

- 10.13.1 The Council shall be the body responsible for the administration and enforcement of this Agreement, and may issue expressions of opinion and rulings not inconsistent with the provisions hereof for the guidance of employers and employees in the Industry.
- 10.13.2 Despite any other provisions of this Agreement, the Council may appoint one or more persons and may request the Minister of Labour to appoint such persons as designated agents in terms of Section 33 (1) of the Act to promote, monitor and enforce compliance with this Agreement.
- 10.13.3 In the event of non-compliance with this Agreement, designated agents may secure compliance by –
- 10.13.3.1 investigating complaints;
 - 10.13.3.2 conducting inspections;
 - 10.13.3.3 issuing compliance orders ; or
 - 10.13.3.4 adopting any other reasonable means; and
 - 10.13.3.5 performing any other functions which is conferred or imposed on the designated agents by the Council.
- 10.13.4 In the event that non-compliance prevails after the issuing of a compliance order in terms of sub-clause 10.13.3.3 above, the designated agents may be required to:
- 10.13.4.1 submit a report to the General Secretary of the Council or any other person so designated by him, specifying that compliance has not been achieved.
- 10.13.5 Upon receipt of such a report, the General Secretary of the Council or any other person so designated by him, shall –
- 10.13.5.1 Appoint an arbitrator from the Council's panel of arbitrators to conciliate and/or arbitrate the matter; or
 - 10.13.5.2 take such steps as may be deemed necessary to give effect to any agreement reached after the compliance order was issued in resolving the matter.
 - 10.13.5.3 A conciliator and arbitrator appointed in terms of this Clause shall have all the powers assigned to them as contemplated by the Act, including but not limited to the charges and penalties as further contemplated by Section 33A of the Act read with the applicable Regulations.
- 10.13.6 The General Secretary or person so designated by him may make application to have the arbitration award or settlement agreement, whichever applies, certified as an order of the Labour Court.