

- 42.4.7.1 produce on request a copy of the authorisation referred to in clause 42.4.3;
- 42.4.7.2 provide a receipt for any record or document removed in terms of clause 42.4.5, and return any removed record, document or item within a reasonable period.
- 42.4.8 Any person who is questioned by a designated agent in terms of clause 42.4.5.2 must answer all questions lawfully put to that person truthfully and to the best of that person's ability.
- 42.4.9 An answer by any person to a question by a designated agent in terms of this clause may not be used against that person in any criminal proceedings, except proceedings in respect of a charge of perjury or making a false statement.
- 42.4.10 Every employer and each employee must provide any facility and assistance at a workplace that is reasonably required by a designated agent to effectively perform the designated agent's functions.
- 42.4.11 The Council may apply to the Labour Court for an appropriate order against any person who—
- 42.4.11.1 refuses or fails to answer all questions lawfully put to that person truthfully and to the best of that person's ability; or
- 42.4.11.2 refuses or fails to comply with any requirement of the designated agent in terms of this clause; or
- 42.4.11.3 hinders the designated agent in the performance of the agent's functions in terms of this clause; and
- 42.4.11.4 for the purposes of this clause, a Collective Agreement shall be deemed to include any basic condition of employment which constitutes terms of a contract of employment in terms of section 49 (1) of the Basic Conditions of Employment Act No. 75 of 1997 [as amended].

43. COUNCIL LEVIES

Unless otherwise specified in the relevant Annexures in Part 2 of this Agreement—

- 43.1 each employer must deduct a Bargaining Council levy of R1.50 per week from the salary/wage of each employee;
- 43.2 employers must pay to the Bargaining Council an amount equivalent to that deducted from all its employees;
- 43.3 every employer must pay the amounts referred to in clause 43.1 and 43.2 to the Bargaining Council before the 15th day of the following month;