

NOTICE 1544 OF 2009**DEPARTMENT OF LABOUR****LABOUR RELATIONS ACT****APPLICATION FOR VARIATION OF REGISTERED SCOPE OF A BARGAINING
COUNCIL**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of section 58(1) of the Labour Relations Act, 1995, give notice that an application for the variation of its registered scope has been received from the **National Bargaining Council of Leather Industry of South Africa**

Particulars of the application are reflected in the subjoined table.

Any person may object to the application on any or all of the following grounds:

- (a) The applicant has not complied with the provisions of section 29 of the Act, read with the changes required by the context;
- (b) the sector and area in respect of which application is made is not appropriate; and
- (c) the applicant is not sufficiently representative in the sector and area in respect of which application is made.

Any person who objects to the application must lodge his/her written objection with me, c/o the Department of Labour, Laboria House, 215 Schoeman Street, PRETORIA, 0002 (Postal Address: Private bag X117, PRETORIA, 0001), within 30 days of the date of this notice. A copy of the objection must be served on the applicant within the said period and I must be satisfied that a copy of the objection has so been served.

The applicant may respond to the objection within 14 days of the expiry of the 30-day period mentioned above and must satisfy me that a copy of the response has been served on the person who objected within the 14-day period.

TABLE

Name and address of the applicant bargaining council

National Bargaining Council of Leather Industry of South Africa

Suite 422, 4th Floor

320 West Street, DURBAN, 4001

or P O Box 4857, DURBAN, 4000

Fax No. 031-305 8222

Date on which application was lodged

26 August 2009

Intention of application

- (1) To amend the scope of the council to include the words“**and/ or partial manufacture, and/or finishing of partially manufactured, and/or of components, and/or assembling of components of**“ under the Leather Industry definition-

Interest and area in respect of which application is made:

The Leather Industry, as defined hereunder, in the Republic of South Africa

“Leather Industry” means the industry in which employers and employees are associated for one or more of the following:

- (1) The manufacture and/or partial manufacture, and/or finishing of partially manufactured, and/or of components, and/or assembling of components of -
- (a) footwear, excluding bespoke made footwear;
 - (b) travel goods and requisites, including suitcases, trunks, travelling, folding, sling, shopping, knitting and school bags, satchels, rucksacks, attaché, brief and vanity cases, and other similar containers;
 - (c) harnesses, saddlery, bridles, saddle bags, girths, leggings, stirrup straps and other similar equipment, wallets, purses, tobacco pouches, cases and boxes for jewellery, musical instruments, binoculars, arms, footwear, bottles, cigarettes, cigars and pipes, dog collars and leads, watch straps, rug straps, belts, braces, suspenders, garters, armlets (excluding belts, braces, suspenders, garters, armlets manufactured from cloth) and other similar articles designed as substitutes;
 - (d) handbags and other bags, and containers designed to hold ladies’ and gentlemen’s’ personal effects;
 - (e) footballs, punchballs, netball balls and boxing gloves;
 - (f) hockey and cricket balls.
- (2) (a) For the tanning, dressing and fellmongering of hides and skins;
- (b) (i) preparation of cured or uncured hides and/or skins for tanning: for this purpose “preparation of hides and/or skins for tanning” without detracting from its ordinary or technical meaning, includes the following: washing, soaking, fleshing, deburring, liming, unhairing, dewooling, the removal of scales, deliming, bating and pickling; and
- (ii) tanning of the cured or uncured hides and/or skins; and or
- (iii) retanning and/or dyeing and/or drying and/or softening and/or buffing and/or dressing and/or finishing and/or laminating of leather and/or the combing and/or shearing and/or ironing of hides and/or skins with the wool or hair on; and
- (c) cutting of upholstery panels from leather: provided that, for the purposes of subparagraphs (i) to (iii) “Hides and Skins” includes the following:
Pelts with or without the fur on; sheepskins with or without the wool on; game and goat skins with or without the hair on; all types of reptile skins,

and bird skins with or without the feathers attached: Provided that the activities listed under sub-paragraph (1) (b) and (c) shall not include:-

- (aa) the manufacture of metal components and/or attachments;
- (bb) the manufacture of canvas bank bags, canvas kitbags, canvas rucksacks, canvas haversacks, canvas sampling bags and canvas explosive bags;
- (cc) the manufacture of any article from rubber;
- (dd) the manufacture of any article or the practice of any trade or occupation covered by the Printing Industry which, without in any way limiting the generally accepted meaning of the term, means the industry or undertaking in which employers and employees are associated for the production of printed matter of any nature whatsoever;
- (ee) the manufacture of any article from metal or any kind of container (with or without metal parts) from fibre and/or cardboard (corrugated or otherwise) and/or paper or any compound of paper and/or any like material a constituent part of which is fibre and/or cardboard and/or paper and/or any constituent of paper and/or plastic, but excluding the manufacture wholly or mainly from fibre or plastic sheeting material of trunks, attaché cases, bags and all similar containers designed to hold personal effects, musical instruments and sporting kit.

The word "plastic" in the paragraph directly above means any of the group of materials which consist of or contain as an essential ingredient an organic substance of a large molecular mass, and which, while solid in the finished state, at some stage in its manufacture has been or can be forced, i.e. cast, calendered, extruded or moulded into various shapes by flow, usually through the application singly or together of heat and pressure.

Interest and area in respect of which registration is held:

The Leather Industry (as defined hereunder) in the Republic of South Africa, which includes the former Republic of Transkei, the former Republic of Bophuthatswana, the former Republic of Venda and the former Republic of Ciskei as well as the former self-governing territories of KwaZulu, Qwaqwa, Lebowa, Gazankulu, KaNgwana and KwaNdebele as at 9 February 2001.

"Leather Industry" means the industry in which employers and employees are associated for one or more of the following:

1. Manufacture of

- (a) footwear, excluding bespoke made footwear;
- (b) travel goods and requisites, including suitcases, trunks, travelling, folding, sling, shopping, knitting and school bags, satchels, rucksacks, attaché, brief, vanity cases, and other similar containers;
- (c) harnesses, saddlery, bridles, saddle bags, girths, leggings, stirrup straps and other similar equipment, wallets, purses, tobacco pouches, cases and boxes of jewellery, musical instruments, binoculars, arms,

- footwear, bottles, cigarettes, cigars and pipes, dog collars, and leads, watch straps, rug straps, belts, braces, suspenders, garters, armllets excluding belts, braces, suspenders, garters, armllets manufactured from cloth and other similar articles designed as substitutes;
- (d) handbags and other bags, and containers designed to hold ladies' and gents' personal effects;
- (e) footballs, punch balls, netball balls and boxing gloves;
- (f) hockey and cricket balls.
2. (a) For the tanning, dressing and fellmongering of hides and skins; and
- (b) (i) preparation of cured or uncured hides and/or skins for tanning; for this purpose "preparation of hides and/or skins for tanning" without detracting from its ordinary or technical meaning, includes any of the following: Washing, soaking, fleshing, deburring, liming, unhairing, dewooling, the removal of scales, deliming, bating and pickling; and
- (ii) tanning of the cured or uncured hides and/or skins ; and or
- (iii) retanning and/or dyeing and/or drying and/or softening and/or buffing and/or dressing and/or finishing and/or laminating of leather and/or the combing and/or shearing and/or ironing of hides and/or skins with the wool or hair on; and
- (iv) cutting of upholstery panels from leather: Provided that, for the purposes of subparagraphs (i) to (iii) "Hides and skins" includes the following:
 Pelts with or without the fur on; sheepskins with or without the wool on; game and gate skins with or without the hair on; all types of reptile skins, and bird skins with or without the feathers attached: Provided that the activities listed under subparagraph 1(b) and (c) shall not include—
- (aa) the manufacture of metal components and/or attachments;
- (bb) the manufacture of canvas bank bags, canvas kit bags, canvas rucksacks, canvas haversacks, canvas sampling bags and canvas explosive bags;
- (cc) the manufacture of any article from rubber;
- (dd) the manufacture of any article or the practice of any trade or occupation covered by the "Printing Industry" which, without in any way limiting the generally accepted meaning of the term, means the industry or undertaking in which employers and employees are associated for the production of printed matter of any nature whatsoever;
- (ee) the manufacture of any article from metal and of any kind of container (with or without metal parts) from fibre and/or cardboard (corrugated or otherwise) and/or paper or any compound of paper and/or any like material a constituent part of which is fibre and/or cardboard and/or paper

and/or any constituent of paper and/or plastic, but excluding the manufacture wholly or mainly from fibre or plastic sheeting material of trunks, attaché cases, bags and all similar containers designed to hold personal effects, musical instruments and sporting kit.

The word "plastic" as contained in the paragraph directly above means any of the group of materials which consists of or contains as an essential ingredient an organic substance of a large molecular mass and which while solid in the finished state, at some stage in its manufacture has been or can be forced, i.e, cast, calendered, extruded or moulded into various shapes by flow, usually through the application singly or together of heat and pressure.

Representativeness of the Bargaining Council

Total number of employees who fall within the new scope of the Bargaining Council and who belong to the trade unions which are party to the Council: **10 666**

Total number of employers who fall within the new scope of the Bargaining Council and who belong to the employers' organizations which are party to the Council: **117**

Total number of employees employed within the new scope of the Bargaining Council by the employers who belong to the employers' organizations which are party to the Council: **10 361**

Total number of employers within the new scope of the Bargaining Council: **288**

Estimated number of employees employed within the new scope of the Bargaining Council: **15 835**

J. T. CROUSE

REGISTRAR OF LABOUR RELATIONS