

Regulation Gazette

No. 10065

Regulasiekoerant

Vol. 581

Pretoria, 29 November 2013

No. 37063

IMPORTANT NOTICE

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Furthermore the Government Printing Works will also not be held responsible for cancellations and amendments which have not been done on original documents received from clients.

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IMPORTANT ANNOUNCEMENT

Closing times **PRIOR TO PUBLIC HOLIDAYS** for
**GOVERNMENT NOTICES, GENERAL NOTICES,
 REGULATION NOTICES AND PROCLAMATIONS** **2013**

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

- ▶ **12 December**, Thursday, for the issue of Friday **20 December 2013**
- ▶ **17 December**, Tuesday, for the issue of Friday **27 December 2013**
- ▶ **20 December**, Friday, for the issue of Friday **3 January 2014**

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** **2013**

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

- ▶ **12 Desember**, Donderdag, vir die uitgawe van Vrydag **20 Desember 2013**
- ▶ **17 Desember**, Dinsdag, vir die uitgawe van Vrydag **27 Desember 2013**
- ▶ **20 Desember**, Vrydag, vir die uitgawe van Vrydag **3 Januarie 2014**

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 LABOUR
DEPARTEMENT VAN ARBEID**

No. R. 903

29 November 2013

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE FOOD RETAIL, RESTAURANT,
CATERING AND ALLIED TRADES: RE-ENACTMENT AND AMENDMENT
OF THE MAIN COLLECTIVE 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 conclude 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 effective from 9 December 2013 and for the period ending 31 December 2016

**M.N. OLIPHANT
MINISTER OF LABOUR**

UMNYANGO WEZABASEBENZI**No. R. 903****Usuku: 29-11-2013**

**UMKHANDLU WOKUXOXISANA KWABAQASHI NABASEBENZI
BEZOKUTHENGISWA KOKUDLA, BEZINDAWO ZOKUTHENGISA
UKUDLA, BEZOKUHLINZEKA NGOKUDLA KANYE NEMISEBENZI
EHLOBENE NALOKHO: UKWELULWA KWESIVUMELWANO PHAKATHI
KWABAQASHI NABASEBENZI ESAKHA KABUSHA FUTHI
ESICHIBIYELAYO SELULELWA KULABO ABANGEYONA INGXYENYE
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 Bezokuthengiswa Kokudla, Bezindawo Zokuthengisa Ukudla Kanye Nemisebenzi Ehlobene Nalokho**, futhi ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi ka 1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyomboni, kusukela mhlaka 9 kuZibandlela 2013 .kuze kube mhlaka 31 kuZibandlela 2016.

M N OLIPHANT**UNGQONGQOSHE WEZABASEBENZI**

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)

and the

Hospitality, Industrial, Catering, Retails and Allied Workers Union

(HICRAWU)

(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), (2) and 2A. 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 December 2016.

2A. SPECIAL PROVISIONS

The provisions of clauses 3(5), 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, R. 908 of 29 August 2008, R.576 of 27 July 2012 and R.628 of 17 August 2012 (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 23 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: REMUNERATION: WAGES

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

"(a) Employees that are paid below R37 500, calculated on monthly basic salary, per annum shall be entitled to a minimum increase of-

(i) 9% with effect from the date of coming into operation of this agreement to 31 December 2014.

(ii) 6% for the period 1 January 2015 to 31 December 2015

(iii) CPI + 2% for the period 1 January 2016 to 31 December 2016 and thereafter. CPI to be utilised is the CPI (excluding Owners' Equivalent Rent) as made available by Statistics South Africa determined on an average over the three months immediately prior to the implementation date.

-
- (b) Employees that are paid above R37 500, calculated on basic monthly salary, per annum shall be entitled to a minimum increase of-
- (i) 6% with effect from the date of coming into operation of this agreement to 31 December 2014.
 - (ii) 6% for the period 1 January 2015 to 31 December 2015
 - (iii) CPI or 5% whichever is the greater for the period 1 January 2016 to 31 December 2016 and thereafter. CPI to be utilised is the CPI (excluding Owners' Equivalent Rent) as made available by Statistics South Africa determined on an average over the three months immediately prior to the implementation date.
- (c) small employer – may reduce the increase as specified in subclause (a) and (b) by 10%.
- (d) a once off ex-gratia amount of R375.00 will be paid to all employees who have not received an increase as from 1 August 2013 to the date of coming into operation of this agreement. The ex-gratia amount will be paid during the first month of coming into operation of this agreement.”
- (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 December 2014			1 January 2015 until 31 December 2015			1 January 2016 until 31 December 2016 and thereafter		
	Monthly	Weekly	Hourly	Monthly	Weekly	Hourly	Monthly	Weekly	Hourly
Assistant Manager							Previous minimum wage + 5% or CPI* whichever is the greater		
Area A	4 562.79	1 053.76	23.42	4 836.56	1 116.99	24.82			
Area B	4 396.12	1 015.27	22.56	4 659.89	1 076.19	23.92			
Baker/Confectionery caterer/Cook							Previous minimum wage + CPI* + 2%		
Area A	2 591.41	598.48	13.30	2 746.89	634.39	14.10			
Area B	2 496.78	576.62	12.81	2 646.59	611.22	13.58			
Barman							Previous minimum wage + 5% or CPI* whichever is the greater		
Area A	3 226.93	745.25	16.56	3 420.55	789.97	17.55			
Area B	3 109.05	718.03	15.96	3 295.59	761.11	16.91			
Blockman							Previous minimum wage + 5% or CPI* whichever is the greater		
Area A	3 354.95	774.82	17.22	3 556.25	821.30	18.25			
Area B	3 323.89	767.64	17.06	3 523.32	813.70	18.08			
Cashier/Clerk/Storeman/Packer							Previous minimum wage + CPI* + 2%		
Area A	2 927.00	675.98	15.02	3 102.62	716.54	15.92			
Area B	2 820.09	651.29	14.47	2 989.30	690.37	15.34			
Catering Assistant							Previous minimum wage + CPI* + 2%		
Area A	2 735.19	631.68	14.04	2 899.30	669.58	14.88			
Area B	2 635.29	608.61	13.52	2 793.41	645.13	14.34			
Chef							Previous minimum wage + 5% or CPI* whichever is the greater		
Area A	4 361.42	1 007.26	22.38	4 623.11	1 067.69	23.73			
Area B	4 202.11	970.46	21.57	4 454.24	1 028.69	22.86			

Chef "unqualified"							
Area A	3 925.29	906.53	20.15	4 160.81	960.93	21.35	Previous minimum wage + 5% or CPI* whichever is the greater
Area B	3 781.90	873.42	19.41	4 008.81	925.82	20.57	
Driver							
Area A	2 605.47	601.73	13.37	2 761.80	637.83	14.17	Previous minimum wage + CPI* + 2%
Area B	2 510.29	579.74	12.88	2 660.91	614.53	13.66	
General Assistant							
Area A	2 489.73	575.00	12.78	2 639.11	609.49	13.54	Previous minimum wage + CPI* + 2%
Area B	2 395.06	553.13	12.29	2 538.76	586.32	13.03	
Manager							
Area A	5 115.23	1 181.35	26.25	5 422.14	1 252.23	27.83	Previous minimum wage + 5% or CPI* whichever is the greater
Area B	4 928.40	1 138.20	25.29	5 224.10	1 206.49	26.81	
Supervisor							
Area A	3 751.17	866.32	19.25	3 976.24	918.30	20.41	Previous minimum wage + 5% or CPI* whichever is the greater
Area B	3 613.73	834.58	18.55	3 830.55	884.65	19.66	
Waiter							
Area A <i>u/skilled</i>	2 454.67	566.90	12.60	2 601.95	600.91	13.35	Previous minimum wage + CPI* + 2%
Area B	2 365.02	546.19	12.14	2 506.92	578.97	12.87	
Watchman							
Area A	2 454.67	566.90	12.60	2 601.95	600.91	13.35	Previous minimum wage + CPI* + 2%
Area B	2 365.02	546.19	12.14	2 506.92	578.97	12.87	
* CPI to be utilised is the CPI (excluding Owners' Equivalent Rent) as made available by Statistics South Africa determined on an average over the three months immediately prior to the implementation date.							

4. CLAUSE 6. PAYMENT OF REMUNERATION

(1) 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;

- (i) R175.00 per month with effect from the date of coming into operation of this agreement to 31 December 2014
- (ii) R190.00 per month with effect from 1 January 2015 to 31 December 2015
- (iii) R210.00 per month with effect from 1 January 2016 to 31 December 2016 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 (10):

“(10) Pay for work on Sunday:*

With effect from 1 January 2016;

- (1) An employer must pay an employee who works on a Sunday at double the employee's wage for each hour worked, unless the employee ordinarily works on a Sunday, in which case the employer

must pay the employee at one and one-half times the employee's wage for each hour worked.

- (2) If an employee works less than the employee's ordinary shift on a Sunday and the payment that the employee is entitled to in terms of subclause (1) is less than the employee's ordinary daily wage, the employer must pay the employee the employee's ordinary daily wage.
- (3) Despite sub-clauses (1) and (2), an agreement may permit an employer to grant an employee who works on a Sunday paid time off equivalent to the difference in value between the pay received by the employee for working on the Sunday and the pay that the employee is entitled to in terms of subclauses (1) and (2).
- (4) Any time worked on a Sunday by an employee who does not ordinarily work on a Sunday is not taken into account in calculating an employee's ordinary hours of work in terms of clause 7(2), but is taken into account in calculating the overtime worked by the employee in terms of clause 7(5).
- (5) If a shift worked by an employee falls on a Sunday and another day, the whole shift is deemed to have been worked on the Sunday, unless the greater portion of the shift was worked on the other day, in which case the whole shift is deemed to have been worked on the other day.
- (6) (a) An employer must grant paid time off in terms of sub-clause (3)

within one month of the employee becoming entitled to it.

- (b) An agreement in writing may increase the period contemplated by paragraph (a) to 12 months.”

*all employees earning in excess of the threshold as stipulated in the BCEA 75 of 1997 and amended from time to time shall be excluded from this clause.

6. CLAUSE 15. PROHIBITION OF EMPLOYMENT

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

“(c) a non South African Citizen without a work permit; should the council be notified that an employer is found to be in contravention of this sub-clause, the council must refer the matter to the relevant authorities. and”

7. CLAUSE 29. FAMILY RESPONSIBILITY LEAVE


- (1) Substitute the following for sub-clauses (1) and (2):

“(1) Full time employees are entitled to six days paid family responsibility leave per year, on request, when the employees’ child is born or sick, or in the event of the death of the employees’ spouse or life partner. Or the employees’ parent, adoptive parent, grandparent, child, adopted child, grandchild or sibling.

- (2) This leave may not be accumulated and an employer may require reasonable proof.”

Signed at Pretoria this 17TH day of SEPTEMBER 2013.

EMPLOYERS' ORGANISATIONS

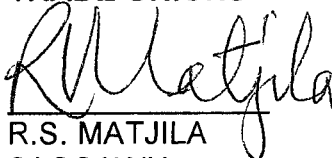


A. RUDD
PCA



D.F.J. COETZEE
CATRA

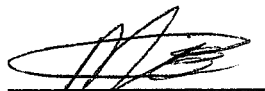
TRADE UNIONS



R.S. MATJILA
SACCAWU



I. MOSWEU
CCRAWUSA



N.M. MODISE
HICRAWU

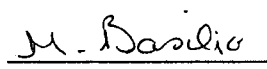
BARGAINING COUNCIL FOR THE FOOD RETAIL, RESTAURANT, CATERING AND ALLIED TRADES



R. MATJILA
CHAIRMAN



A. RUDD
VICE-CHAIRMAN



M. BASILIO
SECRETARY

No. R. 904

29 November 2013

LABOUR RELATIONS ACT, 1995

**BARGAINING COUNCIL FOR THE FOOD RETAIL, RESTAURANT,
CATERING AND ALLIED TRADES: 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.773 of 18 October 2013 from the date of coming into operation of the agreement.

**M.N. OLIPHANT
MINISTER OF LABOUR**

No. R. 905

29 November 2013

LABOUR RELATIONS ACT, 1995**BARGAINING COUNCIL FOR THE LAUNDRY, CLEANING AND DYEING
INDUSTRY (CAPE): RENEWAL OF PERIOD OF OPERATION OF THE MAIN
COLLECTIVE AGREEMENT**

I, **IAN MACUN**, Director: Collective Bargaining, duly authorised thereto by the Minister of Labour, hereby, in terms of section 32(6)(a)(ii) read with section 32(3)(b) and (c) of the Labour Relations Act, 1995, declare the provisions of Government Notices Nos. R. 936 of 6 August 1999, R. 260 of 24 March 2000, R. 781 of 11 August 2000, R. 1210 of 1 December 2000, R. 297 of 6 April 2001, R. 20 of 11 January 2002, R. 162 of 15 February 2002, R. 926 and R. 927 of 27 June 2003, R. 1013 of 3 September 2004, R. 1143 and R. 1153 of 8 October 2004, R. 626 and R. 627 of 1 July 2005, R. 322 of 28 March 2008, R. 530 of 16 May 2008, R. 934 of 22 October 2010, R. 326 of 15 April 2011, R. 431 of 20 May 2011 and R 881 of 2 November 2012 to be effective from date of publication of this notice and for the period ending 31 December 2015.

I MACUN
DIRECTOR: COLLECTIVE BARGAINING

No. R. 905

29 November 2013

WET OP ARBEIDSVERHOUDINGE, 1995**BEDINGINGSRAAD VIR DIE WAS-, SKOONMAAK- EN KLEURBEDRYF (KAAP):
HERNUWING VAN TYDPERK VAN HOOF KOLLEKTIEWE OOREENKOMS**

Ek, **IAN MACUN** Direkteur: Kollektiewe Bedinging, behoorlik daartoe gemagtig deur die Minister van Arbeid, verleng hierby, kragtens artikel 32(6)(a)(ii) gelees met artikel 32(3)(b) en (c) van die Wet op Arbeidsverhoudinge, 1995, die tydperk vasgestel in Goewermentskennisgewings Nos R. 936 van 6 Augustus 1999, R. 260 van 24 Maart 2000, R. 781 van 11 Augustus 2000, R. 1210 van 1 Desember 2000, R. 297 van 6 April 2001, R. 20 van 11 Januarie 2002, R. 162 van 15 Februarie 2002, R. 926 en R. 927 van 27 Junie 2003, R. 1013 van 3 September 2004, R. 1143 en R. 1153 van 8 Oktober 2004, R. 626 en R. 627 of 1 Julie 2005, R. 322 van 28 Maart 2008, R. 530 van 16 Mei 2008, R. 934 van 22 Oktober 2010, R. 326 van 15 April 2011, R. 431 van 20 Mei 2011 en R 881 of 2 November 2012 van krag is vanaf die datum van publikasie van hierdie kennisgewing en vir die tydperk wat op 31 Desember 2015 eindig.

I MACUN**DIREKTEUR: KOLLEKTIEWE BEDINGING**

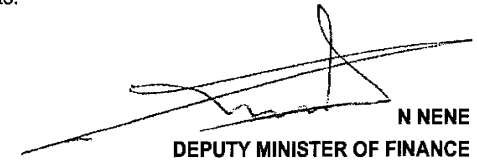
**SOUTH AFRICAN REVENUE SERVICE
SUID-AFRIKAANSE INKOMSTEDIENS**

No. R. 906

29 November 2013

**CUSTOMS AND EXCISE ACT, 1964.
AMENDMENT OF SCHEDULE NO. 1 (NO. 1/1/1481)**

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 to the extent set out in the Schedule hereto.


N NENE
DEPUTY MINISTER OF FINANCE

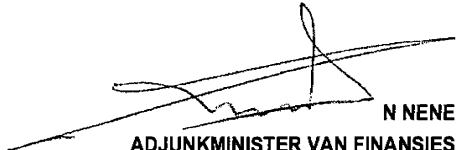
SCHEDULE

By the substitution of the following:

Heading / Subheading	CD	Article Description	Statistical Unit	Rate of Duty			
				General	EU	EFTA	SADC
3919.90.03	2	-- Of polyethylene terephthalates	kg	free	free	free	free

**DOEANE- EN AKSYNSWET, 1964.
WYSIGING VAN BYLAE NO. 1 (NO. 1/1/1481)**

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


N NENE
ADJUNKMINISTER VAN FINANSIES

BYLAE

Deur die vervanging van die volgende:

Pos / Subpos	TS	Artikel Beskrywing	Statistiese Eenheid	Skaal van Reg			
				Algemeen	EU	EFTA	SAOG
3919.90.03	2	-- Van poliëtileentereftalaat	kg	vry	vry	vry	vry

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

No. R. 909

29 November 2013

**DESIGNATION OF COMMISSIONERS OF OATHS IN TERMS OF SECTION 6 OF THE JUSTICES OF
THE PEACE AND COMMISSIONERS OF OATHS ACT, 1963 (ACT NO. 16 OF 1963)**

I, Jeffrey Thamsanqa Radebe, Minister of Justice and Constitutional Development, acting under section 6 of the Justices of the Peace and Commissioners of Oaths Act, 1963 (Act No. 16 of 1963), hereby amend Government Notice No. R. 903 of 10 July 1998, as set out in the Schedule.

SCHEDULE

Definition

1. In this Government Notice, "the Notice" means Government Notice No. R. 903 of 10 July 1998, as amended by Government Notice Nos. R. 1687 of 24 December 1998, R. 950 of 6 August 1999, R. 1317 of 12 November 1999, R. 1510 of 24 December 1999, R. 1511 of 24 December 1999, R. 1180 of 17 November 2000, R. 301 of 6 April 2001, R. 847 of 14 September 2001, R. 1365 of 21 December 2001, R. 1366 of 21 December 2001, R. 515 of 22 April 2002, R. 211 of 14 February 2003, R. 401 of 28 March 2003, R. 402 of 28 March 2003, R. 942 of 4 July 2003, R. 943 of 4 July 2003, R. 947 of 4 July 2003, R. 1233 of 5 September 2003, R. 411 of 2 April 2004, R. 645 of 28 May 2004, R. 184 of 11 March 2005, R. 1003 of 26 October 2007, R. 112 of 8 February 2008, R. 1017 of 26 September 2008, R. 1321 of 12 December 2008, R. 1149 of 11 December 2009, R. 153 of 5 March 2010, R732 of 20 August 2010 and R542 of 2 August 2013.

Insertion of item after item 66B in Schedule to the Notice

2. The following item is hereby inserted after item 66B in the Schedule to the Notice:

"66C. Southern African Institute of Government Auditors:

Registered Government Auditors."



MR J T RADEBE, MP

MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT
