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IMPORTANT ANNOUNCEMENT

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

2012

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

- ▶ **2 August**, Thursday, for the issue of Friday **10 August 2012**
- ▶ **20 September**, Thursday, for the issue of Friday **28 September 2012**
- ▶ **13 December**, Thursday, for the issue of Friday **21 December 2012**
- ▶ **18 December**, Tuesday, for the issue of Friday **28 December 2012**
- ▶ **21 December**, Friday, for the issue of Friday **4 January 2013**

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Sluitingstye **VOOR VAKANSIEDAE** vir
GOEWERMENTS-, ALGEMENE- & REGULASIE-
KENNISGEWINGS ASOOK PROKLAMASIES

2012

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

- ▶ **2 Augustus**, Donderdag, vir die uitgawe van Vrydag **10 Augustus 2012**
- ▶ **20 September**, Donderdag, vir die uitgawe van Vrydag **28 Desember 2012**
- ▶ **13 Desember**, Donderdag, vir die uitgawe van Vrydag **21 Desember 2012**
- ▶ **18 Desember**, Dinsdag, vir die uitgawe van Vrydag **28 Desember 2012**
- ▶ **21 Desember**, Vrydag, vir die uitgawe van Vrydag **4 Januarie 2013**

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

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GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

No. R. 570

27 July 2012

NOTICE OF EXEMPTION IN TERMS OF SECTION 40(1) OF THE OCCUPATIONAL HEALTH AND SAFETY ACT, 1993

Under section 40(3)(b) of the Occupational Health and Safety Act, 1993 (Act No. 85 of 1993), I, Thobile Lamati, appointed as chief inspector in terms of section 27(1) of the said Act, and by virtue of the powers delegated to me by the Minister of Labour, in terms of section 42(1) of the said Act, hereby grant exemption in terms of section 40 of the said Act to employers and users of machinery who operate a train or a train of tramway-trucks, as the case may be, from compliance with the following regulations of the General Safety Regulations, 1986, published under Government Notice No. R.1031 of 30 May 1986:

General Safety Regulation 10(1)(a), (b) and 10(2), on condition that the employer or user of machinery who operates a train or a train of tramway-trucks has a valid safety permit issued by the Railway Safety Regulator and complies with the relevant requirements of the National Railway Safety Act (Act No. 16 of 2002), as amended, SANS 3000-2-2-1 Technical requirements for engineering and operational standards - Track, civil and electrical infrastructure – Level Crossings and Chapter 7 volume 2 of the South African Road Traffic Signs Manual; and

General Safety Regulation 10(4), on condition that the person is certified as competent by the operator to operate a locomotive and the operator has a valid safety permit as an operator issued by the Railway Safety Regulator.

Thobile Lamati
Chief Inspector

No. R. 574

27 July 2012

LABOUR RELATIONS ACT, 1995**CANCELLATION OF GOVERNMENT NOTICE****HAIRDRESSING AND COSMETOLOGY TRADE BARGAINING COUNCIL KWAZULU-NATAL**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby, in terms of section 32(7) of the Labour Relations Act, 1995, cancel Government Notice No. R. 1 of 8 January 2010 with effect from **6 August 2012**

**MN OLIPHANT
MINISTER OF LABOUR**

No. R. 574

Usuku: 27 July 2012

UKUHOXISWA KWESAZISO SIKAHULUMENI**UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995****UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI EMBONINI****YOSIZO LOKULUNGISWA KWEZINWELE KANYE NOBUHLE KWAZULU-NATAL**

Mina, **NELISIWE MILDRED OLIPHANT**, uNgqongqoshe WezabaSebenzi ngokwesigaba 32(7) soMthetho Wobudlelwano KwezabaSebenzi ka-1995 ngihoxisa iSaziso sikaHulumeni esinguNombolo R.1 somhlaka 8 kuMasingana 2010 kusukela mhlaka **6 ku-Ncwaba 2012**

MN OLIPHANT

UNGQONGQOSHE WEZABASEBENZI

No. R. 575

27 July 2012

LABOUR RELATIONS ACT, 1995**HAIRDRESSING AND COSMETOLOGY TRADE BARGAINING COUNCIL: EXTENSION
OF RE-ENACTMENT AND AMENDMENT OF MAIN COLLECTIVE AGREEMENT TO
NON-PARTIES**

I, **MILDRED NELISIWE OLIPHANT**, 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 **Hairdressing and Cosmetology Bargaining Council KwaZulu Natal** 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 **6 August 2012** and for the period ending 31 December 2015.

MN OLIPHANT
MINISTER OF LABOUR

No. R. 575

Usuku: 27 July 2012

UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA 1995**UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI
NABASEBENZI EMBONINI YOSIZO LOKULUNGISWA KWEZINWELE****KANYE NOBUHLE KWAZULU-NATAL:****UKWELULELWA KWESIVUMELWANO SABAQASHI NABASEBENZI
ESAKHA KABUSHA FUTHI ESICHIBIYELAYO SELULELWA KULABO
ABANGEYONA INGXENYE YASO**

Mina, **MILDRED NELISIWE OLIPHANT**, onguNgqongqoshe Wezabasebenzi ngokwesigaba 32(2) soMthetho Wobudlelwano Kwezabasebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kuSheduli yesiNgisi exhunywe lapha, esenziwa **uMkhandlu Wokuxoxisana Phakathi Kwabaqashi Nabasebenzi Embonini Yosizo Lokulungiswa Kwezinwele kanye Nobuhle KwaZulu- Natal**, futhi ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi ka 1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyomboni, kusukela mhlaka **6 ku-Newaba 2012** kuze kube mhlaka 31 kuZibandlela 2015.

MN OLIPHANT
UNGQONGQOSHE WEZABASEBENZI

SCHEDULE

HAIRDRESSING AND COSMETOLOGY BARGAINING COUNCIL KWAZULU-NATAL

RE-ENACTMENT AND AMENDMENT OF MAIN COLLECTIVE AGREEMENT

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

Employers' Organisation for Hairdressing, Cosmetology & Beauty (EOHCB)

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

UASA THE UNION

(herein referred to as the "employees" or the trade union) of the one part, being parties to the Hairdressing and Cosmetology Bargaining Council KwaZulu-Natal

1. SCOPE OF APPLICATION.

1.1 The terms of the agreement shall be observed in the Hairdressing & Cosmetology Trade;

- a) By all employers who are members of the employers organization and by all employees who are members of the trade union.
- b) In the magisterial districts of Durban, Inanda and Pinetown.

1.2 Notwithstanding the provisions of sub-clause 1.1, the terms of this agreement shall –

- a) Apply only to employees for whom wages are specified in this agreement and to the employers of such employees;
- b) Apply to learners in so far as they are not inconsistent with

the provisions of the Skills Development Act, 1998 or any contract entered into or any condition fixed thereunder.

2. PERIOD OF OPERATION

2.1 This agreement shall come into operation.

- a) In respect of parties on 1 January 2012.
- b) In respect of non parties on such a date as determined by the Minister.

2.2. This collective Agreement shall remain in force until 31 December 2015 unless amended.

2A SPECIAL PROVISIONS

The provisions contained in clause 36 of the Agreement published under Government Notice No. R.1 of 8 January 2010 (hereinafter referred to as the “Former Agreement”) as further extended, renewed, amended and re-enacted from time to time, shall apply to employers and employees.

2B GENERAL PROVISIONS

The provisions contained in clauses 4 to 35, 37, 38 and 39 of the Former Agreement shall apply to employers and employees.

3. EXCEPTIONS

The provisions of this agreement do not apply to non-parties in respect of clauses 1(1), 2(1)(a) and 2A.

4. CLAUSE 4 OF THE FORMER AGREEMENT: REGISTRATION OF EMPLOYERS AND EMPLOYEES

(1) Substitute the following for clause 4.1

“4.1. Every establishment engaged in the Hairdressing & Cosmetology Trade shall within one month from the start of the business register with the Hairdressing & Cosmetology Bargaining Council (KZN) by submitting at least the

following particulars to the secretary of the Council on the form prescribed”.

(2) Substitute the following for clause 4.2

“4.2. Every employer/establishment in the Hairdressing and Cosmetology Trade shall within one month from the start of the business pay a registration fee to the council in terms of the following categories:

a) Caucasian Hairdressing Salon	R 150
b) Afro salon	R 150
c) Barber	R 150
d) Beauty parlous	R 150
e) Sub lease (rent a chair)	R 100
f) Self employed	R 100

4.2.1. The registration fee referred to above shall not be refundable.

4.2.2. All employers’ establishments already registered with the council shall pay an annual fee of R150 at the end of November of each year”.

(3) Insert the following clause 4.3.3

“4.3.3. All employers’ establishments who had paid a refundable registration deposit in terms of the previous Agreement may utilize the balance of their refundable deposit to offset any annual fee or to settle any outstanding account that may still be owed to the council”.

(4) Substitute the following for clause 4.5

“4.5. In the interests of job creation and maintenance, any owner or operator of a salon (Lessor) who has appropriate permission may lease or sub-let any part of the premises in which the business of the salon is carried out. Provided that before any such contract or arrangement is entered into, the sub-lessee shall prove to the lessor that all provisions of this agreement and of any other statute, municipal or provincial ordinance or by-law has been complied with in accordance with the above, and such

sub-lessee shall pay a non-refundable registration fee of R 100.00 (One hundred) to the council, as specified in 4.2(f), above”.

(5) Substitute the following for clause 4.6

“4.6. Every non Hairstylist Salon owner (lessor) who sublets his premises to hairdressers (sub lessee) shall pay an annual registration fee of R1000 (one thousand rand) to the council.

The lessor shall be responsible to ensure full compliance with all relevant legislation by any sub-lessee (rent a chair) in the salon, failing which the lessor shall be deemed to be the employer of the hairstylist in the salon”.

5. CLAUSE 5 OF THE FORMER AGREEMENT: CONTROL OF PREMISES.

Substitute the following for clause 5.4

“5.4. No Employer may employ a person under the age of 15 years”.

6. CLAUSE 18 OF THE FORMER AGREEMENT: ANNUAL LEAVE

(1) Substitute the following for clause 18.2

“18.2 Annual leave shall not run concurrently with sick leave”.

(2) Substitute the following for clause 18.8

“18.8 If an employee’s salary is commission based only, leave pay must be calculated using basic salary as stipulated in the collective agreement and in addition to entitlement in terms of clause 18.2, the employer must pay the employee PSC calculated by taking 25% of the average PSC over the previous two leave months”.

(3) Substitute the following for clause 18.9

“18.9 In addition to leave entitlement in terms of clause 18.2, employees who earn commission after doubling their basic salary

shall be paid 25% of the average PSC calculated after basic salary is removed (deducted) from the total over the preceding twelve months”.

7. CLAUSE 22 OF THE FORMER AGREEMENT: TERMINATION OF SERVICE

Substitute the following for clause 22.5

“22.5. In addition to notice pay in terms of sub clause (3) above an employee who is on commission must also be paid 25% of the average PSC. The employee would have received in the period of notice so waived by the employer”.

8. CLAUSE 23 OF THE FORMER AGREEMENT: RETRENCHMENT

Substitute the following for clause 23(6)

“23.6 An employer must pay an employee who is dismissed for reasons based on the employer’s operational requirement, severance pay, equal to at least one week of the employee’s basic salary plus twenty five percent (25%) of the average of personal services commission earned over the preceding twelve months, for each completed year of service with the establishment”.

9. CLAUSE 28 OF THE FORMER AGREEMENT: DESIGNATED AGENTS AND ENFORCEMENT OF COLLECTIVE AGREEMENT

Substitute the following for clause 28.8 (c)

“28.8(c) Charging a party an arbitration fee of R 1 500.00”.

10. CLAUSE 30 OF THE FORMER AGREEMENT: FAILURE TO MAKE PAYMENT TO COUNCIL

Insert the new sub clause 30.3

“30.3 If any amount that falls due in terms of any clause or any other provision of this agreement is not paid in full to the council by the 7th of the month for which the amount is payable, the employer shall be charged and be liable to pay a penalty

calculated at the rate of 10% of the total amount that remains unpaid”.

11. CLAUSE 34 OF THE FORMER AGREEMENT: SICK BENEFIT FUND

Substitute the following for clause 34.8

“34.8 If any amount which falls due in terms of this clause or in terms of any other provision of this agreement is not received in full by the Council by the 7th of the month following as provide for, then the employer shall be liable to pay an **interest** calculated in respect of the Prescribed Rate of Interest Act, 55 of 1975 on any contribution which remains unpaid”.

12. CLAUSE 35 OF THE FORMER AGREEMENT: PENSION FUND

Substitute the following for clause 35.4

“35.4 Membership of the pension fund shall be compulsory for all employees in the industry and those entering the industry, excluding casual employees who are employed in the Hairdressing & Cosmetology Trade KZN and who have not attained their 65th birthday, and it shall be compulsory to all employers to contribute to the pension fund of such employee, as stipulated by this agreement”.

13. CLAUSE 36 OF THE FORMER AGREEMENT: RETIREMENT ANNUITY FUND

Substitute the following for clause 36.6

“36.6 If any amount which falls due in terms of clause or in terms of any other provision of this agreement is not received in full by the Council by the 7th day of the following month, then the employer /member shall be liable to pay an interest calculated in respect of Prescribed Rate of Interest Act, 55 of 1975 on the amount which is due”.

"ANNEXURE 'A' - SALARY SCHEDULE 2012

HAIRDRESSING & COSMETOLOGY BARGAINING
COUNCIL (KZN)

	Minimum Basic Salaries	Daily rate for sick leave	PENSION		UNION	COUNCIL		SICK FUND	
			employer	employee	employee	employer	employee	employer	employee
BC/MC = beautician/manicurist	2274	87.46	136	136	68.00	50.00	50.00	65.00	95.00
COTT/ACTT = trade test	4022	154.69	241	241	68.00	50.00	50.00	65.00	95.00
JUNCOTT = junior trade test**	2811	108.12	169	169	68.00	50.00	50.00	65.00	95.00
QET/CE = no trade test	2796	107.54	168	168	68.00	50.00	50.00	65.00	95.00
REC = receptionist	3263	125.50	196	196	68.00	50.00	50.00	65.00	95.00
SHU=unqualified shampooist	2080	80.00	125	125	68.00	50.00	50.00	60.00	86.00
SH = shampooist qualified/GA	2457	94.50	147	147	68.00	50.00	50.00	60.00	86.00
GA = cleaner	1685	64.81	101	101	68.00	40.00	40.00	60.00	86.00
Learners part - time college									
UNIT STANDARD LEVELS FOR LEARNERS									
Commencement	1650	63.46	99	99	68.00	40.00	40.00	60.00	86.00
Unit Stand. Levels 1 – 5	1751	67.33	105	105	68.00	50.00	50.00	65.00	95.00
Unit Stand. Levels 6 – 10	1923	73.95	115	115	68.00	50.00	50.00	65.00	95.00
Unit Stand. Levels 11 – 15	2129	81.90	128	128	68.00	50.00	50.00	65.00	95.00
APPY -1	1967	75.65	118	118	68.00	40.00	40.00	60.00	86.00
APPY -2	2160	83.08	130	130	68.00	50.00	50.00	65.00	95.00
APPY -3	2392	92.00	144	144	68.00	50.00	50.00	65.00	95.00
Learners full - time college					68.00				
APPY-1 - 1ST SIX MONTHS	1967	75.65	118	118	68.00	40.00	40.00	60.00	86.00
APPY -2 - 2ND SIX MONTHS	2160	83.08	130	130	68.00	50.00	50.00	65.00	95.00
APPY -3 - 3RD SIX MONTHS	2257	86.81	135	135	68.00	50.00	50.00	65.00	95.00
AFRO									
AFRO BC/MC = beautician/manicurist	1385	50.27	78	78	68.00	40.00	40.00	65.00	95.00
AFRO COTT/ACTT = trade test	2413	87.54	137	137	68.00	40.00	40.00	65.00	95.00
AFRO JUN/COTT = junior trade test**	1686	61.19	95	95	68.00	40.00	40.00	65.00	95.00
AFRO QET/CE /AUQ= no trade test	1679	60.92	95	95	68.00	40.00	40.00	65.00	95.00
AFRO REC = receptionist	1958	71.04	111	111	68.00	40.00	40.00	65.00	95.00
AFRO SH/unqualified	1249	45.31	71	71	68.00	40.00	40.00	60.00	86.00
AFRO SH/qualified or mod 1	1474	53.50	83	83	68.00	40.00	40.00	60.00	86.00
AFRO GA = general assistant	1474	53.50	83	83	68.00	40.00	40.00	60.00	86.00

Signed in Durban on this day 20th of February 2012



S. Delpont
Chairperson of the Council



T. Scott
Deputy Chairperson of the Council



J. Mbatha
Secretary of the Council

No. R. 576

27 July 2012

LABOUR RELATIONS ACT, 1995**BARGAINING COUNCIL FOR THE FOOD RETAIL, RESTAURANT,
CATERING AND ALLIED TRADES: EXTENSION OF RE-ENACTMENT
AND AMENDMENT OF MAIN COLLECTIVE AGREEMENT TO NON-
PARTIES**

I, **NELISIWE MILDRED OLIPHANT**, 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 Food Retail, Restaurant, Catering and Allied Trades** 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..... and for the period ending 31 July 2013.

MINISTER OF LABOUR

No. R. 576

Usuku: 27 July 2012

UMTHETHO WOBUDLELWENO KWEZABASEBENZI KA-1995**UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI
NABASEBENZI BEZINDAWO ZOKUTHENGISA NGOKUDLA, BEZINDAWO
ZOKUDLELA, BEZOKUHLINZEKA NGOKUDLA KANYE NEMISEBENZI
EHLOBENE NALOKHO:****UKWELULELWA KWESIVUMELWANO SABAQASHI NABASEBENZI
ESICHIBIYELAYO SELULELWA KULABO ABANGEYONA INGXEYENYE
YASO**

Mina, **NELISIWE MILDRED OLIPHANT**, uNgqongqoshe WezabaSebenzi, ngokwesigaba 32(2) soMthetho Wobudlelwano KwezabaSebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa **uMkhandlu Wokuxoxisana Kwabaqashi Nabasebenzi Bezokuthengisa Ngokudla, Bezindawo Zokudlela, Bezokuhlinzeka Ngokudla kanye Nemisebenzi Ehlobene Nalokho**, futhi ngokwesigaba 31 soMthetho Wobudlelwano kwezabaSebenzi, ka 1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyomboni, kusukela mhlaka.....kuze kube mhlaka 31 kuNtulikazi 2013.

UNGQONGQOSHE WEZABASEBENZI

No. R. 577

27 July 2012

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE FOOD RETAIL, RESTAURANT,
CATERING AND ALLIED TRADES**

CANCELLATION OF GOVERNMENT NOTICE

I, **NELISIWE MILDRED OLIPHANT**, Minister of Labour, hereby in terms of section 32(7) of the Labour Relations Act, 1995, cancel Government Notice No. R.410 of 1 June 2012 from the date of coming into operation of the agreement.

MINISTER OF LABOUR

SCHEDULE**BARGAINING COUNCIL FOR THE FOOD RETAIL, RESTAURANT,
CATERING AND ALLIED TRADES****RE-ENACTMENT AND AMENDMENT OF MAIN COLLECTIVE AGREEMENT**

in accordance with the provisions of the Labour Relations Act, No 66 of 1995,
made and entered into by and between the

Professional Caterers Association

and

CATRA

(hereinafter referred to as the “employers” or the “employers’ organisations”), of
the one part, and the

South African Commercial, Catering and Allied Workers’ Union

(SACCAWU)

and the

Care Centre, Catering, Retail and Allied Workers’ Union of South Africa

(CCRAWUSA)

(hereinafter referred to as the “employees’ or the ‘trade unions’), of the other part,
being the parties to the Bargaining Council for the Food Retail, Restaurant,
Catering and Allied Trades.

1. SCOPE OF APPLICATION OF AGREEMENT

The terms of this Agreement shall be observed in the Food Retail, Restaurant,
Catering and Allied Trades –

- (1) (a) by all employers and employees who are members of the employers' organisations and the trade unions, respectively;
- (b) in the Magisterial Districts of Pretoria, Brits, Bronkhorstspuit, Cullinan, Rustenburg, Warmbaths, Witbank and Wonderboom.
- (2) Clause 1 (1) (a) and (2) of this Agreement shall not apply to employers and employees who are not members of the employers' organisations and trade unions, respectively.

2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on the date fixed by the Minister of Labour to be the effective date from which the Agreement shall be extended to become binding on non-parties, or the date on which the Minister of Labour declines to extend the Agreement to non-parties, and the Agreement shall remain in force until 31 July 2013.

2A. SPECIAL PROVISIONS

The provisions of clauses 3(5), 23, 24 and 35 of the Agreement published under Government Notice No. R.177 of 12 February 1999 as amended and enacted by Government Notices R.244 of 16 March 2001, R. 1105 of 9 November 2001, R. 1048 of 25 July 2003, R. 813 of 12 August 2005, R.768 of 24 August 2007 and R. 908 of 29 August 2008 (hereinafter referred to as the "Former Agreement"), as further extended, amended, renewed and re-enacted from time to time, shall apply to employers and employees.

2B. GENERAL PROVISIONS

The provisions contained in clause 3(1) to (4), 4 to 22 and 25 to 34 of the Former Agreement (as further extended, renewed, amended and re-enacted from time to time), shall apply to employers and employees.

3. CLAUSE 5: REMUNERATIONS: WAGES

- (1) Substitute the following for sub-clause B (1):

"Employees that are paid above the minimum wage as determined in this Agreement shall be entitled to a minimum increase of-

- (a) 7% across the board but managers earning over R55 000.00 per annum will be entitled to 5% increase with effect from the date of coming into operation of this agreement to 31 July 2013.
- (b) small employer – may reduce the increase as specified in subclause (a) by 10%."

- (2) Substitute the existing table for the attached wage table.

Job Description	With effect from the date of coming into operation of this agreement until 31 July 2013		
	Monthly	Weekly	Hourly
Assistant Manager			
Area A	4 304.52	994.11	22.09
Area B	4 147.28	957.80	21.28
Baker/Confectionery caterer/Cook			
Area A	2 377.44	549.06	12.20
Area B	2 290.62	529.01	11.75
Barman			
Area A	2 960.49	683.71	15.19
Area B	2 852.34	658.73	14.63
Blockman			
Area A	3 165.05	730.95	16.24
Area B	3 049.44	704.25	15.65
Cashier/Clerk/Storeman/Packer			
Area A	2 685.32	620.16	13.78
Area B	2 587.24	597.51	13.27
Catering Assistant			
Area A	2 509.35	579.52	12.87
Area B	2 417.70	558.36	12.40
Chef			
Area A	4 114.55	950.24	21.11
Area B	3 964.25	915.53	20.34
Chef "unqualified"			
Area A	3 703.10	855.21	19.00
Area B	3 567.83	823.97	18.31
Driver			
Area A	2 390.34	552.04	12.26
Area B	2 303.02	531.87	11.81
General Assistant			
Area A	2 284.16	527.51	11.72
Area B	2 197.30	507.45	11.27
Manager			
Area A	4 825.69	1 114.47	24.76
Area B	4 649.43	1 073.77	23.86
Supervisor			
Area A	3 538.84	817.28	18.16
Area B	3 409.18	787.33	17.49
Waiter			
Area A	2 251.99	520.09	11.55
Area B	2 169.74	501.09	11.13
Watchman			
Area A	2 251.99	520.09	11.55
Area B	2 169.74	501.09	11.13

4. CLAUSE 6. PAYMENT OF REMUNERATION

(1) Substitute the following for sub-clause 4(a):

“(4) (a) **Meals:** Every employee, other than a nightwatchman, shall be entitled to receive free of charge those meals that fall within his working hours in addition to the wages prescribed for such employee. Where such meals are not provided, an employer shall pay him not less than the amounts as specified as follows:

Full time employees:

R95.00 per week with effect from the date of coming into operation of this agreement to 31 July 2013 and thereafter.

Casual, special function and part-time employees in lieu of meals not provided:

R13.00 per meal with effect from the date of coming into operation of this agreement to 31 July 2013 and thereafter.”

(2) Substitute the following for sub-clause 6:

“(6) **Transport:** An employer shall provide transport for his employees working later than 20:00 on any day of the week or pay employees an amount of;

R165.00 per month with effect from the date of coming into operation of this agreement to 31 July 2013 and thereafter in lieu of transport.

An employer who has provided transport prior to this Agreement shall not change to the option of the payment of transport in order to avoid providing transport.”

5. CLAUSE 7. NUMBER OF DAYS AND HOURS OF WORK, ORDINARY AND OVERTIME, AND PAYMENT FOR OVERTIME

(1) Substitute the following for sub-clause 9:

“(9) **Night shift allowance:**

In the event that an employee, other than a special function casual employee, a casual employee or a contract waiter, that works after 20:00 and has been authorised so to work, the employer shall pay such employee:

- (a) R8.00 per shift for hours worked less than four hours.
- (b) R16.00 per shift for hours worked in excess of four hours.”

6. CLAUSE 22. 13TH CHEQUE

(1) Substitute the following for sub-clause 22 (a):

“(a) An employer shall pay the employee the following amounts for completed years of service.

- (i) one weeks wage for one to two years completed service;
- (ii) two weeks wages for three to four years completed service;
- (iii) one month salary for five years and thereafter’s completed service.”

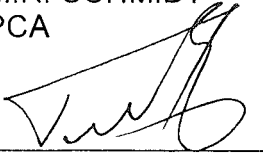
- (b) For the purpose of sub-clause (a), payment shall become due on the anniversary of employment and employees earning above R50 000.00 per annum shall not qualify for this payment.

Signed at Pretoria this 10TH day of MAY 2012.

EMPLOYERS' ORGANISATIONS

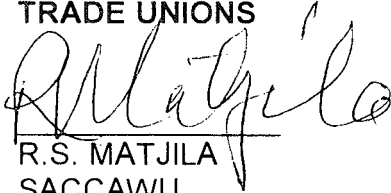


M.R. SCHMIDT
PCA



D.F.J. COETZEE
CATRA

TRADE UNIONS



R.S. MATJILA
SACCAWU



I. MOSWEU
CCRAWUSA

**BARGAINING COUNCIL FOR THE FOOD RETAIL, RESTAURANT,
CATERING AND ALLIED TRADES**



M.R. SCHMIDT
CHAIRMAN



R.S. MATJILA
VICE-CHAIRMAN



M. BASILIO
SECRETARY

**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS**

No. R. 565

27 July 2012

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1443)**

In terms of section 48 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 1 to the said Act is hereby amended, with retrospective effect from 1 January 2012, to the extent set out in the Schedule hereto.


**N NENE
DEPUTY MINISTER OF FINANCE**

SCHEDULE

By the deletion of the following:


Heading / Subheading	CD	Article description	Statistical unit	Rate of duty		
				General	EU	EFTA
2528.10	5	- Natural sodium borates and concentrates thereof (whether or not calcined)	kg	free	free	free
2528.90	1	- Other	kg	free	free	free

By the substitution of the following:

Heading / Subheading	CD	Article description	Statistical unit	Rate of duty		
				General	EU	EFTA
1605.58	1	-- Snails, (excluding sea snails):				
2528.00	0	Natural borates and concentrates thereof (whether or not calcined), but not including borates separated from natural brine; natural boric acid containing not more than 85 per cent of H ₃ BO ₃ calculated on the dry mass	kg	free	free	free
4412.31	0	-- With at least one outer ply of tropical wood specified in Subheading Note 2 to this Chapter	m ³	10%	free	free

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1443)**

Kragtens artikel 48 van die Doeane- en Aksynswet, 1964, word Deel 1 van Bylae No. 1 by bogenoemde Wet hiermee gewysig, met terugwerkende krag vanaf 1 Januarie 2012, in die mate in die Bylae hierby aangetoon.


N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die skraping van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg			
				Algemeen	EU	EFTA	SAOG
2528.10	5	- Natuurlike natriumborate en konsentrate daarvan (hetsy gekalsineer al dan nie)	kg	vry	vry	vry	vry
2528.90	1	- Ander	kg	vry	vry	vry	vry

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg			
				Algemeen	EU	EFTA	SAOG
2528.00	0	Natuurlike borate en konsentrate daarvan (gekalsineer al dan nie), uitgesonderd borate uit natuurlike pekkel afgeskei; natuurlike boorsuur wat hoogstens 85 persent H_3BO_3 bereken op die droë massa, bevat	kg	vry	vry	vry	vry

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 2 (NO. 2/344)**

In terms of section 56 of the Customs and Excise Act, 1964, Part 1 of Schedule No. 2 to the said Act is hereby amended to the extent set out in the Schedule hereto.


N NENE
 DEPUTY MINISTER OF FINANCE

SCHEDULE

By the deletion of the following:

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or originating in	Rate of Anti-dumping duty
213.03	7005.29	14.06	67	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding optical glass), manufactured by PT Tensindo		Indonesia	6.87%
213.03	7005.29	15.06	61	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding optical glass), manufactured by PT Multiaglass Industrindo		Indonesia	4.35%
213.03	7005.29	16.06	66	Float glass and surface ground or polished glass, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding optical glass) manufactured by PT Abdi Rakyat Bakti		Indonesia	3.50%
213.03	7005.29	20.06	62	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding optical glass) manufactured by PT Multiaglass Industrindo		Indonesia	7.71%
213.03	7005.29	21.06	67	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding optical glass) manufactured by PT Abdi Rakyat Bakti		Indonesia	12.30%

By the substitution of the following:

Item	Tariff Heading	Code	CD	Description	Rebate Items	Imported from or originating in	Rate of Anti-dumping duty
213.03	7005.29	17.06	60	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 2.5 mm but not exceeding 3 mm (excluding optical glass)		Indonesia	45%
213.03	7005.29	22.06	61	Float glass and surface ground or polished glass, in sheets, whether or not having an absorbent, reflecting or non-reflecting layer, but not otherwise worked, of a thickness exceeding 5 mm but not exceeding 6 mm (excluding optical glass)		Indonesia	30.50%

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 2 (NO. 2/344)**

Kragtiens artikel 56 van die Doeane- en Aksynswet, 1964, word Bylae No. 2 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.


N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die skraping van die volgende:

Item	Tariefpos	Kode	TS	Beskrywing	Kortingitems	Ingevoer vanaf of afkomstig van	Skaal van Anti-dumping Reg
213.03	7005.29	14.06	67	Afstrykglas en glas met die oppervlak geslyp of gepoleer, in velle, hetsy met 'n absorberende, weerkaatsende of nie-weerkaatsende laag al dan nie, maar nie andersins bewerk nie, met 'n dikte van meer as 2,5 mm maar hoogstens 3 mm (uitgesonderd optiese glas) vervaardig deur PT Tensindo		Indonesia	6,87%
213.03	7005.29	15.06	61	Afstrykglas en glas met die oppervlak geslyp of gepoleer, in velle, hetsy met 'n absorberende, weerkaatsende of nie-weerkaatsende laag al dan nie, maar nie andersins bewerk nie, met 'n dikte van meer as 2,5 mm maar hoogstens 3 mm (uitgesonderd optiese glas) vervaardig deur PT Mulliaglass Industrindo		Indonesia	4,35%
213.03	7005.29	16.06	66	Afstrykglas en glas met die oppervlak geslyp of gepoleer, in velle, hetsy met 'n absorberende, weerkaatsende of nie-weerkaatsende laag al dan nie, maar nie andersins bewerk nie, met 'n dikte van meer as 2,5 mm maar hoogstens 3 mm (uitgesonderd optiese glas) vervaardig deur PT Abdi Rakyat Bakti		Indonesia	3,50%
213.03	7005.29	20.06	62	Afstrykglas en glas met die oppervlak geslyp of gepoleer, in velle, hetsy met 'n absorberende, weerkaatsende of nie-weerkaatsende laag al dan nie, maar nie andersins bewerk nie, met 'n dikte van meer as 5 mm maar hoogstens 6 mm (uitgesonderd optiese glas) vervaardig deur PT Mulliaglass Industrindo		Indonesia	7,71%
213.03	7005.29	21.06	67	Afstrykglas en glas met die oppervlak geslyp of gepoleer, in velle, hetsy met 'n absorberende, weerkaatsende of nie-weerkaatsende laag al dan nie, maar nie andersins bewerk nie, met 'n dikte van meer as 5 mm maar hoogstens 6 mm (uitgesonderd optiese glas) vervaardig deur PT Abdi Rakyat Bakti		Indonesia	12,30%

Deur die vervanging van die volgende:

Item	Tariefpos	Kode	TS	Beskrywing	Kortingitems	Ingevoer vanaf of afkomstig van	Skaal van Anti-dumping Reg
213.03	7005.29	17.06	60	Afstrykglas en glas met die oppervlak geslyp of gepoleer, in velle, hetsy met 'n absorberende, weerkaatsende of nie-weerkaatsende laag al dan nie, maar nie andersins bewerk nie, met 'n dikte van meer as 2,5 mm maar hoogstens 3 mm (uitgesonderd optiese glas)		Indonesia	45%
213.03	7005.29	22.06	61	Afstrykglas en glas met die oppervlak geslyp of gepoleer, in velle, hetsy met 'n absorberende, weerkaatsende of nie-weerkaatsende laag al dan nie, maar nie andersins bewerk nie, met 'n dikte van meer as 5 mm maar hoogstens 6 mm (uitgesonderd optiese glas)		Indonesia	30,50%

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 6 (NO. 6/27)**

In terms of section 75 of the Customs and Excise Act, 1964, Schedule No. 6 to the said Act is hereby amended, with retrospective effect from 1 January 2011, to the extent set out in the Schedule hereto.


N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the substitution of Note 5(b) in Part 3 of Schedule No. 6 of the following:


(b) the licensed distributor in accordance with the provisions of sections 64F, the rules to section 64F and item 623.19; or

By the substitution of the following rebate items:

Rebate Item	Tariff Item	Rebate Code	CD	Description	Extent of Rebate	Extent of Refund
670.02	000.00	01.01	08	Distillate fuels and biodiesel used in the manufacture of the goods specified in rebate items 623.09, 623.10, 623.11, 623.12 and 623.13		17,466c/li
671.01	195.10.21	01.00	76	Specified aliphatic hydrocarbon solvents, as defined in Additional Note 1(ij) to Chapter 27, entered for the purposes of this rebate item in such quantities, for such purposes and under such conditions as the Commissioner may allow by specific permit	Full fuel levy and Full Road Accident Fund Levy	

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 6 (NO. 6/27)**

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 6 by bogenoemde Wet hiermee gewysig, met terugwerkende krag vanaf 1 Januarie 2011, in die mate in die Bylae hierby aangetoon.



N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die vervanging van opmerking 5(b) in Deel 3 van Bylae No. 6 van die volgende:

(b) die gelisensieerde verspreider dienooreenkomstig die bepalings van artikels 64F, die reëls by artikel 64F en item 623.19; of

Deur die vervanging van die volgende kortingitems:

Kortingtem	Tariefitem	Kortingkode	TS	Beskrywing	Mate van Korting	Mate van Terugbetaling
670.02	000.00	01.01	08	Distillaatbrandstowwe en bio-diesel gebruik in die vervaardiging van goedere gespesifiseer in kortingitems 623.09, 623.10, 623.11, 623.12 en 623.13		17,466c/li
671.01	195.10.21	01.00	76	Gespesifiseerde allfatiese koolwaterstofoplosmiddels, soos omskryf in Addisionele Opmerking 1(ii) by Hoofstuk 27, geklaar vir die doeleindes van hierdie kortingitem in sulke hoeveelhede, vir sodanige doeleindes en onder sodanige voorwaardes soos die Kommissaris by bepaalde permit mag toelaat	Volle Brandstofheffing en Volle Padongelukfondsheffing	

CORRECTION NOTICE

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 6 (NO. 6/28)**

In terms of section 75 of the Customs and Excise Act, 1964, the rebate items 620.03/104.17.17/05.01, 620.03/104.17.22/06.01 and heading of rebate item 620.07/104.15.07 of Schedule No. 6 to the said Act, where it appears in Notice No. R.172 of Government Gazette No. 34059 published on 28 February 2011 is hereby amended, with retrospective effect from 1 March 2011, to the extent set out in the Schedule hereto.


 N NENE
 DEPUTY MINISTER OF FINANCE

SCHEDULE


By the substitution of the following rebate items:

Rebate Item	Tariff Item	Rebate Code	CD	Description	Extent of Rebate	Extent of Refund
620.03	104.17.17	05.01	72	Other fermented beverages, fortified, with an alcoholic strength by volume exceeding 15 per cent vol., but not exceeding 23 per cent vol.	Full duty	
620.03	104.17.22	06.01	76	Other, mixtures of fermented beverages and mixtures of fermented beverages and non-alcoholic beverages, with an alcoholic strength by volume not exceeding 9 per cent vol.	Full duty	
620.07	104.15.07			With an alcoholic strength by volume exceeding 6,5 per cent vol., but not exceeding 16,5 per cent vol.		

VERBETERINGSKENNISGEWING

DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 6 (NO. 6/28)

Kragtigens artikel 75 van die Doeane- en Aksynswet, 1964, word die Opmerking 8(e) in Afdeling D by Deel 1, die opskrifte van kortingitems 620.07/104.15.07, 620.09/104.15.09, 620.10/104.17.15, 621.15 en die kortingitems 620.03/104.17.22/06.01, 621.02/104.23.21/06.01, 621.11/104.23.03/02.01, 621.12/104.23.03/01.01, 621.14/104.21.01/01.01, 621.15/104.21.01/01.01, 621.16/104.21.01/01.01 in Bylae No. 6 by bogenoemde Wet, waar dit voorkom in Staatkoerant No. 34059 gepubliseer op 28 Februarie 2011, hiermee gewysig, met terugwerkende krag vanaf 1 Maart 2011, in die mate in die Bylae hierby aangetoon.



N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die vervanging van Opmerking 8(e) in Afdeling D by Deel 1 van Bylae No. 6 van die volgende:

(e) waar sodanige goedere uitgevoer word deur 'n lisensiehouer van doeane- en aksynsvervaardigingspakhuis, kan sodanige lisensiehouer, waar bewys van sodanige uitvoer verkry is, die aksynsreg betaal of betaalbaar op die goedere wat aldus uitgevoer is, verreken teen die aksynsreg betaalbaar soos verklaar in die aksynsrekening vir die rekeningmaand waartydens sodanige bewys ontvang is of enige daaropvolgende maand gedurende 'n tydperk van twee jaar na die datum waarop die uitvoerklaring ten opsigte van sodanige uitvoer geprosesseer is;

Deur die vervanging van die volgende kortingitems:

Kortingtem	Tariefitem	Kortingkode	TS	Beskrywing	Mate van Kortings	Mate van Terugbetaling
620.03	104.17.22	06.01	76	Ander, mengsels van gegiste drankte en mengsels van gegiste drankte en nie-alkoholiese drankte, met alkoholsterkte volgens volume van hoogstens 9 persent vol.	Volle reg	
620.07	104.15.07			Met 'n alkoholsterkte volgens volume van meer as 6,5 persent vol., maar hoogstens 16,5 persent vol.:		
620.09	104.15.09			Met 'n alkoholsterkte volgens volume van meer as 15 persent vol., maar hoogstens 22 persent vol.:		
620.10	104.17.15			Met 'n alkoholsterkte volgens volume van hoogstens 9 persent vol.:		
621.02	104.23.21	06.01	77	Likoure en soetdranke, in houters wat hoogstens 2 li bevat, met 'n alkoholsterkte volgens volume van meer as 15 persent vol., maar hoogstens 23 persent vol.	Volle reg	
621.02	104.23.22	07.01	73	Likoure en soetdranke, in houters wat hoogstens 2 li of minder bevat, ander	Volle reg	
621.11	104.23.03	02.01	72	Spiritus verkry deur die distillering van druiwewyn of druiwemoer	Volle reg	
621.12	104.23.03	01.01	74	Spiritus verkry deur die distillering van druiwewyn of druiwemoer geklaar vir gebruik in die preservering van ongefortifiseerde wyn van vars druiwe (uitgesonderd vermoet en ander wyn van vars druiwe met plante of aromatisese stowwe gegeur)	Volle reg	
621.14	104.21.01	01.01	75	Ongedatureerde etielalkohol met 'n alkoholsterkte volgens volume van minstens 80 persent vol.	Volle reg	
621.15				Spiritus gebruik in die vervaardiging van vermoet en ander wyne van vars druiwe met plante of aromatisese stowwe gegeur, gefortifiseerd:		
621.15	104.21.01	01.01	77	Ongedatureerde etielalkohol met 'n alkoholsterkte volgens volume van minstens 80 persent vol.	Volle reg	
621.16	104.21.01	01.01	79	Ongedatureerde etielalkohol met 'n alkoholsterkte volgens volume van minstens 80 persent vol.		Soos voorsien in Opmerking 8 by hierdie Afdeling

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 6 (NO. 6/29)**

In terms of section 75 of the Customs and Excise Act, 1964, Schedule No. 6 to the said Act is hereby amended, with retrospective effect from 1 January 2012, to the extent set out in the Schedule hereto.


N NENE
DEPUTY MINISTER OF FINANCE

SCHEDULE

By the deletion above rebate item 620.05/104.16.01/01.01:

Rebate Item	Tariff Item	Rebate Code	CD	Description	Extent of Rebate	Extent of Refund
				In containers holding 2 li or less:		

By the deletion above rebate item 621.16/104.23.21/13.01:

Rebate Item	Tariff Item	Rebate Code	CD	Description	Extent of Rebate	Extent of Refund
				Liqueurs and cordials In containers holding 2 li or less:		

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 6 (NO. 6/29)**

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Bylae No. 6 by bogenoemde Wet hiermee gewysig, met terugwerkende krag vanaf 1 Januarie 2012, in die mate in die Bylae hierby aangetoon.


N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die skraping bo kortingitem 620.05/104.16.01/01.01 van die volgende te skrap:

Kortingtem	Tariffitem	Kortingkode	TS	Beskrywing	Mate van Korting	Mate van Teruggbetaling
				In houers wat hoogstens 2 li bevat:		

Deur die skraping bo kortingitem 621.16/104.23.21/13.01 van die volgende te skrap:

Kortingtem	Tariffitem	Kortingkode	TS	Beskrywing	Mate van Korting	Mate van Teruggbetaling
				Likeure en soetdranke In houers wat hoogstens 2 li bevat:		

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