

- 11.2.10 an exemption should not contain terms and conditions that would have an unreasonably detrimental effect on the fair, equitable and uniform application in the Industry of any collective agreement concluded in the Bargaining Council;
- 11.2.11 no exemption shall be granted for an indefinite period or as a total (blanket) exemption;
- 11.2.12 no exemption should be granted retrospectively for any liabilities incurred by an employer in terms of this agreement, such as levies and/or contributions, which became payable by the employer to the Council prior to the date on which the application for such an exemption was received by the Council.
- 11.2.13 No exemption shall be granted for payment of wages less than the national minimum hourly rate of pay.

12. LEAVE PAY FUND

- 12.1 Every employer shall pay over monthly to the Council, on the specified form, by not later than the tenth day of the following month concerned in respect of every employee Leave Pay Fund contributions as prescribed in **ADDENDUM 1**.
- 12.2 Guarantees submitted in respect of Leave Pay Fund contributions:
 - 12.2.1 Every employer who supplies the Council with an acceptable guarantee for the total of his assessed maximum annual commitments under this clause shall, without in any way limiting his liability towards his employees, be granted an exemption from making payment to the Council in the manner specified: provided that the exemption shall be subject to such terms and conditions made applicable thereto by the Council from time to time.
 - 12.2.2 Every employer shall submit a monthly statement as specified in clause 12.1 above in respect of all his employees. Should the services of any employee be terminated during the month, a statement as prescribed together with the amount due in respect of Leave pay Fund contributions for the period employed between October of the current year and September the following year shall be submitted to the Council. Should the services of no employees be terminated during the month, the Council shall be notified on the specified form.
 - 12.2.3 The employer shall submit to the Council not later than 10 November of each year a statement in the form prescribed reflecting all particulars of all employees who are in the employ of the employer as at 30 September who are to be paid by him in terms of this clause.