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OF  
SOUTH AFRICA



REPUBLIEK  
VAN  
SUID-AFRIKA

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## GOVERNMENT NOTICES GOEWERMENTSKENNISGEWINGS

### DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

**No. R. 1865**

**15 November 1996**

LABOUR RELATIONS ACT, 1995

#### ADDITION OF SCHEDULE 10 [LISTED INSTITUTIONS REFERRED TO IN SECTION 32 (4)]

Under the powers vested in me by section 207 (6) of the Labour Relations Act, 1995 (Act No. 66 of 1995), I hereby add to that Act a further Schedule, namely Schedule 10, as set out in the Annexure.

**T. T. MBOWENI**

**Minister of Labour**

#### ANNEXURE

#### "SCHEDULE 10

#### INSTITUTIONS<sup>1</sup> REFERRED TO IN SECTION 32 (4)<sup>2</sup>

1. Ntsika Enterprise Promotion Agency
2. Centre for Small Business Promotion".

<sup>1</sup> The addresses and telephone numbers of these institutions are available from the Department of Trade and Industry.

<sup>2</sup> A collective agreement must provide for the appointment of an independent body to grant exemptions from the agreement to non-parties. When establishing the independent body a bargaining council must have due regard to the nominations of the Institutions listed in this Schedule.

No. R. 1866

15 November 1996

## LABOUR RELATIONS ACT, 1995 (ACT No. 66 OF 1995)

**ESSENTIAL SERVICES COMMITTEE REGULATIONS**

The Minister of Labour has, under section 208 of the Labour Relations Act, 1995 (Act No. 66 of 1995), and after consulting NEDLAC and the Commission, made the Regulations in the Schedule.

**SCHEDULE****PART A—GENERAL PROVISIONS****1. Definitions**

In these Regulations, any expression that is defined in the Act has that meaning and unless the context otherwise indicates—

“**annexure**” means a document attached to these Regulations;

“**Commission**” means the Commission for Conciliation, Mediation and Arbitration established in terms of section 112 of the Act and includes a staff member of the Commission appointed by it to act on its behalf in matters relating to essential services;

“**committee**” means the essential services committee established in terms of section 70 (1) of the Act; and

“**the Act**” means the Labour Relations Act, 1995 (Act No. 66 of 1995).

**2. Chairperson of committee**

The Minister must appoint a member of the committee to act as chairperson of the committee.

**3. Address for service on committee**

Whenever a person is required to serve any document on the committee, such service must be on the head office of the Commission.

**4. Powers of the committee**

(1) For the purpose of performing its functions, the committee may—

- (a) subpoena for questioning any person who may be able to give information or whose presence at a hearing may help the committee in performing its functions;
- (b) subpoena any person who is believed to have possession or control of any book, document or object relevant to an investigation or a hearing to appear before the committee to be questioned or to produce that book, document or object;
- (c) call, and if necessary subpoena, any expert to appear before the committee to give evidence relevant to an investigation or a hearing;
- (d) call any person present at an investigation or hearing who was or could have been subpoenaed for any purpose set out in these regulations, to be questioned about any matter relevant to an investigation or a hearing;
- (e) administer an oath or accept an affirmation from any person called to give evidence or be questioned;
- (f) at any reasonable time, but only after obtaining the necessary written authorisation—
  - (i) enter and inspect the premises on or in which any book, document or object relevant to an investigation or a hearing is to be found or is suspected on reasonable grounds of being found there; and
  - (ii) examine, demand the production of, and seize any book, document or object that is on or in those premises and that is relevant to an investigation or a hearing; and
  - (iii) take a statement in respect of any matter relevant to an investigation or a hearing from any person on the premises who is willing to make a statement; and
- (g) inspect, and retain for a reasonable period, any of the books, documents or objects that have been produced to, or seized by, the committee.

(2) A subpoena issued in terms of subregulation (1) must be made in the form of annexure LRA 4.6.

- (3) A subpoena issued for any purpose in terms of subregulation (1) must be signed by the director of the Commission and must—
  - (a) specifically require the person named in it to appear before the committee;
  - (b) sufficiently identify the book, document or object to be produced; and
  - (c) state the date, time and place at which the person is to appear.
- (4) The written authorisation referred to in subregulation (1) (f) must be given by a judge of the Labour Court.
- (5) The owner or occupier of any premises that the committee is authorised to enter and inspect, and every person employed by that owner or occupier, must provide any facilities that the committee requires to enter those premises and to carry out the inspection or seizure.
- (6) The committee must issue a receipt for any book, document or object seized in terms of subregulation (1) (f).
- (7) The law relating to privilege, as it applies to a witness subpoenaed to give evidence or to produce any book, document or object before a court of law, applies equally to the questioning of any person or the production or seizure of any book, document or object in terms of this regulation.
- (8)
  - (a) The committee must pay the prescribed witness fee to each person who appears before it in response to a subpoena issued by the committee.
  - (b) The fee payable to a witness in terms of subregulation (a) is the total of—
    - (i) R100 for each day or part of a day during which the witness is required to be present at any proceedings; and
    - (ii) reasonable substantiated travel and subsistence expenses incurred by the witness in order to be present at those proceedings.
  - (c) Despite subregulation (b), no witness fee may be paid to a person who, at the time of the relevant proceedings, is employed full-time by the State, or is a member of any legislature mentioned in the Constitution.
- (9) A person commits contempt of the committee—
  - (a) if, after having been subpoenaed to appear before the committee, the person, without good cause, does not attend at the time and place stated in the subpoena;
  - (b) if, after having appeared in response to a subpoena, that person fails to remain in attendance until excused by the committee;
  - (c) by refusing to take the oath or to make an affirmation as a witness when the committee so requires;
  - (d) by refusing to answer any question fully and to the best of that person's knowledge and belief subject to subregulation (7);
  - (e) if the person, without good cause, fails to produce any book, document or object specified in a subpoena to the committee;
  - (f) if the person wilfully hinders the committee in performing any function conferred on it by or in terms of the Act;
  - (g) if the person insults, disparages or belittles the committee, or prejudices or improperly influences the proceedings or improperly anticipates the committee's decision or determination;
  - (h) by wilfully interrupting the proceedings of the committee or misbehaving in any other manner during those proceedings; and
  - (i) by doing anything else in relation to the committee which, if done in relation to a court of law, would have been contempt of court.
- (10) The committee may refer any contempt to the Labour Court for an appropriate order.
- (11)
  - (a) The functions of the committee may be performed by a member of the committee.
  - (b) A decision of a member of the committee acting in terms of subregulation (a) is a decision of the committee pending ratification of the decision by the committee.
  - (c) If the committee refuses to ratify a decision contemplated in subregulation (b), the decision, from the date of the refusal, is invalid.
- (12) No proceedings of the committee shall be invalid by reason only of the fact that any member was not present during the whole or part of any proceedings.

- (13) If three or more members of the committee perform the functions of the committee, the decision of the majority of those members is the decision of the committee.

#### 5. Condonation

The committee may, at the request of any party to the proceedings conducted in terms of the Regulations and on good cause shown, condone any non-compliance with the provisions of these Regulations, subject to such conditions as it may in all the circumstances think fit.

### PART B—INVESTIGATION AS TO WHETHER A SERVICE IS AN ESSENTIAL SERVICE

#### 6. Request by bargaining council for investigation

A request by a bargaining council in terms of section 70 (3) of the Act must be made in the form of annexure LRA 4.7.

#### 7. Investigations as to whether a service is an essential service

- (1) As soon as is reasonably practicable after the receipt of a request by a bargaining council in terms of section 70 (3) of the Act, the committee must give notice in the *Government Gazette* of the investigation as to whether a service is an essential service.
- (2) Any interested party making written submissions to the committee in terms of section 71 (2) (a) of the Act must—
  - (a) state the nature of its interest in the investigation;
  - (b) state whether it requires an opportunity to make oral representations, if those oral representations are to contain material or raise issues not dealt with in the written representations, and provide a brief summary of those oral representations;
  - (c) state whether it relies or intends to rely on any expert evidence, and if so, provide a brief summary of that expert evidence; and
  - (d) specify its address, telephone number (if any) and telefax number (if any).
- (3) Any interested party that indicates to the committee in terms of section 71 (2) (b) of the Act that it requires an opportunity to make oral representations must—
  - (a) state the nature of its interest in the investigation;
  - (b) provide a brief summary of its oral representations;
  - (c) state whether it relies or intends to rely on any expert evidence, and if so, provide a brief summary of that expert evidence; and
  - (d) specify its address, telephone number (if any) and telefax number (if any).
- (4) The Commission, at the request of the committee, may prepare a factual report concerning any service or part of a service that the committee is investigating.
- (5) The committee must notify a bargaining council that has requested the investigation in terms of section 70 (3) of the Act and any interested party that has made written submissions in terms of section 71 (2) of the Act of the existence of a factual report relevant to the investigation and invite them to submit written representations on the report to the committee within 14 days of this notification.
- (6) A bargaining council that has requested the investigation and any interested party may inspect any written representations made pursuant to the provisions of subregulations (1) or (5) and any factual report relevant to the investigation at the Commission's head office.
- (7) The Commission must provide a certified copy of, or extract from, any written representations to any person who has paid the prescribed fee.
- (8) The prescribed fee referred to in section 71 (4) of the Act must be calculated at the rate of R2,00 per page.
- (9)
  - (a) In addition to the notification contemplated in section 71 (5) of the Act, at least seven days before the hearing of oral representations, the committee must publish a notice stating the place and time of the hearing.
  - (b) The notice must be published in a newspaper circulated in the area in which the service being investigated is situated.
- (10) These regulations apply, with the changes required by the context, to any variation or cancellation of the designation of an essential service contemplated by section 71 (9) of the Act.



**PART C—RATIFICATION OF COLLECTIVE AGREEMENTS THAT PROVIDE FOR THE  
MAINTENANCE OF MINIMUM SERVICES**

**8. Ratification of the provisions of collective agreements that provide for the maintenance of minimum services**

- (1) A request by parties to a collective agreement in terms of section 72 of the Act must be made in the form of annexure LRA 4.8.
- (2) The committee may require the parties to submit further written representations to it in regard to any matter relevant to the request.
- (3) The committee may require the parties to appear before it in order to deal with any matter relevant to the request.
- (4) As soon as is reasonably practicable after the receipt of a request, the committee must either ratify or refuse to ratify the relevant provisions of the collective agreement and notify the parties of its decision in writing.
- (5) The committee must, at the request of any party to the collective agreement, provide brief reasons for its refusal to ratify the provisions of a collective agreement.

**PART D—DETERMINATIONS**

**9. Service**

Whenever a party is required to satisfy the committee that a copy of a referral, application, objection or other document has been served on another party, the party so required must provide the committee with—

- (a) a copy of the proof of mailing the referral, application, objection or other document by registered post to the other party;
- (b) a copy of the telegram, telex or telefax communicating the referral, application, objection or other document to the other party;
- (c) a copy of a receipt signed by the other party or on that party's behalf if the copy of the referral, application, objection or other document was delivered by hand; or
- (d) a statement confirming service signed by the person who delivered a copy of the referral, application, objection or other document to the other party.

**10. Referral of a dispute or application for determination**

- (1) (a) A referral of a dispute in terms of section 73 (1) of the Act must be made in the form of annexure LRA 4.2 contained in the general regulations.  
(b) An application in terms of section 75 (2) of the Act must be made in the form of annexure LRA 4.3 contained in the general regulations.
- (2) If the referral or application is urgent, the applicant must state in writing the grounds of urgency and submit the grounds together with the referral or application.
- (3) The other parties to the dispute or parties interested in the application may submit written representations within 21 days of receipt of the referral or application by the committee unless the referral or application is an urgent referral or application, in which case the committee must notify the parties of the period in which they must submit written representations.
- (4) The committee may require the parties to submit any further information relevant to the dispute or application in writing.
- (5) The committee may give directions to the parties for the service of any documents.

**11. Conduct of hearings in terms of sections 73 and 75 of the Act**

- (1) As soon as reasonably practicable after the receipt of the referral or application contemplated in terms of sections 73 and 75 of the Act respectively, the committee must notify the parties in writing of the place and time of the hearing. The place and time must be determined with due regard to urgency.
- (2) The committee may decide that the dispute or application is capable of determination on the written representations before it or that it requires to hear oral evidence.
- (3) If the committee decides that the matter is capable of determination on the written submissions before it, the committee may hear argument from the parties and then make its determination.

- (4) If the committee decides that it requires to hear oral evidence—
  - (a) it must decide the issues on which it requires to hear oral evidence; and
  - (b) notify the parties of its decision in good time.
- (5) Despite the provisions of subregulation (3) the committee, during a hearing, may direct that oral evidence be heard in which case the provisions of subregulation (4) will apply.
- (6) If the committee decides that the matter is urgent, the committee may make an interim order determining the dispute or the application pending a final determination. In this event, the committee must specify a date in the order, which date may not be later than the date on which the interim order expires, for a hearing to determine the dispute.
- (7) The committee must conduct the hearing in a manner that the committee considers appropriate in order to make a determination with the minimum of legal formalities.
- (8) The committee must provide the parties with a brief summary of the reasons for its decision.

**12. Short title and commencement**

- (1) These regulations are called the Essential Services Committee Regulations.
  - (2) These regulations come into operation on **15 November 1996**.
-

LRA Form 4.6  
Labour Relations Act, 1995

# SUBPOENA BY ESSENTIAL SERVICES COMMITTEE



SUBPOENA IN TERMS OF REGULATION 4(1)  
OF THE ESSENTIAL SERVICES COMMITTEE REGULATIONS

To: .....  
.....  
.....  
.....  
(name and address of person subpoenaed)

You are required to appear in person before the essential services committee at  
.....  
.....  
.....  
(address)

on ..... at ..... and on any subsequent day to  
(date) (time)  
which the proceedings or investigations may be postponed.

You are subpoenaed in terms of regulation 4(1) of the Essential Services Committee Regulations:

- for questioning
- to produce any book, document or object
- to give evidence

A copy of the regulations is attached.

You must bring and produce the books, documents or objects listed below:  
.....  
.....  
.....  
.....  
.....

CCMA Ref. No. ....

... please turn over →

The essential services committee has been established in terms of section 70(1) of the Labour Relations Act, 1995 (Act No 66. of 1995)

1. The committee is authorised in terms of sections 70(2)(a), 70(3) and 71 to conduct an investigation as to whether or not the whole or a part of a service is an essential service.

The ..... service is under investigation by the committee.  
(name of service)

The nature of the service is:

.....

.....

.....

.....

The service is performed in the following area/s:

.....

.....

.....

.....

.....

2. The committee is authorised in terms of section 71(9) to vary or cancel the designation of the whole or part of a service as an essential service.

The ..... service is under investigation by the committee.  
(name of service)

The nature of the service is:

.....

.....

.....

.....



LRA Form 4.6  
Subpoena by essential services committee  
Page 3 of 4

The service is performed in the following area/s:

.....  
.....  
.....

The following may be varied:

Section/s..... in Government Gazette .....  
(number) (number)

The following may be cancelled:

Section/s..... in Government Gazette .....  
(number) (number)

3. The committee is authorised in terms of section 72 to ratify any collective agreement that provides for the maintenance of minimum services in a service designated as an essential service.

The collective agreement between:

.....  
(name of party)

and

.....  
(name of other party)

that provides for the maintenance of minimum services in the .....  
service may be ratified. (name of service)

4. The committee is authorised in terms of sections 70(2)(b) and 73 to determine disputes :

as to whether or not the whole or a part of a service is an essential service

whether or not an employee or employer is engaged in a service designated as an essential service.

The dispute concerns .....

.....  
.....  
.....  
(nature of dispute)

... please turn over →

The dispute is between .....  
(name of party)

and .....  
(name of other party)

- 5. The committee is authorised in terms of sections 70(3) and 75(4) to determine whether or not the whole or a part of an employer's business or service is a maintenance service.

The ..... business or service is under  
(name of business or service)

investigation by the committee.

The nature of the business or service is:

.....  
.....  
.....  
.....

The employer is .....

The interested parties are .....

The business or service takes place at .....

.....

The determination sought is .....

.....

Signed by the Director of the Commission:

.....

Name: .....

Date: .....

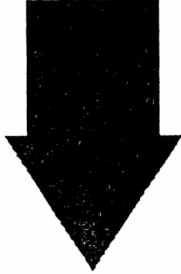
Place: .....

# BARGAINING COUNCIL REQUEST FOR ESSENTIAL SERVICE INVESTIGATION



LRA Form 4.7  
Section 70(3)  
Labour Relations Act, 1995

READ THIS FIRST



### WHAT IS THE PURPOSE OF THIS FORM?

This form is a request to the essential services committee to conduct an investigation as to whether the whole or part of any service is an essential service. An essential service means a service which if interrupted would endanger the life or health of people.

### WHO FILLS IN THIS FORM?

The Secretary of the Bargaining Council.

### WHERE DOES THIS FORM GO?

Essential services committee  
CCMA  
Private Bag X94  
Marshalltown  
2107

### OTHER INSTRUCTIONS

A copy of the certificate of registration must accompany this form.

The description of the service to be investigated must be fully and accurately described in paragraph 2 of this form.

If the bargaining council requests an investigation into more than one service, the details required in paragraph 2 of the form must be set out on a separate piece of paper for each service.

## 1) BARGAINING COUNCIL'S DETAILS

Name .....

.....

Address (postal and street) .....

.....

.....

Tel: ..... Fax: .....

Contact person: .....

Reference number: .....

## 2) DETAILS OF SERVICE TO BE INVESTIGATED

Describe the service:

.....

.....

.....

.....

.....

.....

If an investigation is required only for part(s) of the service, state which part(s):

.....

.....

.....

.....

.....

CCMA Ref. No. ....

... please turn over →

**3) DOES THE SERVICE FALL WITHIN THE JURISDICTION OF THE COUNCIL?  
GIVE DETAILS.**

.....  
.....  
.....  
.....  
.....  
.....

**Form submitted by:**

Signature of Secretary .....

Name .....

Date .....

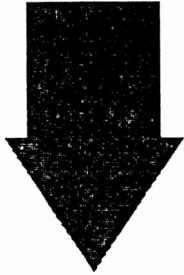


LRA Form 4.8  
Section 72  
Labour Relations Act, 1995

# REQUEST FOR RATIFICATION OF COLLECTIVE AGREEMENT PROVIDING FOR MAINTENANCE OF MINIMUM SERVICES



READ THIS FIRST



### WHAT IS THE PURPOSE OF THIS FORM?

This form is a request to the essential services committee to ratify any collective agreement that provides for the maintenance of minimum services in a service designated as an essential service.

### WHO FILLS IN THIS FORM?

Representatives of the parties to the collective agreement.

### WHERE DOES THIS FORM GO?

Essential services committee  
CCMA  
Private Bag X94  
Marshalltown  
2107

### OTHER INSTRUCTIONS

A copy of the collective agreement must accompany this form.

The description of the designated essential service in paragraph 3 must reflect the service as designated in the Government Gazette.

The motivation for ratification in paragraph 5 must demonstrate that the application of the agreement does not endanger the life, personal safety or health of people.

## 1) DETAILS OF THE PARTIES TO THE AGREEMENT

### Employer Parties

Name: .....

.....

Address (postal and street): .....

.....

.....

.....

Tel: ..... Fax: .....

Contact person: .....

Reference number: .....

(Use additional paper if necessary)

### Trade Union Parties

Name: .....

.....

Address (postal and street): .....

.....

.....

.....

Tel: ..... Fax: .....

Contact person: .....

Reference number: .....

CCMA Ref. No. ....

... please turn over →

**2) CLAUSE(S) OF THE AGREEMENT PROVIDING FOR MINIMUM SERVICES**

.....  
.....  
.....

**3) DETAILS OF THE DESIGNATED ESSENTIAL SERVICE**

Describe the designated essential service:

.....  
.....  
.....  
.....  
.....  
.....

**4) DETAILS OF THE EMPLOYEES WHO ARE BOUND BY THE COLLECTIVE AGREEMENT**

- a) How many employees fall within the designated essential service? .....
- b) How many employees fall within the minimum service? .....
- c) Describe the nature of the work performed by the employees who fall within the minimum service?

.....  
.....  
.....  
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... please turn over →

- d) Describe the nature of the work performed by the employees who fall within the designated essential service but who do not fall within the minimum service.

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**5) MOTIVATION FOR RATIFICATION**

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... please turn over →

6) IS THIS REQUEST URGENT?

Yes  No

If yes, explain why it is urgent:

.....  
.....  
.....  
.....  
.....  
.....  
.....

7) SIGNATORIES

Employer Parties

Trade Union Parties

Name .....

Name .....

Position .....

Position .....

Signature .....

Signature .....

Date .....

Date .....

Tel .....

Tel .....

Fax .....

Fax .....



No. R. 1865

15 November 1996

## WET OP ARBEIDSVERHOUDINGE, 1995

## BYVOEGING VAN BYLAE 10 [GELYSDE INSTELLINGS BEDOEL IN ARTIKEL 32 (4)]

Kragtens die bevoegdheids my verleen by artikel 207 (6) van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), voeg ek hierby 'n verdere Bylae, naamlik Bylae 10, by daardie Wet soos in die Aanhangsel uiteengesit.

**T. T. MBOWENI**  
Minister van Arbeid

## AANHANGSEL

## "BYLAE 10

INSTELLINGS<sup>1</sup> BEDOEL IN ARTIKEL 32 (4)<sup>2</sup>

1. Ntsika-ondernemingbevorderingsagentskap
2. 'Centre for Small Business Promotion'.

<sup>1</sup> Die adresse en telefoonnommers van hierdie instellings is verkrygbaar by die Departement van Handel en Nywerheid.

<sup>2</sup> 'n Kollektiewe ooreenkoms moet voorsiening maak vir die aanstelling van 'n onafhanklike liggaam om aan nie-partye vrystelling van die ooreenkoms te verleen. By die instelling van die onafhanklike liggaam moet 'n bedingingsraad die benoemings gedoen deur die instellings gelys in hierdie Bylae, na behore in aanmerking neem.

No. R 1866

15 November 1996

## WET OP ARBEIDSVERHOUDINGE, 1995 (WET No. 66 VAN 1995)

## KOMITEE VIR NOODSAAKLIKE DIENSTE REGULASIES

Die Minister van Arbeid het, kragtens artikel 208 van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), en na oorlegpleging met NEOAR en die Kommissie, die Regulasies in die Bylae uitgevaardig.

## BYLAE

## DEEL A—ALGEMENE BEPALINGS

## 1. Omskrywings

In hierdie Regulasies, het enige uitdrukking wat in die Wet omskryf is, daardie betekenis en, tensy uit die samehang anders blyk, beteken—

"bylae" 'n dokument by hierdie Regulasies aangeheg;

"komitee" die komitee vir noodsaaklike dienste ingestel ingevolge artikel 70 (1) van die Wet;

"Kommissie" die Kommissie vir Versoening, Bemiddeling en Arbitrasie ingestel ingevolge artikel 112 van die Wet en sluit dit in 'n personeellid van die Kommissie deur hom aangestel om namens hom op te tree in aangeleenthede betreffende noodsaaklike dienste; en

"die Wet" die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995).

## 2. Voorsitter van komitee

Die Minister moet 'n lid van die komitee aanstel om as voorsitter van die komitee op te tree.

## 3. Adres vir betekening aan komitee

Wanneer 'n persoon 'n dokument aan die komitee moet beteken, moet sodanige betekening aan die hoofkantoor van die Kommissie geskied.

## 4. Bevoegdheids van die komitee

(1) Vir doeleindes van die verrigting van sy werksaamhede, kan die komitee—

- (a) 'n persoon wat inligting kan verskaf of wie se teenwoordigheid by 'n sitting die komitee kan help om sy werksaamhede te verrig, vir ondervraging dagvaar;

- (b) 'n persoon wat vermoedelik in besit is van of beheer het oor 'n boek, dokument of voorwerp wat op 'n ondersoek of 'n sitting betrekking het, dagvaar om vir ondervraging voor die komitee te verskyn of om daardie boek, dokument of voorwerp voor te lê;
  - (c) 'n deskundige roep, en indien nodig dagvaar, om voor die komitee te verskyn om getuienis te lewer wat op 'n ondersoek of 'n sitting betrekking het;
  - (d) 'n persoon roep wat by 'n ondersoek of sitting teenwoordig is, wat vir enige doel in hierdie Regulasies uiteengesit, gedagvaar is of kon gewees het, om ondervra te word oor enige aangeleentheid wat op 'n ondersoek of 'n sitting betrekking het;
  - (e) 'n eed afneem of 'n plegtige verklaring aanvaar van 'n persoon wat geroep is om getuienis te lewer of ondervra te word;
  - (f) op enige redelike tydstip, maar slegs na verkryging van die nodige skriftelike magtiging—
    - (i) die perseel betree en ondersoek waarop of waarin 'n boek, dokument of voorwerp wat op 'n ondersoek of 'n sitting betrekking het, gevind kan word of wat op redelike gronde vermoed word daar gevind kan word; en
    - (ii) 'n boek, dokument of voorwerp wat op of in daardie perseel is en wat op 'n ondersoek of 'n sitting betrekking het, ondersoek, die voorlegging daarvan eis, en daarop beslag lê; en
    - (iii) van 'n persoon op die perseel wat gewillig is om 'n verklaring af te lê, 'n verklaring afneem ten opsigte van 'n aangeleentheid wat op 'n ondersoek of 'n sitting betrekking het; en
  - (g) insae hê in enige van die boeke, dokumente of voorwerpe wat aan die komitee voorgelê is of waarop die komitee beslag gelê het, of dit vir 'n redelike tydperk hou.
- (2) 'n Getuiedagvaarding uitgereik ingevolge subregulasie (1), moet in die vorm van bylae WAV 4.6 gemaak word.
- (3) 'n Getuiedagvaarding uitgereik vir enige doel ingevolge subregulasie (1) moet deur die direkteur van die Kommissie onderteken wees en moet—
- (a) spesifiek die persoon daarin genoem, versoek om voor die komitee te verskyn;
  - (b) die boek, dokument of voorwerp wat voorgelê moet word, voldoende identifiseer; en
  - (c) die datum, tyd en plek waar die persoon moet verskyn, aandui.
- (4) Die skriftelike magtiging bedoel in subregulasie (1) (f) moet deur 'n regter van die Arbeidshof verleen word.
- (5) Die eienaar of okkupeerder van 'n perseel wat die komitee gemagtig is om te betree en te inspekteer, en elke persoon in diens van daardie eienaar of okkupeerder, moet enige fasiliteite voorsien wat die komitee benodig om daardie perseel te betree en om die inspeksie of beslaglegging uit te voer.
- (6) Die komitee moet 'n kwitansie uitreik vir enige boek, dokument of voorwerp waarop ingevolge subregulasie (1) (f) beslag gelê word.
- (7) Die reg met betrekking tot privilegie, soos dit van toepassing is op 'n getuie wat gedagvaar is om getuienis te lewer of om 'n boek, dokument of voorwerp aan 'n geregshof voor te lê, is insgelyks van toepassing op die ondervraging van 'n persoon of die voorlegging of beslaglegging van 'n boek, dokument of voorwerp ingevolge hierdie regulasie.
- (8) (a) Die komitee moet die voorgeskrewe getuiegeld betaal aan elke persoon wat voor hom verskyn in reaksie op 'n getuiedagvaarding uitgereik deur die komitee.
- (b) Die geld betaalbaar aan 'n getuie ingevolge subregulasie (a), is die totaal van—
- (i) R100 vir elke dag of deel van 'n dag waartydens die getuie by enige verrigtinge teenwoordig moet wees; en
  - (ii) redelike gemotiveerde reis- en verblyfkooste aangegaan deur die getuie ten einde by daardie verrigtinge teenwoordig te wees.
- (c) Ondanks subregulasie (b) mag geen getuiegeld betaal word aan 'n persoon wat ten tyde van die betrokke verrigtinge heeltyds in diens van die Staat of 'n lid van enige wetgewer genoem in die Grondwet is nie.

- (9) 'n Persoon pleeg minagting van die komitee—
- (a) indien die persoon, nadat hy of sy gedagvaar is om voor die komitee te verskyn, sonder goeie rede nie op die tyd en plek gemeld in die getuiedagvaarding teenwoordig is nie;
  - (b) indien daardie persoon, nadat hy of sy in reaksie op die getuiedagvaarding verskyn het, versuim om aanwesig te bly totdat hy of sy deur die komitee verskoon word;
  - (c) deur te weier om as getuie die eed te neem of 'n plegtige verklaring af te lê wanneer die komitee dit verlang;
  - (d) deur te weier om enige vraag te volle en na die beste van sy of haar kennis en wete behoudens subregulasie (7) te antwoord;
  - (e) indien die persoon, sonder goeie gronde, versuim om 'n boek, dokument of voorwerp gespesifiseer in 'n getuiedagvaarding aan die komitee voor te lê;
  - (f) indien die persoon die komitee opsetlik hinder in die verrigting van 'n werksaamhede aan hom verleen by of ingevolge die Wet;
  - (g) indien die persoon die komitee beledig, geringskat of verkleineer, of die verrigtinge benadeel of onbehoorlik beïnvloed of die komitee se beslissing of bepaling onbehoorlik vooruitloop;
  - (h) deur opsetlike onderbreking van die verrigtinge van die komitee of wangedrag op enige ander wyse gedurende daardie verrigtinge; en
  - (i) deur enigiets anders ten aansien van die komitee te doen wat, indien ten aansien van 'n geregshof gedoen, minagting van die hof sou gewees het.
- (10) Die komitee kan enige minagting na die Arbeidshof verwys vir 'n gepaste bevel.
- (11) (a) Die werksaamhede van die komitee kan deur 'n lid van die komitee verrig word.
- (b) 'n Beslissing van 'n lid van die komitee wat ingevolge subregulasie (a) optree is 'n besluit van die komitee hangende ratifisering van die besluit deur die komitee.
- (c) Indien die komitee weier om 'n besluit in subregulasie (b) bedoel te ratifiseer is die besluit vanaf die datum van die weiering ongeldig.
- (12) Geen verrigtinge van die komitee is ongeldig bloot omrede 'n lid nie gedurende al die of 'n deel van enige verrigtinge teenwoordig was nie.
- (13) Indien drie of meer lede van die komitee die werksaamhede van die komitee verrig, is die beslissing van die meerderheid van daardie lede die beslissing van die komitee.

## 5. Kondonاسie

Die komitee kan, op versoek van 'n party by die verrigtinge kragtens die Regulasies en by aanvoering van grondige redes, enige nie-nakoming van die bepalings van hierdie Regulasies kondoneer, onderworpe aan sodanige voorwaardes as wat hy in al die omstandighede goed dink.

## DEEL B—ONDERSOEK OM TE BEPAAL OF 'N DIENS 'N NOODSAAKLIKE DIENS IS

### 6. Versoek deur bedingingsraad vir ondersoek

'n Versoek deur 'n bedingingsraad ingevolge artikel 70 (3) van die Wet moet gerig word in die vorm van bylae WAV 4.7.

### 7. Ondersoeke om te bepaal of 'n diens 'n noodsaaklike diens is

- (1) Die komitee moet, so gou doenlik na ontvangs van 'n versoek deur 'n bedingingsraad ingevolge artikel 70 (3) van die Wet, in die *Staatskoerant* kennis gee van die ondersoek om te bepaal of 'n diens 'n noodsaaklike diens is al dan nie.
- (2) 'n Belanghebbende party wat ingevolge artikel 71 (2) (a) van die Wet skriftelike vertoë aan die komitee voorlê, moet—
  - (a) die aard van sy belang by die ondersoek meld;
  - (b) meld of, indien hy 'n geleentheid verlang om mondelinge vertoë te rig, daardie mondelinge vertoë materiaal gaan bevat of 'n geskilpunt gaan opper wat nie in die skriftelike vertoë gedek word nie, en moet hy 'n bondige opsomming van daardie mondelinge vertoë verskaf;
  - (c) meld of hy staatmaak of beoog om staat te maak op enige deskundige getuienis, en indien wel, moet hy 'n bondige opsomming van daardie deskundige getuienis verskaf; en

- (d) sy adres, telefoonnommer (as daar is) en telefaksnommer (as daar is) spesifiseer.
- (3) 'n Belanghebbende party wat ingevolge artikel 71 (2) (b) aan die komitee aandui dat hy 'n geleentheid verlang om mondelinge vertoë te rig, moet—
- (a) die aard van sy belang by die ondersoek meld;
  - (b) 'n bondige opsomming van sy mondelinge vertoë verskaf;
  - (c) meld of hy staatmaak of beoog om staat te maak op enige deskundige getuienis, en indien wel, moet hy 'n bondige opsomming van daardie deskundige getuienis verskaf; en
  - (d) sy adres, telefoonnommer (as daar is) en telefaksnommer (as daar is) spesifiseer.
- (4) Die Kommissie, op versoek van die komitee, kan 'n feitelike verslag opstel betreffende 'n diens of deel van 'n diens wat die komitee besig is om te ondersoek.
- (5) Die komitee moet 'n bedingingsraad wat die ondersoek ingevolge artikel 70 (3) van die Wet versoek het en enige belanghebbende party wat ingevolge artikel 71 (2) van die Wet skriftelike vertoë voorgelê het, in kennis stel van die bestaan van 'n feitelike verslag wat op die ondersoek betrekking het en hulle uitnoui om binne 14 dae na daardie kennisgewing skriftelike vertoë aan die komitee voor te lê oor die verslag.
- (6) 'n Bedingingsraad wat die ondersoek versoek het en enige belanghebbende party kan by die Kommissie se hoofkantoor insae hê in enige skriftelike vertoë wat ooreenkomstig die bepalings van subregulasies (1) of (5) voorgelê is en in enige feitelike verslag wat op die ondersoek betrekking het.
- (7) Die Kommissie moet 'n gewaarmerkte afskrif van, of uittreksel uit, enige skriftelike vertoë verskaf aan enige persoon wat die voorgeskrewe gelde betaal het.
- (8) Die voorgeskrewe gelde bedoel in artikel 71 (4) van die Wet moet teen 'n koers van R2,00 per bladsy bereken word.
- (9) (a) Benewens die kennisgewing beoog in artikel 71 (5) van die Wet, moet die komitee minstens sewe dae voor die aanhoor van mondelinge vertoë 'n kennisgewing publiseer wat die plek en tyd van die aanhoor van die vertoë aandui.
- (b) Die kennisgewing moet gepubliseer word in 'n koerant wat sirkuleer in die gebied waarin die diens wat ondersoek word, geleë is.
- (10) Hierdie regulasies, met die veranderinge vereis deur die konteks, is van toepassing op enige wysiging of intrekking van die aanwysing van 'n noodsaaklike diens beoog in artikel 71 (9) van die Wet.

#### **DEEL C—BEKRAGTING VAN KOLLEKTIEWE OOREENKOMSTE WAT VIR DIE HANDAWING VAN MINIMUMDIENSTE VOORSIENING MAAK**

- 8. Bekragtiging van die bepalings van kollektiewe ooreenkomste wat vir die handhawing van minimumdiens-voorsiening maak**
- (1) 'n Versoek deur partye by 'n kollektiewe ooreenkoms ingevolge artikel 72 van die Wet moet in die vorm van bylae WAV 4.8 gerig word.
  - (2) Die komitee kan van die partye vereis om verdere skriftelike vertoë aan hom voor te lê ten opsigte van enige aangeleentheid wat op die versoek betrekking het.
  - (3) Die komitee kan van die partye vereis om voor hom te verskyn ten einde enige aangeleentheid wat op die versoek betrekking het, te hanteer.
  - (4) Die komitee moet, so gou doenlik na ontvangs van 'n versoek, die betrokke bepalings van die kollektiewe ooreenkoms bekragtig of weier om dit te bekragtig, en die partye skriftelik van sy beslissing in kennis stel.
  - (5) Die komitee moet, op versoek van 'n party by die kollektiewe ooreenkoms, bondige redes verskaf vir sy weiering om die bepalings van 'n kollektiewe ooreenkoms te bekragtig.

#### **DEEL D—VASSTELLINGS**

**9. Betekening**

Wanneer 'n party die komitee moet oortuig dat 'n afskrif van 'n verwysing, aansoek, beswaar of ander dokumente aan 'n ander party beteken is, moet die party wat aldus verplig is, die komitee voorsien van—

- (a) 'n afskrif van die bewys van die pos van die verwysing, aansoek, beswaar of ander dokumente per geregistreerde pos aan die ander party;



- (b) 'n afskrif van die telegram, teleks of telefaks wat die verwysing, aansoek, beswaar of ander dokument aan die ander party oordra;
- (c) 'n afskrif van 'n kwitansie onderteken deur die ander party of namens daardie party indien die afskrif van die verwysing, aansoek, beswaar of ander dokument per hand afgelewer is; of
- (d) 'n verklaring ter bevestiging van betekening, onderteken deur die persoon wat 'n afskrif van die verwysing, aansoek, beswaar of ander dokument aan die ander party gelewer het.

#### 10. Verwysing van 'n geskil of aansoek om vasstelling

- (1) (a) 'n Verwysing van 'n geskil ingevolge artikel 73 (1) van die Wet moet geskied in die vorm van bylae WAV 4.2, vervat in die algemene regulasies.  
(b) 'n Aansoek om 'n vasstelling ingevolge artikel 75 (2) van die Wet moet gedoen word in die vorm van WAV-Vorm 4.3, vervat in die algemene regulasies.
- (2) Indien die verwysing of aansoek dringend is, moet die aansoeker die gronde van dringendheid skriftelik uiteensit in hierdie gronde saam met die verwysing of aansoek indien.
- (3) Die ander partye by die geskil of partye wat by die aansoek belang het, kan binne 21 dae na ontvangs van die verwysing of aansoek deur die komitee skriftelike verdoë voorlê tensy die verwysing of aansoek 'n dringende verwysing of aansoek is, in welke geval die komitee die partye in kennis moet stel van die tydperk waarin hulle skriftelike verdoë moet voorlê.
- (4) Die komitee kan van die partye vereis om enige verdere inligting wat op die geskil of aansoek betrekking het, skriftelik voor te lê.
- (5) Die komitee kan aan die partye opdrag gee vir die betekening van enige dokumente.

#### 11. Lei van sittings ingevolge artikels 73 en 75 van die Wet

- (1) Die komitee moet, so spoedig moontlik na ontvangs van die verwysing of aansoek bedoel in artikels 73 en 75 van die Wet onderskeidelik, die partye skriftelik van die plek en tyd van die sitting in kennis stel, welke plek en tyd met behoorlike inagneming van dringendheid bepaal moet word.
- (2) Die komitee kan besluit dat die geskil of aansoek op grond van die skriftelike verdoë voor hom vasgestel kan word of dat dit vir hom nodig is om mondelinge getuienis aan te hoor.
- (3) Indien die komitee besluit dat die saak vasgestel kan word op grond van die skriftelike verdoë voor hom, kan die komitee betoë van die partye aanhoor en dan sy vasstelling maak.
- (4) Indien die komitee besluit dat dit vir hom nodig is om mondelinge getuienis aan te hoor—
  - (a) moet hy besluit oor watter aangeleenthede hy mondelinge getuienis moet aanhoor; en
  - (b) moet hy die partye betyds van sy besluit in kennis stel.
- (5) Ondanks die bepalings van subregulasie (3) kan die komitee gedurende 'n sitting opdrag gee dat mondelinge getuienis aangehoor word, in welke geval die bepalings van subregulasie (4) van toepassing is.
- (6) Indien die komitee besluit dat die aangeleentheid dringend is, kan die komitee 'n tussentydse bevel gee wat die geskil of die aansoek vasstel, hangende 'n finale vasstelling. In so 'n geval moet die komitee 'n datum in die bevel spesifiseer, welke datum nie later mag wees as die datum waarop die tussentydse bevel verval nie, vir 'n sitting om die geskil vas te stel.
- (7) Die komitee moet die sitting lei op 'n wyse wat die komitee gepas ag ten einde 'n vasstelling met die minimum regsformaliteite te maak.
- (8) Die komitee moet die partye van 'n bondige opsomming van die redes vir sy besluit voorsien.

#### 12. Kort titel en inwerkingtreding

- (1) Hierdie regulasies heet die Noodsaaklike Dienste Komitee Regulasies.
  - (2) Hierdie regulasies tree in werking op **15 November 1996**
-

WAV-Vorm 4.6  
Wet op Arbeidsverhoudinge, 1995

# DAGVAARDING DEUR NOODSAAKLIKE DIENSTE KOMITEE



## DAGVAARDING KRAGTENS REGULASIE 4(1) VAN DIE NOODSAAKLIKE DIENSTE KOMITEE REGULASIES

Aan: .....

.....

.....

.....

(naam en adres van persoon gedagvaar)

U moet persoonlik voor die Noodsaaklike Dienste Komitee verskyn by

.....

.....

.....

.....

(adres)

op ..... om .....

(datum) (tyd)

en op enige daaropvolgende dae waarna die verrigtinge of ondersoek uitgestel kan word.  
U word gedagvaar kragtens regulasie 4(1) van die Noodsaaklike Dienste Regulasies:

- vir ondervraging
- om enige boek, dokument of voorwerp saam te bring
- om getuienis te gee

'n Afskrif van die regulasies is aangeheg.

U moet met u saambring die boeke, dokumente of voorwerpe hieronder gelys.

.....

.....

.....

.....

KVBA-verwysingsnommer .....

...Blaai asseblief om→

WAV-Vorm 4.6  
Dagvaarding deur Noodsaaklike Dienste Komitee  
Bladsy 2 van 4

Die Noodsaaklike Dienste Komitee is ingevolge artikel 70(1) van die Wet op Arbeidsverhoudinge, 1995, (Wet No 66 van 1995) ingestel.

- 1. Die komitee is gemagtig ingevolge artikels 70(2)(a), 70(3), en 71 om ondersoek in te stel of 'n diens in die geheel of 'n deel daarvan 'n noodsaaklike diens is al dan nie.

Die ..... diens word deur die komitee ondersoek.  
(naam van diens)

Die aard van die diens is:

.....

.....

.....

.....

Die diens word in die volgende gebied/e verrig:

.....

.....

.....

.....

.....

- 2. Die komitee is ingevolge artikel 71(9) gemagtig om die aanwysing van 'n noodsaaklike diens in die geheel of gedeeltelik te wysig of in te trek.

Die ..... diens word deur die komitee ondersoek.  
(naam van diens)

Die aard van die diens is:

.....

.....

.....

.....

...Blaai asseblief om→

Die diens word in die volgende gebied/e gelewer:

.....  
.....  
.....

Die volgende kan gewysig word:

Artikel/s ..... in Staatskoerant .....  
(nommer) (nommer)

Die volgende mag ingetrek word:

Artikel/s ..... in Staatskoerant .....  
(nommer) (nommer)

3. Die komitee is ingevolge artikel 72 gemagtig om enige kollektiewe ooreenkoms wat vir die handhawing van minimum dienste in 'n diens wat as 'n noodsaaklike diens aangewys is, te bekragtig.

Die kollektiewe ooreenkoms tussen:

.....  
(naam van party)

en

.....  
(naam van ander party)

wat voorsiening maak vir die handhawing van minimum dienste in die .....  
(naam van diens)  
diens kan bekragtig word.

4. Die komitee is ingevolge artikels 70(2)(b) en 73 gemagtig om geskille vas te stel:

of die geheel of 'n gedeelte van 'n diens 'n noodsaaklike diens is al dan nie

of 'n werknemer of werkgewer gemoed is met 'n diens wat as 'n noodsaaklike diens aangewys is al dan nie.

Die geskil het betrekking op .....

.....  
.....  
.....  
(aard van geskil)

...Blaai asseblief om→

WAV-Vorm 4.6  
Dagvaarding deur Noodsaaklike Dienste Komitee  
Bladsy 4 van 4

Die geskil is tussen .....  
(naam van party)

en .....  
(naam van ander party)

5. Die komitee is ingevolge artikels 70(3) en 75(4) gemagtig om te beslis of 'n diens in die geheel of 'n gedeelte van 'n werkgewers besigheid of diens 'n instandhoudingsdiens is al dan nie.

Die ..... besigheid of diens word deur die  
(naam van besigheid of diens)  
komitee ondersoek.

Die aard van die besigheid of diens is:

.....  
.....  
.....  
.....

Die werkgewer is .....

Die belanghebbende partye is .....

Die besigheid of diens vind plaas by .....

.....

Die vasstelling verlang is .....

.....

Geteken deur die Direkteur van die Kommissie:

.....

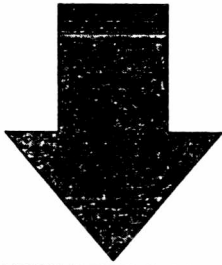
Naam: .....

Datum: .....

Plek: .....

WAV-Vorm 4.7  
Artikel 70(3)  
Wet op  
Arbeidsverhoudinge, 1995

**LEES EERS HIER**



**WAT IS DIE DOEL VAN  
HIERDIE VORM?**

Hierdie vorm is 'n versoek aan die komitee vir noodsaaklike dienste om te ondersoek of 'n diens in geheel of gedeeltelik 'n noodsaaklike diens is. 'n Noodsaaklike diens beteken 'n diens waarvan die onderbreking die lewe of gesondheid van mense sal bedreig.

**WIE MOET HIERDIE  
VORM INVUL?**

Die Sekretaris van die Bedingingsraad.

**AAN WIE WORD DIE  
VORM GESTUUR?**

Komitee vir noodsaaklike dienste  
KVBA  
Privaatsak X94  
MARSHALLTOWN  
2107

**ANDER INSTRUKSIES**

'n Afskrif van die registrasiesertifikaat moet hierdie vorm vergeesel.

Die diens wat ondersoek moet word, moet volledig en akkuraat beskryf word in paragraaf 2 van hierdie vorm.

Indien die bedingingsraad versoek dat meer as een diens ondersoek moet word, moet die besonderhede in paragraaf 2 van die vorm op 'n afsonderlike vel papier vir elke diens uiteengesit word.

# BEDINGINGSRAAD VERSOEK ONDERSOEK NA NOODSAAKLIKE DIENS



## 1) BESONDERHEDE VAN BEDINGINGSRAAD

Naam:.....

.....

Adres (pos- en straatadres): .....

.....

.....

Tel. .... Faks: .....

Kontakpersoon: .....

Verwysingsnommer: .....

## 2) BESONDERHEDE VAN DIENS WAT ONDERSOEK MOET WORD

Beskryf die diens:

.....

.....

.....

.....

.....

.....

Indien net 'n deel of dele van die diens ondersoek moet word, meld watter deel of dele:

.....

.....

.....

.....

.....

.....

KVBA-verwysingsnommer

...Blaai asseblief om→

*WAV-Vorm 4.7  
Bedingsraad versoek dat noodsaaklike diens ondersoek word  
Bladsy 2 van 2*

**3) VAL DIE DIENS BINNE DIE JURISDIKSIE VAN DIE RAAD? GEE BESONDERHEDE.**

.....  
.....  
.....  
.....  
.....  
.....

**Vorm voorgelê deur:**

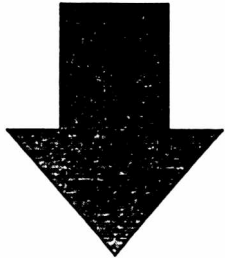
Handtekening van Sekretaris.....

Naam.....

Datum.....

WAV-Vorm 4.8  
Artikel 72  
Wet op  
Arbeidsverhoudinge, 1995

**LEES EERS HIER**



**WAT IS DIE DOEL VAN  
HIERDIE VORM?**

Hierdie vorm is 'n versoek aan die komitee vir noodsaaklike dienste om 'n kollektiewe ooreenkoms te bekragtig wat voorsiening maak vir die handhawing van minimum dienste in 'n diens wat as 'n noodsaaklike diens aangewys is.

**WIE MOET HIERDIE  
VORM INVUL?**

Verteenwoordigers van die partye by die kollektiewe ooreenkoms.

**AAN WIE WORD DIE  
VORM GESTUUR?**

Komitee vir noodsaaklike dienste  
KVBA  
Privaat ak X94  
MARSHALLTOWN  
2107

**ANDER INSTRUKSIES**

'n Afskrif van die registrasiesertifikaat moet hierdie vorm vergesel.

Die beskrywing van die aangewese noodsaaklike diens in paragraaf 3 moet die diens soos aangewys in die Staatskoerant weerspieël.

Die motivering vir bekragtiging in paragraaf 5 moet toon dat die toepassing van die ooreenkoms nie die lewe, persoonlike veiligheid of gesondheid van mense bedreig nie.

**VERSOEK VIR BEKRAGTIGING VAN  
KOLLEKTIEWE OOREENKOMS WAT VIR  
HANDHAWING VAN MINIMUM DIENS  
VOORSIENING MAAK**

**1) BESONDERHEDE VAN PARTYE BY DIE OOREENKOMS**

**Werkgewerpartye**

Naam:.....

.....

Adres (pos- en straatadres): .....

.....

.....

.....

Tel. .... Faks: .....

Kontakpersoon: .....

Verwysingsnommer: .....

(Gebruik bykomende papier indien nodig.)

**Vakbondpartye**

Naam: .....

.....

Adres (pos- en straatadres): .....

.....

.....

.....

Tel: .... Faks: .....

Kontakpersoon: .....

Verwysingsnommer: .....

**KVBA-verwysingsnommer**

....Blaai asseblief om→



*WAV-Vorm 4.8*  
*Versoek vir bekragtiging van kollektiewe ooreenkoms wat vir handhawing van minimum diens voorsiening maak*  
*Bladsy 2 van 4*

**2) KLOUSULE(S) VAN DIE OOREENKOMS WAT VIR MINIMUM DIENS VOORSIENING  
MAAK:**

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**3) BESONDERHEDE VAN DIE AANGEWESSE NOODSAAKLIKE DIENS**

Beskryf die aangewese noodsaaklike diens:

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**4) BESONDERHEDE VAN DIE WERKNEMERS WAT DEUR DIE KOLLEKTIEWE  
OOREENKOMS GEBIND WORD**

- a) Hoeveel werknemers val binne die aangewese noodsaaklike diens? .....
- b) Hoeveel werknemers val binne die minimum diens? .....
- c) Beskryf die aard van die werk verrig deur die werknemers wat binne die minimum diens val.

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... Blaai asseblief om→

*WAV-Vorm 4.8*  
*Versoek vir bekragting van kollektiewe ooreenkoms wat vir handhawing van minimum diens voorsiening maak*  
*Bladsy 3 van 4*

- d) Beskryf die aard van die werk verrig deur die werknemers wat binne die aangewese noodsaaklike diens val maar wat nie binne die minimum diens val nie.

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**5) MOTIVERING VIR BEKRAGTING**

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*WAV-Vorm 4.8*  
*Versoek vir bekragting van kollektiewe ooreenkoms wat vir handhawing van minimum diens voorsiening maak*  
*Bladsy 4 van 4*

**6) IS HIERDIE VERSOEK DRINGEND?**

Ja  Nee

Indien ja, verduidelik waarom dit dringend is:

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**7) ONDERTEKENAARS**

**Werkgewerpartye**

Naam .....

Posisie .....

Handtekening .....

Datum .....

Tel .....

Faks .....

**Vakbondpartye**

Naam .....

Posisie .....

Handtekening .....

Datum .....

Tel .....

Faks .....

**CONTENTS****INHOUD**

<i>No.</i>	<i>Page No.</i>	<i>Gazette No.</i>	<i>No.</i>	<i>Bladsy No.</i>	<i>Koerant No.</i>
<b>GOVERNMENT NOTICES</b>			<b>GOEWERMENTSKENNISGEWINGS</b>		
<b>Labour, Department of</b>			<b>Arbeid, Departement van</b>		
<i>Government Notices</i>			<i>Goewermentskennisgewings</i>		
R. 1865			R. 1865		
Labour Relations Act (66/1995): Addition of Schedule 10 [Listed institutions referred to in section 32 (4)].....	00	17576	Wet op Arbeidsverhoudinge (66/1995): Byvoeging van Bylae 10 [Gelyste instellings bedoel in artikel 32 (4)] .....	00	17576
R.1866			R.1866		
do.: Essential Services Committee Regulations .....	00	17576	do.: Komitee vir Noodsaaklike Dienste Regulasies .....	00	17576