



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

Vol. 568

Pretoria, 19 October 2012  
Oktober 2012

**No. 35799**

*N.B. The Government Printing Works will not be held responsible for the quality of "Hard Copies" or "Electronic Files" submitted for publication purposes*



**AIDS HELPLINE: 0800-0123-22 Prevention is the cure**

**CONTENTS • INHOUD**

No.

Page  
No. Gazette  
No.**GENERAL NOTICE****Labour, Department of***General Notice*

848 Publication of the Employment Equity Amendment Bill, 2012: For public interest..... 2 35799

**GENERAL NOTICE****NOTICE 848 OF 2012****DEPARTMENT OF LABOUR****PUBLICATION OF THE EMPLOYMENT EQUITY AMENDMENT BILL, 2012**

The Minister of Labour intends introducing the Employment Equity Amendment Bill, 2012, in the National Assembly shortly. The explanatory summary of the Bill is hereby published in accordance with Rule 241(1) (c) of the Rules of the National Assembly.

The Bill seeks to amend the Employment Equity Act, 1998 (Act No. 55 of 1998) so as to prohibit unfair discrimination either on a prohibited ground listed or on any other arbitrary ground or by an employer in respect of the terms and conditions of employment of employees doing the same or similar work or work of equal value; to empower the Commission for Conciliation, Mediation and Arbitration to arbitrate and make awards in disputes of unfair discrimination; strengthen the enforcement mechanisms of the Act to eliminate unnecessary mandatory steps as well as the mandatory criteria that must be taken into account in assessing compliance; to empower the Minister to make regulations dealing with the assessment of compliance, including specifying the circumstances in which it should be assessed by reference to the national or regional economically active population; to also increase penalties by adjusting the maximum fines that may be imposed for a contravention of the Act to reflect the change in the value of money and in addition, the employer's turnover may be taken into account in determining the maximum fine that may be imposed for substantive failures to comply with the Act.

A copy of the Bill can be found on the website of the Department of Labour at <http://www.labour.gov.za/legislation/bills/proposed-amendment-bills>

Printed by and obtainable from the Government Printer, Bosman Street, Private Bag X85, Pretoria, 0001  
 Publications: Tel: (012) 334-4508, 334-4509, 334-4510  
 Advertisements: Tel: (012) 334-4673, 334-4674, 334-4504  
 Subscriptions: Tel: (012) 334-4735, 334-4736, 334-4737  
 Cape Town Branch: Tel: (021) 465-7531