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IMPORTANT ANNOUNCEMENT**Closing times** **PRIOR TO PUBLIC HOLIDAYS** for**GOVERNMENT NOTICES, GENERAL NOTICES,
REGULATION NOTICES AND PROCLAMATIONS****2009***The closing time is 15:00 sharp on the following days:*

- ▶ **10 December**, Thursday, for the issue of Friday **18 December 2009**
- ▶ **15 December**, Tuesday, for the issue of Thursday **24 December 2009**
- ▶ **21 December**, Monday, for the issue of Thursday **31 December 2009**
- ▶ **30 December**, Wednesday, for the issue of Friday **8 January 2010**

Late notices will be published in the subsequent issue, if under special circumstances, a late notice is accepted, a double tariff will be charged

The copy for a **SEPARATE Government Gazette** must be handed in not later than three calendar weeks before date of publication

BELANGRIKE AANKONDIGING**Sluitingstye** **VOOR VAKANSIEDAE** vir**GOEWERMENTS-, ALGEMENE- & REGULASIE-
KENNISGEWINGS ASOOK PROKLAMASIES****2009***Die sluitingstyd is stiptelik 15:00 op die volgende dae:*

- ▶ **10 Desember**, Donderdag, vir die uitgawe van Vrydag **18 Desember 2009**
- ▶ **15 Desember**, Dinsdag, vir die uitgawe van Donderdag **24 Desember 2009**
- ▶ **21 Desember**, Maandag, vir die uitgawe van Donderdag **31 Desember 2009**
- ▶ **30 Desember**, Woensdag, vir die uitgawe van Vrydag **8 Januarie 2010**

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wel, onder spesiale omstandighede, aanvaar word, sal 'n dubbeltarief gehef word

Wanneer 'n **APARTE Staatskoerant** verlang word moet die kopie drie kalenderweke voor publikasie ingedien word

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF HEALTH DEPARTEMENT VAN GESONDHEID

No. R. 1123

4 December 2009

TOBACCO PRODUCTS CONTROL ACT, 1993 (Act No. 83 of 1993)

REGULATIONS RELATING TO THE STANDARDS FOR MANUFACTURING OF REDUCED IGNITION PROPENSITY (RIP) CIGARETTES

The Minister of Health, intends to, in terms of section 6(1)(d)(iii) of the Tobacco Products Control Act, 1993 (Act No. 83 of 1993), as amended, to make the regulations as set out in the Schedule.

Interested persons are invited to submit any substantiated comments or representations on the proposed regulations to the Director-General of Health, Private Bag X828, Pretoria, 0001 (for the attention of the Director: Health Promotion), within three months of the date of publication of this notice.

SCHEDULE

Definitions

1. In these regulations, 'the Act' means the Tobacco Products Control Act, 1993 (Act No. 83 of 1993) as amended, and any expression to which a meaning has been assigned in the Act shall bear such meaning and unless inconsistent with the context-

"**Cigarette**" means a roll of tobacco for smoking, enclosed in paper; and

"**repeatability**" means the range of values within which the repeat results of cigarette test trials from a single laboratory will fall 95 percent of the time.

Requirements.

2. No person shall import, sell, or offer to sell, any cigarettes unless:
 - (a) the cigarettes have been tested in accordance with the testing method and meet the performance standard specified in regulation 3;
 - (b) a written certification has been filed by the manufacturer or importer with the Director-General in accordance with regulations 10 to 14 ; and
 - (c) the cigarettes are marked in accordance with regulation 16 to 19.

Performance standard

3. No more than 25 percent of the cigarettes shall burn their full length when tested in a test trial described in regulations 4 to 9.

Testing requirement

4. Testing of cigarettes shall be conducted in accordance with the American Society of Testing and Materials ("ASTM") standard E2187-04, "Standard Test Method for Measuring the Ignition Strength of Cigarettes."
5. Cigarettes must be tested as part of a test trial. Each test trial of a cigarette must consist of 40 replicated tests. The performance standard required by regulation 3 shall only be applied to a complete test trial.
6. Each test of a cigarette in a test trial must be conducted on 10 layers of filter paper.
7. Laboratories conducting testing for written certifications must:
 - (a) be accredited by the International Organization for Standardization pursuant to standard ISO/IEC Guide 17025:2005, *General requirements for the competence of testing and calibration laboratories*;

(b) implement a quality control and quality assurance program that includes a procedure that will determine the repeatability of the testing results. The repeatability value shall be no greater than 0.19.

8. Each cigarette that uses lowered permeability bands to achieve compliance with regulation 3 must have -

- (a) at least two identical bands surrounding the tobacco column;
- (b) at least 1 complete band located not less than 15 mm from the lighting end of the cigarette; and
- (c) at least 1 band located not less than 10 mm from the filter end, and in the case of non-filter cigarettes from the labeled end of the tobacco column, if the bands are positioned on the cigarette by design.

Certification and Product Change.

9. Each manufacturer or importer shall submit a written certification to the Director-General attesting that each cigarette listed in the certification:

- (a) has been tested in accordance with these regulations; and
- (b) meets the performance standard set forth in regulation 3.

10. Each cigarette listed in the certification shall be described with the following information:

- (a) full brand, or trade name on the package;
- (b) length in millimeters;
- (c) circumference in millimeters;
- (d) flavour, such as menthol, if applicable
- (e) filter or non-filter;
- (f) package description, such as soft pack or box;
- (g) marking pursuant to regulations 14 to 16;
- (h) the name, address, telephone number and accreditation expiry date of the laboratory that conducted the test; and
- (i) the date on which testing took place.

11. Each cigarette certified under these regulations shall be re-certified every three years.

12. If a manufacturer or importer has certified a cigarette and thereafter makes any change to such cigarette that is likely to alter its compliance with the required reduced cigarette ignition propensity standards, that cigarette shall not be imported, sold or offered for sale until the manufacturer retests the cigarette in accordance with the testing standards set forth in regulations 4 to 9 and maintains records of that retesting as required by regulation 19. Any altered cigarette which does not meet the performance standard set forth in regulation 3 may not be imported, sold or offered for sale.

Packaging and marking requirements.

13. No packs, cartons or cases may contain cigarettes that do not meet the performance standard set out in regulation 3.

14. Each pack, carton and case must bear the marking "RIP".

15. The marking must be clearly legible and must not obscure any prescribed information required under the Act.

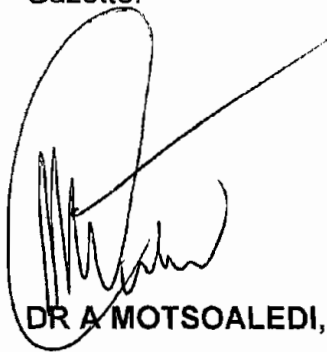
16. The marking shall be permanently stamped, engraved or embossed upon the cigarette package, carton and case.

17. Retailers may reasonably rely on the package marking as evidence of due certification as required by regulations 16 to 19 provided, however that if any cigarettes are found not to be compliant with the requirements of regulation 2, they are subject to confiscation and the retailer shall have a cause of action against any supplier of the non-compliant cigarettes.

18. Each manufacturer shall maintain, for a period of three years, copies of the reports of all tests conducted on all cigarettes offered for sale and shall make copies of these reports available, within 60 days, to the Department of Health and to any member of the public upon written request.

19. (a) All cigarettes manufactured in, imported into, or exported from South Africa must comply with these regulations no later than 12 months from the date the regulations are published in the Gazette; provided that, if the importing country has its own ignition propensity requirements, those must be met instead;

(b) No cigarettes that fail to comply with these regulations may be sold or offered for sale in South Africa, no matter when they were manufactured or imported, after 18 months from the date the regulations are published in the Gazette.



DR A MOTSOLEDI, MP

MINISTER OF HEALTH

DATE: 10/11/2009

**DEPARTMENT OF HEALTH
DEPARTEMENT VAN GESONDHEID**

No. R. 1124

4 December 2009

LABOUR RELATIONS ACT, 1995

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

I, **MEMBATHISI MPHUMZI SHEPHERD MDLADLANA**, Minister of Labour, hereby in terms of section 32(2) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **Bargaining Council for the Building Industry (Bloemfontein)** 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 14 December 2009 and for the period ending 31 December 2010.

**MMS MDLADLANA
MINISTER OF LABOUR**

No. R. 1124

4 Desember 2009

WET OP ARBEIDSVERHOUDINGE, 1995**BEDINGINGSRAAD VIR DIE BOUNYWERHEID (BLOEMFONTEIN): UITBREIDING VAN WYSIGING VAN KOLLEKTIEWE OOREENKOMS NA NIE-PARTYE**

EK, **MEMBATHISI MPHUMZI SHEPHERD MDLADLANA**, Minister van Arbeid, verklaar hierby, kragtens artikel 32(2) van die Wet op Arbeidsverhoudinge, 1995, dat die Kollektiewe Ooreenkoms wat in die Engelse Bylae hiervan verskyn, en wat in die **Bedingingsraad vir die Bounywerheid (Bloemfontein)** 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 14 Desember 2009 en vir die tydperk wat op 31 Desember 2010 eindig.

MMS MDLADLANA
MINISTER VAN ARBEID

SCHEDULE**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (BLOEMFONTEIN)****AMENDMENT OF COLLECTIVE AGREEMENT**

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

Master Builders' and Allied Trades Association (Free State) MBA (FS)

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

Amalgamated Union of Building Trade Workers of South Africa**Noordelike Bouwerkersvakbond (NBV); and****National Union of Mineworkers (NUM)**

(hereinafter referred to as the "employees" or the "trade unions"), of the other part, being parties to the Bargaining Council for the Building Industry (Bloemfontein), to amend the Agreement published under Government Notice No. R. 221 of 29 February 2008 as amended by Government Notice No. R. 1324 of 12 December 2008.

1: SCOPE OF APPLICATION

- (1) The terms and conditions of the Agreement shall be observed -
 - (a) in the Magisterial District of Bloemfontein;
 - (b) by all employers who are members of the employers' organisation and by all employees who are members of the trade unions;
 - (c) by all employers and employees to whom the Minister of Labour may extend this Agreement;
 - (d) by all employers and employees who are directly or indirectly involved in the Building Industry.
- (2) Notwithstanding the provisions of sub-clause (1) the terms of this Agreement shall apply to-

- (a) apprentices only in so far as the terms are not inconsistent with the provisions of the Manpower Training Act, 1981, or any contract entered into or any conditions fixed thereunder;
 - (b) trainees under the Manpower Training Act, 1981 and the Skills Development Act, 1998, in so far as the terms are not inconsistent with the provisions of those Acts or any conditions fixed thereunder;
 - (c) working partners, directors and owners of a building-related business.
- (3) Notwithstanding the provisions of sub-clause (1), the terms of this Agreement shall not apply to-
- (a) clerical and administrative employees;
 - (b) university students and graduates in Building Science and to construction supervisors, construction surveyors, architects and other persons doing practical work in the completion of their academic training;
 - (c) casual employees as defined in clause 3;
 - (d) non-parties in respect of clause 1 (1) (b) and 2.

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 Labour Relations Act, 1995, and shall remain in force until 31 December 2010.

3. CLAUSE 8: REMUNERATION

Substitute sub-clause (1), (2)(a), (b) and (c) with the following:-

- (1) **Wages:** (a) General: No employer shall pay and no employee shall accept wages at rates lower than the following:

	Cents
	per hour
(i) Artisans	26.32
(ii) General workers	12.92

Calculation of wages: The weekly wage of an employee shall be his hourly wage multiplied by 40, in the case of artisans and all other categories of employees.

- (a) The increase for general workers shall be 12% per hour on actual wage. The "across the board" increase for all other categories shall be 9% of the actual wage.

- (2) **Supplementary remuneration and contributions:** (a) Except in respect of a casual employee, every employer shall pay each week to the Secretary of the Council in respect of each category of employee, as stipulated below, the total sum prescribed in Column G hereunder: Provided that such sum shall be allocated as set out hereunder:

(i) Holiday Fund	Column A
(ii) Provident Fund	Column B
(iii) Contributions to Bargaining Council expenses	Column C
(iv) Trade Union subscriptions	Column D
(v) Wage Guarantee Fund	Column E
(vi) Funeral Benefit	Column F
(vii) TOTAL SUM	Column G

Employers	Per week						
	A	B	C	D	E	F	G
	R	R	R	R	R	R	R
All employees earning R12.92 up to and including R14.67 ph	63.60	103.20	2.40	-	0.45	0.49	170.14
All employees earning R14.68 up to and including R17.90 ph	72.00	117.60	2.40	-	0.45	0.49	192.94
All employees earning R17.91 up to and including R21.08 ph	87.60	143.20	2.40	-	0.45	0.49	234.14
All employees earning R21.09 up to and including R26.31 ph	103.20	168.80	2.40	-	0.45	0.49	275.34
All employees earning R26.32 up to and including R29.46 ph	129.20	210.40	2.40	1.75	0.45	0.49	344.69
All employees earning R29.47 and more ph	144.40	236.00	2.40	1.75	0.45	0.49	385.49

(b) Except in respect of a casual employee who works for an employer for less than four weeks, every employer shall deduct each week from the remuneration due to each employee, as stipulated below, the amount prescribed in Column E hereunder: Provided that such sum shall be allocated as set out hereunder:

- (i) Holiday Fund Column A
- (ii) Provident Fund Column B
- (iii) Contributions to Bargaining Council Column C
- (iv) Trade Unions Column D
- (iii) TOTAL SUM Column E

Employers	Per week				
	A	B	C	D	E
	R	R	R	R	R
All employees earning R12.92 up to and including R14.67 ph	63.60	103.20	0.20	-	167.00
All employees earning R14.68 up to and including R17.90 ph	72.00	117.60	0.20	-	189.80
All employees earning R17.91 up to and including R21.08 ph	87.60	143.20	0.20	-	231.00
All employees earning R21.09 up to and including R26.31 ph	103.20	168.80	0.20	-	272.20
All employees earning R26.32 up to and including R29.46 ph	129.20	210.40	0.20	1.75	341.55
All employees earning R29.47 and more ph	144.40	236.00	0.20	1.75	382.35

(c) Every employer shall, in addition to any remuneration to which an employee may be entitled in terms of clause 8 (1), pay such employee the total sum prescribed in Column C hereunder:

- (i) Holiday Fund Column A
- (ii) Provident Fund Contributions Column B
- (iii) TOTAL SUM Column C

Employers	Per hour		
	A	B	C
	C	C	C
All employees earning R12.92 up to and including R14.67 ph	1.59	1.29	2.88
All employees earning R14.68 up to and including R17.90 ph	1.80	1.47	3.27
All employees earning R17.91 up to and including R21.08 ph	2.19	1.79	3.98
All employees earning R21.09 up to and including R26.31 ph	2.58	2.11	4.69
All employees earning R26.32 up to and including R29.46 ph	3.23	2.63	5.86
All employees earning R29.47 and more	3.61	2.95	6.56

4. CLAUSE 12: PROVIDENT FUND

Substitute sub-clause (1)(f) with the following

“(f) The contributions towards the Provident Fund payable by the employer for all category employees amounts to 10% of actual wage. The Provident Fund contributions shall be on a 50% employer and 50% employee basis”.

Thus done and signed at Bloemfontein on this 16th day of September 2009 for and on behalf of the Bargaining Council for the Building Industry (Bloemfontein).



.....
E T KOJI
VICE - CHAIRPERSON



.....
C J BOTHA
COUNCIL MEMBER



.....
A C M VAN VUUREN
SECRETARY

No. R. 1125

4 December 2009

LABOUR RELATIONS ACT, 1995**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (BLOEMFONTEIN):
RENEWAL OF PERIOD OF OPERATION OF COLLECTIVE AGREEMENT**

I, **MEMBATHISI MPHUMZI SHEPHERD MDLADLANA**, Minister of Labour, hereby, in terms of section 32(6)(a)(ii) of the Labour Relations Act, 1995, declare the provisions of Government Notices Nos. R.221 of 29 February 2008, R.1324 of 12 December 2008 and R.1124 of 4 December 2009, to be effective from 14 December 2009 and for the period ending 31 December 2010.

**MMS MDLADLANA
MINISTER OF LABOUR**

No. R. 1125

4 Desember 2009

WET OP ARBEIDSVERHOUDINGE, 1995**BEDINGINGSRAAD VIR DIE BOUNYWERHEID (BLOEMFONTEIN): HERNUWING VAN
TYDPERK VAN KOLLEKTIEWE OOREENKOMS**

EK, **MEMBATHISI MPHUMZI SHEPHERD MDLADLANA**, Minister van Arbeid, verklaar hierby, kragtens artikel 32(6)(a)(ii) van die Wet op Arbeidsverhoudinge, 1995, dat die Goewermentskennisgewings No. R.221 van 29 Februarie 2008, R.1324 van 12 Desember 2008 en R.1124 van 4 Desember 2009, van krag is met ingang van 14 Desember 2009 en vir die tydperk wat op 31 Desember 2010 eindig.

**MMS MDLADLANA
MINISTER VAN ARBEID**