

**REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA**

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For purposes of reference, all Proclamations, Government Notices, General Notices and Board Notices published are included in the following table of contents which thus forms a weekly index. Let yourself be guided by the Gazette numbers in the righthand column:

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**IMPORTANT ANNOUNCEMENT**

**Closing times** **PRIOR TO PUBLIC HOLIDAYS** for  
**GOVERNMENT NOTICES, GENERAL NOTICES,**  
**REGULATION NOTICES AND PROCLAMATIONS**

**2011**

The closing time is 15:00 sharp on the following days:

- ▶ 8 December, Thursday, for the issue of Thursday 15 December 2011
- ▶ 14 December, Wednesday, for the issue of Friday 23 December 2011
- ▶ 20 December, Tuesday, for the issue of Friday 30 December 2011
- ▶ 28 December, Wednesday, for the issue of Friday 6 January 2012

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**

**2011**

Die sluitingstyd is stiptelik 15:00 op die volgende dae:

- ▶ 8 Desember, Donderdag, vir die uitgawe van Donderdag 15 Desember 2011
- ▶ 14 Desember, Woensdag, vir die uitgawe van Vrydag 23 Desember 2011
- ▶ 20 Desember, Dinsdag, vir die uitgawe van Vrydag 30 Desember 2011
- ▶ 28 Desember, Woensdag, vir die uitgawe van Vrydag 6 Januarie 2012

Laat kennisgewings sal in die daaropvolgende uitgawe geplaas word. Indien 'n laat kennisgewing wei, 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

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**GENERAL NOTICES**  
**ALGEMENE KENNISGEWINGS**

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**NOTICE 805 OF 2011**

**DEPARTMENT OF LABOUR**

**LABOUR RELATIONS ACT, 1995**

**APPLICATION FOR VARIATION OF REGISTERED SCOPE OF A BARGAINING  
COUNCIL**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of section 58(1) of the Labour Relations Act, 1995, give notice that an application for the variation of its registered scope has been received from **The South African Road Passenger Bargaining Council**

Particulars of the application are reflected in the subjoined table.

Any person may object to the application on any or all of the following grounds:

- (a) the applicant has not complied with the provisions of section 29 of the Act, read with the changes required by the context;
- (b) the sector and area in respect of which the application is made is not appropriate; and
- (c) the applicant is not sufficiently representative in the sector and area in respect of which the application is made.

Any person who objects must lodge his/her written objection with me, c/o the Department of Labour, Laboria House, 215 Schoeman Street, Pretoria (postal address: Private Bag X117, Pretoria, 0001), within 30 days of the date of this notice. A copy of the objection must be served on the applicant within the said period and I must be satisfied that a copy of the objection has been served on the applicant.

The applicant may respond to the objection within 14 days of the expiry of the 30-day period mentioned above and must satisfy me that a copy of the response has been served on the person who objected within the 14-day period.

### **TABLE**

**Name of the bargaining council:**

**The South African Road Passenger Bargaining Council**

**Address of bargaining council:**

The Stamford Second Floor  
1st Floor, Stonefountain House  
95 Klipfontein Road  
Rondebosch  
7000

Tel: 021 685 8036

**Date on which application was lodged:**

5 October 2011

**Intention of the application**

The intention of the application is to vary the scope of the definition of the sector and to extend the area that was previously excluded from the council's scope of registration.

**Interest in respect of which the application is made:**

The Road Passenger Transport Trade as defined hereunder, in the Republic of South Africa

**“Road Passenger Transport Trade”** or “trade” means the trade in which employers (other than employers exclusively conveying schoolchildren between their places of residence and the schools they attend) and their employees are associated for the purpose of conveying for reward on any public road any person by means of a power-driven vehicle (other than a vehicle in possession and under the control of Transnet or a local authority) intended to carry more than 16 persons simultaneously including the driver of the vehicle and includes all operations incidental or consequential thereto.

**Sector and area(s) in respect of which registration is held:**

The Road Passenger Transport Trade in the Republic of South Africa excluding the sector and area for which the former Bargaining Council for the Passenger Transportation Trade namely the magisterial District of Durban as constituted on 22 August 1967.

**Road Passenger Transport Trade** or “trade” means the trade in which employers and their employees are associated for the purpose of conveying for reward on any public road any person by means of a power-driven vehicle (other than a vehicle in possession and under the control of Transnet or a local authority) intended to carry more than 16 persons simultaneously including the driver of the vehicle and includes all operations incidental or consequential thereto.

**Representativeness of the Council:**

Total number of employees falling within the new scope of the Council and who belong to the trade unions which are party to the Council:

**13 091**

Total number of employers falling within the new scope of the Council and who belong to the employers’ organisations which are party to the Council:

**44**

Total number of the employers within the new scope of the Council:

**100**



Total number of employees employed within the new scope of the Council by the employers who belong to the employers' organisation which is a party to the Council:

**18 944**

Total number of the employees employed within the new scope of the Council:

**18 944**

**JT CROUSE  
REGISTRAR OF LABOUR RELATIONS**

**NOTICE 806 OF 2011**

DEPARTMENT OF LABOUR

LABOUR RELATIONS ACT, 1995

**VARIATION OF REGISTERED SCOPE OF A BARGAINING COUNCIL**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of section 58(1) of the Labour Relations Act, 1995, acting independently, have satisfied myself that the sector and area within which the **Metal and Engineering Industries Bargaining Council** is representative does not coincide with the registered scope of the Council. Accordingly I hereby give notice of my intention to vary the scope of the council in the light of the decline of the representative position of the council in the affected sector.

Particulars of the bargaining council are reflected in the subjoined table.

Any person may object or make written representations to the proposed variation of scope of the Council on any or all of the following grounds:

- (a) that the provisions of the Act have not been complied with;
- (b) that the relevant sector and area reflected in the Table hereunder is not appropriate; and
- (c) that the bargaining council is not sufficiently representative in the sector and area indicated in the Table.

Any person who objects or makes written representations must lodge his/her written objection/representations with me, c/o the Department of Labour, Laboria House, 215 Schoeman Street, Pretoria (postal address: Private Bag X117, Pretoria, 0001), within 30 days of

the date of this notice. A copy of the objection/ written representations must be served on the Council within the said period

The Notice and objections/ representations will be sent to Nedlac for consideration.

#### TABLE

**Name of the bargaining council:**

Metal and Engineering Industries Bargaining Council

**Address of bargaining council:**

Union Corporate Building 1st Floor,  
77 Marshall Street  
Johannesburg  
2000

P. O. Box 9381  
Johannesburg  
2000

Fax: 0866 368 690 Tel: 011 639 8000

**Purpose of the notice**

The purpose of the notice is to further investigate and determine whether the parties to the Council are sufficiently representative in respect of the Plastics Industry in the Republic of South Africa, as required by section 58 read with section 29 of the Act.

**Sector and area in respect of which the Council holds registration:**

That portion of the Iron, Steel, Engineering and Metallurgical Industries known as the Plastics Industry, as defined hereunder, in the Republic of South Africa.

Plastics Industry” means the industry concerned with the conversion of thermoplastic and/or thermosetting polymers, including the compounding or recycling thereof, or the manufacture of articles or parts wholly or mainly made of such polymers into rigid semi-rigid or flexible form, whether blown, moulded, extruded, cast, injected, formed, calendered, coated, compression moulded or rotational moulded, including in-house printing on such plastics by the manufacturers, and all operations incidental to these activities.

“Plastics” means any one of the group of materials which consist of or contains as an essential ingredient an organic substance of a large molecular mass and which, solid in the finished state, at some stage in its manufacture has been or can be forced, i.e cast, calendered, extruded or moulded into various shape by flow usually through the application singly or together but only where such compounding and or recycling is as a result of the conversion for manufacture by the same employer, but shall exclude all extrusions into mono-ad multi-filament fibres and other activities falling under the scope of the national Textile Bargaining council.

**Representativeness of the Council:** (The figures on which this office based its motivation for the proposed variation of scope was the audited figures supplied by the Council as at 15 October 2010.)

Total number of employees falling within the Plastics Industry in the RSA (scope of the Council) and who belong to the trade unions who are parties to the Council:

**9 949 (22, 6%)**

Total number of employers falling within the Plastics Industry in the RSA (scope of the Council) and who belong to the employer’s organisations who are parties to the Council:

**53 (9, 6%)**

Total number of employees employed within the Plastic Industry in the RSA (scope of the Council) by the employers who belong to the employer's organisations who are parties to the Council:

**11 059 (25 %)**

Total number of the employers within the Plastics Industry in the RSA (scope of the Council):

**548**

Total number of the employees employed within the Plastics Industry in the RSA (scope of the Council)

**44 004**

**J T CROUSE**

**REGISTRAR OF LABOUR RELATIONS**

**NOTICE 807 OF 2011****DEPARTMENT OF LABOUR  
LABOUR RELATIONS ACT, 1995****APPLICATION FOR VARIATION OF REGISTERED SCOPE OF A BARGAINING  
COUNCIL**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby notify, in terms of section 58(1) of the Labour Relations Act, 1995, that an application for variation of scope has been received from the Bargaining Council for the Grain Industry.

Particulars of the application are reflected in the subjoined table.

Any person may object to the application on any or all of the following grounds:

- (a) The application has not complied with the provisions of section 29 of the Act, read with the changes required by the context.
- (b) The sector and area in respect of which application is made is not appropriate; and
- (c) The applicant is not sufficiently representative in the sector and area in respect of which the application is made.

Any person who objects must lodge a written objection with me, c/o the Department of Labour, Laboria House, 215 Schoeman Street, Pretoria (Postal address: Private Bag x 117, Pretoria, 0001), Fax No. (012) 309-4156, within 30 days of the date of this notice. A copy of the objection has been served on the applicant.

The applicant may respond to the objection within 14 days of the expiry of the 30 day period mentioned above and must satisfy me that a copy of the response has been served on the person who objected within the 14-day period.

**TABLE****Name of the Bargaining Council:**

Bargaining Council for the Grain Industry

**Address of applicant:**

529 Belvedere Street, Agriseta House, Ground Floor, Arcadia, 0083, or Private Bag x 20003, Garsfontein, Fax No. (012) 3263194, E-mail: [bcgrain@mweb.co.za](mailto:bcgrain@mweb.co.za)

**Date on which application was lodged:**

29 March 2011

**Intention of the proposed variation**

The Council applies for variation of scope to operate nationally in the Republic of South Africa and to broaden the definition to include all activities of the grain Industry.

**Interest and area in respect of which application is made:**

The Grain Industry, as defined hereunder, in the Republic of South Africa.

The Grain Industry shall mean the Industry in which employers and their employees that are associated for the purpose of providing a service to customers and farmers (including small and emerging farmers), within the grain and related industries which may include the following operations, services and processes:

- a) The marketing, brokering, selling and buying of livestock, poultry, grain and related commodities;
- b) The cultivation, multiplication, hybridizing, purifying, processing and distribution of seed and seedlings;
- c) Production activities of such employers such as broilers, abattoirs, animal feedlots, grain milling, poultry and livestock;

- d) The retail of agricultural inputs, agricultural equipment, consumers' goods and support services to customers and farmers (including small and emerging farmers).

**Interest and area in respect of which registration is held:**

Bargaining Council is registered in respect of the Grain Co-operatives Trade (Graankoöperasie bedryf), as defined hereunder,-

"Graankoöperasiebedryf" beteken die bedryf waarin werkgewers en hul werknemers met mekaar geassosieer is met die doel om graankoöperasies te bedryf waarvan die hoofdoelstellings en primêre bedrywighede die volgende insluit:

- (a) Die ontvangs, skoonmaak, ontsmetting, gradering, berging, verwerking, verpakking, hantering, kwaliteitsbeheer, versending en verspreiding van graan;
- (b) die ontvangs, skoonmaak, ontsmetting, gradering, berging, verwerking, verpakking, hantering, kwaliteitsbeheer, versending en verspreiding van andbougewasse en produkte wat deur 'n graankoöperasie hanteer word;
- (c) die verbouing, vermeerdering, verbastering, suiwering, beroking, verwerking en verspreiding, vir landboukundige doeleindes, van saad en saailinge van alle gewasse bedoel in paragrawe (a) en (b);
- (d) die verrigting van alle primêre landboubedrywighede wat 'n integreerende deel vorm van die bedrywighede van 'n graankoöperasie en wat as 'n totale eenstopdiens aan lede van so 'n graankoöperasie ingestel is, soos die daarstelling van voerkrale vir slagvee, eierproduksie en hoenderboerdery;
- (e) die verrigting van handelsbedrywighede ten opsigte van alle landboubenodigdhede en verbruikersgoedere as 'n diens aan lede van 'n graankoöperasie met behoorlike inagneming van die bepalings van die Koöperasiewet, 1981 (Wet No. 91 van 1981); en
- (f) die aankoop, berging volgens voorskrif, verspreiding en verkoop van veeartsenykundige en plaagmiddels wat gebruik word in die primêre landbou-bedrywighede van lede van 'n graankoöperasie;

maar sluit nie die volgende in nie:

- 1. "Yster-, Staal-, Ingenieurs- en Metallurgiese Nywerheid" beteken (behoudens die bepalings van enige afbakeningsvasstelling gemaak kragtens artikel 76 van die Wet op Arbeidsverhoudinge, 1956) die nywerhede wat te doen het met die produksie van yster en/of staal en/of legerings en/of die verwerking en/of herwinning en/of raffinering van metale (uitgesonderd edelmetale) en/of legerings uit metaalskuim en/of afval en/of residu's; die onderhoud, vervaardiging, oprigting of montering, bou, verandering, vervanging of herstel



van enige masjien, voertuig (uitgesonderd 'n motorvoertuig) of artikel wat hoofsaaklik uit metaal bestaan (uitgesonderd edelmetaal) of dele of samestellende dele daarvan en boumetaalwerk, met inbegrip van staalwapeningswerk; die vervaardiging van metaalgoedere hoofsaaklik uit sodanige yster en/of staal en/of ander metale (uitgesonderd edelmetale) en/of legerings en/of die afwerking van metaalgoedere; die bou en/of verandering en/of herstel van bote en/of skepe, met inbegrip van die afskraap, bik en/of afklop en/of verf van die rompe van bote en/of skepe en algemene houtwerk wat in verband met skeepsherstelwerk onderneem word, en omvat dit ook die Elektrotegniese Ingenieursnywerheid, die Hyser- en Roltrapnywerheid en die Plastieknywerheid, maar nie die Motornywerheid nie;

"Elektrotegniese Ingenieursnywerheid" -

- (i) die vervaardiging en/of montering, uit samestellende dele, van elektriese uitrusting, naamlik generators, motore, konvertors, skakel- en kontrole-uitrusting (met inbegrip van relê's, kontaktors, elektriese instrumente en uitrusting wat daarmee in verband staan), elektriese verligtings-, verhittings-, kook-, bevroesing- en verkoelingsuitrusting, transformators, oonduitrusting, seinuitrusting, radio- of elektroniese uitrusting, en ander uitrusting wat die beginsels toepas wat gebruik word in die bediening van radio- en elektroniese uitrusting, gloeilampe en elektriese kables en huishoudelike elektriese toestelle en omvat dit ook die vervaardiging van samestellende dele van bogenoemde uitrusting;
- (ii) die installering, onderhoud en herstel van die uitrusting in paragraaf (i) hierbo bedoel, maar omvat dit nie ook die Elektrotegniese Kontraknywerheid nie;

"Elektrotegniese Kontraknywerheid" die ontwerp, voorbereiding (uitgesonderd die vervaardiging vir verkoop) en oprigting van elektriese installasies wat 'n integreerende en permanente deel van geboue uitmaak, en die herstel en/of onderhoud van sodanige installasies, met inbegrip van die kabellaswerk en elektriese bedrading wat daarmee in verband staan;

"Hyser- en Roltrapnywerheid" die vervaardiging en/of montering en/of installering en/of herstel van elektriese hysers en roltrappe;

"Plastieknywerheid" die vervaardiging van artikels of gedeeltes van artikels in hul geheel of hoofsaaklik uit plastiek, maar omvat dit nie ook die volgende artikels wat van plastiekdoekstof gemaak word nie, nl.:

Klerasie, sakke en handsakke, stewels, skoene, oorskoene, stoffeeroortreksels en plastiek-hortjiesblindings;

"plastiek" enigeen van die groep stowwe wat, as 'n essensiële bestanddeel, 'n organiese stof met 'n groot molekulêre massa bevat of daaruit bestaan, en wat, terwyl dit in die afgewerkte vorm solied is, in die een of ander stadium van die vervaardiging daarvan geforseer is of geforseer kan word, dit wil sê deur vloei in verskillende vorms gegiet, gekalandeer, uitgestoot of gevorm kan word, gewoonlik deur die aanwending van slegs hitte en slegs druk of van albei saam;

"edelmetale" die edelmetale goud, silwer, platinum en/of palladium en/of 'n legering wat genoemde edelmetale of enigeen daarvan in so 'n verhouding tot ander metale bevat dat dit die grootste deel van die waarde van daardie legering uitmaak;

2. "Motornywerheid" beteken (behoudens die bepalinge van enige afbakeningsvasstelling gemaak kragtens artikel 76 van die Wet op Arbeidsverhoudinge, 1956) die nywerheid waarin werkgewers en hul werknemers met mekaar geassosieer is met die doel om enigeen of meer van die volgende werksaamhede te verrig:
- (i) Montering, oprigting, toetsing, hervervaardiging, herstelwerk, verstelwerk, opknapping, bedrading, stoffering, bespuiting, verfwerk en/of vernuwing uit gevoer in verband met -
    - (a) die onderstelle en/of die bakke van motorvoertuie;
    - (b) binnebrandenjins en transmissiekomponente van motorvoertuie; en
    - (c) die elektriese uitrusting in verband met motorvoertuie, met inbegrip van radio's;
  - (ii) motoringenieurswerk;
  - (iii) die herstel, vulkanisering en/of versoling van buitebande;
  - (iv) die herstel, versiening en/of vernuwing van batterye vir motorvoertuie;
  - (v) die besigheid gedryf deur ondernemings vir die parkering en/of stalling van motorvoertuie;
  - (vi) die besigheid gedryf deur vul- en/of diensstasies;
  - (vii) die besigheid hoofsaaklik of uitsluitlik gedryf vir die verkoop van motorvoertuigonderdele en/of -bybehore (hetsy nuut of gebruik), hetsy, al dan nie, sodanige verkoop geskied vanuit 'n perseel wat verbind is aan 'n gedeelte van 'n bedryfsinrigting waarin die montering of herstel van motorvoertuie uitgevoer word;
  - (viii) die besigheid gedryf deur motorslopingsondernemings;
  - (ix) die besigheid gedryf deur vervaardigingsbedryfsinrigtings waarin motorvoertuigonderdele en/of reserwedele en/of -bybehore en/of samestellende dele vervaardig word;
  - (x) voertuigbakbou;
  - (xi) die verkoop van trekkers en landbou- en besproeiingsuitrusting (nie gekoppel aan die vervaardiging daarvan nie).

Vir die doeleindes van hierdie omskrywing beteken -

"motingenieurswerk" die vernuwing van binnebrandenjins of onderdele daarvan vir gebruik in motorvoertuie in bedryfsinrigtings waarin hoofsaaklik of uitsluitlik sodanige werk verrig word, hetsy daar in sodanige bedryfsinrigtings motorvoertuie uitmekaargehaal en herstel word al dan nie:

"motorvoertuig" enige wielvoertuig wat deur meganiese krag (uitgesonderd stoom) of elektries aangedryf word en wat ontwerp is vir trekvervoer en/of vir die vervoer van persone en/of goedere en/of vragte, en omvat dit 'n sleepwa en 'n woonwa, maar nie ook uitrusting wat ontwerp is om op vaste spore te loop, 'n sleepwa wat ontwerp is om vragte van 273 kg of meer te vervoer, of 'n vliegtuig nie; en

"voertuigbakbouwerk" enigeen van of al ondergenoemde werksaamhede wat uitgevoer word in 'n voertuigbakboubedryfsinrigting, maar nie ook voertuigbakbouwerk wat in verband met die montering van motorvoertuie deur monteringsinrigtings verrig word nie:

- (a) Die bou, herstel of vernuwing van kajuite en/of bakke en/of enige bobou vir enige tipe voertuig;
- (b) die vervaardiging of herstel van samestellende dele vir kajuite en/of bakke en/of enige bobou en die montering, regstelling en installering van onderdele in kajuite of bakke of op die bobou van voertuie;
- (c) die vassit van kajuite en/of bakke en/of enige bobou aan die onderstel van enige tipe voertuig;
- (d) die bestryking en/of versiering van kajuite en/of bakke en/of enige bobou met 'n preserveermiddel of versierstof;
- (e) die uitrus, stoffeer en afwerk van die binnekant van kajuite en/of bakke en/of enige bobou;
- (f) die bou van sleepwaens, maar uitgesonderd die vervaardiging van die wiele of asse daarvan; en
- (g) alle bedrywighede wat gepaard gaan met of voortspruit uit die werksaamhede bedoel in paragrawe (a) tot (f) hierbo;

en vir die doeleindes van hierdie omskrywing omvat "voertuig" nie 'n vliegtuig nie.

"Motornywerheid", soos hierbo omskryf, omvat nie die volgende nie:

- (a) Die vervaardiging van motorvoertuigonderdele en/of -bybehore en/of -reserwedele en/of -komponente in bedryfsinrigtings wat aangelê is vir die produksie van metaal- en/of plastiekgoedere van 'n ander aard op aansienlike skaal en waarin gewoonlik

- sodanige produksie aldus plaasvind, of die verkoop van motorreserwedele en -bybehore deur monteerbedryfsinrigtings vanuit sodanige bedryfsinrigtings;
- (b) die montering, bou, toetsing, herstel, regstel, opknapping, bedrading, bespuiting, verf en/of vernuwing van landboutrekkers, behalwe waar dit gedoen word in bedryfsinrigtings wat dergelike dienste lewer ten opsigte van vragmotors of motorvragwaens; en
- (c) die vervaardiging en/of onderhoud en/of herstel van -
- (aa) uitrusting vir siviele en werktuigkundige ingenieurswerk en/of onderdele daarvan, hetsy dit op wiele gemonteer is al dan nie;
- (ab) landbou-uitrusting of onderdele daarvan;
- (ac) uitrusting bedoel vir gebruik in fabriek en/of werkwinkels:
- Met dien verstande dat, vir die doeleindes van (aa), (ab) en (ac) hierbo, "uitrusting" nie geag word motorkarre, vragmotors en/of motorvragwaens te beteken nie;
- (ad) motorvoertuig- of ander voertuigbakke en/of enige bobou en/of onderdele of komponente daarvan gemaak van staalplaat 3,175 mm dik of dikker, wanneer dit gedoen word in bedryfsinrigtings wat aangelê is vir die vervaardiging en/of onderhoud, op aansienlike skaal, van uitrusting vir siviele en/of werktuigkundige ingenieurswerk en waarin gewoonlik sodanige werksaamhede aldus verrig word;
- (d) monteerbedryfsinrigtings, wat beteken bedryfsinrigtings waarin motorvoertuie uit nuwe komponente op 'n monteerband gemonteer word, en ook die vervaardiging en/of maak van motorvoertuigonderdele of -komponente wanneer uitgevoer in sodanige bedryfsinrigtings, maar omvat dit nie ook voertuigbakkbouwerk nie, behalwe vir sover dit uitgevoer word in verband met die montering van motorvoertuie, uitgesonderd woonwaens en sleepwaens.

The Magisterial District of Hertbert, Bethlehem, Harrismith, Senekel, Clocolan, Ficksburg, Ladybrand, Excelsior, Rouxville, Wepener, Lydenburg, Thabazimbi, Brits, Pretoria, Rustenburg, Krugersdorp, Randfontein, Marico, Vryburg, Warmbard, Waterberg, Potgietersrus, Pietersburg, Southpansberg, Letaba, Lichtenburg, Delareyville, Coligny, Koster, Swartruggens, Bloemfontein, Bothaville, Brandfort, Bultfontein, Boshof, Dewetsdorp, Fauresmith, Hennenman, Heilbron, Kroonstad, Koppies, Klerksdorp, Koffiefontein, Lindley, Odendaalsrus, Oberholzer, Parys, Potchefstroom, Reddersburg, Sasolburg, Theunissen, Ventersdorp, Ventersburg, Viljoenskroon, Virginia, Vredefort, Vereeniging, Winburg, Wesselsbron, Wolmanransstad, Schweizer-Reneke, Bloemhof, Hoopstad, Christiana, Barkly West, Warrenton, Piet Retief, Hartswater, Reitz, Frankfort and Vrede.

**Representativeness of the Council:**

Total number of employees falling within the proposed scope of the Council and who belong to the trade union that is a party to the Council:

3 378

Total number of employers falling within the registered scope of the Council and who belong to the employers' organization that are parties to the Council:

8

Total number of employees employed within the proposed scope of the Council by the employers who belong to the employers' organization that are parties to the Council:

8 941

Total number of employers within the proposed scope of the Council:

8

Total number of employees employed within the proposed scope of the Council:

8 941

**J T CROUSE**

**REGISTRAR OF LABOUR RELATIONS**

**DATE: 9 NOVEMBER 2011**

**NOTICE 808 OF 2011****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****NOTICE OF INITIATION OF AN INVESTIGATION INTO THE ALLEGED DUMPING OF FULLY THREADED SCREWS WITH HEXAGON HEADS, EXCLUDING THOSE OF STAINLESS STEEL ORIGINATING IN OR IMPORTED FROM THE PEOPLE'S REPUBLIC OF CHINA**

The International Trade Administration Commission of South Africa (the Commission) accepted an application alleging that fully threaded screws with hexagon heads, excluding those of stainless steel originating in or imported from the People's Republic of China (PRC) were being dumped in the Southern African Customs Union (SACU) market, causing material injury to the SACU industry concerned.

The Applicant submitted sufficient evidence and established a *prima facie* case to enable the Commission to arrive at a reasonable conclusion that an investigation should be initiated on the basis of dumping, material injury and causality.

**THE APPLICANT**

The Applicant is the South African Fasteners Manufacturers Association (SAFMA), an industrial organisation for the major producers of the subject product in the SACU market. SAFMA constitutes 80 per cent of the SACU production volume.

**THE PRODUCT**

The product allegedly being dumped is fully threaded screws with hexagon heads, excluding those of stainless steel classifiable under tariff subheadings 7318.15.39, originating in or imported from the People's Republic of China.

## **THE ALLEGATION OF DUMPING**

The allegation of dumping is based on the comparison between the normal value in the PRC and the export price from the PRC. The normal value was constructed based on the cost of production plus general selling and administrative expenses and profit in the PRC.

The export price was based on six months import statistics from South African Revenue Service (SARS).

On this basis, the Commission found that there was *prima facie* proof of dumping.

## **THE ALLEGATION OF MATERIAL INJURY AND CAUSAL LINK**

The Applicant submitted evidence to show that there is price undercutting, price depression, price suppression, decline in capacity utilisation, decline in output, increase in inventory levels, decline in sales value, decline in sales volume, decline in return on investment, decline in cash flow, decline in productivity and decline in profit.

On this basis the Commission found that there was *prima facie* proof of material injury and causal link.

## **PERIOD OF INVESTIGATION**

The period of investigation for purposes of determining the dumping margin in the exporting country or country of origin will be from 1 July 2010 to 30 June 2011. The period of investigation for purposes of determining material injury will be from 1 July 2008 to 30 June 2011.

## **PROCEDURAL FRAMEWORK**

Having decided that there is sufficient evidence and a *prima facie* case to justify the initiation of an investigation, the Commission has begun an investigation in terms of section 16 of the International Trade Administration Act, 2002 (the ITA Act).

The Commission will conduct its investigation in accordance with the relevant sections of the ITA Act, and the Anti-Dumping Regulations of the International Trade Administration Commission of South Africa (ADR). Both the ITA Act and the ADR are available on the Commission's website ([www.itac.org.za](http://www.itac.org.za)) or from the Trade Remedies section, on request.

In order to obtain the information it deems necessary for its investigation, the Commission will send non-confidential versions of the application and questionnaires to all known importers and exporters, and known representative associations. The trade representative of the exporting country has also been notified. Importers and other interested parties are invited to contact the Commission as soon as possible in order to determine whether they have been listed and were furnished with the relevant documentation. If not, they should immediately ensure that they are sent copies. The questionnaire has to be completed and any other representations must be made within the time limit set out below.

#### **CONFIDENTIAL INFORMATION**

Please note that if any information is considered to be confidential then a non-confidential version of the information must be submitted for the public file, simultaneously with the confidential version. In submitting a non-confidential version the following rules are strictly applicable and parties must indicate:

- where confidential information has been omitted and the nature of such information;
- reasons for such confidentiality;
- a summary of the confidential information which permits a reasonable understanding of the substance of the confidential information; and
- in exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.

This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless indicated to be confidential and filed together with a non-confidential version, will be placed on the public file and be made available to other interested parties.



If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the Commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously, will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.

Subsection 33(1) of the ITA Act provides that any person claiming confidentiality of information should identify whether such information is *confidential by nature* or is *otherwise confidential* and, any such claims must be supported by a written statement, in each case, setting out how the information satisfies the requirements of the claim to confidentiality. In the alternative, a sworn statement should be made setting out reasons why it is impossible to comply with these requirements.

Section 2.3 of the ADR provides as follows:

*"The following list indicates "information that is by nature confidential" as per section 33(1)(a) of the Main Act, read with section 36 of the Promotion of Access to Information Act (Act 2 of 2000):*

- (a) management accounts;*
- (b) financial accounts of a private company;*
- (c) actual and individual sales prices;*
- (d) actual costs, including cost of production and importation cost;*
- (e) actual sales volumes;*
- (f) individual sales prices;*
- (g) information, the release of which could have serious consequences for the person that provided such information; and*
- (h) information that would be of significant competitive advantage to a competitor;*

*Provided that a party submitting such information indicates it to be confidential."*

**ADDRESS**

The response to the questionnaire and any information regarding this matter and any arguments concerning the allegation of dumping and the resulting material injury and/or threat of material injury must be submitted in writing to the following address:

**Physical address**

The Senior Manager: Trade Remedies II  
International Trade Administration Commission  
of South Africa

**Block E** – The dti Campus

77 Meintjies Street

SUNNYSIDE

PRETORIA

0002

SOUTH AFRICA

**Postal address**

The Senior Manager: Trade Remedies II

Private Bag X753

PRETORIA

0001

SOUTH AFRICA

**PROCEDURES AND TIME LIMITS**

All responses, including non-confidential copies of the responses, should be received by the Senior Manager: Trade Remedies II not later than 30 days from the date hereof, or from the date on which the letter accompanying the abovementioned questionnaire was received. The said letter shall be deemed to have been received seven days after the day of its dispatch.

Late submissions will not be accepted except without the prior written consent of the Commission. The Commission will give due consideration to written requests for an extension of not more than 14 days on good cause shown (properly motivated and substantiated), if received prior to the expiry of the original 30-day period. Merely citing insufficient time is not an acceptable reason for extension. Please note that the Commission will not consider requests for extension by Embassies on behalf of exporters.

The information submitted by any party may need to be verified by the Investigating Officers in order for the Commission to take such information into consideration. The Commission may verify the information at the premises of the party submitting the information, within a short period after the submission of the information to the Commission. Parties should therefore ensure that the information submitted will subsequently be available for verification. It is planned to do the verification of the information submitted by the exporters within three to five weeks subsequent to submission of the information. This period will only be extended if it is not feasible for the Commission to do it within this time period or upon good cause shown, and with the prior written consent of the Commission, which should be requested at the time of the submission. It should be noted that unavailability of, or inconvenience to consultants will not be considered to be good cause.

Parties should also ensure when they engage consultants that they will be available at the requisite times, to ensure compliance with the above time frames. Parties should also ensure that all the information requested in the applicable questionnaire is provided in the specified detail and format. The questionnaires are designed to ensure that the Commission is provided with all the information required to make a determination in accordance with the rules of the Anti-Dumping Agreement. The Commission may therefore refuse to verify information that is incomplete or does not comply with the format in the questionnaire, unless the Commission has agreed in writing to a deviation from the required format. Failure to submit an adequate non-confidential version of the response that complies with the rules set out above under the heading *Confidential Information* will be regarded as an incomplete submission.

Parties who experience difficulty in furnishing the information required, or in submitting the information in the format required, are therefore urged to make written applications to the Commission at an early stage for permission to deviate from the questionnaire or provide the information in an alternative format that would satisfy the Commission's requirements. The Commission will give due consideration to such a request on good cause shown.

Any interested party may request an oral hearing at any stage of the investigation in accordance with Section 5 of the ADR, provided that the party indicates reasons for not relying on written submission only. The Commission may refuse an oral hearing if granting such hearing will unduly delay the finalisation of a determination. Parties requesting an oral hearing shall provide the Commission with a detailed agenda for, and a detailed version, including a non-confidential version, of the information to be discussed at the oral hearing at the time of the request.

If the required information and arguments are not received in a satisfactory format within the time limit specified above, or if verification of the information is not possible, the Commission may disregard the information submitted and make a finding on the basis of the facts available to it.

**Enquiries may be directed to the investigating officers, Mr. Edwin Mkwanazi at telephone +27 12 394-3742, or Mr. Johan Böning at telephone +27 12 394-3638, or Robert Mudau at telephone +27 12 394-3902 or at fax +27 12 394-0518.**

**NOTICE 809 OF 2011****INTERNATIONAL TRADE ADMINISTRATION COMMISSION****CUSTOMS TARIFF APPLICATIONS****LIST 10/2011**

The International Trade Administration Commission (herein after referred to as ITAC or the Commission) has received the following application concerning the Customs Tariff. Any objection to or comments on this representation should be submitted to the Chief Commissioner, ITAC, Private Bag X753, Pretoria, 0001. Attention is drawn to the fact that the rate of duty mentioned in this application is that requested by the applicant and that the Commission may, depending on its findings, recommend a lower or higher rate of duty.

**CONFIDENTIAL INFORMATION**

*The submission of confidential information to the Commission in connection with customs tariff applications is governed by section 3 of the Tariff Investigations Regulations, which regulations can be found on ITAC's website at <http://www.itac.org.za/documents/R.397.pdf>.*

*These regulations require that if any information is considered to be confidential, then a non-confidential version of the information must be submitted, simultaneously with the confidential version. In submitting a non-confidential version the regulations are strictly applicable and require parties to indicate:*

- ❑ Each instance where confidential information has been omitted and the reasons for confidentiality;*
- ❑ A summary of the confidential information which permits other interested parties a reasonable understanding of the substance of the confidential information; and*
- ❑ In exceptional cases, where information is not susceptible to summary, reasons must be submitted to this effect.*

*This rule applies to all parties and to all correspondence with and submissions to the Commission, which unless clearly indicated to be confidential, will be made available to other interested parties.*

*The Commission will disregard any information indicated to be confidential that is not accompanied by a proper non-confidential summary or the aforementioned reasons.*

*If a party considers that any document of another party, on which that party is submitting representations, does not comply with the above rules and that such deficiency affects that party's ability to make meaningful representations, the details of the deficiency and the reasons why that party's rights are so affected must be submitted to the commission in writing forthwith (and at the latest 14 days prior to the date on which that party's submission is due). Failure to do so timeously will seriously hamper the proper administration of the investigation, and such party will not be able to subsequently claim an inability to make meaningful representations on the basis of the failure of such other party to meet the requirements.*

**INCREASE IN THE RATE OF DUTY ON:**

*"Stainless steel sinks classifiable under tariff subheadings 7324.10 from 20% to 30% ad valorem"*

**APPLICANT:**

Franke Kitchen Systems (Pty) Ltd  
1194 South Road Coast  
Mobeni  
Durban  
4000

ITAC Reference: No. 18/2011. Enquiries: Ms. Tshepiso Malunga Email: [tmalunga@itac.org.za](mailto:tmalunga@itac.org.za),  
Tel: (012) 394 3647, Fax: (012) 394 4627

**REASON FOR THE APPLICATION:**

The stainless steel sinks industry is currently distressed as a result of the low-price import of stainless steel sinks from China and other countries. An increase in the rate of duty from 20% to 30% *ad valorem* will protect the local market and enable them to be more competitive.

**PUBLICATION PERIOD:**

Representation should be submitted to the above address within **four (4) weeks** of the date of this notice.

**LIST 09/2011 WAS PUBLISHED UNDER NOTICE 752 OF 21 OCTOBER 2011**

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## BOARD NOTICES RAADSKENNISGEWINGS

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### BOARD NOTICE 180 OF 2011

#### NATIONAL COUNCIL OF SOCIETIES FOR THE PREVENTION OF CRUELTY TO ANIMALS

#### RULES

##### 1 NEW RULE TO BE NUMBERED 6.25

All persons wishing to adopt an animal from a Society shall do so in person and shall personally complete the necessary application forms, adoption and sterilisation contracts, after providing satisfactory proof of his/her identity.

##### 2 NEW RULE TO BE NUMBERED 6.26

a) No Society shall utilise the services of any outside facility, organisation or business unless they have regularly inspected same and satisfied themselves that the welfare of any animal given into their care, for any purpose whatsoever, shall not be compromised and that the animal(s) concerned will be humanely and compassionately handled.

b) A record of all such approved facilities, organisations and businesses shall be kept by the Society together with copies of all reports compiled on the inspections conducted. During the period that their services are employed, inspections shall be conducted at least every 6 months.

##### 3 NEW RULE TO BE NUMBERED 6.27

In the case of an animal being adopted into the jurisdiction of another SPCA, the adoption application form and all relevant paperwork will be sent to the Society which is requested to do pre-home and post-home checks before the check is undertaken. Under no circumstances will an SPCA do a pre-home check solely by receiving a phone call which gives an address.

##### 4 AMENDMENT TO RULE 2.6

No Society, its employees, members of the Governing Body or other members shall make any statement or do anything, whether intentionally or negligently, that will or is likely to have the effect of undermining or frustrating the aims, objects or policies of the Council. For the purposes of this rule, the expression "the effect of undermining or frustrating the aims, objects or policies of the Council" shall mean –

- a) Publicly criticising any other Society or the SPCA movement in general; or
- b) Conducting, or failing to conduct, activities in such a manner as to contravene any requirement of the operations manual; or
- c) Becoming involved in or associated with the activities of any other organisation, the objects of which are not entirely in accord with those of the movement, as expressed in these Rules or in the operations manual.

**5 DELETE RULE 2.9 WHICH READS**

No statistics or publicity may be given or generated by a Society which is intended to create a negative image or give a negative impression of the SPCA movement.

**6 AMENDMENT TO RULE 3.6**

A Society shall keep accurate, complete and legible records of every animal handled by it so that such records give a full account of the circumstances under which the animal came to be handled, the activities undertaken by the Society in relation to the animal and result thereof. All such records shall be adequately referenced, kept together and shall not be distributed among different files i.e. Admittance form, adoption/euthanase/owner claim form, application for adoption, sterilisation contract (if necessary) medical record if applicable and pre and post home checks. Such records shall be made available to the Board on request to facilitate the compilation of accurate and comprehensive records of the activities of member Societies.

**7 AMENDMENT TO RULE 6.15**

Societies may not use the Internet for posting "found" notices and may not authorise, support or become involved with any other party which does so, whether this is on behalf of a Society or with their knowledge.



**BOARD NOTICE 181 OF 2011****The Allied Health Professions Council of South Africa**

61 Rose Street, Pretoria, 0084. Private Bag X4, Queenswood, 0121  
Telephone (012) 329-4001 Fax 329-2279 email: [registrar@ahpcsa.co.za](mailto:registrar@ahpcsa.co.za)  
Website: [www.ahpcsa.co.za](http://www.ahpcsa.co.za)

**9 November 2011**

**UNPROFESSIONAL CONDUCT: GROUPONS OR ANY OTHER SUCH SIMILAR SCHEME**

All Allied Health Professions Council of South Africa Professional Boards [Homeopathy, Naturopathy and Phytotherapy (PBHNP); Chiropractic and Osteopathy (PBCO); Therapeutic Aromatherapy, Therapeutic Reflexology, Therapeutic Massage Therapy (PBARM); Ayurveda, Chinese Medicine and Acupuncture and Unani-Tibb (PBACMU)] have deemed the practice of offering discounts through Groupons or any other similar scheme, by practitioners within its ambit to patients / clients, to be unprofessional conduct for all allied health professions.

Groupons are offers of discount to members of the public that promote multiple purchase units of product(s) or services from a particular provider registered on the Groupon scheme. It is a deal-of-the-day website that features discounted vouchers and gift certificates which can be used at various companies and entities; Groupon realizes income via the scheme by retaining approximately half the money the customer pays for the coupon.

In light of the above, the Groupon scheme, as well as similar schemes, could be interpreted as the practitioners splitting their fees or even enjoying a certain financial interest which is clearly contrary to the *'Rules Specifying the Acts or Omissions in Respect of Which Disciplinary Action may be taken by the Board'* published under Government Notice No R. 1746 of 12 August 1983,

read together with section 54 (1) "General" published under Regulation No R127 of 12 February 2001.

The Allied Health Professions Council therefore views a practitioner engaging in Groupon and/or similar schemes as one which pays or gives commission, remuneration or a pecuniary benefit for the recommendation of patients. It furthermore deems it as a practitioner sharing a fee charged for a service with Groupon. This is expressly contrary to Regulation 1746 of 12 August 1983, specifically Chapter 2 Regulation 9 thereof read together with section 54 (1) "General" published under Regulation No R127 of 12 February 2001.

In addition to the above, the Allied Health Professions Council views the use of Groupon and other such similar schemes as a form of advertising in a manner which is expressly prohibited by its Regulations.

Should the Allied Health Professions Council become aware of registered practitioners engaging in the abovementioned prohibited practice, such a practitioner shall face disciplinary action in terms of Sections 23-30 of the Allied Health Professions Act 63 of 1982 (as amended).



**DR LOUIS MULLINDER**  
**REGISTRAR: AHPCSA**



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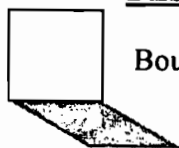
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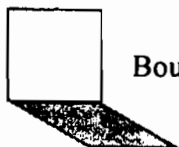
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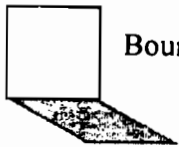
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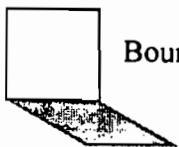
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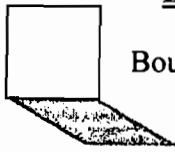
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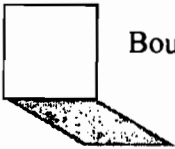
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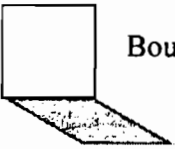
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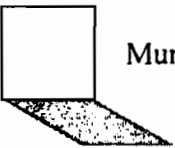
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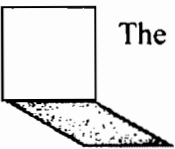
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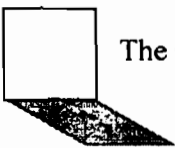
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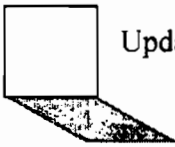
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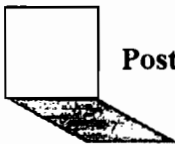
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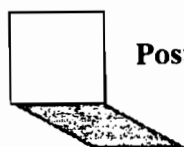
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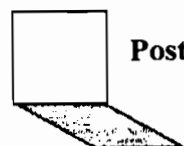
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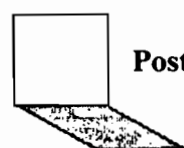
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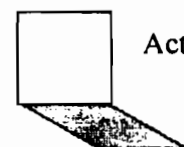
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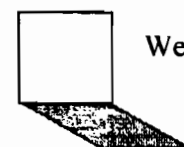
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# Please note that Volume 1 Chapter 6 and Volume 4 Chapter 10 are included only for use with the South African Road Traffic Signs Manual Volume 3. They have NOT been approved by SATCC TU/SADC yet.

**Contents:****Volume 1**

*of the Manual contains detailed signing policy and design principles. The text covering each sign, marking and signal starts with a statement regarding the meaning, or significance, of the device. These statements are essentially the same as those given in the harmonized model road traffic sign regulations, prepared at the same time as Volume 1. The content of Volume 1 provides an in depth description of the road traffic sign system and working detail on the use of each individual component of the system.*

**Volume 2**

*deals with the collective application of signs, markings, and signals for specific subject areas such as traffic accommodation at roadworks, tourism signing, public transport signing and signing for the control of heavy vehicles.*

**Volume 3**

*provides in depth detail on the selection, installation, operation and control methods for traffic signals.*

**Volume 4**

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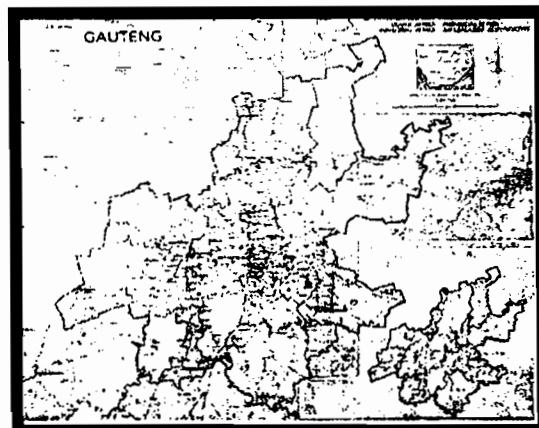
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