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PROCLAMATIONS • PROKLAMASIES

PROCLAMATION NO. R. 57 OF 2019**BY THE
PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA****SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): AMENDMENT OF PROCLAMATION NO. R. 32 OF 2019**

Under section 2(4) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996), I hereby amend Proclamation No. R. 32 of 2019 by—

- (a) the extension of the period referred to in the fourth paragraph of the Proclamation to the date of publication of this Proclamation;
- (b) the insertion after paragraph 2 of the Schedule to the Proclamation of the following paragraph:

"2A. Unlawful, irregular or unapproved measures or practices in relation to the misappropriation of proprietary and intellectual property rights in Denel's Air-to-Air missiles, Stand-off Weapons, Surface Target Missiles, Air Defence and Unmanned Aerial Vehicle systems."; and
- (c) the substitution for paragraph 3 of the Schedule to the Proclamation of the following paragraph:

"3. Any unlawful or irregular conduct by employees and officials of Denel or any other person or entity in relation to the allegations set out in paragraphs 1, 2 or 2A of this Schedule."

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 22 day of October Two Thousand and Nineteen.

CM Ramaphosa
President

By Order of the President-in-Cabinet:

R Lamola
Minister of the Cabinet

PROKLAMASIE NO. R. 57 VAN 2019
VAN DIE
PRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA

WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996 (WET NO. 74 VAN 1996): WYSIGING VAN PROKLAMASIE NO. R. 32 VAN 2019

Kragtens artikel 2(4) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996), wysig ek hierby Proklamasie No. R. 32 van 2019 deur—

- (a) die verlenging van die tydperk vermeld in die vierde paragraaf van die Proklamasie tot die datum van publikasie van hierdie Proklamasie;
- (b) die invoeging na paragraaf 2 van die Bylae tot die Proklamasie van die volgende paragraaf:

"2A. Enige onwettige, onreëlmatige of nie-goedgekeurde maatreëls of praktyke ten opsigte van die wanbeheer van eiendomsbelang en intellektuele eiendomsreg in Denel se Lug-tot-lug missiele, Afweerwapens, Oppervlakte teiken missiele, Lugverdediging en Onbemande Lugvoertuig stelsels."; en

- (c) paragraaf 3 van die Bylae tot die Proklamasie deur die volgende paragraaf te vervang:

"3. Enige onwettige of onreëlmatige optrede deur werknemers of beamptes van Denel of enige ander persoon of entiteit ten opsigte van die bewerings soos uiteengesit in paragrawe 1, 2 of 2A van hierdie Bylae.".

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die 22 dag van Oktober Tweeduisend-en-negentien.

CM Ramaphosa

President

Op las van die President-in-Kabinet:

R Lamola

Minister van die Kabinet

PROCLAMATION NO. R. 58 OF 2019

**by the
PRESIDENT of the REPUBLIC of SOUTH AFRICA**

SPECIAL INVESTIGATING UNITS AND SPECIAL TRIBUNALS ACT, 1996 (ACT NO. 74 OF 1996): REFERRAL OF MATTERS TO EXISTING SPECIAL INVESTIGATING UNIT

WHEREAS allegations as contemplated in section 2(2) of the Special Investigating Units and Special Tribunals Act, 1996 (Act No. 74 of 1996) (hereinafter referred to as “the Act”), have been made in respect of the affairs of the uMgungundlovu District Municipality situated in the Kwazulu-Natal Province (hereinafter referred to as “the Municipality”);

AND WHEREAS the Municipality or the State may have suffered losses that may be recovered;

AND WHEREAS I deem it necessary that the said allegations should be investigated and civil proceedings emanating from such investigation should be adjudicated upon;

NOW, THEREFORE, I hereby, under section 2(1) of the Act, refer the matters mentioned in the Schedule, in respect of the Municipality, for investigation to the Special Investigating Unit established by Proclamation No. R. 118 of 31 July 2001 and determine that, for the purposes of the investigation of the matters, the terms of reference of the Special Investigating Unit are to investigate as contemplated in the Act, any alleged—

- (a) serious maladministration in connection with the affairs of the Municipality;
- (b) improper or unlawful conduct by officials or employees of the Municipality;

- (c) unlawful appropriation or expenditure of public money or property;
- (d) unlawful, irregular or unapproved acquisitive act, transaction, measure or practice having a bearing upon State property;
- (e) intentional or negligent loss of public money or damage to public property;
- (f) offence referred to in Parts 1 to 4, or section 17, 20 or 21 (in so far as it relates to the aforementioned offences) of Chapter 2 of the Prevention and Combating of Corrupt Activities Act, 2004 (Act No. 12 of 2004), and which offences were committed in connection with the affairs of the Municipality; or
- (g) unlawful or improper conduct by any person, which has caused or may cause serious harm to the interests of the public or any category thereof,

which took place between 1 January 2017 and the date of publication of this Proclamation or which took place prior to 1 January 2017 or after the date of publication of this Proclamation, but is relevant to, connected with, incidental or ancillary to the matters mentioned in the Schedule or involve the same persons, entities or contracts investigated under authority of this Proclamation, and to exercise or perform all the functions and powers assigned to or conferred upon the said Special Investigating Unit by the Act, including the recovery of any losses suffered by the Municipality or the State, in relation to the said matters in the Schedule.

Given under my Hand and the Seal of the Republic of South Africa at Pretoria this 22 day of October Two thousand and nineteen.

CM Ramaphosa

President

By Order of the President-in-Cabinet:

R Lamola

Minister of the Cabinet

SCHEDULE

1. The procurement of, or contracting for—
 - (a) event management services for the Presidential Visit Event at Inzinga on 23 December 2017;
 - (b) event management services in terms of Contract Number 18/2017 for an Integrated Development Plan Imbizo;
 - (c) event management services in terms of Contract Number ZNT 1928/2014LG for the Mandela Day Marathon;
 - (d) goods and services for the South African Local Government Association Games; and
 - (e) project management services,by or on behalf of the Municipality and payments made in respect thereof in a manner that was—
 - (i) not fair, competitive, transparent, equitable or cost-effective; or
 - (ii) contrary to applicable—
 - (aa) legislation;
 - (bb) manuals, guidelines, practice notes, circulars or instructions issued by the National Treasury or the relevant Provincial Treasury; or
 - (cc) manuals, policies, procedures, prescripts, instructions or practices of, or applicable to the Municipality,and any related unauthorised, irregular or fruitless and wasteful expenditure incurred by, or losses suffered by, the Municipality or the State.

2. Any unlawful or improper conduct by—
 - (a) officials or employees of the Municipality;
 - (b) contractors, suppliers or service providers of the Municipality; or
 - (c) any other person or entity,in relation to the allegations set out in paragraph 1 of this Schedule.

PROKLAMASIE NO. R. 58 VAN 2019**van die****PRESIDENT van die REPUBLIEK van SUID AFRIKA****WET OP SPESIALE ONDERSOEKEENHEDE EN SPESIALE TRIBUNALE, 1996
(WET NO. 74 VAN 1996): VERWYSING VAN AANGELEENTHEDE NA
BESTAANDE SPESIALE ONDERSOEKEENHEID**

AANGESIEN bewerings soos beoog in artikel 2(2) van die Wet op Spesiale Ondersoekeenhede en Spesiale Tribunale, 1996 (Wet No. 74 van 1996) (hierna na verwys as die "Wet"), gemaak is in verband met die aangeleentehede van die uMgungundlovu Distrikmunisipaliteit geleë in KwaZulu-Natal Provinsie (hierna na verwys as "die Munisipaliteit");

EN AANGESIEN die Staat of die Munisipaliteit verliese gely het wat verhaal kan word;

EN AANGESIEN ek dit nodig ag dat gemelde bewerings ondersoek en siviele geskille voortspruitend uit sodanige ondersoek bereg moet word;

DERHALWE verwys ek hierby, kragtens artikel 2(1) van die Wet, die aangeleentehede in die Bylae vermeld ten opsigte van die Munisipaliteit, vir ondersoek na die Spesiale Ondersoekeenheid ingestel by Proklamasie No. R. 118 van 31 Julie 2001 en bepaal dat, vir die doeleindes van die ondersoek van die aangeleentehede, die opdrag van die Spesiale Ondersoekeenheid is om soos beoog in gemelde Wet, ondersoek te doen na enige beweerde—

- (a) ernstige wanadministrasie in verband met die aangeleentehede van die Munisipaliteit;

- (b) onbehoorlike of onregmatige optrede deur beamptes of werknemers van die Munisipaliteit;
- (c) onregmatige bewilliging of besteding van publieke geld of eiendom;
- (d) onwettige, onreëlmatige of nie-goedgekeurde verkrygende handeling, transaksie, maatreël of praktyk wat op Staatseiendom betrekking het;
- (e) opsetlike of nalatige verlies van publieke geld of skade aan publieke eiendom;
- (f) misdryf bedoel in Dele 1 tot 4, of artikel 17, 20 of 21 (vir sover dit op voornoemde misdrywe betrekking het) van Hoofstuk 2 van die Wet op die Voorkoming en Bestryding van Korrupte Bedrywighede, 2004 (Wet No. 12 van 2004), en welke misdrywe gepleeg is in verband met die sake van die Munisipaliteit; of
- (g) onwettige of onbehoorlike optrede deur enige persoon wat ernstige benadeling vir die belange van die publiek of enige kategorie daarvan veroorsaak het of kan veroorsaak,

wat plaasgevind het tussen 1 Januarie 2017 en die datum van publikasie van hierdie Proklamasie of wat plaasgevind het voor 1 Januarie 2017 of na die datum van publikasie van hierdie Proklamasie, wat relevant is tot, verband hou met, insidenteel of bykomstig is tot, die aangeleenthede vermeld in die Bylae of wat dieselfde persone, entiteite of kontrakte betrek wat ondersoek word kragtens die volmag verleen deur hierdie Proklamasie, en om al die werksaamhede en bevoegdhede wat deur die Wet aan die gemelde Spesiale Ondersoekeenheid toegewys of opgedra is, uit te oefen of te verrig in verband met die genoemde aangeleenthede in die Bylae, insluitend die verhaal van enige verliese wat deur die Munisipaliteit of die Staat gelyk is.

Gegee onder my Hand en die Seël van die Republiek van Suid-Afrika te Pretoria op hede die 22 dag van Oktober Twee duisend-en-negentien.

CM Ramaphosa

President

Op las van die President-in-Kabinet

R Lamola

Minister van die Kabinet

BYLAE

1. Die aanskaffing van, of kontraktering vir—

- (a) gebeurtenisbestuursdienste vir die Presidensiële Besoekgeleentheid te Inzinga op 23 Desember 2017;
- (b) gebeurtenisbestuursdienste ingevolge Kontrak Nommer 18/2017 vir 'n Geïntegreerde Ontwikkelingsplan Imbizo;
- (c) gebeurtenisbestuursdienste ingevolge Kontrak Nommer ZNT 1928/2014LG vir die Mandeladag Marathon;
- (d) goedere en dienste vir die Suid-Afrikaanse Plaaslike Regering Vereniging Spele; en
- (e) projekbestuursdienste,

deur of namens die Munisipaliteit en betalings wat in verband daarmee gemaak is op wyse wat—

- (i) nie regverdig, mededingend, deursigtig, bilik of koste-effektief was nie; of
- (ii) strydig was met toepaslike—
 - (aa) wetgewing;
 - (bb) handleidings, riglyne, praktyknotas, omsendskrywes of instruksies wat deur die Nasionale Tesourie of die betrokke Provinsiale Tesourie uitgevaardig is; of
 - (cc) handleidings, beleid, prosedures, voorskrifte, instruksies of praktyke van, of wat op die Munisipaliteit van toepassing is,

en enige verwante ongemagtigde, onreëlmatige of vrugtelose en verkwiste uitgawes wat aangegaan is, of verliese wat gely is, deur die Munisipaliteit of die Staat.

2. Enige onwettige of onbehoorlike gedrag deur—

- (a) beamptes of werknemers van die Munisipaliteit;
- (b) kontrakteurs, verskaffers of diensverskaffers van die Munisipaliteit; of
- (c) enige ander persoon of entiteit,

ten opsigte van die bewerings uiteengesit in paragraaf 1 van hierdie Bylae.

GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT**

NO. R. 1426

08 NOVEMBER 2019

LEGAL PRACTICE ACT, 2014: DETERMINATION OF AMOUNTS IN TERMS OF SECTION 40(3)

I, Ronald Lamola, Minister of Justice and Correctional Services, hereby under section 40(3) of the Legal Practice Act, 2014 (Act No. 28 of 2014), determine the amounts in the Schedule.

SCHEDULE

Amount referred to in section 40(3)(a)(ii)	A maximum of R 136 000 (one hundred and thirty six thousand rand) per conviction or transgression
Amount referred to in section 40(3)(b)(ii)	A maximum of R R272 000 (two hundred and seventy two thousand rand) per conviction or transgression
Amount referred to in section 40(3)(c)(ii)	A maximum of R 27 000 (twenty seven thousand rand) per conviction or transgression

Signed at Cape Town on this sixteenth day of October Two thousand and nineteen.

R LAMOLA, MP
MINISTER OF JUSTICE AND CORRECTIONAL SERVICES

**ISIHLOKOMISO SIKARHULUMENTE
ISEBE LOBULUNGISA NOPHUHLISO LOMGAQO-SISEKO**

**UMTHETHO WOBUGQWETHA KA-2014: UKUQINGQWA KWEEMALI
NGOKWESIQUENDU 40(3)**

Mna, Ronald Lamola, uMphathiswa woBulungisa neeNkonzo zoLungiso-similo, ngokwesiqendu 40(3) soMthetho Wobugqwetha 28 ka-2014, ndiqingqa iimali ezilapha kwiSihlomelo.

ISIHLOMELO

Imali ekuthethwe ngayo kwisiqendu 40(3)(a)(ii)	Ingagqithi kwi-R136 000 (amawaka alikhulu elinamashumi mathathu anesithandathu eerandi) ngesihlandlo ngasinye sokufunyaniswa enetyala okanye ngesenzo ngasinye esikukona
Imali ekuthethwe ngayo kwisiqendu 40(3)(b)(ii)	Ingagqithi kuma-R272 000 (amawaka angamakhulu amabini anamashumi asixhenxe anesibini eerandi) ngesihlandlo ngasinye sokufunyaniswa enetyala okanye ngesenzo ngasinye esikukona
Imali ekuthethwe ngayo kwisiqendu 40(3)(c)(ii)	Ingagqithi kuma-R27 000 (amawaka angamashumi amabini anesixhenxe eerandi) ngesihlandlo ngasinye sokufunyaniswa enetyala okanye ngesenzo ngasinye esikukona

Sityikitywe eKapa ngalo mhla wesithandathu kwinyanga kayoDwarha kunyaka wamaWaka Amabini Aneshumi Elinethoba.

**R LAMOLA, ILUNGU LEPALAMENTE
UMPHATHISWA WOBULUNGISA NEENKONZO ZOLUNGISO-SIMILO**

DEPARTMENT OF LABOUR

NO. R. 1427

08 NOVEMBER 2019

LABOUR RELATIONS ACT, 1995**NOTICE OF INTENTION TO CANCEL REGISTRATION OF A TRADE UNION**

I, **Lehlohonolo Daniel Molefe**, Registrar of Labour Relations, hereby, in terms of section 106(2B) give notice of my intention to cancel the registration of **Inqubelaphambili Trade Union (ITU) (LR 2/6/2/1850)** for the following reasons:

- The trade union has ceased to function in terms of its constitution; and
- The trade union is an association for gain of individuals.

The trade union or any other interested parties are hereby invited to make written representations as to why the registration should not be cancelled. **Only representations pertaining to this Notice will be considered. All correspondence should refer to case number 2019/205**

Objections must be lodged to me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, **PRETORIA**. [Postal address: Private Bag X 117, **PRETORIA**, 0001 – Fax No. (012) 309 4156, within 60 days of the date of this notice.

**REGISTRAR OF LABOUR RELATIONS**

DEPARTMENT OF LABOUR

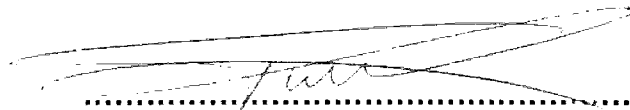
NO. R. 1428

08 NOVEMBER 2019

LABOUR RELATIONS ACT, 1995

NATIONAL BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY (BCCEI): EXTENSION OF CONDITION OF EMPLOYMENT COLLECTIVE AMENDING AGREEMENT TO NON-PARTIES

I, **THEMBELANI WALTERMADE NXESI**, Minister of Employment and 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 Civil Engineering Industry (BCCEI)** 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 the second Monday after the date of publication of this notice and for the period ending 31 August 2021.

.....
MR TW NXESI, MP**MINISTER OF EMPLOYMENT AND LABOUR**DATE: 24/10/2019.....

UMNYANGO WEZEMISEBENZI NEZABASEBENZI**UMTHETHO WOBUDLELWANO KWEZABASEBENZI KA - 1995****UMKHANDLU WOKUXOXISANA PHAKATHI KWABAQASHI NABASEBENZI
EMBONINI YONJINIYELA BEZOKWAKHIWA KWEMIGWAQO NAMABHULOHO:
UKWELULWA KWESIVUMELWANO ESICHIBIYELAYO SEZIMO ZEMISEBENZI,
SELULELWA KULABO ABANGEYONA INGXENYE YESIVUMELWANO**

Mina, **THEMBELANI WALTERMADE NXESI**, onguNgqongqoshe Wezemisebenzi nezabasebenzi, ngokwesigaba 32(2) soMthetho Wobudlelwano Kwezabasebenzi, ka - 1995, ngazisa ukuthi isivumelwano sabaqashi nabasebenzi esitholakala kwiSheduli yesiNgisi exhanywe lapha, esenziwa **uMkhandlu Wokuxoxisana phakathi Kwabaqashi Nabasebenzi Embonini Yonjiniyela Bezokwaxhiwa Kwemigwago Namabhuloho**, futhi ngokwesigaba 31 soMthetho Wobudlelwano Kwezabasebenzi, ka - 1995 esibopha labo abasenzayo, sizobopha bonke abanye abaqashi nabasebenzi kuleyomboni, kusukela ngomSombuluko wesibili emva kokushicilelwa kwalesisaziso kuze kube mhlaka 31 kuNcwaba 2021.



.....
MNUMZANE TW NXESI, MP

UNGQONGQOSHE WEZEMISEBENZI NEZABASEBENZI

USUKU: **24/10/2019**
.....

SCHEDULE**BARGAINING COUNCIL FOR THE CIVIL ENGINEERING INDUSTRY
CONDITIONS OF EMPLOYMENT COLLECTIVE AGREEMENT****PREAMBLE**

This collective agreement was concluded between the members of the employer organisations and the members of the trade unions which concluded and signed this agreement in the Bargaining Council.

The Minister of Labour has extended this collective agreement to all the employers and employees in the Industry that are not signatories to this agreement. This has the effect of making the collective agreement applicable to all employers and employees in the Industry.

The following employer organisations and trade unions signed the collective agreement on behalf of their members:

Building, Construction and Allied Workers Union (BCAWU)

Consolidated Employers Organisation (CEO)

National Union of Mineworkers (NUM)

South African Forum of Civil Engineering Contractors (SAFCEC)

(hereinafter referred to as the “employers” or the “trade unions”), of the other part, being the parties to the Bargaining Council for the Civil Engineering Industry), to amend the Agreement published under Government Notice No. R.956 of 14 September 2018.

T.G.M
J.V.¹

1. CHAPTER 1 - APPLICATION AND INTERPRETATION OF AGREEMENT

1.1 Scope of the agreement

1.1.1 This agreement binds:

- (a) All employees in the civil engineering industry that are members of the employers' organisations that are party to this agreement; and
- (b) All employees in the bargaining unit, employed in the industry who are members of the trade unions that are party to this agreement.

1.1.2 This Agreement must be applied in the jurisdiction of the Bargaining Council for the Civil Engineering Industry throughout the Republic of South Africa.

1.1.3 Except as otherwise provided for in this Agreement, this Agreement establishes the terms and conditions of employment for scheduled employees.

1.1.4 This agreement applies to learners, only insofar as it is not inconsistent with the Skills Development Act, 1998.

1.1.5 The provisions of the Basic Conditions of Employment Act, 1997 shall apply in respect of any employer or employee in the Civil Engineering Industry for any matter that is not regulated by this Agreement.

1.1.6 The provisions of clause 2.8, 2.9, 2.10, 2.11 and 2.12 of this agreement shall not apply to employees whose earnings exceed the amount determined by the Minister of Labour in terms of section 6(3) read with section 59(2)(c) of the Basic Conditions of Employment Act, 1997.

1.1.7 This agreement is binding in terms of Section 31 of the Labour Relations Act 66 of 1995, on the parties which concluded the Conditions of Employment Collective Agreement and shall become binding on the other employers and employees in the industry upon extension by the Honourable Minister of Labour in terms of Section 32, from a date determined by the Minister.

1.2 Period of operation of agreement

1.2.1 This agreement becomes binding on the employers and employees referred to in sub-clause 1.1.1(a) and (b) once it is extended to non-parties by the Honourable Minister of Labour.

1.2.2 This agreement shall remain in force until 31 August 2021.

CHAPTER 3: REGULATION OF LEAVE

Replace the table in sub-clause 3.3.1 with the following:

Maternity Leave payment, as from the date determined by the minister up to 31 August 2019	Maternity Leave payment as from 01 September 2019	Maternity Leave payment as from 01 September 2020
35%	40%	43%

CHAPTER 6: REMUNERATION AND RECORD KEEPING

Replace the table in sub-clause 6.9.1 with the following:

Sleep Out Allowance as per promulgation date up to 31 August 2019.	Sleep Out Allowance as from 01 September 2019	Sleep Out Allowance from 01 September 2020
R100.00	R110.00	R120.00

CHAPTER 7: GENERAL

Replace sub-clause 7.1.1 and 7.1.2 with the following:

7.1.1 Any person bound by this Agreement may apply to the BCCEI for an exemption from any provision of this agreement.

7.1.2 Any person affected by the BCCEI decision on the application may lodge an appeal against the decision to the Independent Appeal Board.

Insert new sub-clause 7.1.3

7.1.3 Applications for Exemptions and/or Appeals must be dealt with in terms of the guidelines set out in the Exemptions Collective Agreement.

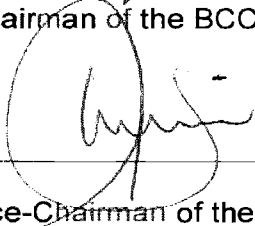
APPENDICES TO AGREEMENT

Remove/Delete "Appendix B" from collective agreement.

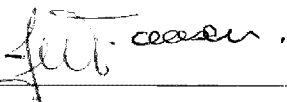
SIGNED AT BEDFORDVIEW, for and on behalf of the parties, this day of 15/08/2019 2019.



Chairman of the BCCEI



Vice-Chairman of the BCCEI



General Secretary of the BCCEI