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All Proclamations, Government and General Notices published for the first time, are indicated by a * in the left-hand upper corner.

Alle Proklamasies, Goewerments- en Algemene Kennisgewings, wat vir die eerste maal gepubliseer word, is in die linker-bohoek met 'n * gemerk.

GOVERNMENT NOTICES.

The following Government Notices are published for general information:—

DEPARTMENT OF LABOUR.

* No. 2443.] [26 November 1954.
INDUSTRIAL CONCILIATION ACT, 1937.

ELECTRICAL CONTRACTING INDUSTRY, TRANSCAAL.

I, BAREND JACOBUS SCHOEMAN, Minister of Labour, do hereby—

- (a) in terms of sub-section (1) of section *forty-eight* of the Industrial Conciliation Act, 1937, declare that all the provisions of the Agreement which appears in the Schedule hereto and which relates to the Electrical Contracting Industry, shall be binding from the second Monday after the date of publication of this notice and for the period ending on the 3rd May, 1955, upon the employers' organisation and trade union which entered into the said Agreement and upon the employers and employees who are members of that organisation or that union;
- (b) in terms of sub-section (2) of section *forty-eight* of the said Act, declare that the provisions contained in the said Agreement, excluding clauses 2 and 5, shall be binding from the second Monday after the date of publication of this notice and for the period ending on the 3rd May, 1955, upon the other employers and employees engaged or employed in the said Industry in the Magisterial Districts of Johannesburg, Brakpan, Boksburg, Germiston, Springs, Benoni, Roodepoort, Randfontein and Potchefstroom and those areas within radii of 20, 20, 30 and 10 miles from the General Post Offices at Pretoria, Vereeniging, Krugersdorp and Klerksdorp, respectively, which fall within the Magisterial Districts of Pretoria, Vereeniging, Krugersdorp and Klerksdorp respectively; and
- (c) in terms of sub-section (4) of section *forty-eight* of the said Act, declare that in the Magisterial Districts of Johannesburg, Brakpan, Boksburg, Germiston, Springs, Benoni, Roodepoort, Randfontein and Potchefstroom and those areas within radii of 20, 20, 30 and 10 miles from the General Post Offices at Pretoria, Vereeniging, Krugersdorp and Klerksdorp, respectively, which fall within the Magisterial Districts of Pretoria, Vereeniging, Krugersdorp and Klerksdorp, respectively, and from the second Monday after the date of publication of this notice and for the period ending on the 3rd May, 1955, the provisions contained in the said Agreement, excluding clauses 2, 4 and 5, shall *mutatis mutandis* apply in respect of such persons in the said Industry as are not included in the definition of the expression "employee" contained in section *one* of the said Act.

B. J. SCHOEMAN,
Minister of Labour.

GOEWERMENTSKENNISGEWINGS.

Onderstaande Goewermentskennisgewings word vir algemene inligting gepubliseer:—

DEPARTEMENT VAN ARBEID.

* No. 2443.] [26 November 1954.
NYWERHEID-VERSOENINGSWET, 1937.

ELEKTROTEGNIËSE AANNEMINGSNYWER- HEID, TRANSCAAL.

Ek, BAREND JACOBUS SCHOEMAN, Minister van Arbeid, verklaar hierby—

- (a) kragtens subartikel (1) van artikel *agt-en-veertig* van die Nywerheid-versoeningswet, 1937, dat al die bepalings van die Ooreenkoms wat in die Bylae hierby verskyn en wat op die Elektrotegniese Aannemingsnywerheid betrekking het, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 3 Mei 1955 eindig, bindend is vir die werkgewersorganisasie en die vakvereniging wat genoemde Ooreenkoms aangegaan het en vir die werkgewers en werknemers wat lede van daardie organisasie of daardie vereniging is;
- (b) kragtens subartikel (2) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings van genoemde Ooreenkoms, uitgesonderd klousules 2 en 5, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 3 Mei 1955 eindig, bindend is vir die ander werkgewers en werknemers betrokke by of in diens in genoemde Nywerheid in die magistraatsdistrikte Johannesburg, Brakpan, Boksburg, Germiston, Springs, Benoni, Roodepoort, Randfontein en Potchefstroom, en in die gebiede binne 'n omtrek van onderskeidelik 20, 20, 30 en 10 myl van die Hoofposkantore in Pretoria, Vereeniging, Krugersdorp en Klerksdorp, wat onderskeidelik binne die magistraatsdistrikte Pretoria, Vereeniging, Krugersdorp en Klerksdorp val; en
- (c) kragtens subartikel (4) van artikel *agt-en-veertig* van genoemde Wet, dat die bepalings vervat in genoemde Ooreenkoms, uitgesonderd klousules 2, 4, en 5, vanaf die tweede Maandag na die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 3 Mei 1955 eindig, in die magistraatsdistrikte Johannesburg, Brakpan, Boksburg, Germiston, Springs, Benoni, Roodepoort, Randfontein en Potchefstroom en in die gebiede binne 'n omtrek van onderskeidelik 20, 20, 30 en 10 myl van die Hoofposkantore in Pretoria, Vereeniging, Krugersdorp en Klerksdorp, wat onderskeidelik binne die magistraatsdistrikte Pretoria, Vereeniging, Krugersdorp en Klerksdorp val, *mutatis mutandis* van toepassing is ten opsigte van persone in genoemde Nywerheid wat nie by die woordomskrywing van die uitdrukking „werknemer”, vervat in artikel *een* van die genoemde Wet, ingesluit is nie.

B. J. SCHOEMAN,
Minister van Arbeid.

SCHEDULE.

INDUSTRIAL COUNCIL FOR THE ELECTRICAL CONTRACTING INDUSTRY (TRANSVAAL).

AGREEMENT

in accordance with the provisions of the Industrial Conciliation Act 1937, made and entered into between:—

Electrical Contractors' Association (South Africa) (hereinafter referred to as the "employers" or the "employers' organisation") of the one part, and

The South African Electrical Workers' Association (hereinafter referred to as the "employees" or "trade union"), of the other part,

being the parties to the Industrial Council for the Electrical Contracting Industry (Transvaal).

1. AREA AND SCOPE OF APPLICATION OF AGREEMENT.

(1) All the terms of this Agreement shall be observed in the Magisterial District of Potchefstroom, and the terms of clause 6 shall be observed in the Magisterial Districts of Roodepoort and Randfontein and the Transvaal Area as defined in clause 3 of the agreement published under Government Notice No. 855 of the 24th April, 1953, (hereinafter referred to as the "main agreement"), by employers and employees in the Electrical Contracting Industry.

(2) Notwithstanding the provisions of sub-clause 1—

- (a) the terms of this Agreement shall apply to apprentices only in so far as they are not inconsistent with the provisions of the Apprenticeship Act, 1944, as amended, or any contract entered into or any condition fixed thereunder;
- (b) the terms of this Agreement shall apply to trainees under the training of Artisans Act, 1951 (Act No. 38 of 1951), only in so far as they are not inconsistent with the provisions of that act or any conditions fixed thereunder;
- (c) the terms of this agreement shall not apply to—
 - (i) drivers of mechanical vehicles;
 - (ii) clerical employees and administrative staffs;
- (d) clauses 8, 9, 13, 14, 15 and 18 referred to in clauses 3 and 5 hereunder, shall not apply to unskilled labourers.

2. PERIOD OF OPERATION.

This agreement shall come into operation on a date to be determined by the Minister of Labour in terms of section forty-eight of the Industrial Conciliation Act, 1937, and shall remain in operation until the 3rd May, 1955, or for such period as may be determined by the Minister.

3. GENERAL PROVISIONS.

The provisions of clause 6 of the agreement published under Government Notice No. 1152 of the 11th June, 1954, and the provisions of clauses 3 to 17 (inclusive), 21 to 23 (inclusive), 25 and 26 of the main agreement as amended by clauses 7 and 8 of the agreement published under Government Notice No. 1152 of the 11th June, 1954, and by clause 6 of this Agreement shall apply to employers and employees.

4. SPECIAL PROVISIONS.

The provisions of clauses 20 (1), 20 (2) and 24 of the main agreement shall apply to employers and employees.

5. FURTHER SPECIAL PROVISIONS.

The provisions contained in clauses 18, 19 and 20 (3) of the main agreement, shall apply to employers and employees.

6. ADDITIONAL PAYMENT BY EMPLOYERS AND EMPLOYEES.

(a) Delete sub-clause 3 of clause 15 of the main agreement and substitute the following:—

"3. The said payments and deductions shall commence upon the coming into operation of this agreement and shall be used for the establishment of a pension or like benefit fund and/or a sick benefit fund. These funds shall be administered in accordance with rules approved by the council. These rules shall not be inconsistent with this Agreement or the provisions of the Industrial Conciliation Act 1937. A copy of the rules and of any amendment thereto shall be lodged with the Secretary for Labour within one month from the date of the Council's approval thereof."

(b) Delete sub-clause 7 of clause 15 of the main agreement and substitute the following:—

"7. In the event of the dissolution of the Council or in the event of its ceasing to function during the currency of this Agreement, the Minister may appoint committees consisting of an equal number of representatives of employers and employees to perform the functions of the Council in regard to the administration of these funds. Any vacancy occurring amongst employers and employees as the case may be. If these committees are unable or unwilling to discharge its duties, the Minister may appoint a trustee or trustees to carry out the duties of the Council. Such committees or trustees shall have all the powers of the Council for the purpose of this clause."

BYLAE.

NYWERHEIDSRAAD VIR DIE ELEKTROTEGNIËSE AAN- NEMINGSNYWERHEID (TRANSVAAL).

OOREENKOMS

ingevoelge die bepalings van die Nywerheid-versoeningswet, 1937, gesluit en aangegaan tussen die—

Electrical Contractors' Association (South Africa)

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

South African Electrical Workers' Association

(hieronder die „werknemers" of „vakvereniging" genoem), aan die ander kant, wat die partye is by die Nywerheidsraad vir die Elektrotegniese Aannemingsnywerheid (Transvaal).

1. GEBIED EN BESTEK VAN TOEPASSING VAN OOREENKOMS.

(1) Al die bepalings van hierdie Ooreenkoms moet in die Magistraatdistrik Potchefstroom nagekom word en die bepalings van klousule 6 moet deur werkgewers en werknemers in die Elektrotegniese Aannemingsnywerheid nagekom word in die Magistraatsdistrikte Roodepoort en Randfontein, en die Transvaalse gebied soos omskryf in klousule 3 van die ooreenkoms (hieronder die „hoof-ooreenkoms" genoem) wat by Goewermenskennisgewing No. 855 van 24-April 1953 gepubliseer is.

(2) Ondanks die bepalings van subklousule 1 is—

- (a) die bepalings van hierdie Ooreenkoms op vakleerlinge van toepassing slegs vir sover dit nie met die bepalings van die Wet op Vakleerlinge, 1944, soos gewysig, of 'n kontrak of voorwaarde daarkragtens aangegaan, strydig is nie.
- (b) die bepalings van hierdie Ooreenkoms is van toepassing op kwekelinge ingevolge die Wet op Opleiding van Ambagsmanne, 1951 (Wet No. 38 van 1951), slegs vir sover dit nie met die bepalings van daardie wet of enige bepalings daarkragtens vasgestel, strydig is nie.
- (c) die bepalings van hierdie Ooreenkoms is nie op die volgende van toepassing nie:—
 - (i) drywers van motorvoertuie;
 - (ii) klerklike werknemers en administratiewe personeel;
- (d) klousules 8, 9, 13, 14, 15 en 18 genoem in klousules 3 en 5 hieronder, is nie op ongeskoolde arbeiders van toepassing nie.

2. GELDIGHEIDSDUUR.

Hierdie Ooreenkoms tree in werking op 'n datum wat die Minister van Arbeid kragtens artikel agt-en-veertig van die Nywerheid-versoeningswet, 1937, vasgestel en bly van krag tot 3 Mei 1955, of vir sodanige tydperk as wat die Minister kan bepaal.

3. ALGEMENE BEPALINGS.

Die bepalings van klousule 6 van die ooreenkoms gepubliseer by Goewermenskennisgewing No. 1152 van 11 Junie 1954 en die bepalings van klousules 3 tot en met 17, 21 tot en met 23, 25 en 26 van die hoof-ooreenkoms, soos gewysig by klousules 7 en 8 van die ooreenkoms gepubliseer by Goewermenskennisgewing No. 1152 van 11 Junie 1954 en by klousule 6 van hierdie Ooreenkoms, is van toepassing op werkgewers en werknemers.

4. SPESIALE BEPALINGS.

Die bepalings van klousules 20 (1), 20 (2) en 24 van die hoof-ooreenkoms is van toepassing op werkgewers en werknemers.

5. VERDERE SPESIALE BEPALINGS.

Die bepalings vervat in klousules 18, 19 en 20 (3) van die hoof-ooreenkoms is van toepassing op werkgewers en werknemers.

6. BYKOMENDE BETALING DEUR WERKGEWERS EN WERKNEMERS.

(a) Skrap subklousule 3 van klousule 15 van die hoof-ooreenkoms en vervang dit deur die volgende:—

"3. Genoemde betalings en aftrekkings moet by die inwerkingtreding van hierdie Ooreenkoms 'n aanvang neem en moet vir die instelling van 'n pensioen- of soortgelyke bystandfonds en/of 'n siektebystandfonds gebruik word. Hierdie fondse moet geadminestreer word ooreenkomstig die reëls wat deur die Raad goedgekeur is. Hierdie reëls moet nie met hierdie Ooreenkoms of met die bepalings van die Nywerheid-versoeningswet, 1937, strydig wees nie. 'n Kopie van die reëls en van enige wysiging daaraan moet binne een maand na die Raad se goedkeuring daarvan by die Sekretaris van Arbeid ingedien word."

(b) Skrap subklousule 7 van klousule 15 van die hoof-ooreenkoms en vervang dit deur die volgende:—

"7. Indien die Raad ontbind word of tydens die geldigheidsduur van hierdie Ooreenkoms ophou om te funksioneer, kan die Minister komitees benoem wat uit 'n gelyke getal werkgewers- en werknemers-vertegenwoordigers bestaan om die Raad se pligte in verband met die administrasie van hierdie fondse na te kom. Enige vakature wat in hierdie komitees ontstaan, moet deur die Minister uit die werkgewers en werknemers, na gelang van die geval, gevul word. Indien hierdie komitees nie daartoe in staat is nie of onwillig is om hul pligte na te kom, kan die Minister 'n kurator of kuratore benoem om die pligte van die Raad uit te voer. Vir die toepassing van hierdie klousule beskik sodanige komitees of kuratore oor al die bevoegdhede van die Raad."

(c) Delete sub-clause 8 of clause 15 of the main agreement and substitute the following:—

"8. In the event of a pension or like fund not being established before the 3rd May, 1955 all amounts deducted in terms of sub-clause 2, less the amounts allocated to the sick benefit fund in terms of the rules approved by the Council, shall be deemed to be contributions made by employers and employees and shall be refunded to the employers and employees who contributed to the fund. In that event, all payments and deductions referred to in this clause shall cease as from that date. Any amounts which are so held by the Council and which are not claimed within a period of two years from the date on which they become refundable, shall become forfeit and be transferred to the general funds of the Council; provided that the Council may, at any time, authorise the payments from its general funds of claims submitted after the said period of two years."

(d) To clause 15 of the main agreement add sub-clause 9 as follows:—

"9. In the event of a sick benefit fund not being established before the 3rd May, 1955, all amounts deducted in terms of sub-clause 2, less the amounts allocated to the pension or like fund by the Council, shall be deemed to be contributions made by employers and employees and shall be refunded to the employers and employees who contributed to the fund. In that event, all payments and deductions referred to in this clause shall cease as from that date. Any amounts which are so held by the Council and which are not claimed within a period of two years from the date on which they become refundable shall become forfeit and be transferred to the general funds of the Council; provided that the Council may, at any time, authorise the payments from its general funds of claims submitted after the said period of two years."

Signed at Johannesburg, as authorised, for and on behalf of the parties, on the 15th day of September, 1954.

J. M. FRASER, *Chairman.*

B. R. TUDHOPE, *Vice-Chairman.*

C. P. VENTER, *Secretary.*

★ No. 2444.] [26 November 1954.
FACTORIES, MACHINERY AND BUILDING WORK ACT, 1941.

ELECTRICAL CONTRACTING INDUSTRY, TRANSVAAL.

I, BAREND JACOBUS SCHOEMAN, Minister of Labour, hereby in terms of sub-section (1) of section *twenty-two* of the Factories, Machinery and Building Work Act, 1941, declare the provisions of the Agreement and notice relating to the Electrical Contracting Industry, published under Government Notice No. 2443 of the 26th November, 1954, to be not less favourable to the persons whose hours of work are regulated thereby than the relative provisions of the said Act.

B. J. SCHOEMAN,
 Minister of Labour.

(c) Skrap subklousule 8 van klousule 15 van hoofooreenkoms en vervang dit deur die volgende:—

"8. Ingeval 'n pensioen- of soortgelyke fonds nie voor 3 Mei 1955 ingestel word nie, moet alle bedrae wat kragtens subklousule 2 afgetrek is, min die bedrae toegewys aan die siektebystandfonds ooreenkomstig die reëls wat deur die Raad goedgekeur is, beskou word dat dit bedraes is wat deur werkgewers en werknemers bygedra is, en dit moet terugbetaal word aan die werkgewers en werknemers wat tot die fonds bygedra het. In dié geval moet alle betalings en aftrekkings, genoem in hierdie klousule, van daardie datum af gestaak word. Enige bedrae wat aldus in besit van die Raad is en wat nie binne 'n tydperk van twee jaar van die datum af waarop dit terugbetaalbaar geword het, opgeëis is nie, word verbeurd verklaar en moet aan die algemene fondse van die Raad oorgemaak word; met dien verstande dat die Raad te eniger tyd die betalings uit sy algemene fondse kan magtig van eise wat na genoemde tydperk van twee jaar ingestel word."

(d) Voeg subklousule 9 soos volg by klousule 15 van die hoofooreenkoms:—

"9. Ingeval 'n siektebystandfonds nie voor 3 Mei 1955 gestig word nie, moet alle bedrae wat kragtens subklousule 2 afgetrek word, min die bedrae wat deur die Raad aan die pensioen- of soortgelyke fonds toegewys is, beskou word as bydraes deur werkgewers en werknemers gedoen en moet terugbetaal word aan die werkgewers en werknemers wat tot die fondse bygedra het. In dié geval moet alle betalings en aftrekkings in hierdie klousule genoem, van daardie datum af gestaak word. Enige bedrae wat aldus in besit van die Raad is en wat nie binne 'n tydperk van twee jaar van die datum af waarop dit terugbetaal geword het, opgeëis is nie, word verbeurd verklaar en moet aan die algemene fondse van die Raad oorgemaak word; met dien verstande dat die Raad te eniger tyd die betalings uit die algemene fondse kan magtig van eise wat na genoemde tydperk van twee jaar ingestel word."

Soos gemagtig vir en namens die partye, op hede die 15de dag van September 1954 in Johannesburg onderteken.

J. M. FRASER, *Voorsitter.*

B. R. TUDHOPE, *Ondervoorsitter.*

C. P. VENTER, *Sekretaris.*

★ No. 2444.] [26 November 1954.
WET OP FABRIEKE, MASJINERIE EN BOUWERK, 1941.

ELEKTROTEGNIËSE AANNEMINGSNYWERHEID, TRANSVAAL.

Ek, BAREND JACOBUS SCHOEMAN, Minister van Arbeid, verklaar hierby ingevolge subartikel (1) van artikel *twee-en-twintig* van die Wet op Fabriek, Masjinerie en Bouwerk, 1941, dat die bepalinge van die Ooreenkoms en kennisgewing in verband met die Elektrotegniese Aannemingsnywerheid, bekendgemaak by Goewermentskennisgewing No. 2443 van 26 November 1954, nie vir die persone wie se werkure daarby gereël word, minder gunstig as die ooreenstemmende bepalinge van genoemde Wet is nie.

B. J. SCHOEMAN,
 Minister van Arbeid.

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