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## GOVERNMENT NOTICES GOEWERMENSKENNISGEWINGS

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### DEPARTMENT OF LABOUR DEPARTEMENT VAN ARBEID

**No. R. 968****6 October 2006**

LABOUR RELATIONS ACT, 1995

**NATIONAL BARGAINING COUNCIL FOR THE CLOTHING MANUFACTURING INDUSTRY: EXTENSION TO NON-PARTIES OF THE PROVIDENT FUND COLLECTIVE AMENDING AGREEMENT FOR THE WESTERN CAPE REGION**

I, Membathisi Mphumzi Shepherd Mdladlana, Minister of Labour, hereby in terms of section 32 (2) of the Labour Relations Act, 1995, declare that the collective agreement which appears in the Schedule hereto, which was concluded in the National Bargaining Council for the Clothing Manufacturing Industry, 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 9 October 2006 and for the period ending 31 August 2007.

**M. M. S. MDLADLANA**

Minister of Labour

**No. R. 968****6 Oktober 2006**

WET OP ARBEIDSVERHOUDINGE, 1995

**NASIONALE BEDINGINGSRAAD VIR DIE KLERASIEVERVAARDIGINGSNYWERHEID: UITBREIDING NA NIE-PARTYE VAN DIE VOORSORGFONDS KOLLEKTIEWE WYSIGINGSOOREENKOMS VIR DIE WES-KAAP STREEK**

Ek, Membathisi Mphumzi Shepherd Mdladlana, Minister van Arbeid, verklaar hierby, kragtens artikel 32 (2) van die Wet op Arbeidsverhoudinge, 1995 dat die kollektiewe ooreenkoms wat in die Engelse Bylae hiervan verskyn en wat in die Nasionale Bedingingsraad vir die Klerasievervaardigingsnywerheid aangegaan is en kragtens artikel 31 van die Wet op Arbeidsverhoudinge, 1995, bindend is op die partye wat die ooreenkoms aangegaan het, bindend is vir die ander werkgewers en werknemers in daardie Nywerheid, met ingang van 9 Oktober 2006, en vir die tydperk wat op 31 Augustus 2007 eindig.

**M. M. S. MDLADLANA**

Minister van Arbeid

**SCHEDULE****NATIONAL BARGAINING COUNCIL FOR THE CLOTHING MANUFACTURING INDUSTRY PROVIDENT FUND  
COLLECTIVE AGREEMENT FOR THE WESTERN CAPE REGION**

in accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

**Cape Clothing Association**

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

**Southern Africa Clothing and Textile Workers' Union**

(hereinafter referred to as the "employees" or the "trade union"), of the other part,

being the parties to the National Bargaining Council for the Clothing Manufacturing Industry,

to amend the Agreement published under Government Notice No. R. 231 of 28 February 2003, as amended, extended, re-enacted and renewed by Government Notices Nos R. 793 and R. 794 of 20 June 2003, R. 1293 of 19 September 2003, R. 503 and R. 504 of 30 April 2004, R. 883 of 30 July 2004, R. 1177 of 15 October 2004, R. 970 of 7 October 2005 and R. 888 of 8 September 2006.

**1. SCOPE OF APPLICATION OF AGREEMENT**

(1) The terms of this Agreement shall be observed in the Clothing Industry by employers and employees who are engaged or employed in the operations referred to in the definition of "Clothing Industry" in clause 3 of Parts F, G, H and I of the National Main Collective Agreement of the Council and who—

- (a) are members of the employers' organisations and the trade union, respectively, and who are engaged or employed in the Industry;

- (b) are subject to the scopes of Parts F, G and H of the National Main Collective Agreement of the Council, being those in the Magisterial Districts of Bellville, George, Goodwood, Malmesbury (including that portion from which the Magisterial Division of Moorreesburg was constituted on 29 November 1985 by Government Notice No. R. 2649), Simon's Town, Somerset West, Strand, The Cape, Worcester and Wynberg, including those portions of the Magisterial Districts of Bellville, Goodwood, Simon's Town and Wynberg that were used to create the Magisterial District of Mitchells Plain on 2 March 1992;
  - (c) are subject to the scope of Part I (Non-Metro) of the National Main Collective Agreement of the Council, but only insofar as those areas of Part I that fall within the Province of the Western Cape [save for those specified in subclause (b) above] and the Northern Cape Magisterial Districts of Britstown, Calvinia, Carnarvon, Colesberg, De Aar, Fraserburg, Hanover, Namaqualand, Noupoot, Richmond, Sutherland, Victoria West and Williston are concerned.
- (2) Notwithstanding the provisions of subclause (1), the terms of this Agreement shall—
- (a) apply only in respect of employees for whom wages are prescribed in Parts F, G, H and I of the National Main Collective Agreement of the Council;
  - (b) not apply to employees and working directors whose wages are more than the amount referred to in clause 1 (2) (b) of Parts F, G, H and I, as the case may be, of the National Main Collective Agreement of the Council.
- (3) Notwithstanding the provisions of subclauses (1) and (2), the terms of this Agreement shall apply in respect of employees and working directors who were contributors immediately prior to the coming into force of this Agreement.
- (4) Clauses 1 (1) (a) and 2 of this Agreement shall not apply to employers and employees who are not members of the employers' organisation and trade union, respectively.

## 2. PERIOD OF OPERATION OF AGREEMENT

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 (2) of the Act, and shall remain in force until 31 August 2007. This Agreement shall bind the parties and their members and shall remain effective beyond the expiry date determined by the Minister or until the parties agree otherwise.

## 3. CLAUSE 6: CONTRIBUTIONS

Substitute the following new subclauses for subclauses (1) and (2):

### "(1) Employees' contributions

For all employees falling within the scope of clause 1 (1) (b) of this Agreement, save as provided for in clause 1 (2) (b) of this Agreement, every employer shall each week or each month, as the case may be, in respect of each of his weekly-paid or monthly-paid employees (hereinafter referred to as the "contributor") who have worked eight and a half ordinary hours or more during any pay week, deduct an amount equal to 6,03% of his wage: Provided that no deduction shall exceed 6,03% of the highest minimum wage as prescribed in clause 4 of Parts F, G and H of the National Main Collective Agreement of the Council, whichever is applicable: Provided further that no deductions shall be made from the wage of any employee who is 65 years of age or older.

### (2) Employers' contributions

- (a) An employer shall, in respect of all contributors falling within the scope of clause 1 (1) (b) of this Agreement, save as provided for in clause 1 (2) (b) of this Agreement, contribute to the Fund an amount equal to 6,25% of each contributor for whom contributions are deducted as provided for in subclause (1): Provided that no deduction shall exceed 6,25% of the highest minimum wage as prescribed in clause 4 of Parts F, G and H of the National Main Collective Agreement of the Council, whichever is applicable.
- (b) An employer shall, in respect of all contributors falling within the scope of clause 1 (1) (c) of this Agreement, save as provided for in clause 1 (2) (b) of this Agreement, each week contribute to the Fund an amount equal to 4,0% of the wage of each contributor who has worked nine ordinary hours or more during any pay week: Provided that no deduction shall exceed 4,0% of the limitation referred to in clause 1 (2) (b) of Part I of the National Main Collective Agreement of the Council.

Fractions of a cent shall be regarded as one cent when assessing the rate of contribution payable by the contributor and his employer in terms of this clause."

## 4. CLAUSE 8: HOUSING LOANS

Insert the following new subclause after subclause (3):

- "(4) If a contributor owes the Fund money in respect of a housing loan granted in terms of this clause, any benefits that the contributor is entitled to in terms of clause 9 shall, after the deduction of any tax due, be applied to setting the housing loan and only thereafter shall any remaining portion of the benefit be paid to the contributor or his estate."

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**5. CLAUSE 9: BENEFITS**

Substitute with the following new subclause for subclause (1):

"(1) Subject to clause 8 (4) and this clause, benefits shall be provided for contributors who—

- (a) leave the Industry by retiring between the ages of 55 and 65; or
- (b) satisfy the Management Committee that they have left the Industry permanently before the age of 55."

Signed at Cape Town on behalf of the parties this 15th day of June 2006.

**P. J. BRAND**

**Chairperson**

**C. O. JEFTHA**

**Vice-Chairperson**

**W. A. ROBERTS**

**General Secretary**

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**DEPARTMENT OF TRADE AND INDUSTRY  
DEPARTEMENT VAN HANDEL EN NYWERHEID**

No. R. 967

6 October 2006

**STANDARDS ACT, 1993**

**WITHDRAWAL AND REPLACEMENT OF THE COMPULSORY  
SPECIFICATION FOR CIRCUIT BREAKERS**

I, Mandisi Mpahlwa, Minister of Trade and Industry, hereby under Section 22(1)(a)(ii) of the Standards Act, 1993 (Act No. 29 of 1993), and on the recommendation of the Council of the South African Bureau of Standards, withdraw the compulsory specification for circuit breakers, and replace it with the compulsory specification, as set out in the schedule, with effect from the date 2 months after the date of publication of this notice.



M Mpahlwa  
Minister of Trade and Industry

## SCHEDULE

**Compulsory specification for circuit breakers****1 Scope**

1.1 This specification covers circuit breakers with moulded cases the main contacts of which are intended to be connected to circuits with rated voltages not exceeding 1000 V ac or 1500 V dc., rated currents not exceeding 125A and a rated ultimate short circuit breaking capacity ( $I_{cu}$ ) not exceeding 10 kA.

1.2 This specification does not cover circuit breakers incorporating residual current protection (earth leakage protection).

**2 Definition**

For the purpose of this specification the following definition applies:

**Circuit breaker:** A mechanical switching device, capable of making, carrying and breaking currents under normal circuit conditions and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions such as a short circuit or an earth fault.

**3 Requirements**

3.1 A circuit breaker shall be safe and shall function safely and correctly during normal and abnormal circuit conditions.

Compliance with this requirement shall be proven by compliance with the requirements of either:

3.2 SANS 556-1 *Low-voltage switchgear, Part 1- Circuit breakers* as published in Government Notice 39 of 28 January 2005 (Government Gazette 27179).

Or alternatively, for the period up to 5 years from the date of final publication of this Compulsory Specification:

3.3 SANS 60947-2 / IEC 60947-2:1995, *Low-voltage switchgear and controlgear – Part 2: Circuit-breakers*, as published by Government Notice No. 411 of 27 March 1998, as modified in 3.4 and 3.5

3.3.1 The power-frequency recovery voltage, as given in 8.3.2.2.6 and 8.3.3.4 (table 13) of the said SABS IEC 60947-2:1995, for a circuit-breaker with a maximum operational voltage of 220/380 V a.c. to 240/415 V a.c. (inclusive), shall be 252/440 V a.c.

## 3.3.2

**Table 11 — Values of power factors and time constants corresponding to test currents**

1	2	3	4	5	6	7
Test current <i>I</i> kA	Power factor			Time constant ms		
	Short-circuit	Operational performance capability	Overload	Short-circuit	Operational performance capability	Overload
$I \leq 10$	0,45 - 0,5	0,8	0,45 - 0,5	5	2	2,5

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