ure (waar eintlike ure die ure is wat die werkgewer verantwoordelik is om te betaal, met 'n maksimum van 42 uur per week).

* Met 'n netto dravermoë meer as 4 536 kg.

** Met 'n netto dravermoë meer as 1 814 kg tot en met 4 536 kg.

*** Met 'n dravermoë tot en met 1 814 kg.

AANHANGSEL D

BEDINGINGSRAAD VIR DIE BOUNYWERHEID (OOS-LONDEN)

MINIMUM WERKNEMER WEEKLIKSE BYDRAE

	Minimum uurlikse loon	Pensioen/ Voorsorg- fonds	Mediese Bystands- fonds	Siekte Bystands- fonds	Raad- heffing	Geskil Beslegtings- heffing	Totaal
Konstruksiewerker vlak A.....	15,34	50,40	25,20	2,520	2,46		80,58
Konstruksiewerker vlak B.....	14,61	48,72	25,20	2,520	2,46		78,90
Konstruksiewerker vlak C	9,62	24,78		1,680	2,20		28,66
Konstruksiewerker vlak D	7,90	19,32		1,680	2,20		23,20
Konstruksiewerker vlak E.....	7,10	17,64		1,260	2,07		20,97
Spesiale kategorie werknemers							
Terrein klerk.....	12,08	26,46		1,680	2,20		30,34
Motorbestuurder/aanlegoperateur* ..	10,14	25,62		1,680	2,20		29,50
Motorbestuurder/aanlegoperateur**	9,38	23,52		1,680	2,20		27,40
Motorbestuurder/aanlegoperateur***	7,90	19,32		1,680	2,20		23,20
Terrein magasynmeester.....	9,38	23,52		1,680	2,20		27,40
Wag.....	4,27	15,60		0,900	1,97		18,47
Skoonmaker	4,47	11,34		0,840	1,97		14,15

Let wel: 1. Die minimum werknemer bydrae is van toepassing indien 'n volle 42 uur week gewerk is (insluitend betaalde openbare vakansiedae).

2. Aftrekkings van werknemers sal net van toepassing wees waar die minimum weeklikse ure soos uiteengesit in klausule 26.1 gewerk is.

* Met 'n netto dravermoë meer as 4 536 kg.

** Met 'n netto dravermoë meer as 1 814 kg tot en met 4 536 kg.

*** Met 'n dravermoë tot en met 1 814 kg.

AANHANGSEL E
BEDINGINGSRAAD VIR DIE BOUNYWERHEID (OOS-LONDEN)
GEKOMBINEERDE WEEKLIKSE BYDRAE

	Minimum uurlikse loon	Vakansie- fonds	Pensioen/ Voorsorg- fonds	Mediese Bystands- fonds	Siekte Bystands- fonds	Raad- heffing	Totaal
Konstruksiewerker vlak A.....	15,34	61,74	100,80	50,40	5,04	4,92	222,90
Konstruksiewerker vlak B.....	14,61	59,64	97,44	50,40	5,04	4,92	217,44
Konstruksiewerker vlak C.....	9,62	47,04	49,56	0,00	3,36	4,40	104,36
Konstruksiewerker vlak D.....	7,90	37,38	38,64	0,00	3,36	4,40	83,78
Konstruksiewerker vlak E.....	7,10	28,56	35,28	0,00	2,52	4,14	70,50
Spesiale kategorie werknemers							
Terreinklerk.....	12,08	47,88	52,92	0,00	3,36	4,40	108,56
Motorbestuurder/aanlegoperateur* .	10,14	49,14	51,24	0,00	3,36	4,40	108,14
Motorbestuurder/aanlegoperateur**	9,38	44,52	47,04	0,00	3,36	4,40	99,32
Motorbestuurder/aanlegoperateur***	7,90	37,38	38,64	0,00	3,36	4,40	83,78
Terreinmagasynmeester.....	9,38	36,12	47,04	0,00	3,36	4,40	90,92
Wag.....	4,27	21,00	31,20	0,00	1,80	3,94	57,94
Skoonmaker.....	4,47	13,44	22,68	0,00	1,68	3,94	41,74

1. Elke werkgewer is verplig om van sy werknemers wat ten minste die ure gewerk het, soos uiteengesit in klousule 26.1, die gesamentlike weeklikse bydrae in die aanhangsel uiteengesit te weerhou.
2. Die weeklikse bydraes, in die Aanhangsel uiteengesit, en enige ander aftrekkings (waarvoor voorsiening gemaak is in die Ooreenkoms) sal aan die Raad oorbetal word soos uiteengesit in die Ooreenkoms.

* Met 'n netto dravermoë meer as 4 536 kg.

** Met 'n netto dravermoë meer as 1 814 kg tot en met 4 536 kg.

*** Met 'n dravermoë tot en met 1 814 kg.

Geteken namens die partye te Oos-Londen op hierdie 23ste dag van September 1998.

C. VAN SEUMEREN

East Cape Master Builders and Allied Industries Association

M. MTAMZELI

Amalgamated Union of Building Trade Workers of South Africa

M. KEBENI

Construction and Allied Workers Union

(wat die partye is by die Bedingingsraad vir die Bounywerheid, Oos-Londen), in die teenwoordigheid van:

D. B. CAPLES

Voorsitter van die Raad

F. T. KNOX

Sekretaris

No. R. 1619

11 December 1998

LABOUR RELATIONS ACT, 1995

CORRECTION NOTICE

CLOTHING INDUSTRY (NATAL): EXTENSION OF MAIN COLLECTIVE AGREEMENT TO NON-PARTIES

The following correction to Government Notice No. R. 1517 appearing in *Government Gazette* No. 19506 of 27 November 1998, is hereby published for general information:

In the English text to the Schedule:

4. WAGES

Substitute "231,50" for "2931,50" where it appears on the first line of the first column of the wage table in respect of Grade 1 employees.

11 December 1998

No. R. 1630

LABOUR RELATIONS ACT, 1995

CORRECTION NOTICE

BUILDING INDUSTRY BARGAINING COUNCIL (SOUTHERN AND EASTERN CAPE): EXTENSION OF COLLECTIVE AGREEMENT TO NON-PARTIES

The following corrections to Government Notice No. R. 245 appearing in *Government Gazette* 18673 of 20 February 1998, are published herewith for general information:

1. In the English text to the Schedule:

(a) CLAUSE 5: DEFINITIONS

- (i) In the definition of "Area C", substitute the word "Districts" for the word "Dsitricts".
- (ii) In the definition of "metal work," substitute the word "which" for the word "whcih".
- (iii) In the definition of "Timber Trade", substitute the expression "in this agreement" for the expression "in this clause".

(b) CLAUSE 14: REMUNERATION

In subclause (6) (c), substitute the figure "27" for the figure "26".

2. In the Afrikaans text of the Schedule:

(a) KLOUSULE 5: WOORDOMSKRYWINGS

- (i) In the definition of "Bounywerheid" of "Nywerheid", in the third line, before the expression "verbou en/of" substitute the word "te" for the word "die".
- (ii) In the definition of "houtwerk" substitute the word "kerfwerk" for the word "kerkwerk".
- (iii) In the definition of "Houtnywerheid", substitute the expression "in hierdie ooreenkoms" for the expression "in hierdie klousule".

(b) KLOUSULE 9: REGISTRASIE VAN WERKGEWERS

- (i) In subclause (8), in the last line Substitute the word "getal" for the word "geval".
- (ii) In subclause (10), in the second line, substitute the word "Raad" for the word "raad".

(c) KLOUSULE 21: INDIENSNEMING VAN KWEKELINGKONSTRUKSIEWERKERS

In subclause (1) (d) (iii), substitute the expression "konstruksiewerker vlak D" for the expression "konstruksiewerker vlak C".

(d) KLOUSULE 29: SIEKTEBYSTANDFONDS

Substitute the heading "SIEKTEBYSTANDSFONDS" for the heading "SIEKTEBYSTANDFONDS".

(e) KLOUSULE 34: UITGAWES VAN DIE RAAD

In subclause (1) (i), substitute the word "sodanige" for the word "soanige".

(f) KLOUSULE 35: VRYSTELLINGS

- (i) In subclause (6), substitute the word "Vrystellingsraad" for the word "Vryheidraad".
- (ii) In subclause (9) (a) (ii), substitute the word "en" for the word "ken".
- (iii) In subclause (9) (b) (iv), substitute the word "bedinging" for the word "bediening".

(g) KLOUSULE 36: AANGEWEESE AGENTE

In subclause (2), substitute the expression "ingevolge artikel" for the word "ingevolgeartikel".

(h) KLOUSULE 38: OPLOSSING VAN GESKILLE

In paragraph (a), substitute the word "verwys" for the word "vearwys".

(i) AANHANGSEL A

- (i) In paragraph (iii), under the heading "Gebied A", substitute the word "masjienoppassers" for the word "masjienoppasers".
- (ii) In paragraph (xi),

in sub-paragraph (a), substitute the word "Meester" for the word "Mester".

in sub-paragraph (c), substitute the word "toetser" for the word "toetse".

(j) AANHANGSEL B

- (i) In paragraph (b) (i), substitute the word "bydra" for the word "bydrae".
- (ii) In paragraph (b) (ii), substitute the word "bydra" for the word "bydrae".

(k) AANHANGSEL C

In paragraph (1) (a), substitute the expression "Gebiede C, D en E" for the expression "Gebied C, D en E".

(l) AANHANGSEL D

In sub-paragraph (g) (i), substitute the expression "meester installasie elektriesien" for the expression "meester installasie-eketriesien".

No. R. 1630

11 Desember 1998

WET OP ARBEIDSVERHOUDINGE, 1995

VERBETERINGSKENNISGEWING

**BOUNYWERHEID BEDINGINGSRAAD (SUID- EN OOS-KAAP): UITBREIDING VAN KOLLEKTIEWE
OOREENKOMS NA NIE-PARTYE**

Onderstaande verbeterings aan Goewermentskennisgewing No. R. 245 wat in *Staatskoerant* 18673 van 20 Februarie 1998 verskyn, word hierby vir algemene inligting gepubliseer:

1. In die Engelse teks van die Bylae:

(a) CLAUSE 5: DEFINITIONS

- (i) In die woordskrywing van "Area C", vervang die woord "Dsitricts", deur die woord "Districts".
- (ii) In die woordskrywing van "metal work," vervang die woord "whcih" deur die woord "which".
- (iii) In die woordskrywing van "Timber Trade", vervang die uitdrukking "in this clause" deur die uitdrukking "in this agreement".

(b) CLAUSE 14: REMUNERATION

In subklousule (6) (c), vervang die syfer "26" deur die syfer "27".

2. In die Afrikaanse teks van die Bylae:

(a) KLOUSULE 5: WOORDOMSKRYWINGS

- (i) In die woordskrywing van "Bounywerheid" of "Nywerheid", in die derde reël, voor die uitdrukking "verbou en/of" vervang die woord "die" deur die woord "te".
- (ii) In die woordskrywing van "houtwerk" vervang die woord "kerkwerk" deur die woord "kerfwerk".
- (iii) In die woordskrywing van "Houtnywerheid", vervang die uitdrukking "in hierdie klousule" deur die uitdrukking "in hierdie ooreenkoms".

(b) KLOUSULE 9: REGISTRASIE VAN WERKGEWERS

- (i) In subklousule (8), in die laaste reël, vervang die woord "geval" deur die woord "getal".
- (ii) In subklousule (10), in die tweede reël, vervang die woord "raad" deur die woord "Raad".

(c) KLOUSULE 21: INDIENSNEMING VAN KWEKELINGKONSTRUKSIEWERKERS

In subklousule (1) (d) (iii), vervang die uitdrukking "konstruksiewerker vlak C" deur die uitdrukking "konstruksiewerker vlak D".

(d) KLOUSULE 29: SIEKTEBYSTANDFONDS

Vervang die opskrif "SIEKTEBYSTANDFONDS" deur die opskrif "SIEKTEBYSTANDSFONDS".

(e) KLOUSULE 34: UITGAWES VAN DIE RAAD

In subklousule (1) (i), vervang die woord "soanige" deur die woord "sodanige".

(f) KLOUSULE 35: VRYSTELLINGS

- (i) In subklousule (6), in die derde reël, vervang die woord "Vryheidraad" deur die woord "Vrystellingsraad".
- (ii) In subklousule (9) (a) (ii), vervang die woord "ken" deur die woord "en".
- (iii) In subklousule (9) (b) (iv), vervang die woord "bediening" deur die woord "bedinging".

(g) KLOUSULE 36: AANGEWESE AGENTE

In subklousule (2), vervang die woord "ingevolgeartikel" deur die uitdrukking "ingevolge artikel".

(h) KLOUSULE 38: OPLOSSING VAN GESKILLE

In paragraaf (a), vervang die woord "vearwys" deur die woord "verwys".

(i) AANHANGSEL A

- (i) In paragraaf (iii), onder die opskrif "Gebied A", vervang die woord "masjienoppasers" deur die woord "masjienoppassers".

- (ii) In paragraaf (xi),
in subparagraaf (a), vervang die woord "Mester" deur die woord "Meester".
in subparagraaf (c), vervang die woord "toetse" deur die woord "toetser".
- (j) AANHANGSEL B
(i) In paragraaf (b) (i), vervang die woord "bydrae" deur die woord "bydra".
(ii) In paragraaf (b) (ii), vervang die woord "bydrae" deur die woord "bydra".
- (k) AANHANGSEL C
In paragraaf (1) (a), vervang die uitdrukking "Gebied C, D en E" deur die uitdrukking "Gebiede C, D en E".
- (l) AANHANGSEL D
In subparagraaf (g) (i), vervang die uitdrukking "meester installasie-eketrisiën" deur die uitdrukking "meester installasie-elektrisiën".

**DEPARTMENT OF FINANCE
DEPARTEMENT VAN FINANSIES**

No. R. 1600

11 December 1998

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/412)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

I		II			III	
Rebate Item	Tariff Heading	Rebate Code	C. D.	Description	Extent of Rebate	Anno=tations
306.11				By the deletion of rebate item 306.11.		

No. R. 1600

11 Desember 1998

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/412)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

G. MARCUS

Adjunkminister van Finansies

BYLAE

I		II			III	
Korting= item	Tarief= pos	Korting= kode	T. S.	Beskrywing	Mate van Korting	Anno= tasies
306.11				Deur kortingitem 306.11 te skrap.		

No. R. 1601

11 December 1998

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 3 (No. 3/413)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 3 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

I		II			III	
Rebate Item	Tariff Heading	Rebate Code	C. D.	Description	Extent of Rebate	Anno= tations
311.10		"02.06	61	By the insertion after rebate code 01.06 to tariff heading No. 5515.91 of the following: Woven fabrics of synthetic staple fibres mixed with man-made filaments, of a mass exceeding 70 g/m ² but not exceeding 130 g/m ² (excluding those of yarns of different colours)	Full duty less 20%"	

No. R. 1601

11 Desember 1998

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 3 (No. 3/413)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 3 by genoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

G. MARCUS

Adjunkminister van Finansies

BYLAE

I Korting= item	II				III Mate van Korting	Anno= tasies
	Tarief= pos	Korting= kode	T. S.	Beskrywing		
311.10		"02.06	61	Deur na kortingskode 01.06 by tariefpos No. 5515.91 die volgende in te voeg: Weefstowwe van sintetiese stapelvel met gefabriseerde filamente, met 'n massa van meer as 70 g/m ² maar hoostens 130 g/m ² (uitgesonderd dié van garings van verskillende kleure)	Volle reg min 20%"	

No. R. 1602

11 December 1998

CUSTOMS AND EXCISE ACT, 1964

AMENDMENT OF SCHEDULE No. 4 (No. 4/222)

Under section 75 of the Customs and Excise Act, 1964, Schedule No. 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.

G. MARCUS

Deputy Minister of Finance

SCHEDULE

I Rebate Item	II				III Extent of Rebate	Anno= tations
	Tariff Heading	Rebate Code	C. D.	Description		
460.25				By the insertion after tariff heading No. 04.02 of the following:		
	"04.03	01.04	42	Buttermilk, curdled milk and cream, yogurt, kephir and other fermented or acidified milk and cream, whether or not concentrated or containing added sugar or other sweetening matter or flavoured or containing added fruit, nuts or cocoa	Full duty less 19,2%	
	04.04	01.04	49	Whey, whether or not concentrated or containing added sugar or other sweetening matter; products consisting of natural milk constituents, whether or not containing added sugar or other sweetening matter, not elsewhere specified or included	Full duty less 19,2%"	
				By the insertion after tariff heading No. 2106.90 of the following:		
	"2204.10	01.06	65	Sparkling wine, in containers holding 2ℓ or less	Full duty less 14,6%	
		02.06	62	Sparkling wine, in containers holding more than 2ℓ	Full duty less 19,6%	
	2204.21	01.06	60	Wine (excluding sparkling wine) and grape must with fermentation prevented or arrested by the addition of alcohol, in containers holding 2ℓ or less	Full duty less 14,6%	
	2204.29	01.06	66	Wine (excluding sparkling wine) and grape must with fermentation prevented or arrested by the addition of alcohol, in containers holding more than 2ℓ	Full duty less 19,6%	

I Rebate Item	II				III Extent of Rebate	Annotations
	Tariff Heading	Rebate Code	C. D.	Description		
	2204.30	01.06	62	Grape must (excluding grape must with fermentation prevented or arrested by the addition of alcohol)	Full duty less 19,6%	
	2205.10	01.06	61	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances, in containers holding 2ℓ or less	Full duty less 14,6%	
	2205.90	01.06	60	Vermouth and other wine of fresh grapes flavoured with plants or aromatic substances, in containers holding more than 2ℓ	Full duty less 19,6%	
	22.06	01.04	43	Other fermented beverages (for example, cider, perry, mead); mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, not elsewhere specified or included	Full duty less 14,6%	
	22.07	01.04	46	Undenatured ethyl alcohol of an alcoholic strength by volume of 80 per cent vol. or higher, ethyl alcohol and other spirits, denatured, of any strength	Full duty less 119,4%	
	2208.20	01.06	68	Spirits obtained by distilling grape wine or grape marc, in containers holding 2ℓ or less	Full duty less 13,4%	
		02.06	62	Spirits obtained by distilling grape wine or grape marc, in containers holding more than 2ℓ	Full duty less 24,2%	
	2208.30	01.06	65	Whiskies, in containers holding 2ℓ or less	Full duty less 13,4%	
		02.06	60	Whiskies, in containers holding more than 2ℓ	Full duty less 24,2%	
	2208.40	01.06	62	Rum and tafia, in containers holding 2ℓ or less	Full duty less 13,4%	
		02.06	67	Rum and tafia, in containers holding more than 2ℓ	Full duty less 24,2%	
	2208.50	01.06	60	Gin and Geneva, in containers holding 2ℓ or less	Full duty less 13,4%	
		02.06	64	Gin and Geneva, in containers holding more than 2ℓ	Full duty less 24,2%	
	2208.60	01.06	67	Vodka	Full duty less 119,4%	

I Rebate Item	II				III Extent of Rebate	Anno= tations
	Tariff Heading	Rebate Code	C. D.	Description		
	2208.70	01.06	64	Liqueurs and cordials	Full duty less 119,4%	
	2208.90	01.06	69	Other	Full duty less 119,4%”	

No. R. 1602

11 Desember 1998

DOEANE- EN AKSYNSWET, 1964

WYSIGING VAN BYLAE No. 4 (No. 4/222)

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 4 by genoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.

G. MARCUS

Adjunkminister van Finansies

BYLAE

I Korting Item	II				III Mate van Korting	Anno= tasies
	Tariefpos	Kor= ting= kode	T. S.	Beskrywing		
460.25				Deur na tariefpos No. 04.02 die volgende in te voeg:		
	"04.03	01.04	42	Karringmelk, dikmelk en -room, joghurt, kefir en ander gegiste of aangesuurde melk en room, hetsy gekonsentreer of wat bygevoegde suiker of ander versoetingsmiddels bevat of gegeurd of wat bygevoegde vrugte, neute of kakao bevat al dan nie	Volle reg min 19,2%	
	04.04	01.04	49	Wei, hetsy gekonsentreerd of wat bygevoegde suiker of ander versoetingsmiddels bevat al dan nie; produkte wat uit natuurlike melk bestanddele bestaan, hetsy dit bygevoegde suiker of ander versoetingsmiddels bevat al dan nie, nie elders vermeld of ingesluit nie	Volle reg min 19,2%"	
				Deur na tariefpos No. 2106.90 die volgende in te voeg:		
	"2204.10	01.06	65	Skuiwryn, in houers wat hoogstens 2ℓ bevat	Volle reg min 14,6%	
		02.06	62	Skuiwryn, in houers wat meer as 2ℓ bevat	Volle reg min 19,6%	
	2204.21	01.06	60	Wyn (uitgesonderd skuiwryn) en druiwemos met fermentasie verhoed of gestuit deur die byvoeging van alkohol, in houers wat hoogstens 2ℓ bevat	Volle reg min 14,6%	
	2204.29	01.06	66	Wyn (uitgesonderd skuiwryn) en druiwemos met fermentasie verhoed of gestuit deur die byvoeging van alkohol, in houers wat meer as 2ℓ bevat	Volle reg min 19,6%	

I Korting Item	II				III Mate van Korting	Anno= tasies
	Tariefpos	Kor= ting= kode	T. S.	Beskrywing		
	2204.30	01.06	62	Druiwemos (uitgesonderd druiwemos met fermentasie verhoed of gestuit deur die byvoeging van alkohol)	Volle reg min 19,6%	
	2205.10	01.06	61	Vermoet en ander wyn van vars druive met plante of aromatiese stowwe gegeur, in houters wat hoogstens 2ℓ bevat	Volle reg min 14,6%	
	2205.90	01.06	60	Vermoet en ander wyn van vars druive met plante of aromatiese stowwe gegeur, in houters wat meer as 2ℓ bevat	Volle reg min 19,6%	
	22.06	01.04	43	Ander gegiste drank (byvoorbeeld, appelsider, peersider, mee); mengsels van gegiste drank en mengsels van gegiste drank en nie-alkoholiese drank, nie elders vermeld of ingesluit nie	Volle reg min 14,6%	
	22.07	01.04	46	Ongedenatureerde etielalkohol met 'n alkoholiese sterkte, volgens volume, van minstens 80 persent vol. of hoër; etielalkohol en ander spiritus, gedenatureer, van enige sterkte	Volle reg min 119,4%	
	2208.20	01.06	68	Spiritus verkry deur die distillering van druiewyn of druiewoer, in houters wat hoogstens 2ℓ bevat	Volle reg min 13,4%	
		02.06	62	Spiritus verkry deur die distillering van druiewyn of druiewoer, in houters wat meer as 2ℓ bevat	Volle reg min 24,2%	
	2208.30	01.06	65	Whisky, in houters wat hoogstens 2ℓ bevat	Volle reg min 13,4%	
		02.06	60	Whisky, in houters wat meer as 2ℓ bevat	Volle reg min 24,2%	
	2208.40	01.06	62	Rum en tafia, in houters wat hoogstens 2ℓ bevat	Volle reg min 13,4%	
		02.06	67	Rum en tafia, in houters wat meer as 2ℓ bevat	Volle reg min 24,2%	
	2208.50	01.06	60	Jenewer en Geneva, in houters wat hoogstens 2ℓ bevat	Volle reg min 13,4%	
		02.06	64	Jenewer en Geneva, in houters wat meer as 2ℓ bevat	Volle reg min 24,2%	
	2208.60	01.06	67	Vodka	Volle reg min 119,4%	

I Korting Item	II				III Mate van Korting	Anno= tasies
	Tariefpos	Kor= ting= kode	T. S.	Beskrywing		
	2208.70	01.06	64	Likeure en soetdranke	Volle reg min 119,4%	
	2208.90	01.06	69	Ander	Volle reg min 119,4%"	

LIVE IN HARMONY WITH NATURE



THE WEATHER BUREAU: DEPARTMENT OF
ENVIRONMENTAL AFFAIRS AND TOURISM

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