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GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF TRADE AND INDUSTRY
DEPARTEMENT VAN HANDEL EN NYWERHEID

No. R. 1273

15 December 2006

STANDARDS ACT, 1993

PROPOSED INTRODUCTION OF A COMPULSORY SPECIFICATION FOR CEMENT

It is hereby made known under section 22(3) of the Standards Act, (Act No. 29 of 1993), that the Minister of Trade and Industry, on the recommendation of the SABS Council, intends to introduce a compulsory specification for *Cement*, as set out in the attached Schedule.

Any person who wishes to object to the intention of the Minister to thus introduce the compulsory specification concerned shall lodge their objection in writing with the President, South African Bureau of Standards, Private Bag X191, Pretoria, 0001, on or before the date two (2) months after publication of this notice.



M Mpahlwa
Minister of Trade and Industry

SCHEDULE

PROPOSED COMPULSORY SPECIFICATION FOR CEMENT

1 SCOPE

This compulsory specification covers the requirements for the manufacture, marking, properties and performance of cement, intended for construction use, irrespective of whether distributed in bulk or bagged form.

2 DEFINITIONS

For the purpose of this compulsory specification, the following definitions apply:

2.1 Regulator: SABS Regulatory, a Division of the South African Bureau of Standards.

2.2 Applicant: The manufacturer or importer seeking approval of cement. The applicant shall be an established legal entity within the Republic of South Africa.

2.3 Cement: A hydraulic binder used for construction purposes described in either SANS 50197-1 *Common cements*, or SANS 50413-1 *Masonry cement*.

2.4 Common Cement: One of the types of cement listed in Table 1 of SANS 50197-1 *Common cements*.

2.5 Masonry Cement: One of the types of cement listed in Table 1 of SANS 50413-1 *Masonry cement*.

2.6 Certification body: A body appointed by the producer to assess the conformity of cement against the requirements of this compulsory specification.

2.7 Manufacturer: An entity that produces, blends or packs cement or cement blends.

2.8 Importer: An established legal entity within the Republic of South Africa that imports cement.

3 REQUIREMENTS

3.1 Cement shall comply with the requirements of the latest issue of either SANS 50197-1 *Common cements*, or SANS 50413-1 *Masonry cement*

3.2 For the purposes of this compulsory specification an importer shall meet with the requirements for an intermediary as defined in Section 9 of SANS 50197-2 *Conformity Evaluation*, and shall appoint a certification body accredited to the requirements given in Section 5.1 of SANS 50197-2 to perform the third party tasks given in Section 9.3.1 and 9.3.2 of SANS 50197-2.

3.3 In terms of the requirements of Sections 5 and 7, or Sections 9.3.1 and 9.3.2 of SANS 50197-2, as applicable, the manufacturer or importer shall appoint a certification body accredited to the requirements given in Section 5.1 of SANS 50197-2 to perform these functions.

3.4 Each manufacturer, or importer on behalf of a manufacturer, shall apply to the Regulator for pre-approval of every manufacturing facility from which cement is to be supplied, in accordance with the requirements of Annexure A.

3.5 The manufacturer or importer shall apply for pre-approval of each and every type and strength class of cement to be sold.

3.6 Packaging shall be marked in accordance with the requirements of Annexure B.

3.7 The manufacturer or importer shall provide the Regulator annually with copies of the reports generated by the certification body in accordance with Section 5.2 of SANS 50197-2, and at 6-monthly intervals with copies of the reports generated by the certification body in accordance with Sections 5.3 and 5.4 of SANS 50197-2.

3.8 Intermediaries shall perform the tasks prescribed in Section 9 of SANS 50197-2, and shall provide the Regulator annually with copies of the reports generated by the certification body in accordance with Section 9.3.1 of SANS 50197-2, as well as with copies, at 6-monthly intervals, of reports of audit testing of samples by the certification body in accordance with Section 9.3.2 of SANS 50197-2.

3.9 The importer shall notify the Regulator in advance of every consignment to be imported. The consignment may be made up of a number of smaller deliveries of the same cement product, as in the case of deliveries by road.

3.10 The manufacturer and/or importer and certification body shall each undertake, in writing, to immediately report any failure to conform to the requirements of the compulsory specifications, of whatever nature, to the Regulator.

4 Exclusions

For the purposes of this compulsory specification the following requirements are excluded:

4.1 All references and requirements related to the *Conformity mark* in SANS 50197-1, SANS 50197-2 and SANS 50413-2.

4.2 Clause 9.3.3 of SANS 50197-2.

ANNEXURE A

APPROVAL OF CEMENT

1 APPLICATION FOR APPROVAL

1.1 The applicant shall apply to the Regulator for pre-approval of the manufacturing facility and of each type of cement produced. The application shall include the following:

1.1.1 Details of the type of cement for which approval is sought and the standard/s to which it is claimed to conform;

1.1.2 Identification of the manufacturing plant/s for which approval is sought;

1.1.3 A copy of reports generated by a certification body appointed in accordance with 3.3 in terms of Sections 5.2, 5.3 and 5.4 of SANS 50196-2, or in terms of Section 5.5 of SANS 50197-2, as relevant;

1.1.4 Markings and other information to be printed on the package, with a breakdown of any codes indicating factory or packing plant of origin and/or date of packaging.

2 APPROVAL

2.1 The Regulator shall issue a Letter of Authority (LOA) to the manufacturer or importer when all the requirements, identified in 1 above, have been met to the satisfaction of the Regulator.

2.2 The Regulator shall assign a unique number to each LOA in respect of each type of cement approved.

2.3 The LOA shall be the sole proof of approval by the Regulator.

3 WITHDRAWAL OF APPROVAL

The approval granted in respect of cement pursuant to the Specification may be withdrawn at any time without prior warning if the requirements of this Specification have not been maintained.

ANNEXURE B

MARKINGS THAT SHALL APPEAR ON PACKAGING

Any information appearing on a bag of cement shall not be misleading to the user. In compiling design mixes as guidelines, the manufacturer should be guided by SANS standards for the use of cement.

The following minimum information shall be printed legibly and indelibly on each bag in the English language. Print shall be at least 10 mm high.

1 MASONRY CEMENT.

- The manufacturer's name and either his trade name or trademark, and the name of the importer if different from the manufacturer.
- Markings as required in Clause 6 of SANS 50413-1.
- Identity of the factory (which may be in code) where the cement was produced.
- A date or code that provides traceability to the week of packing, or despatch in the case of bulk cement.
- The standard under which the cement was manufactured.
- A statement indicating its intended use i.e. **MASONRY CEMENT, INTENDED TO BE USED FOR PREPARATION OF MORTAR AND PLASTER ONLY.**
- Manufacturers guidelines for the use of the type and grade of cement and precautions to be observed in its use.
- The unique approval number of the Letter of Authority referred to in paragraph 2.2 of Annexure A of this specification, using the words "LOA No.....".
- A statement of quantity as prescribed in the Trade Metrology Act.

2 COMMON CEMENT

- The manufacturer's name and trademark and the name of the importer if different from the manufacturer.
- Identity of the factory (which may be in code) where the cement was produced.
- The standard designation in accordance with Clause 8 of SANS 50197-1.
- A date or code that provides traceability to the week of packing, or despatch in the case of bulk cement.
- The standard under which the cement was manufactured.
- Manufacturers guidelines for the use of the type and grade of cement and precautions to be observed in its use.
- The unique approval number of the Letter of Authority referred to in paragraph 2.2 of Annexure A of this specification, using the words "LOA No.....".

- A statement of quantity as prescribed in the Trade Metrology Act.
 - If applicable, the additional information specified in Annexure ZA.4.1 and the footnotes thereto of SANS 50197-1.
-

**DEPARTMENT OF MINERALS AND ENERGY
DEPARTEMENT VAN MINERALE EN ENERGIE**

No. R. 1279

15 December 2006

MINE HEALTH AND SAFETY ACT, 1996 (ACT NO 29 OF 1996)

REGULATIONS RELATING TO EXPLOSIVES

I BP, SONJICA Minister of Minerals and Energy under section 98 (1)(k) of the Mine Health and Safety Act, 1996 (Act no. 29 of 1996), after consultation with the *Council*, hereby make the regulations in the Schedule.

The Regulation in the schedule will come into effect on 1 July 2007.

SCHEDULE

CHAPTER 4

EXPLOSIVES

Definitions

In this Chapter, unless the context otherwise indicates –

“explosive” means

- (a) a substance, or a mixture of substances, in a solid or liquid state, which is capable of producing an explosion;
- (b) a pyrotechnic substance in a solid or liquid state, or a mixture of such substances, designed to produce an effect by heat, light, sound, gas or smoke, or a combination of these, as the result of non-detonative self-sustaining exothermic chemical reaction, including pyrotechnic substances which do not evolve gases;
- (c) any article or device containing one or more substances contemplated in paragraph (a); or
- (d) any other substance or article which the Minister of Safety and Security may from time to time by notice in the Gazette declare to be an explosive in terms of the Explosives Act, Act No 15 of 2003;

“initiate” means the action or intended action to detonate or deflagrate explosives;

"manufacture" means the making or processing of any explosive, and includes the division of any explosive into its components by any process, the conversion of any kind of explosive into another kind and the alteration, testing or reworking of any explosive;

"misfire" means any explosives which have failed to explode;

"misfired hole" means a shot hole or part of a shot hole in which any explosives or any portion thereof has failed to explode;

"primary blasting" means the blasting operations normally associated with the breaking of in-situ ground for production purposes, including the blasting of big rocks, obstructions in ore passes or box holes or blasting operations where explosives are not contained in a shot hole;

"secondary blasting" means the blasting operations not associated with production from in-situ ground which can take place at any time during a shift to remove obstructions or reduce big rocks in size, but excludes the blasting of shot holes drilled in in-situ rock;

"shot hole" means any drill hole charged with or intended to be charged with explosives;

"socket" means any shot hole, or part of any shot hole, known not to be a misfired hole, which remains after having been charged with explosives and blasted or which, for any other reason, may be suspected of having contained explosives at any time and includes any shot hole, or part of any shot hole, from which all explosives have been extracted;

Security in respect of explosives

4.1(1) The employer must take reasonably practicable measures to prevent persons not authorized by the employer to do so, from-

- (a) gaining access to explosives;
- (b) being in possession of explosives, or
- (c) removing or attempting to remove explosives from a mine.

4.1(2) Only persons authorized by the employer to do so may -

- (a) gain access to or attempt to gain access to explosives;
- (b) be in possession of explosives, or
- (c) remove or attempt to remove explosives from a mine.

4.1(3) Subject to regulation 4.2(1)(d), no person may bury, hide, submerge or abandon any explosives.

Receipt, storage, issuing, transportation and destruction of explosives

4.2(1) The employer must ensure that -

- (a) explosives that are not being transported or prepared for use are stored in explosive stores, silos or containers which are, as far as reasonably practicable, designed and located so as to facilitate the safe and secure receipt, storage and issuing of explosives by a competent person;

- (b) a written procedure is prepared and implemented, after consultation with the explosive manufacturer or supplier, to prevent persons from being exposed to the significant risks associated with the receipt, storage, issuing and transportation of explosives, including associated with the inadvertent initiation and the deterioration of explosives;
 - (c) as far as reasonably practicable, explosives are only transported in vehicles or conveyances approved for that purpose by the employer, after consultation with the explosive manufacturer or supplier; and
 - (d) when mine closure is intended, or when a mine is not being worked as contemplated in section 2(2), the Principal Inspector of Mines and the Chief Inspector of Explosives (as defined in the Explosives Act, Act No 15 of 2003) are notified in writing as soon as reasonably practicable, if any explosives have been left behind in the mine, of –
 - (i) the type, quantities and location of such explosives; and
 - (ii) the measures taken to safeguard persons from any significant risk associated with such explosives.
- 4.2(2) The employer must take reasonable measures to ensure that only the competent person contemplated in regulation 4.4(1) destroys explosives.
- 4.2(3) In the case of underground coal mines, explosives must be destroyed only on surface, and in accordance with a written procedure prepared for that purpose by the employer after consultation with the explosives manufacturer or supplier.
- 4.2(4) The employer must inform the Chief Inspector of Explosives (as defined in the Explosives Act, Act No 15 of 2003) in advance if more than 50kg of explosives are to be destroyed at any one time.
- 4.2(5) The employer must take reasonable measures to ensure that accurate records, covering the immediate preceding three years, are kept readily available at the mine of all explosives received, stored, issued, used and destroyed at the mine.

Approved explosives at mines

- 4.3(1) The employer must take reasonable measures to ensure that -
- (a) only explosives approved by the employer are used at the mine;
 - (b) the explosives are used in accordance with a written procedure prepared and implemented for that purpose after consultation with the explosive manufacturer or supplier;
 - (c) no explosives are initiated where flammable gas or coal dust may be present in sufficient quantities to cause a flammable gas or coal dust explosion or to cause flammable gas to burn;
 - (d) if explosives are manufactured at the mine, it is done in accordance with a written procedure prepared and implemented for that purpose after consultation with the explosive manufacturer or supplier; and
 - (e) explosive powered tools are used and maintained in accordance with a written procedure prepared and implemented for that purpose.

Primary and Secondary blasting to be performed by competent persons

4.4(1) The employer must take reasonable measures to ensure, where blasting takes place, that a *competent person* -

- (a) exercises control over the explosives to be used for such blasting;
- (b) prepares primers;
- (c) tests for flammable gas in accordance with a written procedure prepared and implemented for that purpose by the employer;
- (d) examines any drilled hole to be deepened to ensure it is safe to deepen;
- (e) examines for and deals with misfires, sockets, old and damaged explosives in accordance with a written procedure prepared for that purpose by the employer;
- (f) marks or indicates shot holes for drilling or sanctions the drilling of shot holes marked or indicated by another person;
- (g) exercises control over any manufacturing at the mine of explosives to be used for such blasting;
- (h) the connecting up of blasting rounds or circuits;
- (i) charges shot holes with explosives or places explosive charges; and
- (j) initiates blasting.

Blasting Assistants

4.4(2) A *competent person* may, with the approval of the employer, assist the competent person referred to in regulation 4.4(1) with any of the following activities-

- (a) exercising control over the explosives to be used for such blasting;
- (b) the preparation of primers;
- (c) the charging of shot holes with explosives or the placing of explosive charges;
- (d) the timing of blasting rounds or circuits; and
- (e) initiating any blasting in the actual presence and under the direct supervision of the competent person referred to in regulation 4.4(1).

Certification of Initiation Apparatus and Blasting Systems

4.5(1) The employer must ensure that where initiation of explosives charges takes place by means of electricity -

- (a) apparatus used for the initiation of electronic detonators complies with Part 1 "Electronic Initiation Systems" of SANS 1717 'The design and approval of EED initiation systems for use in mining and civil blasting;
- (b) apparatus used for the initiation of electric detonators complies with Part 2 "Electric Initiation System – Shot Exploder based" of SANS 1717;
- (c) every shot exploder, initiator or electronic delay detonator system is tested and certified by a test laboratory accredited for this purpose by the government endorsed national accreditation body;
- (d) every inherently safe apparatus used for the testing of a circuit containing an electric detonator, electric or electronic initiator, electronic delay detonator or a similar device is tested and certified for that purpose by a test laboratory accredited for that purpose by the government endorsed national accreditation body; and
- (e) all aspects pertaining to the use of electrical blasting are executed safely with specific reference to the following SANS Codes of Practice

10325: "The safe application of detonator systems for use in mining and civil blasting applications; Part 1: Electronic Detonator Systems (SABS 10325-1:2000) and Part 2: Electric Detonator Systems – Shot Exploder-based." (SABS 0325-2:2001).

- 4.5(2) The normative references in the SABS Standards referred to in 4.5(1)(e) above are not applicable to the employer.

General precautionary measures when blasting

- 4.6 The employer must take reasonable measures to ensure that when blasting takes place, air and ground vibrations, shock waves or fly material are limited to such an extent and at such a distance from any building, public thoroughfare, railway, power line or any place where persons congregate to ensure that there is no significant risk to the health or safety of persons.

Learners

- 4.7 Learners to be assessed competent against any of the qualifications referred to in these regulations may, with the approval of the employer, perform any of the activities listed under these regulations in the actual presence and under the direct supervision of the relevant *competent person(-s)*.

Prevention of flammable gas and coal dust explosions

- 4.8 The employer must take reasonable measures to ensure that:
- (a) a blow out or ignition of flammable gas or initiation of a coal dust explosion does not occur due to the design and positioning of the blast holes or due to the type of explosives that are used; and
 - (b) initiating devices or systems used in blast designs are designed not to cause a methane or coal dust explosion.

Shot Holes to be Stemmed

- 4.9 The employer must take reasonable measures to ensure that no explosive charge, contained in a shot hole where there is a significant risk of a flammable gas or coal dust explosion, is initiated, unless the explosives are contained in a shot hole and that the portion of the hole between the explosives and the collar is only filled with sand, clay or non flammable materials, provided that fine coal may not be used for stemming.

CHAPTER 22**COMPETENT PERSON FOR PRIMARY BLASTING, SECONDARY BLASTING
AND BLASTING ASSISTANTS****22.4 EXPLOSIVES**

22.4.1(1) For purposes of Regulations 4.4(1) and 4.4(2), the competent person must have the relevant competencies as indicated below -

1. Underground hard rock tabular mine -**(a) Primary blasting**

A person in possession of a valid blasting certificate for scheduled mines issued by the Department; or

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(b) Secondary blasting

A person in possession of a blasting certificate for scheduled mines issued by the Department, or

A person assessed and found competent against a skills programme recognised by the MQA for this purpose.

(c) Blasting assistant

A person assessed and found competent against a skills programme recognised by the MQA for this purpose.

2. Underground coal mines --**(a) Primary blasting**

A person in possession of a blasting certificate for fiery mines issued by the Department, or

A person assessed and found competent against a qualification for the type of mining to be undertaken recognised by the MQA for this purpose.

(b) Secondary blasting

A person in possession of a blasting certificate for fiery mines issued by the Department, or

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(c) Blasting assistant

A person assessed and found competent against a skills programme recognised by the MQA for this purpose.

3. Underground hard rock massive mine -**(a) Primary blasting**

A person in possession of a blasting certificate for scheduled mines issued by the Department, or

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(b) Secondary blasting

A person in possession of a blasting certificate for scheduled mines issued by the Department, or.

A person assessed and found competent against a skills programme recognised by the MQA for this purpose.

(c) Blasting assistant

A person assessed and found competent against a skills programme recognised by the MQA for this purpose.

4. Quarries other than dimension stone quarries**(a) Primary blasting**

A person in possession of a blasting certificate for opencast mines issued by the Department, or

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(b) Secondary blasting

A person in possession of a blasting certificate for opencast mines issued by the Department, or

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(c) Blasting assistant

A person assessed and found competent against a skills programme recognised by the MQA for this purpose.

5. Openpit/strip mine**(a) Primary blasting**

A person in possession of a blasting certificate for opencast mines issued by the Department.

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(b) Secondary blasting

A person in possession of a blasting certificate for opencast mines issued by the Department, or

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(c) Blasting assistant

A person assessed and found competent against a skills programme recognised by the MQA for this purpose.

6 Dimension stone quarries**(a) Primary blasting**

A person in possession of a blasting certificate for opencast mines issued by the Department, or

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(a) Secondary blasting

A person in possession of a blasting certificate for opencast mines issued by the Department, or

A person assessed and found competent against a qualification recognised by the MQA for this purpose.

(b) Blasting assistant

A person assessed and found competent against a skills programme recognised by the MQA for this purpose.

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 1269

15 December 2006

LABOUR RELATIONS ACT, 1995

**NATIONAL BARGAINING COUNCIL OF THE LEATHER INDUSTRY OF SOUTH AFRICA: EXTENSION TO NON-PARTIES
OF THE TANNING SECTION COLLECTIVE AMENDING AGREEMENT**

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 of the Leather 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 18 December 2006, and for the period ending 30 June 2007.

M. M. S. MDLADLANA

Minister of Labour

No. R. 1269

15 Desember 2006

WET OP ARBEIDSV ERHOUDINGE, 1995

**NASIONALE BEDINGINGSRAAD VIR DIE LEERNYWERHEID VAN SUID-AFRIKA: UITBREIDING NA NIE-PARTYE VAN
KOLLEKTIEWE WYSIGINGSOOREEKOMS VIR DIE LOOI-SEKSIE**

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 Nasionale Bedingingsraad vir die Leernywerheid 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 is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 18 Desember 2006, en vir die tydperk wat op 30 Junie 2007 eindig.

M. M. S. MDLADLANA,

Minister van Arbeid

SCHEDULE

**NATIONAL BARGAINING COUNCIL FOR THE LEATHER INDUSTRY OF SOUTH AFRICA
COLLECTIVE AGREEMENT: TANNING SECTION**

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

South African Tanning Employers' Organisation (SATEO)

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

Southern African Clothing and Textile Workers' Union (SACTWU)

and the

National Union of Leather and Allied Workers (NULAW)

(hereinafter referred to as "the employees" or "the trade unions") of the other part, being the parties to the National Bargaining Council for the Leather Industry of South Africa, to extend and amend the Agreement published under Government Notices Nos. R. 823 of 7 September 2001, R. 1230 of 30 November 2001, R. 693 of 17 May 2002, R. 1531 of 13 December 2002, R. 714 of 6 June 2003, R. 1357 of 3 October 2003, R. 748 of 25 June 2004, R. 592 and R. 593 of 24 June 2005, R. 335 of 13 April 2006 and R. 631 of 30 June 2006.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Tanning Section of the Leather Industry—
 - (a) in the Republic of South Africa, which includes the former Republic of Transkei, the former Republic of Bophuthatswana, the former Republic of Venda and the former Republic of Ciskei, as well as the former self-governing territories of KwaZulu, Qwa-qwa, Lebowa, Gazankulu, KaNgwane and KwaNdebele;
 - (b) by all employers who are members of the employers' organisation, and by all employees who are members of the trade unions, and who are engaged or employed in the said section of the Industry.
- (2) The terms of this Agreement shall apply only to employees for whom wages are prescribed in terms of this Agreement, and to employers of such employees.
- (3) Clauses 1 (1) (b) and 2 (1) of this Agreement shall not apply to non-parties.

2. DATE AND PERIOD OF OPERATION

(1) This Agreement shall come into operation for the parties on 1 July 2006 and remain in force for the period ending 30 June 2007.

(2) This Agreement shall come into operation for non-parties on such date as the Minister of Labour extends this Agreement to them, and shall thereafter remain in force for the period ending 30 June 2007.

3. CLAUSE 3: DEFINITIONS

Insert the following new definition after the definition "general worker":

"**general worker, entry level**" means a person who was employed as a general worker after 1 July 2006, and who was not retrenched from the Industry within a 12-month period of such employment".

4. CLAUSE 7: REMUNERATION**(1) 7.1 Wages and wage rates**

Substitute the following new clause 7.1 (1) for the existing 7.1 (1):

"(1) An employer shall pay an employee at least the wages prescribed in terms of this clause for the operation performed by the employee.

WAGE AND WAGE RATES

	Rate per hour
1. Lime/tan yard, shaving, splitting, dyeing, drying and finishing section rates	
<i>Band A1 employees engaged in—</i>	
Rounding	18,88
Splitting	23,35
<i>Band A2 employees engaged in—</i>	
Shaving	20,01
<i>Band B employees engaged in—</i>	
Colour matching	17,64
Glazing	17,64
Hand spraying	18,63
Hand tipping	17,64
Pilot plant operating	18,63
Polishing	17,64
<i>Band C employees engaged in—</i>	
Assisting splitter	17,38
Brushing	17,38
Buffing	17,38
Chemical weighing	17,38
Colour mixing	17,38
Curtain coating	17,38
Conditioning	16,24
Drum operating	16,24
Dry cleaning machine	16,24
Embossing/printing	17,38
Fleshing (hand or machine)	17,38
Hide stamping	16,42
Hydraulic press	17,38
Measuring	17,38
Padding	17,38
Pasting	17,38
Roller coating	17,38
Rotor press	17,38
Rotor spraying	17,38
Sammying	17,38
Setting	17,38
Sole rolling	17,38
Staking	17,38
Trimmer after shaving	16,24

	Rate per hour
Vacuum drying	17,38
<i>Band D employees engaged in—</i>	
Flesh trimming	16,01
General workers	16,01
(on operations as defined in definition of general worker)	
Hand drying	16,01
Milling	16,01
Substance checking.....	16,01
Toggling	16,01
<i>Band E employees</i>	
General worker entry level as defined in definition of general worker, entry level.....	13,00
Learners employed on operations specified in Bands A1, A2, B and C will be paid on the following basis:	
First six months of experience.....	80% of prescribed wage
Second six months of experience	80% of prescribed wage
2. Quality examining and/or sorting rates	
<i>Band A1 employees engaged as a—</i>	
Final sorter.....	18,88
Wet blue sorter	18,88
<i>Band B employees engaged as a—</i>	
Crust sorter	17,64
<i>Band C employees engaged as a—</i>	
Split sorter.....	17,38
3. Fellmongering section rates	
<i>Band B employees engaged in—</i>	
Pickle sorting	17,64
<i>Band C employees engaged in—</i>	
Break fleshing	17,38
Final fleshing.....	17,38
Pickle drum operating.....	17,38
Sulphide painting	16,24
<i>Band D employees engaged in—</i>	
Break fleshing assistant.....	16,01
Counting and packing.....	16,01
Drum closing.....	16,01
Hand wool pulling	16,01
Machine wool pulling	16,01
Paddle operating.....	16,01
Wool baling/packing.....	16,01
Wool drying	16,01
Wool picking	16,01
Wool washing	16,01
<i>Band E employees</i>	
General worker entry level as defined in definition of general worker, entry level.....	13,00
Learners employed on operations as specified in Bands B and C will be paid on the following basis:	
First six months of experience.....	80% of prescribed wage
Second six months of experience	90% of prescribed wage

	Rate per hour
4. Wool-skin processing and operations not elsewhere specified rates	
<i>Band C employees engaged in—</i>	
Carding	16,62
Combing	16,62
Cutting to patterns	16,36
Ironing	16,62
Shearing	16,62
Stitching by machine	16,93
5. Cutting section rates	
<i>Band A1 employees engaged in—</i>	
Cutter 1	20,32
Final inspecting.....	18,88
<i>Band A2 employees engaged in—</i>	
Hand cutting.....	18,88
<i>Band B employees engaged in—</i>	
Component splitting.....	17,16
Cutter 2.....	18,63
Hide marking.....	18,63
<i>Band C employees engaged in—</i>	
Component packing.....	16,42
Laminating	16,42
Laying out	16,42
Perforating	16,42
Stamping (piece marking).....	16,42
Template control	16,42
<i>Band D employees engaged in—</i>	
General workers on operations as defined in the definition of general worker.....	16,01
Learners employed on operations as specified in Bands A1, A2, B and C will be paid on the following basis:	
First six months of experience.....	80% of prescribed wage
Second six months of experience	90% of prescribed wage
<i>Band E employees—</i>	
General workers entry level as defined in definition of general worker, entry level	13,00
6. The following wage rates will be paid to employees other than those referred to in 1, 2, 3, 4, and 5]	
<i>Band A2 employees engaged as a—</i>	
Motor vehicle delivery driver.....	18,62
(Code C licence or higher)	
<i>Band B employees engaged as a—</i>	
Despatch clerk	17,02
Handyman	16,71
Motor vehicle general driver	17,41
(Code C1 licence or lower)	
Spray gun mechanic.....	18,63
Storeman and/or warehouseman	17,02
Tractor driver.....	17,41
<i>Band C employees engaged as a—</i>	
Boiler attendant.....	16,42
Forklift driver	17,38
Security guard.....	16,42
Store assistant and/or warehouseman assistant.....	16,42
<i>Band D employees engaged as a—</i>	
Nylon replacer.....	16,01*

(2) 7.2 Overtime rates

Substitute the following for clause 7.2 (1) (a), (b) and (c):

- "(1) (a) Employees who in any pay week work before their usual starting time and/or after their usual finishing time Monday to Saturday will be paid their hourly rate plus 50% (fifty per cent) for such work.
- (b) Payment of the overtime rate will be subject to employees completing their ordinary hours of work for the pay week.
- (c) For the purpose of determining overtime work, where in any pay week an employee is unable to complete his ordinary hours of work for any one or a combination of the following reasons:
- (i) Participation in a protected strike;
 - (ii) working short time;
 - (iii) attending training;
 - (iv) proceeding on or returning from leave authorised by the employer;
 - (v) proceeding on or returning from maternity leave;
 - (vi) a public holiday; or
 - (vii) suffering an injury on duty or an occupational disease;

but has worked before his usual starting time and/or after his usual finishing time in such week, he will despite the provisions of clause 7.2 (1) (b), be deemed to have worked overtime and be paid accordingly."

5. CLAUSE 8: ORGANISATIONAL RIGHTS

Add the following new subclause 8.4, Balloting:

"8.4 Balloting

Employers shall grant balloting facilities at the workplace subject to reasonable prior notification by the union concerned."

Signed by the parties in Durban on this 21st day of June 2006.

C. STEVENS

Member of the Council

F. ABRAHAMS

Member of the Council

A. BENJAMIN

Member of the Council

L. M. VAN LOGGERENBERG

General Secretary of the Council

No. R. 1270

15 December 2006

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE FISHING INDUSTRY: EXTENSION OF PERIOD OF OPERATION OF
MAIN COLLECTIVE AGREEMENT**

I, Thembinkosi Mkalipi, Executive Manager: 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. 337 of 13 April 2006 and R. 608 of 23 June 2006 by a further period ending 30 March 2007.

T. MKALIPI

Executive Manager: Collective Bargaining

No. R. 1270**15 Desember 2006**

WET OP ARBEIDSVERHOUDINGE, 1995

**BEDINGINGSRAAD VIR DIE VISNYWERHEID: VERLENGING VAN TYDPERK VAN
HOOF KOLLEKTIEWE OOREENKOMS**

Ek, Thembinkosi Mkalipi, Uitvoerende Bestuurder: 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 Goewermentskennisgewings Nos. R. 337 van 13 April 2006 en R. 608 van 23 Junie 2006 met 'n verdere tydperk wat op 30 Maart 2007 eindig.

T. MKALIPI**Uitvoerende Bestuurder: Kollektiewe Bedinging****No. R. 1271****15 Desember 2006**

LABOUR RELATIONS ACT, 1995

**METAL AND ENGINEERING INDUSTRIES BARGAINING COUNCIL: RENEWAL OF PERIOD OF SICK PAY FUND
COLLECTIVE AGREEMENT**

I, Thembinkosi Mkalipi, Executive Manager: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32 (6) (a) (ii) of the Labour Relations Act, 1995, declare the provisions of Government Notice No. R. 251 of 24 March 2006, to be effective from the date of publication of this notice and for the period ending 20 November 2011.

T. MKALIPI**Executive Manager: Collective Bargaining****No. R. 1271****15 Desember 2006**

WET OP ARBEIDSVERHOUDINGE, 1995

**METAAL- EN INGENIEURSNIWERHEDE BEDINGINGSRAAD: HERNUWING VAN TYDPERK VAN
SIEKTEBYSTANDSFONDS KOLLEKTIEWE OOREENKOMS**

Ek, Thembinkosi Mkalipi, Uitvoerende Bestuurder: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verklaar hierby, kragtens artikel 32 (6) (a) (ii) van die Wet op Arbeidsverhoudinge, 1995, dat die bepalings van Goewermentskennisgewing No. R. 251 van 24 Maart 2006 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 20 November 2011 eindig.

T. MKALIPI**Uitvoerende Bestuurder: Kollektiewe Bedinging****No. R. 1281****15 Desember 2006**

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING INDUSTRY, KWAZULU-NATAL: EXTENSION OF
PROVIDENT FUND AND MORTALITY BENEFIT ASSOCIATION 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 Bargaining Council of the Furniture Manufacturing Industry, KwaZulu-Natal, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Collective Agreement, shall be binding on the other employers and employees in that Industry, with effect from 25 December 2006, and for the period ending 31 July 2011.

M. M. S. MDLADLANA**Minister of Labour**

No. R. 1281

15 Desember 2006

WET OP ARBEIDSVERHOUDINGE, 1995

BEDINGINGSRAAD VIR DIE MEUBELNYWERHEID, KWAZULU-NATAL: UITBREIDING VAN VOORSORGFONDS EN STERFTEBYSTANDSVERENIGING 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 Meubelnywerheid, KwaZulu-Natal, 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 werkgewers en werknemers in daardie Nywerheid, met ingang van 25 Desember 2006, en vir die tydperk wat op 31 Julie 2011 eindig.

M. M. S. MDLADLANA,
Minister van Arbeid

SCHEDULE

**BARGAINING COUNCIL FOR THE FURNITURE MANUFACTURING INDUSTRY, KWAZULU-NATAL
PROVIDENT FUND AND MORTALITY BENEFIT ASSOCIATION COLLECTIVE AGREEMENT**

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

KwaZulu-Natal Furniture Manufacturers' Association

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

and the

National Union of Furniture and Allied Workers' of South Africa

and the

Chemical Energy Paper Printing Wood 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 Furniture Manufacturing Industry, KwaZulu-Natal, to amend the Provident Fund and Mortality Benefit Association Collective Agreement under Government Notice R. 244 dated 27 February 2004 and as amended by R192 dated 11 March 2005.

1. SCOPE OF APPLICATION OF AGREEMENT

- (1) The terms of this Agreement shall be observed in the Furniture Manufacturing Industry, KwaZulu-Natal—
 - (a) by all employers who are members of the employer's organisation and by all employees who are members of the trade union, who are engaged or employed therein, respectively;
 - (b) in Area A, which consists of the Magisterial Districts of Camperdown, Chatsworth, Durban, Inanda, Pietermaritzburg, Pinetown and Mount Currie;
 - (c) in Area B, which consists of the Magisterial Districts of Greytown, Lions River, Port Shepstone, Richmond, Lower Tugela and Umzinto and the municipal areas of Estcourt, Ladysmith and Newcastle; and
 - (d) in Area C, which consists of the remainder of the Province of KwaZulu-Natal.
- (2) Notwithstanding the provisions of subclause (1), the provisions of this Agreement shall—
 - (a) only apply in respect of employees for whom minimum wages are prescribed in the Main Agreement and to working Partners, Directors or Members as defined in the Main Agreement;
 - (b) apply to learners in so far as they are not inconsistent with the provisions of the Skills Development Act, 92 of 1998, or any contracts entered into or any conditions fixed thereunder;
 - (c) not apply to any employee or working Partner, Director or Member who at the date of the coming into operation of this Agreement is, or thereafter becomes, a participant in and member of any other fund providing pension and/or provident benefits, which is in existence on the said date and in which the employer of that employee is on the said date a participant, or to the employer of such employee, during such period only as such other fund continues to operate and both employer and employee are participants therein, if in the opinion of the Council the benefits which the other fund provided are on the whole not less favourable than the benefits provided by the Council's fund;

- (d) Notwithstanding the provisions of this clause, employers who carry on not more than one business within the scope of application of this collective agreement and who employ less than five employees at all times in connection with such business, shall be entitled to the phasing in concessions as contained within clause 1 (3) of the Main Collective Agreement, provided that for the purpose of giving effect to clause 13 (1) (d) of this agreement, the contribution shall be based on the wage prescribed for the highest paid employee in Schedule A of the Main Collective Agreement.
- (e) The provisions of subclause 2 (d) shall not apply where an employer has more than four employees in his employ at the date of the coming into operation of this Collective Agreement, and subsequently reduces this number of employees to fewer than five.
- (f) The terms of this agreement shall not apply to non-parties in respect of clauses 1 (1) (a).

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation for the parties to this Agreement on 1 August 2006 and for non-parties on such date as may be decided upon by the Minister of Labour in terms of section 32 of the Labour Relations Act, 1995, as amended, and shall remain in force until 31 July 2011.

ANNEXURE A

A	B
Employee's weekly deductions from wages 7.25 per cent of actual hours worked to a maximum of 44 hours per week.	Employer's weekly contribution 7.25 per cent of actual hours worked to a maximum of 44 hours per week.

Signed at Durban, on this 22nd day of June 2006.

W. NXUMALO
Chairperson

A. KHAN
Vice-Chairperson

G.J.P. BLIGNAUT
Secretary of the Council

DEPARTMENT OF PUBLIC SERVICE AND ADMINISTRATION

No. R. 1268

15 December 2006

AMENDMENT OF PUBLIC SERVICE REGULATIONS, 2001

The Minister for the Public Service and Administration has, under section 41 of the Public Service Act, 1994 (promulgated under Proclamation No. 103 of 1994), amended the Public Service Regulations, 2001 (published under *Government Notice* No. R. 1 of 5 January 2004), as amended, by the insertion after regulation B.3.1 of Part VII of Chapter 1 thereof, of the following regulation:

- "B.3.2 Notwithstanding regulation VII B.3.1 (a), an executing authority may appoint a former employee referred to in that regulation provided that—
- (a) the appointment is in the public interest;
 - (b) the appointment is made in accordance with the recruitment and selection procedures in these Regulations and no other suitable candidate could be recruited;
 - (c) the appointment is made for a fixed term not exceeding three years, and that term may be extended only once for a further term not exceeding three years; and
 - (d) the employee has not previously been appointed in terms of this regulation."