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CORRECTION NOTICE

The Regulation No. R9862, which was published on the front cover of Extraordinary Regulation Gazette No. 35906 of 23 November 2012, was incorrect and should have read Regulation No.9863.

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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:

- ▶ **29 March**, Thursday, for the issue of Thursday **5 April 2012**
- ▶ **4 April**, Wednesday, for the issue of Friday **13 April 2012**
- ▶ **19 April**, Thursday, for the issue of Thursday **26 April 2012**
- ▶ **25 April**, Wednesday, for the issue of Friday **4 May 2012**
- ▶ **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**

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

2012

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

- ▶ **29 Maart**, Donderdag, vir die uitgawe van Donderdag **5 April 2012**
- ▶ **4 April**, Woensdag, vir die uitgawe van Vrydag **13 April 2012**
- ▶ **19 April**, Donderdag, vir die uitgawe van Donderdag **26 April 2012**
- ▶ **25 April**, Woensdag, vir die uitgawe van Vrydag **4 Mei 2012**
- ▶ **2 Augustus**, Donderdag, vir die uitgawe van Vrydag **10 Augustus 2012**
- ▶ **20 September**, Donderdag, vir die uitgawe van Vrydag **28 September 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

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

GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. 992

7 December 2012

AMENDMENT OF THE RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE SEVERAL PROVINCIAL AND LOCAL DIVISIONS OF THE HIGH COURT OF SOUTH AFRICA

The Rules Board for Courts of Law has under section 6 of the Rules Board for Courts of Law Act, 1985 (Act No. 107 of 1985), with the approval of the Minister of Justice and Constitutional Development, made the rules in the Schedule.

SCHEDULE

GENERAL EXPLANATORY NOTE:

[] Expressions in bold type in square brackets indicate omissions from existing rules.

___ Expressions underlined with a solid line indicate insertions into existing rules.

Definition

1. In this Schedule "the Rules" means the rules regulating the conduct of the proceedings of the several provincial and local divisions of the High Court of South Africa published under Government Notice No. R. 48 of 12 January 1965, as amended by Government Notices No R. 235 of 18 February 1966, R. 2004 of 15 December 1967, R. 3553 of 17 October 1969, R. 2021 of 5 November 1971, R. 1985 of 3 November 1972, R. 480 of 30 March 1973, R. 639 of 4 April 1975, R. 1816 of 8 October 1976, R. 1975 of 29 October 1976, R. 2477 of 17 December 1976, R. 2365 of 18 November 1977, R. 1546 of 28 July 1978, R. 1577 of 20 July 1979, R. 1535 of 25 July 1980, R. 2527 of 5 December 1980, R. 500 of 12 March 1982, R. 773 of 23 April 1982, R. 775 of 23 April 1982, R. 1873 of 3 September 1982, R. 2171 of 6 October 1982, R. 645 of 25 March 1983, R. 841 of 22 April 1983, R. 1077 of 20 May 1983, R. 1996 of 7 September 1984, R.

2094 of 13 September 1985, R. 810 of 2 May 1986, R. 2164 of 2 October 1987, R. 2642 of 27 November 1987, R. 1421 of 15 July 1988, R. 210 of 10 February 1989, R. 608 of 31 March 1989, R. 2628 of 1 December 1989, R. 185 of 2 February 1990, R. 1929 of 10 August 1990, R. 1262 of 30 May 1991, R. 2410 of 30 September 1991, R. 2845 of 29 November 1991, R. 406 of 7 February 1992, R. 1883 of 3 July 1992, R. 109 of 22 January 1993, R. 960 of 28 May 1993, R. 974 of 1 June 1993, R. 1356 of 30 July 1993, R. 1843 of 1 October 1993, R. 2365 of 10 December 1993, R. 2529 of 31 December 1993, R. 181 of 28 January 1994, R. 411 of 11 March 1994, R. 873 of 31 May 1996, R. 1063 of 28 June 1996, R. 1557 of 20 September 1996, R. 1746 of 25 October 1996, R. 2047 of 13 December 1996, R. 417 of 14 March 1997, R. 491 of 27 March 1997, R. 700 of 16 May 1997, R. 798 of 13 June 1997, R. 1352 of 10 October 1997, R. 785 of 5 June 1998, R. 881 of 26 June 1998, R. 1024 of 7 August 1998, R. 1723 of 30 December 1998, R. 315 of 12 March 1999, R. 568 of 30 April 1999, R. 1084 of 10 September 1999, R. 1299 of 29 October 1999, R. 502 of 19 May 2000, R. 849 of 25 August 2000, R. 373 of 30 April 2001, R. 1088 of 26 October 2001, R. 1755 of 5 December 2003, R. 229 of 20 February 2004, R. 1343 of 12 December 2008, R. 1345 of 12 December 2008, R. 516 of 8 May 2009, R. 518 of 8 May 2009, R. 86 of 12 February 2010, R. 87 of 12 February 2010, R. 88 of 12 February 2010, R. 89 of 12 February 2010, R. 90 of 12 February 2010, R. 500 of 11 June 2010, R. 591 of 09 July 2010, R. 980 of 19 November 2010, R. 981 of 19 November 2010 and R. 464 of 22 June 2012.

Amendment of rule 1 of the Rules

2. Rule 1 of the Rules is hereby amended by the substitution for the definition of "action" of the following definition:

"action" shall mean a proceeding commenced by summons **[or by writ in terms of rule 9]**".

Repeal of rule 9 of the Rules

3. Rule 9 of the Rules is hereby repealed.

Commencement

4. These rules shall come into operation on **11 January 2013**.

No. 992

7 Desember 2012

**WYSIGING VAN DIE REËLS WAARBY DIE VERRIGTINGE VAN DIE VERSKILLENDE
PROVINSIALE EN PLAASLIKE AFDELINGS VAN DIE HOË HOF VAN SUID-AFRIKA
GEREËL WORD**

Die Reëlsraad vir Geregshowe het kragtens artikel 6 van die Wet op die Reëlsraad vir Geregshowe, 1985 (Wet No. 107 van 1985), met die goedkeuring van die Minister van Justisie en Staatkundige Ontwikkeling, die reëls in die Bylae gemaak.

BYLAE

ALGEMENE VERDUIDELIKENDE NOTA:

[] Uitdrukings in vet druk tussen vierkantige hakies dui skrapings uit bestaande reëls aan.
_____ Uitdrukings met 'n volstreep daaronder dui invoegings in bestaande reëls aan.

Woordomskrywing

1. In hierdie Bylae beteken die "Reëls" die reëls waarby die verrigtinge van die verskillende provinsiale en plaaslike afdelings van die hoë hof van Suid-Afrika gereël word, afgekondig by Goewermentskennisgewing No. R. 48 van 12 Januarie 1965, soos gewysig by Goewermentskennisgewings Nos. R. 235 van 18 Februarie 1966, R. 2004 van 15 Desember 1967, R. 3553 van 17 Oktober 1969, R. 2021 van 5 November 1971, R. 1985 van 3 November 1972, R. 480 van 30 Maart 1973, R. 639 van 4 April 1975, R. 1816 van 8 Oktober 1976, R. 1975 van 29 Oktober 1976, R. 2477 van 17 Desember 1976, R. 2365 van 18 November 1977, R. 1546 van 28 Julie 1978, R. 1577 van 20 Julie 1979, R. 1535 van 25 Julie 1980, R. 2527 van 5 Desember 1980, R. 500 van 12 Maart 1982, R. 773 van 23 April 1982, R. 775 van 23 April 1982, R. 1873 van 3 September 1982, R. 2171 van 6 Oktober 1982, R. 645 van 25 Maart 1983,

R. 841 van 22 April 1983, R. 1077 van 20 Mei 1983, R. 1996 van 7 September 1984, R. 2094 van 13 September 1985, R. 810 van 2 Mei 1986, R. 2164 van 2 Oktober 1987, R. 2642 van 27 November 1987, R. 1421 van 15 Julie 1988, R. 210 van 10 Februarie 1989, R. 608 van 31 Maart 1989, R. 2628 van 1 Desember 1989, R. 185 van 2 Februarie 1990, R. 1929 van 10 Augustus 1990, R. 1262 van 30 Mei 1991, R. 2410 van 30 September 1991, R. 2845 van 29 November 1991, R. 406 van 7 Februarie 1992, R. 1883 van 3 Julie 1992, R. 109 van 22 Januarie 1993, R. 960 van 28 Mei 1993, R. 974 van 1 Junie 1993, R. 1356 van 30 Julie 1993, R. 1843 van 1 Oktober 1993, R. 2365 van 10 Desember 1993, R. 2529 van 31 Desember 1993, R. 181 van 28 Januarie 1994, R. 411 van 11 Maart 1994, R. 873 van 31 Mei 1996, R. 1063 van 28 Junie 1996, R. 1557 van 20 September 1996, R. 1746 van 25 Oktober 1996, R. 2047 van 13 Desember 1996, R. 417 van 14 Maart 1997, R. 491 van 27 Maart 1997, R. 700 van 16 Mei 1997, R. 798 van 13 Junie 1997, R. 1352 van 10 Oktober 1997, R. 785 van 5 Junie 1998, R. 881 van 26 Junie 1998, R. 1024 van 7 Augustus 1998, R. 1723 van 30 Desember 1998, R. 315 van 12 Maart 1999, R. 568 van 30 April 1999, R. 1084 van 10 September 1999, R. 1299 van 29 Oktober 1999, R. 502 van 19 Mei 2000, R. 849 van 25 Augustus 2000, R. 373 van 30 April 2001, R. 1088 van 26 Oktober 2001, R. 1755 van 5 Desember 2003, R. 229 van 20 Februarie 2004, R. 1343 van 12 Desember 2008, R. 1345 van 12 Desember 2008, R. 516 van 8 Mei 2009, R. 518 van 8 Mei 2009, R. 86 van 12 Februarie 2010, R. 87 van 12 Februarie 2010, R. 88 van 12 Februarie 2010, R. 89 van 12 Februarie 2010, R. 90 van 12 Februarie 2010, R. 500 van 11 Junie 2010, R. 591 van 09 Julie 2010, R. 980 van 19 November 2010, R. 981 van 19 November 2010 en R. 464 van 22 Junie 2012.

Wysiging van reël 1 van die Reëls

2. Reël 1 van die Reëls word hierby gewysig deur die vervanging van die woordskrywing van "aksie" deur die volgende woordskrywing:

"aksie" 'n verrigting wat met 'n dagvaarding [of met 'n lasbrief ingevolge reël 9] begin is.

Herroeping van reël 9 van die Reëls

3. Reël 9 van die Reëls word hierby herroep.

Inwerkingtreding

4. Hierdie reëls tree in werking op 11 Januarie 2013.

**DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBEID**

No. 993


7 December 2012

LABOUR RELATIONS ACT, 1995

BUILDING INDUSTRY BARGAINING COUNCIL (CAPE OF GOOD HOPE)

CANCELLATION OF GOVERNMENT NOTICE

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. 1209 of 17 December 2010 from the date of coming into operation of the agreement.


MINISTER OF LABOUR
27/11/2012

No. 993


7 December 2012

UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA-1995

**UMKHANDU WOKUXOXISANA PHAKHATHI KWABAQASHI
NABASEBENZI BEMBONI YOKWAKHA (E CAPE OF GOOD HOPE)**

UKUHOXISWA KWESAZISO SIKAHULUMENI

Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqoshe WezabaSebenzi ngokwesigaba 32(7) 32(7) soMthetho Wobudlelwano KwezabaSebenzi ka-1995 ngihoxisa iSaziso sikaHulumeni esinguNombolo R 1209 womhlaka 17 kuZibandlela 2010 kusukela ngosuku lokuqala ukusebenza kwalesisivumelwano.



UNGQONGQOSHE/WEZABASEBENZI
27/11/2012

No. 994

7 December 2012

LABOUR RELATIONS ACT, 1995**BARGAINING COUNCIL FOR THE BUILDING INDUSTRY (CAPE OF GOOD HOPE): EXTENSION TO NON-PARTIES OF THE MAIN COLLECTIVE RE-ENACTING AND AMENDING AGREEMENT**

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 **Bargaining Council for the Building Industry (Cape of Good Hope)** 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 10 December 2012..... and for the period ending 31 October 2013.



MINISTER OF LABOUR
27/11/2012

No. 994

7 December 2012

UMTHETHO WOBUDLELWEZABASEBENZI KA-1995**UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI
NABASEBENZI BEMBONI YOKWAKHA (E-CAPE OF GOOD HOPE):
UKWELULWA KWESIVUMELWANO PHAKATHI KWABAQASHI
NABASEBENZI ESICHIBIYELAYO ESIYINGQIKITHI SELULELWA
KULABO ABANGEYONA INGXYENYE YESIVUMELWANO**

Mina, **MILDRED NELISIWE OLIPHANT**, uNgqongqashe WezabaSebenzi, ngokwesigaba-32(2) soMthetho Wobudlelwano KwezabaSebenzi ka-1995, ngazisa ukuthi isiVumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhunywe lapha, esenziwa **uMkhandlu Wokuxoxisana phakathi Kwabaqashi Nabasebenzi Embonini Yokwakha (e-Cape of Good Hope)**, futhi ngokwesigaba 31 soMthetho Wobudlelwano kwezabaSebenzi, ka 1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyoMboni, kusukela mhlaka *10 ku Zibandlela 2012*..... kuze kube ngu 31 Oktoba 2013.


UNGQONGQOSHE WEZABASEBENZI
27/11/2012

SCHEDULE**BUILDING INDUSTRY BARGAINING COUNCIL (CAPE OF GOOD HOPE)****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

Boland Meesterbouers en Verwante Bedrywe Vereniging

Master Builders and Allied Trades' Association, Cape Peninsula

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

Building, Construction and Allied Workers' Union

Building, Wood and Allied Workers' Union of South Africa

Building Workers' Union

National Union of Mineworkers (NUM)

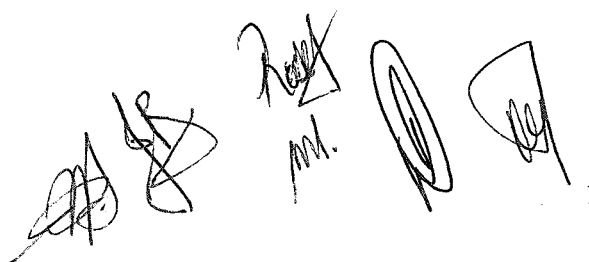
(hereinafter referred to as the "trade unions"), of the other part, being the parties to the Building

Industry Bargaining Council (Cape of Good Hope).

1. SCOPE OF APPLICATION

1. The terms of this Agreement shall be observed in the Building and Monumental Masonry Industries-

a. by all employers who are members of the employers' organisations and by all employees who are members of the trade unions;



Handwritten signatures of the parties to the agreement, including the employers' organisations and the trade unions.

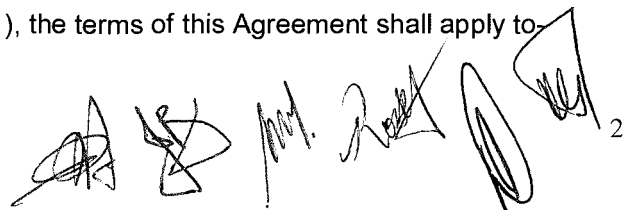
b. by all employers who are not members of the employers' organisations and by all employees who are not members of the trade unions;

c. in the Magisterial Districts of The Cape, Wynberg [including that portion of the Magisterial District of Somerset West which, prior to 9 March 1973 (Government Notice No. 173 of 9 February 1973, fell within the Magisterial District of Wynberg], Simonstown, Goodwood and Bellville, in those portions of the Magisterial Districts of Malmesbury and Stellenbosch which, prior to the publication of Government Notices Nos. R. 171 of 8 February 1957 and R. 283 of 2 March 1962, respectively, fell within the Magisterial District of Bellville, and in that portion of the Magisterial District of Kuils River which, prior to the publication of Government Notice No. R. 661 of 19 April 1974, fell within the Magisterial District of Stellenbosch but which, prior to 2 March 1962 (Government Notice No. R. 283 of 2 March 1962), fell within the Magisterial District of Bellville;

d. in the Magisterial Districts of Paarl, Wellington, Stellenbosch, Kuils River (excluding any portions of the last-mentioned two districts which, prior to the publication of Government Notice No. R. 283 of 2 March 1962 fell within the Magisterial District of Bellville), Somerset West [excluding that portion which, prior to 9 March 1973 (Government Notice No. R. 173 of 9 February 1973), fell within the Magisterial District of Wynberg], Strand and Malmesbury (excluding that portion which, prior to the publication of Government Notice No. R. 171 of 8 February 1957, fell within the Magisterial District of Bellville).

e. in the Municipal Area of Overstrand (Kleinbaai, Franskraal, Masekhane, Blompark, Gansbaai, De Kelders, Hermanus, Westcliff, Mount Pleasant, the Hemel-en-Aarde Valley, Zwelihle, Sandbaai, Hawston, Fisherhaven, Honingklip, Kleinmond, Proteadorp, Overhills, Palmiet, Betty's Bay, Pringle Bay, Rooiels, Stanford, Baardskeerdersbos, Pearly Beach, Viljoenshof and Withoogte, Onrus and Vermont.

2. Notwithstanding the provisions of sub-clause (1), the terms of this Agreement shall apply to-

A series of handwritten signatures and initials in black ink, arranged horizontally. From left to right, there are several distinct marks, including what appears to be a signature, a set of initials, and a signature that ends with a small number '2'.

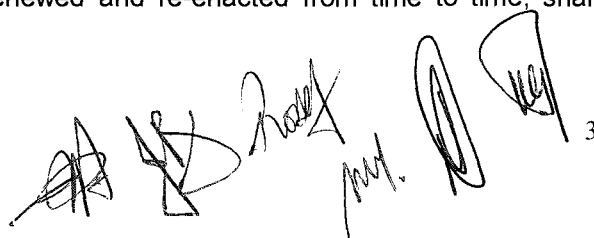
- a. employees in the Industry undergoing training consistent with the provisions of the Skills Development Act, 1998;
 - b. temporary employment services, labour-only contractors, working partners, working directors, principals, contractors and working members of close corporations who do work in the Building Industry.
3. Notwithstanding the provisions of sub-clause (1)(a), the terms of this Agreement shall not apply to-
- a. clerical employees and administrative staff;
 - b. university students and graduates in Building Science, and to construction supervisors, construction surveyors and other persons doing practical work in completion of their academic training and to Section 18.2 learners registered in terms of the Skills Development Act;
 - c. non-parties in respect of clauses 19 and 20 of this Agreement.

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 October 2013.

2A. SPECIAL PROVISIONS

The provisions of clauses 3, 19 and 20 of the Agreement published under Government Notice No. R.567 of 27 July 2007 as amended and extended by Government Notices R. 1209 of 21 December 2007 and R. 963 of 29 October 2010, (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.



Handwritten signatures and initials, including a large signature on the left, a signature in the middle, and a signature on the right, followed by the number 3.

2B. GENERAL PROVISIONS

The provisions contained in clause 4 to 18 and 21 to 28 of the Former Agreement (as further extended, renewed, amended and re-enacted from time to time), shall apply to employers and employees.

3. CLAUSE 4: DEFINITIONS

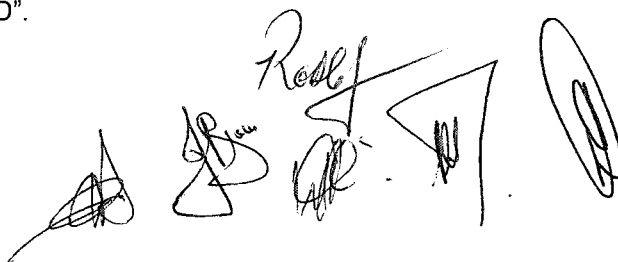
- (1) In sub-clause (1), include the following new definition after the definition for "Area C " **"Area D"** means the Municipal Area of Overstrand".
- (2) In the definition for **"joinery assembler"** substitute the word "learner" with the word "Tradesman"
- (3) In the definition for **"machine operator"** substitute the word "learner" with the word "Tradesman"
- (4) In the definition for **"manufacturing worker"** substitute the word "learner" with the word "Tradesman"

4. CLAUSE 7: REGISTRATION OF EMPLOYEES

- (1) In sub-clause 7 1) replace the expression "60 days" with the expression "20 days"

5. CLAUSE 8: TERMS OF EMPLOYMENT

In sub-clause 8(1)(a) substitute the expression "Area B1, B and C" in the heading of the Table with the expression "Area B1, B, C and D".



6. CLAUSE 9: REMUNERATION

(1) In sub-clause 9(1)(a) insert an additional table after the last table to read as follows:

“From the date of coming into operation of the agreement to 31 October 2013”

Category of Employee	Minimum Wage Per Hour
	Area D
	R
(i) Labourer	12.34
(ii) Cleaner	12.35
(iii) General Worker	17.16
(iv) Class 4 and scaffolder	21.86
(v) Class 3	25.00
(vi) Class 2 and block layer	32.65
(vii) Drivers/Plant operators of motor vehicles that require a code C1 licence, per day or above	222.73 per day
(viii) Drivers of all other vehicles that require a code A, A1 or B licence	165.59 per day
(iv) Artisan	43.53
(x) Security Guard	163.64 per day”.

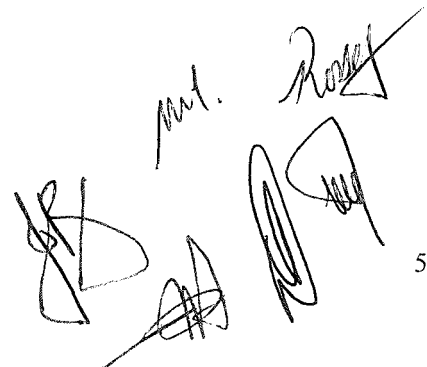
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(1) (2) In sub-clause 9(2) substitute the expression “areas B1, B and C” with the expression “areas B1, B, C and D”.

mt. Roney



5

7. CLAUSE 13: HOLIDAY FUND

(1) In sub-clause 13(2) insert an additional table after the last table to read as follows:

“From the date of coming into operation of the agreement to 31 October 2013”

Category of Employee	Holiday Fund Amount per day	Bonus Fund Amount per day
	Area D	Area D
	R	R
(i) Labourer	7.44	6.20
(ii) Cleaner	7.44	6.20
(iii) General Worker	10.34	8.62
(iv) Class 4 and scaffolder	12.85	10.71
(v) Class 3	14.70	12.25
(vi) Class 2 and block layer	19.19	15.99
(vii) Drivers/Plant operators of motor vehicles that require a code C1 licence, per day or above	15.27	12.73
(viii) Drivers of all other vehicles that require a code A, A1 or B licence	11.35	9.46
(iv) Artisan	25.58	21.32
(x) Security Guard	12.02	10.02”.

(2) In sub-clause 13(4)(b) substitute the expression “225 days” with the expression “255 days”.

(3) In sub-clause 13(10) substitute the word “moneys” with the word “monies”.

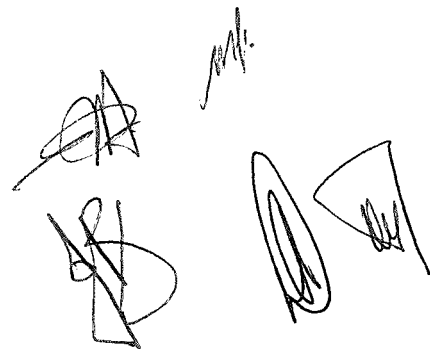
8. CLAUSE 14: PENSION/PROVIDENT FUND

(1) In sub-clause 14(3) insert an additional table after the last table to read as follows:

“From the date of coming into operation of the agreement to 31 October 2013”

Category of Employee	Amount per day
	Area D
	R
(i) Labourer	-
(ii) Cleaner	-
(iii) General Worker	11.26
(iv) Class 4 and scaffolder	13.99
(v) Class 3	16.00
(vi) Class 2 and block layer	20.90
(vii) Drivers/Plant operators of motor vehicles that require a code C1 licence, per day or above	16.63
(viii) Drivers of all other vehicles that require a code A, A1 or B licence	12.36
(iv) Artisan	27.86
(x) Security Guard	13.09”

Roy

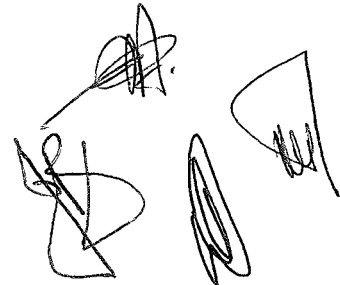
mi.


(2) In sub-clause 14(4) insert an additional table after the last table to read as follows:

“From the date of coming into operation of the agreement to 31 October 2013”

Category of Employee	Amount per day
	Area D
	R
(i) Labourer	-
(ii) Cleaner	-
(iii) General Worker	10.55
(iv) Class 4 and scaffolder	13.12
(v) Class 3	15.00
(vi) Class 2 and block layer	19.59
(vii) Drivers/Plant operators of motor vehicles that require a code C1 licence, per day or above	15.59
(viii) Drivers of all other vehicles that require a code A, A1 or B licence	11.59
(iv) Artisan	26.12
(x) Security Guard	12.27”.

Rogey

mt.


9. CLAUSE 15: SICK PAY FUND

(1) In sub-clause 15(3) insert an additional table after the last table to read as follows:

“From the date of coming into operation of the agreement to 31 October 2013”

Category of Employee	Amount per day
	Area D
	R
(i) Labourer	1.27
(ii) Cleaner	1.27
(iii) General Worker	1.76
(iv) Class 4 and scaffolder	2.19
(v) Class 3	2.50
(vi) Class 2 and block layer	3.26
(vii) Drivers/Plant operators of motor vehicles that require a code C1 licence, per day or above	2.60
(viii) Drivers of all other vehicles that require a code A, A1 or B licence	1.93
(iv) Artisan	6.09
(x) Security Guard	2.05”.

10. CLAUSE 18: TRADE UNION SUBSCRIPTIONS

(1) In sub-clause 18b.(i) substitute the expression “an amount of not more than 1% of the normal working day wage of” with the expression “the Trade Union Subscription Amount (as amended by the Trade Unions from time to time) ”.

(2) In sub-clause 18b.(iii) delete the expression “less a collection fee of 2,5% on gross subscriptions which amounts shall accrue to the general funds of the Council.”

Handwritten signatures and initials in the bottom right corner of the page, including a large signature that appears to be 'M.P.' and several other scribbles.

(3) Insert the following new sub-clause 18c. to read as follows:

“c. Collective Bargaining Levy

- (i) All employees that are not members of a Trade union that is a party to the Council shall pay a once off amount of R40, to be deducted from their annual pay-out provided that the employee has 20 or more daily contributions to his or her credit.
- (ii) All employees that are not members of a Trade Union that is a party to the Council, already active in the industry or starting in the industry from the date of publication of this agreement until 31 October 2013, will be liable to pay this fee”.

11. CLAUSE 19: SPECIAL MEMBERSHIP LEVY: EMPLOYERS

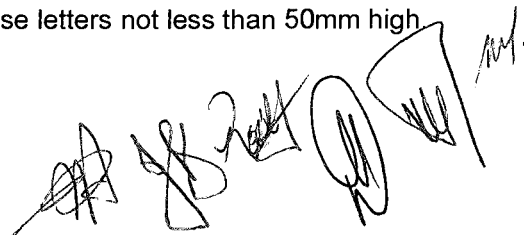
In sub-clause 19(2) delete the expression “in which event the Council shall be entitled to an administration fee of 2,5% of the subscriptions so collected”.

12. CLAUSE 22: GENERAL

- (1) In sub-clause 22(2) substitute the word “exclusive” with the word “inclusive”.
- (2) Insert the following new sub-clause (6) to read as follows:

“(6) Notice Board

- (a) Every employer and all employers working in partnership shall, wherever building operations are being carried out, display in a conspicuous place, accessible to the public, a notice- board of a size not less than 60 cm by 45 cm or a notice board approved by the Council showing clearly the name and trading name of the company or partnership and address of such employer or partnership in letters not less than 75 mm high. Provided that sub-contractors may use letters not less than 50mm high.



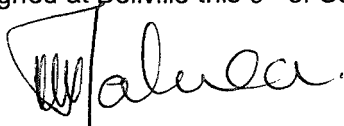
- (b) In the event of failure to display an acceptable notice board an employer will be given ten (10) days to display such board. If there is further non-compliance by the employer a fine of at least five hundred rand (R500,00) can be imposed by the Secretary of the Council."

13. CLAUSE 25: RESOLUTION OF DISPUTES

In sub-clause 25(1)(m)(iii)(ab) substitute the word "wing" with the word "owing" as it appears in the second column of the second row of Table 2.

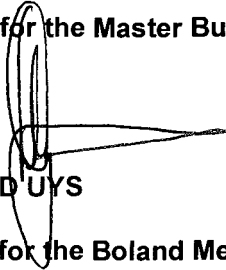
The image shows several handwritten signatures and initials in black ink. On the left, there are two overlapping signatures. On the right, there is a signature that appears to read 'Mr. Ross' above a large, stylized signature. Below this is another signature. The page number '11' is printed at the bottom right.

Signed at Bellville this 3rd of September 2012.



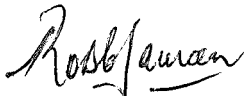
RHM JOHNSON

for the Master Builders' and Allied Trades' Association, Cape Peninsula



D UYS

for the Boland Meesterbouers en Verwante Bedrywe Vereniging



RC DAMON

for the Building Workers' Union



P HLENGISA

for the National Union of Mineworkers (NUM)



MT NTSOMI

for the Building, Wood and Allied Workers' Union of South Africa

J BROWN



For the Building Construction and Allied Workers Union

**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS****No. 995****7 December 2012**

AMENDMENT ISSUED IN TERMS OF SECTION 74(3)(a) OF THE VALUE-ADDED TAX ACT, 1991 (ACT NO. 89 OF 1991), TO AMEND ITEM NO. 470.00 IN PARAGRAPH 8 OF SCHEDULE 1 TO THE VALUE-ADDED TAX ACT, 1991, (ACT NO. 89 OF 1991) IN CONSEQUENCE OF THE AMENDMENT OF, REBATE ITEM 470.00 IN SCHEDULE NO. 4 OF THE CUSTOMS AND EXCISE ACT, 1964 (ACT NO. 91 OF 1964).

By virtue of the power vested in me by section 74(3)(a) of the Value-Added Tax Act, 1991 (Act No. 89 of 1991), I, Pravin Jamnadas Gordhan, Minister of Finance hereby make the following amendment to item no. 470.00 in paragraph 8 of Schedule 1 to the Value-Added Tax Act, 1991, (Act No. 89 of 1991), to further regulate the exemption from value-added tax on the importation of goods temporarily admitted for processing, repair, cleaning, reconditioning or for the manufacture of goods exclusively for export.



PJ GORDHAN
Minister of Finance

GENERAL EXPLANATORY NOTES:

[] Words in bold type in square brackets indicate omissions from existing enactments.

— Words underlined with a solid line indicate insertions in existing enactments.

SCHEDULE

Schedule 1 to the Value-Added Tax Act, 1991 (Act No. 89 of 1991), is hereby amended –

(a) by the substitution in paragraph 8 for Note 2(a) to item 470.00 of the following:

“2 (a) The exemption in terms of **[items no’s. 470.01 or]** item no. 470.03 is allowed only for goods to be used for the processing or manufacture of goods for export and the processed or manufactured goods must be exported –

(i) for the purposes of item **[470.01 and]** 470.03 (01.00 and 02.00) within 12 months from the date of entry thereof; and

(ii) for the purposes of item 470.03 (03.00) within three **(3)** years from the date of entry thereof;”

(b) by the substitution in Note 2 of proviso (ii) of the following:

“(ii) the application for such extension is made prior to the expiry of the period of 3 years, 12 months or 6 months, as the case may be;” and

(c) by the deletion of the following:

“[470.01/00.00/01.00 Goods for processing, provided such goods do not become the property of the importer]”.

No. 995

7 Desember 2012

WYSIGING UITGEREIK INGEVOLGE ARTIKEL 74(3)(a) VAN DIE WET OP BELASTING OP TOEGEVOEGDE WAARDE, 1991 (WET NO. 89 VAN 1991), OM ITEM NO 470.00 IN PARAGRAAF 8 VAN BYLAE 1 TOT DIE WET OP BELASTING OP TOEGEVOEGDE WAARDE, 1991 (WET NO. 89 VAN 1991) TE WYSIG AS GEVOLG VAN DIE WYSIGING VAN KORTINGITEM 470.00 IN BYLAE NO. 4 VAN DIE DOEANE- EN AKSYNSWET, 1964 (WET NO. 91 VAN 1964).

Kragtens die bevoegdheid aan my verleen deur artikel 74(3)(a) van die Wet op Belasting op Toegevoegde Waarde, 1991, (Wet No. 89 van 1991), maak ek, Pravin Jamnadas Gordhan, Minister van Finansies, hierby die volgende wysiging aan Item No. 470.00 in paragraaf 8 van Bylae 1 tot die Wet op Belasting op Toegevoegde Waarde, 1991, om die vrystelling van belasting op toegevoegde waarde op goedere tydelik toegang verleen vir die verwerking, herstel, skoonmaak, opknap of vir die vervaardiging van goedere uitsluitlik vir uitvoer, verder te reguleer.



PJ GORDHAN
Minister van Finansies

ALGEMENE VERDUIDELIKENDE OPMERKINGS

[] **Woorde in vetdruk in vierkantige hakies dui skrappings van bestaande wetsbepalings aan.**

— **Woorde onderstreep met 'n soliede lyn dui invoegings in bestaande wetsbepalings aan.**

BYLAE

Bylae 1 tot die Wet op Belasting op Toegevoegde Waarde, 1991, (Wet No. 89 van 1991), word hierby gewysig deur –

(a) Opmerking 2 (a) in paragraaf 8 by item 470.00 deur die volgende te vervang:

“2 (a) Die vrystelling ingevolge **[items 470.01 of] item** 470.03 word slegs toegelaat vir goedere om gebruik te word vir die verwerking of vervaardiging van goedere vir uitvoer en die verwerkte of vervaardigde goedere moet uitvoer word –

(i) vir die doeleindes van item **[470.01 en]** 470.03 (01.00 en 02.00) binne 12 maande vanaf die datum van klaring daarvan; en

(ii) vir die doeleindes van kortingitem 470.03 (03.00) binne drie (3) jaar vanaf die datum van klaring daarvan;”

(b) die vervanging in Opmerking 2 van voorbehoudsbepaling (ii) van die volgende:

“(ii) die aansoek om sodanige uitstel gedoen word voordat die tydperk van 3 jaar, 12 maande of 6 maande na gelang van die geval, verstryk;” en

(c) die skapping van die volgende:

“[470.01/00.00/01.00 Goedere vir verwerking, mits die sodanige goedere nie die eiendom van die invoerder word nie]”.

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 4 (NO. 4/3/359)**

In terms of section 75 of the Customs and Excise Act, 1964, Part 3 of Schedule No. 4 to the said Act is hereby amended to the extent set out in the Schedule hereto.



P J GORDHAN
MINISTER OF FINANCE

SCHEDULE

By the substitution of the following:


Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
470.00				<p>GOODS TEMPORARILY ADMITTED FOR PROCESSING, REPAIR, CLEANING, RECONDITIONING OR FOR THE MANUFACTURE OF GOODS EXCLUSIVELY FOR EXPORT</p> <p>NOTES:</p> <p>1. Temporary admission of any goods under rebate item 470.00 shall be subject, mutatis mutandis, to the provisions of the rules for section 75.</p> <p>2. The Commissioner may require the importer to register with him or her a rate of yield of the processed or manufactured goods that will be obtained per unit of the imported goods.</p> <p>3. (a) Goods admitted under the provisions of rebate item 470.03 shall be used for the processing or manufacture of goods for export and the processed or manufactured goods shall be exported -</p> <p>(i) for the purposes of rebate item 470.03 (01.00 and 02.00), within 12 months from the date of entry thereof; and</p> <p>(ii) for the purposes of rebate item 470.03 (03.00), within 3 years from the date of entry thereof.</p> <p>(b) Parts admitted under the provisions of rebate item 470.02 shall be used and the goods submitted for repair, cleaning or reconditioning shall be exported within 6 months from the date of entry thereof.</p> <p>Provided that the Commissioner may, in circumstances which he deems exceptional, extend the period specified in each case for a further period he or she deems reasonable:</p> <p>Provided further that the application for such extension is made prior to the expiry of the period of 3 years, 12 months or 6 months, as the case may be.</p> <p>4. Liability for duty on any goods specified in rebate items 470.02 or 470.03 shall cease on production of proof that the goods imported have been used for repair, cleaning, reconditioning, processing or manufacture and the goods repaired, cleaned, reconditioned, processed or manufactured have been duly exported.</p> <p>5. For the purposes of rebate item 470.03/00.00/02.00:</p> <p>(a) Where the rebate registrant is contractually entitled to keep a portion of the goods manufactured, processed, finished, equipped or packed in lieu of payment for the operations carried out, he or she must -</p> <p>(i) also export those goods within the period of 12 months contemplated in Note 3(a); or</p> <p>(ii) (aa) process a bill of entry at the office of the Controller for payment of the value-added tax on the goods retained; and</p> <p>(bb) adjust by voucher of correction the rebate bill of entry in respect of the quantity and value of the goods used to manufacture the goods retained.</p> <p>(b) Notwithstanding the Notes to Schedule No. 3 and Schedule No. 4, "full duty" where it appears in the "Extent of Rebate" column opposite this rebate item means goods free of duty as contemplated in section 75A.</p>	

By the deletion of the following:

Rebate Item	Tariff Heading	Rebate Code	CD	Description	Extent of Rebate
470.01	00.00	01.00	03	Goods for processing, provided such goods do not become the property of the importer	Full duty

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 4 (NO. 4/3/359)**

Kragtens artikel 75 van die Doeane- en Aksynswet, 1964, word Deel 3 van Bylae No. 4 by bogenoemde Wet hiermee gewysig in die mate in die Bylae hierby aangetoon.



**P. J. GORDHAN
MINISTER VAN FINANSIES**

BYLAE

Deur die vervanging van die volgende:

Kortingitem	Tariefpos	Kortingkode	TS	Beskrywing	Mate van Korting
470.00				<p>GOEDERE TYDELIK TOEGELAAT VIR VERWERKING, HERSTEL, SKOONMAAK, OPKNAPPING OF VIR DIE VERVAARDIGING VAN GOEDERE UITSLUITLIK VIR UITVOER</p> <p>OPMERKINGS:</p> <p>1. Tydelike toelating van enige goedere kragtens kortingitem 470.00 is, mutatis mutandis, onderworpe aan die bepalings van die reëls vir artikel 75.</p> <p>2. Die Kommissaris kan vereis dat die invoerder by hom of haar 'n skaal van opbrengs registreer van die verwerkte of vervaardigde goedere wat verkry sal word per eenheid van die ingevoerde goedere.</p> <p>3. (a) Goedere toegelaat kragtens die bepalings van kortingitem 470.03 moet gebruik word vir die verwerking of vervaardiging van goedere vir uitvoer, en die verwerkte of vervaardigde goedere moet uitgevoer word -</p> <p>(i) vir die doeleindes van kortingitem 470.03 (01.00 en 02.00), binne 12 maande vanaf die datum van klaring daarvan; en</p> <p>(ii) vir die doeleindes van kortingitem 470.03 (03.00), binne 3 jaar vanaf die datum van klaring daarvan.</p> <p>(b) Onderdele toegelaat kragtens die bepalings van kortingitem 470.02 moet gebruik word, en die goedere bestem vir herstel, skoonmaak, of opknapping moet binne 6 maande vanaf die datum van klaring uitgevoer word:</p> <p>Met dien verstande dat die Kommissaris, in omstandighede wat hy of sy as buitengewoon beskou, die tydperk soos aangedul in elke geval, vir 'n verdere tydperk wat hy of sy as redelik beskou, kan verleng:</p> <p>Met dien verstande voorts dat aansoek om sodanige verlenging gedoen word voor verstryking van die tydperk van 3 jaar, 12 maande of 6 maande, na gelang van die geval.</p> <p>4. Aanspreeklikheid vir die reg op enige goedere, genoem in kortingitems 470.02 of 470.03 eindig by voorlegging van bewys dat die ingevoerde goedere gebruik is vir herstel, skoonmaak, opknapping, verwerking of vervaardiging, en dat die goedere wat herstel, skoonmaak, opknapping, verwerk of vervaardig is, behoorlik uitgevoer is.</p> <p>5. Vir die doeleindes van kortingitem 470.03/00.00/02.00, sal die volgende van toepassing wees:</p> <p>(a) Waar die korting-geregistreerde kontrakteel daarop geregtig is om 'n deel van die goedere wat vervaardig, geprosesseer, afgewerk, toegerus of verpak is, te hou in die plek van betaling vir die prosesse wat uitgevoer is, moet hy of sy -</p> <p>(i) ook daardie goedere binne die tydperk van 12 maande uitvoer soos beoog in Opmerking 3(a); of</p> <p>(ii) (aa) 'n klaringsbrief verwerk by die kantoor van die Kontroler vir die betaling van die belasting op toegevoegde waarde op die goedere wat behou word; en</p> <p>(bb) die kortingklaringsbrief deur middel van 'n verbeteringsbewys aanpas ten opsigte van die hoeveelhede en waarde van die goedere wat gebruik word in die vervaardiging van goedere wat behou word.</p> <p>(b) Nieteenstaande die Opmerkings by Bylae No. 3 en Bylae No. 4, beteken "volle reg", waar dit voorkom in die "Mate van Korting" kolom teenoor hierdie kortingitem, goedere vry van reg soos beoog in artikel 75A.</p>	

Deur die skraping van die volgende:

Kortingitem	Tariefpos	Kortingkode	TS	Beskrywing	Mate van Korting
470.01	00.00	01.00	03	Goedere vir verwerking, mits die sodanige goedere nie die eiendom van die invoerder word nie	Volle reg

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