

REPUBLIC
OF
SOUTH AFRICA



REPUBLIEK
VAN
SUID-AFRIKA

Government Gazette Staatskoerant

Regulation Gazette

No. 6812

Regulasiekoerant

Vol. 419

PRETORIA, 26 MAY
MEI 2000

No. 21200

We all have the power to prevent AIDS

AIDS
affects
us all



A
new
struggle

Prevention is the cure

**AIDS
HELPUNE**

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DEPARTMENT OF HEALTH

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DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 503

26 May 2000

LABOUR RELATIONS ACT, 1995

MOTOR INDUSTRY—MIBCO: EXTENSION OF ADMINISTRATIVE COLLECTIVE AMENDING 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 Amending Agreement which appears in the Schedule hereto, which was concluded in the Motor Industry Bargaining Council and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Amending Agreement, shall be binding on the other employers and employees in that Industry, with effect from 5 June 2000 and for the period ending 31 August 2000.

M. M. S. MDLADLANA

Minister of Labour

SCHEDULE

MOTOR INDUSTRY BARGAINING COUNCIL—MIBCO

ADMINISTRATIVE COLLECTIVE AGREEMENT

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

South African Motor Industry Employers' Association

and the

South African Vehicle Builders' and Repairers' Association

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

National Union of Metalworkers of South Africa

Motor Industry Employees' Union of South Africa

and the

Motor Industry Staff Association

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

being the parties to the Motor Industry Bargaining Council—MIBCO,

to amend the Collective Agreement published under Government Notice No. R. 959 of 7 August 1998, as amended by the Government Notices Nos. R. 1467 of 20 November 1998 and R. 985 of 20 August 1999.

1. CLAUSE 1: SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed in the Motor Industry—

- (a) throughout the Republic of South Africa as it existed prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993);
- (b) by the employers and the employees in the Motor Industry who are members of the employers' organisations and the trade unions, respectively.

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

- (a) apprentices only in so far as they are not inconsistent with the provisions of or any conditions fixed under the Manpower Training Act, 1981; and
- (b) trainees undergoing training under the Skills Development Act, 1998, only in so far as they are not inconsistent with the provisions of or any conditions fixed under that Act.

(3) The provisions of clauses 1 (1) (b) and 2 of this Agreement shall not apply to employers and employees who are not members of the employers' organisations and trade unions, respectively.

2. CLAUSE 2: PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Act, and shall remain in operation for the period ending 31 August 2000.

3. CLAUSE 17: MOTOR INDUSTRY DEVELOPMENT FUND

Delete clause 17.

4. CLAUSE 28: MOTOR INDUSTRY TRAINING LEVY

Delete clause.

Signed at Randburg, on behalf of the parties, this 27th day of March 2000.

R. BASTICK

President of the Council

M. LOUW

Vice-President of the Council

B. G. DU PREEZ

General Secretary of the Council

No. R. 503

26 Mei 2000

WET OP ARBEIDSVERHOUDINGE, 1995

**MOTORNYWERHEID—MIBCO: UITBREIDING VAN ADMINISTRATIEWE KOLLEKTIEWE WYSIGINGSOORENKOMS
NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Wysigingsooreenkoms wat in die Bylae hiervan verskyn en wat in die Motornywerheidbedingingsraad aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Wysigingsooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie nywerheid met ingang van 5 Junie 2000, en vir die tydperk wat op 31 Augustus 2000 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

BYLAE

MOTORNYWERHEID-BEDINGINGSRAAD—MIBCO

ADMINISTRATIEWE KOLLEKTIEWE OORENKOMS

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

South African Motor Industry Employers' Association

en die

South African Vehicle Builders' and Repairers' Association

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

National Union of Metalworkers of South Africa

Motor Industry Employees' Union of South Africa

en die

Motor Industry Staff Association

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

wat die partye is by die Motornywerheid—MIBCO,

tot wysiging van die Administratiewe Kollektiewe Ooreenkoms gepubliseer by Goewermentskennisgewing No. 959 van 7 Augustus 1998, soos gewysig by Goewermentskennisgewings Nos. R. 1467 van 20 November 1998 en R. 985 van 20 Augustus 1999.

1. KLOUSULE 1: TOEPASSINGSBESTEK

(1) Hierdie Ooreenkoms moet in die Motornywerheid nagekom word—

(a) oral in die Republiek van Suid-Afrika soos dit bestaan het onmiddellik voor die datum van inwerkingtreding van die Grondwet van die Republiek van Suid-Afrika, 1993 (Wet No. 200 van 1993);

- (b) deur die werkgewers en die werknemers in die Motornywerheid wat lede is van onderskeidelik die werkgewersorganisasies en die vakbonde.
- (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 voorwaardes wat daarkragtens gestel is nie; en
- (b) kwekelinge wat opleiding ingevolge die Skills Development Act, 1998, ondergaan, slegs vir sover dit nie onbestaanbaar is met daardie Wet op voorwaardes wat daarkragtens gestel is nie.
- (3) Die bepalinge van klousule 1 (1) (b) en 2 van hierdie Ooreenkoms is nie van toepassing nie op werkgewers en werknemers wat nie lede is van onderskeidelik die werkgewersorganisasies en die vakbonde.

2. KLOUSULE 2: GELDIGHEIDSDUUR VAN OOREENKOMS

Hierdie Ooreenkoms tree in werking op die datum wat die Minister van Arbeid ingevolge artikel 32 van die Wet vasstel en bly van krag vir die tydperk wat op 31 Augustus 2000 eindig.

3. KLOUSULE 17: ONTWIKKELINGSFONDS VIR DIE MOTORNYWERHEID

Skrap klousule 17 in sy geheel.

4. KLOUSULE 28: MOTORNYWERHEIDSOPLEIDINGSHEFFING

Skrap hierdie klousule.

Namens die partye op hede die 27ste dag van Maart 2000 te Randburg onderteken.

R. BASTICK

President van die Raad

M. LOUW

Vise-President van die Raad

B. G. DU PREEZ

Hoofsekretaris van die Raad

No. R. 506

26 May 2000

LABOUR RELATIONS ACT, 1995

MOTOR INDUSTRY BARGAINING COUNCIL—MIBCO: EXTENSION OF PERIOD OF OPERATION OF MAIN COLLECTIVE AGREEMENT

I, Dennis van der Walt, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32 (6) (a) (i) of the Labour Relations Act, 1995, extend the periods fixed in Government Notices Nos. R. 962 of 14 August 1998, R. 1093 of 28 August 1998, R. 1468 and R. 1469 of 20 November 1998 and R. 987 of 20 August 1999, by a further period ending 31 August 2001.

D. VAN DER WALT

Director: Collective Bargaining

No. R. 506

26 Mei 2000

WET OP ARBEIDSVARHOUDINGE, 1995

MOTORNYWERHEIDBEDINGINGSRAAD—MIBCO: VERLENGING VAN GELDIGHEIDSDUUR VAN HOOF KOLLEKTIEWE OOREENKOMS

Ek, Dennis van der Walt, Direkteur: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verleng hierby, kragtens artikel 32 (6) (a) (i) van die Wet op Arbeidsverhoudinge, 1995, die tydperke vasgestel in Goewermmentskennisgewings Nos. R. 962 van 14 Augustus 1998, R. 1093 van 28 Augustus 1998, R. 1468 en R. 1469 van 20 November 1998 en R. 987 van 20 Augustus 1999, met 'n verdere tydperk wat op 31 Augustus 2001 eindig.

D. VAN DER WALT

Direkteur: Kollektiewe Bedinging

No. R. 513**26 May 2000****LABOUR RELATIONS ACT, 1995****CLOTHING INDUSTRY (WESTERN CAPE): EXTENSION OF PROVIDENT FUND COLLECTIVE AMENDING 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, declared that the Collective Agreement which appears in the Schedule hereto, which was concluded in the Clothing Industry Bargaining Council (Western Cape), 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 29 May 2000 and for the period ending 30 June 2001.

M. M. S. MDLADLANA

Minister of Labour

No. R. 513**26 Mei 2000****WET OP ARBEIDSVERHOUDINGE, 1995****KLERASIENYWERHEID (WES-KAAP): UITBREIDING VAN VOORSORGFONDS KOLLEKTIEWE WYSIGINGSOOREENKOMS NA NIE-PARTYE**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Ooreenkoms wat in die Bylae hiervan verskyn en wat in die Bedingingsraad vir die Klerasienywerheid (Wes-Kaap) aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die Ooreenkoms aangegaan het, bindend is vir die ander werknemers in daardie Nywerheid, met ingang van 29 Mei 2000, en vir die tydperk wat op 30 Junie 2001 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

SCHEDULE**CLOTHING INDUSTRY BARGAINING COUNCIL (WESTERN CAPE)****PROVIDENT FUND COLLECTIVE AGREEMENT**

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

Cape Clothing Association

and the

Cape Fabrick Knitting Association

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

Southern African Clothing and Textile Workers' Union

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

being the parties to the Clothing Industry Bargaining Council (Western Cape),

to amend the Agreement published under Government Notice No. R. 629 of 28 May 1999, as amended and extended by Government Notices Nos. R. 1255 and R. 1256 of 22 October 1999.

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed in the Clothing Industry—

(a) by the employers and employees who are members of the employers' organisations and the trade union, respectively, and who are engaged or employed in the Industry;

(b) in the Magisterial Districts of—

(i) The Cape, Simonstown, Bellville, Goodwood, including those portions of the Magisterial Districts of Goodwood, Simonstown and Bellville from which the Magisterial District of Mitchells Plain was constituted on 2 March 1992, Somerset West, Strand, George and Worcester, on the operations set forth in paragraphs (a) and/or (b) of the definition of "Clothing Industry" in clause 3 of the Collective Agreement published under Government Notice No. R. 629 of 28 May 1999;

- (ii) Malmesbury, including that portion from which the Magisterial District of Moorreesburg was constituted on 29 November 1985 by Government Notice No. R. 2649, in respect of that part of the Industry in which employers and employees are associated for the making of all classes of women's and girls' wear, including parts of such garments and cloth belts;
- (iii) Wynberg, including that portion of the Magisterial District of Wynberg included when the Magisterial District of Mitchells Plain was constituted on 22 March 1992, on the operations set forth in paragraphs (a) and/or (b) of the definition "Clothing Industry" in clause 3 of the Collective Agreement, published under Government Notice No. R. 629 of 28 May 1999.

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

- (a) apply only in respect of employees for whom wages are prescribed in the Main Collective Agreement, the Knitting Division Collective Agreement and the Country Areas Collective Agreement;
- (b) not apply to employees and working directors whose wages are more than the amount referred to in clause 1 (2) (b) of the Main Collective Agreement of the Council.

(3) Notwithstanding the provisions of subclauses (1) and (2), the terms of this Agreement shall apply in respect of employees and working directors who were contributors as at the date of coming into operation of the Agreement, published under Government Notice No. R. 629 of 28 May 1999.

(4) Clauses 1 (1) (a), and 2 of this Agreement shall not apply to employers and employees who are not members of the employers' organisations and trade union, respectively.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 (2) of the Act, and shall remain in force until 30 June 2001.

3. CLAUSE 6: CONTRIBUTIONS

(1) In subclause 1 (a), substitute the expression "Council's Main and Country Areas Collective Agreements" for the expression "Council's Main Collective Agreement".

(2) In subclause 1 (b), substitute "4,5%" for "4,0%".

(3) In subclause 2 (a), substitute the expression "Council's Main Country Areas Collective Agreements" for the expression "Council's Main Collective Agreement".

(4) In subclause 2 (b), substitute "6,0%" for "5,0%".

4. CLAUSE 9: BENEFITS

In subclause (4) (a) (i), substitute the expression "equal to 78 times the contributor's weekly wage or 18 times his monthly salary" for the expression "equal to 52 times the contributor's weekly wage or 12 times his monthly salary".

5. CLAUSE 15: POWERS OF DESIGNATED AGENTS WHEN ATTEMPTING TO RESOLVE DISPUTES AND SECURE COMPLIANCE OF AND IN TERMS OF THIS AGREEMENT

(1) In subclause (8), insert the word "agent" between the words "designated" and "must".

(2) In subclause (10), insert the word "agent" between the words "designated" and "must".

Signed at Salt River on behalf of the parties this 16th day of February 2000.

J. KIPLING

Chairperson of the Council

C. JEFTHA

Vice-Chairperson of the Council

P. R. CROSOER

Secretary of the Council

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria. 0001
Publications: Tel: (012) 334-4508, 334-4509, 334-4510
Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504
Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737
Cape Town Branch: Tel: (021) 465-7531

Gedruk deur en verkrygbaar by die Staatsdrukker, Bosmanstraat, Privaatsak X85, Pretoria, 0001
Publikasies: Tel: (012) 334-4508, 334-4509, 334-4510
Advertensies: Tel: (012) 334-4673, 334-4674, 334-4504
Subskripsies: Tel: (012) 334-4735, 334-4736, 334-4737
Kaapstad-tak: Tel: (021) 465-7531