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GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 53

23 January 2004

LABOUR RELATIONS ACT, 1995

NATIONAL BARGAINING COUNCIL FOR THE ELECTRICAL INDUSTRY OF SOUTH AFRICA: EXTENSION OF RE-ENACTMENT AND AMENDMENT OF MAIN 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 National Bargaining Council for the Electrical Industry of South Africa 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 1 February 2004 and for the period ending 31 January 2006.

M. M. S. MDLADLANA

Minister of Labour

No. R. 53

23 Januarie 2004

WET OP ARBEIDSVERHOUDINGE, 1995

NASIONALE BEDINGINGSRAAD VIR DIE ELEKTROTEGNIËSE NYWERHEID VAN SUID-AFRIKA: UITBREIDING VAN HERBEKRAGTIGING EN WYSIGING VAN HOOF 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 Engelse Bylae hiervan verskyn, en wat in die Nasionale Bedingingsraad vir die Elektrotegniese Nywerheid van Suid-Afrika 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 1 Februarie 2004 en vir die tydperk wat op 31 Januarie 2006 eindig.

M. M. S. MDLADLANA

Minister van Arbeid

SCHEDULE

NATIONAL BARGAINING COUNCIL FOR THE ELECTRICAL INDUSTRY OF SOUTH AFRICA

MAIN COLLECTIVE AMENDING AGREEMENT

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

Electrical Contractors' Association (South Africa)

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

South African Equity Workers' Association,

Metal and Electrical Workers' Union of South Africa,

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

being the parties to the National Bargaining Council for the Electrical Industry of South Africa.

PART 1

1. SCOPE OF APPLICATION

(1) The terms of this Agreement shall be observed—

- (a) by all employers and employees in the Electrical Industry who are members of the employers' organisation and trade unions, respectively, who are engaged or employed in the Industry;
- (b) In the following areas:
 - (i) In the Province of the Transvaal and the Magisterial Districts of Sasolburg and Bloemfontein as they existed at 19 June 1985;

- (ii) in the Magisterial Districts of Barkly West, Gordonia, Hartswater, Kuruman and Postmasburg as they existed at 18 October 1989;
- (iii) in the Province of the Free State (excluding the Magisterial Districts of Sasolburg and Bloemfontein), as it existed at 19 June 1985;
- (iv) in the Magisterial Districts of Aberdeen, Adelaide, Albert, Aliwal North, Barkly East, Bedford, Britstown, Carnarvon, Cathcart, Colesberg, Cradock, De Aar, Elliot, Fort Beaufort, Fraserburg, Graaff-Reinet, Hankey, Hanover, Hofmeyr, Indwe, Jansenville, King William's Town, Kirkwood, Komga, Lady Grey, Maclear, Middelburg (Eastern Cape), Molteno, Murraysburg, Noupoot, Pearston, Philipstown, Prince Albert, Richmond (Northern Cape), Somerset East, Sterkstroom, Steynsburg, Steytlerville, Stutterheim, Tarkastad, Venterstad, Victoria West, Williston, Willowmore and Wodehouse, as they existed at 13 April 1995.
- (v) in the Magisterial Districts of Albany, Alexandria, Bathurst, Beaufort West, Calitzdorp, George, Humansdorp, Joubertina, Knysna, Ladismith, Mossel Bay, Oudtshoorn, Port Elizabeth, Queenstown, Riversdale, Uitenhage and Uniondale, as they existed at 24 November 1995;
- (vi) in the Magisterial Districts of the Cape, Wynberg (including that portion of the Magisterial District of Somerset West which, prior to 9 March 1973, Government Notice No. 173 of 9 February 1973, fell within the Magisterial District of Wynberg), Simonstown, Goodwood and Bellville; in those portions of the Magisterial Districts of Malmesbury and Stellenbosch which, prior to the publication of Government Notices Nos. 171 of 8 February 1957 and 283 of 2 March 1962, respectively, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice No. 661 of 19 April 1974, fell within the Magisterial District of Stellenbosch but which, prior to 2 March 1962, fell within the Magisterial District of Bellville and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice No. 1683 of 7 August 1987, fell within the Magisterial District of Bellville;
- (vii) in the Province of KwaZulu-Natal, excluding any portions of that area falling within the former self-governing territory of KwaZulu as it existed prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993);
- (viii) in the Magisterial District of East London.

(2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall apply to apprentices and learners only in so far as they are not inconsistent with the provisions of the Manpower Training Act, 1981, or the Skills Development Act, 1998, shall be taken to be the weekly wage of such employees, and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

(3) For the purposes of this Agreement the "rate of remuneration" of learners prescribed under the Skills Development Act, 1998, shall be taken to be the weekly wage of such employees, and the "hourly rate" shall be the weekly wage calculated as above, divided by the number of ordinary hours worked in the establishment concerned.

2. PERIOD OF OPERATION

This Agreement shall come into operation on the date fixed by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, and shall remain in force until 31 January 2006.

3. EXCLUSIONS

The provisions of this Agreement shall not apply to non-parties in respect of clauses 1 (1) (a), 2, 4 and 30A of Part 1.

4. SPECIAL PROVISIONS

The provisions of clauses 20, 25 (1) (d), 27 (3), 30, 30 B, 39 (12), 50 and 51 of Part 1 of the Agreement published under Government Notice No. R. 90 of 26 January 2001, as re-enacted and amended under Government Notices Nos. R. 795 of 14 June 2002 and R. 1245 of 5 September 2003 (hereinafter referred to as the "former agreement") shall apply to employers and employees.

5. GENERAL PROVISIONS

The provisions of clauses 4 to 19, 21 to 25 (1) (c), 25 (1) (e) to 27 (2), 27 (4) to 29, 30 A, 31 to 39 (11), 40 to 49, 52 to 56 of Part 1 and Part II of the Former Agreement (as further extended, amended and re-enacted from time to time), shall apply to employers and employees.

6. CLAUSE 33 OF THE FORMER AGREEMENT: REGISTRATION OF EMPLOYERS

Renumber the existing clause 33 to 33 (A).

7. NEW CLAUSE 33 (B)

Insert the following new clause 33 (B):

"33 (B) LIMITED DURATION CONTRACTS

In cases where an employee is engaged on a limited duration contract, and such employee has not previously contributed to the Electrical Industry Pension/Provident Funds, the employer will cover such employee only for the purposes of risk benefits, that is death, disability, funeral and sick pay, whilst employed on such limited duration contract: Provided this will not apply to an employee who was previously a member of the Pension/Provident Funds and has not withdrawn from such Fund: Provided that, should such employee be employed on a further limited duration contract with the same employer within 90 days of the termination of his original limited duration contract, the employer and employee shall contribute towards the employee's Pension/Provident Fund."

PART II**8. CLAUSE 4 OF THE FORMER AGREEMENT: SCHEDULE OF WAGES AND/OR EARNINGS**

(1) Substitute the following for the categories listed below:

AREAS 'A', 'B', 'C', 'D', 'E'.

Category	AREA A Rand per hour	AREA B Rand per hour	AREA C Rand per hour	AREA D Rand per hour	AREA E Rand per hour
Master installation electrician	43,01	36,51	34,42	25,81	25,11
Installation electrician	39,59	33,63	31,65	23,75	23,09
Electrical tester for single phase	36,13	30,70	29,62	21,68	21,09
Electrician, artisan and DAM	34,39	29,21	27,52	20,66	20,11
Domestic electrical installer	28,80	24,47	22,99	17,23	16,77
Elconop 3	25,05	21,27	19,99	14,99	14,59
Elconop 2	21,22	18,05	16,96	12,71	12,39
Elconop 1	13,08	11,12	10,49	8,13	7,67
Driver of a vehicle, the unladen Mass of which is—					
(a) Up to 3 500 kg	14,40	12,21	11,53	8,65	8,42
(b) from 3 501 kg to 9 000 kg	17,03	14,45	13,60	10,22	9,93
(c) 9 001 kg and over	18,92	16,06	15,10	11,34	11,02
Electrical assistant	11,31	9,57	9,02	6,77	6,59
General worker	7,89	6,69	6,32	4,75	4,61

AREAS 'F', 'G', 'H'.

Category	AREA F Rand per hour	AREA G Rand per hour	AREA H Rand per hour
Master installation electrician	29,85	25,38	23,90
Installation electrician	27,46	23,35	21,99
Electrical tester for single phase	24,32	21,32	20,08
Electrician, artisan and DAM	24,32	20,30	19,12
Domestic electrical installer	20,33	17,29	17,29
Elconop 3	17,68	15,02	15,02
Elconop 2	15,52	13,19	12,43
Elconop 1	9,96	8,35	7,82
Driver of a vehicle, the unladen Mass of which is—			
(a) Up to 3 500 kg	9,64	8,21	7,73
(b) from 3 501 kg to 9 000 kg	11,45	9,73	9,15
(c) 9 001 kg and over	12,71	10,80	10,17
Electrical assistant	9,81	8,22	7,75
General worker	6,88	5,76	5,43

AREAS 'I', 'J', 'K', 'L'.

Category	AREA I Rand per hour	AREA J Rand per hour	AREA K Rand per hour	AREA L Rand per hour
Master installation electrician	40,41	43,01	36,51	32,16
Installation electrician	39,40	39,59	33,63	29,57
Electrical tester for single phase	33,94	36,13	30,70	27,02
Electrician, artisan and DAM	32,34	34,39	29,21	25,71
Domestic electrical installer	0,00	28,80	24,59	0,00
Emerging electrical installer	27,77	0,00	0,00	0,00
Elconop 3	24,16	25,05	21,27	18,68
Elconop 2	22,86	21,22	18,05	15,85
Elconop 1	15,47	13,08	11,12	9,81
Domestic appliance repairer	—	16,15	13,74	—
Driver of a vehicle, the unladen Mass of which is—				
(a) Up to 3 500 kg	13,56	14,40	12,21	8,15
(b) from 3 501 kg to 9 000 kg	15,30	17,02	14,45	12,71
(c) 9 001 kg and over	17,45	18,92	16,06	14,13
Electrical assistant	12,66	11,31	9,57	8,43
General worker	8,87	7,89	6,69	5,90"

- (2) Insert the following after the categories listed above:

"With effect from 1 February 2005 the above wages rates will increase by the percentage as reflected by the July 2004 year on year consumer price index (CPIX) plus an additional 1% (one per cent): Provided that if the July 2004 year on year consumer price index (CPIX) is in excess of 7% (percent) or below 5% (five per cent) the parties to the Council will renegotiate wages only for the period 1 February 2005 to 31 January 2006, which outcome will be publicised by no later than 1 February 2005."

9. CLAUSE 5 OF THE FORMER AGREEMENT: GUARANTEED MINIMUM INCREASES AND OFF-SET

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

"Every employee for whom wages are prescribed in this Agreement and who, on the date on which this Agreement comes into operation, is employed by an employer in the Industry, shall while in the employ of the same employer and whether or not his actual rate of pay immediately prior to the said date was in excess of the rate prescribed for him in this Agreement, receive a wage increase of not less than 7% of the actual wage rate he was receiving immediately prior to the said date. Provided that with effect from 1 February 2005 the above wage rate will increase by the percentage as reflected by the July 2004 year on year consumer price index (CPIX): Provided further that if the July 2004 year on year consumer price index (CPIX) is in excess of 7% (percent) or below 5% (five per cent) the parties to the Council will renegotiate wages only for the period 1 February 2005 to 31 January 2006 which outcome will be publicised by no later than 1 February 2005."

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

"The guaranteed minimum increase referred to above shall be subject to the provision that any increase granted on or after 1 January 2004 may be off-set by the employer when calculating the guaranteed minimum increase and any increase granted on or after 1 January 2005 may be off-set by the employer when calculating the guaranteed minimum increase."

Signed at Johannesburg as authorised for and on behalf of the parties to the Council this 18th day of November 2003.

M. MFIKOE

Chairman

R. McALPINE

Vice-Chairman

G. FISHER

Secretary

DEPARTMENT OF SOCIAL DEVELOPMENT**No. R. 49****23 January 2004****AMENDMENT: REGULATIONS REGARDING GRANTS AND FINANCIAL AWARDS TO WELFARE ORGANISATIONS AND TO PERSONS IN NEED OF SOCIAL RELIEF OF DISTRESS IN TERMS OF THE SOCIAL ASSISTANCE ACT, 1992 (ACT NO. 59 OF 1992)**

The Minister of Social Development intends, in terms of section 19 of the Social Assistance Act, 1992 (Act No. 59 of 1992), to make the regulations set out in the Schedule hereto.

Interested parties are invited to submit comments on the proposed regulations to the Director-General: Social Development, Private Bag X901, Pretoria, 0001 fax number: (012) 312-7897 or e-mail: Rodgers.hlatshwayo@socdev.gov.za (for attention: Mr Rodgers Hlatshwayo) within 14 days of the date of publication of this notice.

SCHEDULE

1. In these regulations "the Regulations" means the regulations published by Government Notice No. R.418 of 31 March 1998, as amended by Government Notice No. R.813 of 25 June 1999, Government Notice No. R.1233 of 23 November 2001 and Government Notice No. R. 460 of 31 March 2003.

Amendment of regulation 9 of the Regulations**2. Regulation 9 of the Regulations is hereby amended –****(a) by the substitution for subregulation (6) of the following subregulation:**

“(6) The Director-General may accept alternative proof of any of the documents required in terms of subregulations (1) to (5), including, where applicable, a statement or statements made by the applicant or primary care giver under oath attesting to their citizenship.”;

(b) by the substitution for subregulation (7) of the following subregulation:

“(7) The alternative proof referred to in subregulation (6) must include one or more of the following:

- (a) a certified copy of a child’s “Road to Health” card from a clinic or a hospital;
- (b) a school certificate or report card signed by the Principal of the school attended by the child; or
- (c) a statement under oath by a traditional leader, local councilor, religious leader or a letter from a social worker accredited to provide statutory services, who is able to verify the identity or the habitual place of residence of the applicant or the child.”;

(c) by the addition of the following subregulations:

- (8) In exercising the discretion conferred upon him or her by subregulation (6), the Director-General shall have regard to –

- (a) the immediate needs of the applicant and child;
 - (b) the reason why the applicant has not produced the document in question;
 - (c) the period of time which it will reasonably take the applicant to obtain the necessary document, with due regard to the availability in that area of services of the Department of Home Affairs, and the reliability and speed of the production and delivery of documents for people in that area by the Department of Home Affairs.
- (9) If a grant is approved without the production of a document referred to in subregulation (1), the grant will automatically lapse after a period of six months unless the applicant can prove that he or she has applied for the document concerned or has made a reasonable effort to obtain the document concerned.”.

DEPARTMENT OF TRADE AND INDUSTRY**No. R. 47****23 January 2004****STANDARDS ACT, 1993****AMENDMENT TO THE COMPULSORY SPECIFICATION FOR THE SAFETY
OF MOULDED-CASE CIRCUIT BREAKERS (VC8036)**

I, Alexander Erwin, Minister of Trade and Industry, hereby under section 22 (1) (a) (ii) of the Standards Act, 1993 (Act No. 29 of 1993), and on the recommendation of the Council of the South African Bureau of Standards, with effect from 2 months from the date of publication, declare the amendments to the specification contained in the Schedule, to be compulsory.

A Erwin
Minister of Trade and Industry

SCHEDULE**COMPULSORY SPECIFICATION FOR THE SAFETY OF
MOULDED-CASE CIRCUIT BREAKERS (VC8036)****1 Scope**

The compulsory specification VC8036 covers the safety requirements for moulded-case circuit breakers, the main contacts of which are intended to be connected to circuits with a rated voltage not exceeding 1000V a.c. and a rated current not exceeding 125A, and with a rated service short circuit breaking capacity not exceeding 10kA.

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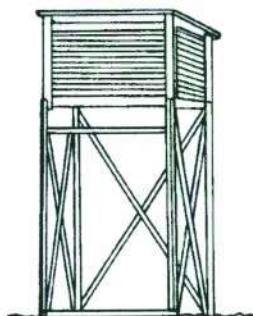
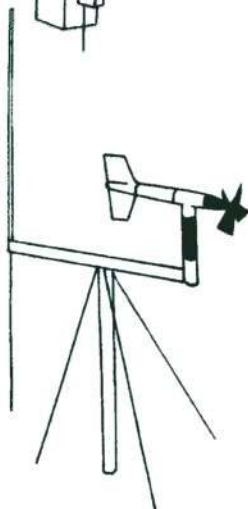
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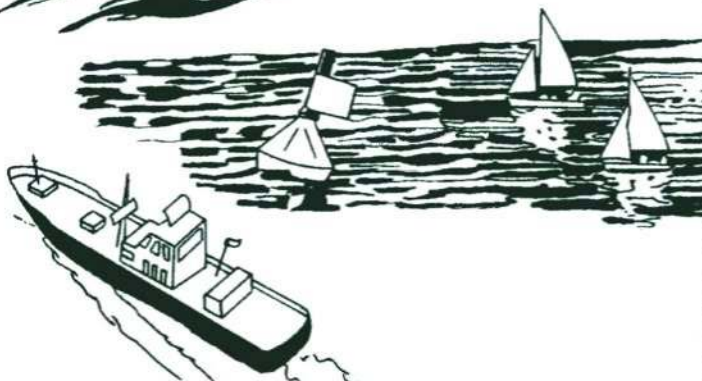
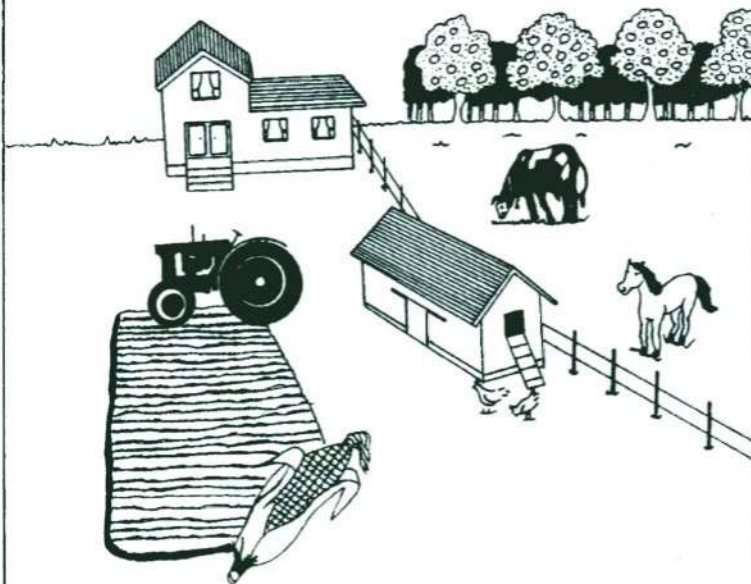
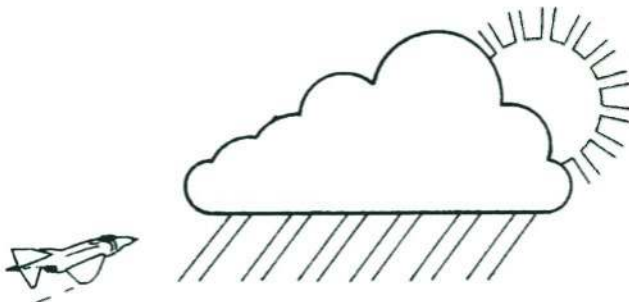


Department of Environmental Affairs and Tourism

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