

No. R. 1385

8 November 2002

**DETERMINATION IN TERMS OF SECTION 50****BCEA 7**

The Minister of Labour has made the following determination in terms of Section 50(8)(c) of the Act:

**1. The following sections of the Act are replaced or excluded:**

Sections 10(2), 12(2)(b), 14, 15(1)(a), 16(1), 33 and 35.

**2. Extent of the variation:**

- (a) To retain the collectively bargained arrangements in respect of compensation for overtime;
- (b) To average hours of work over the agreed period with an average of 10 hours overtime per week;
- (c) To dispense with a meal interval in respect of those employees working underground and working in processing plants;
- (d) To reduce the daily rest period to not less than 8 hours for the purposes of rapid shift changeovers;
- (e) To retain the collectively bargained arrangements in respect of compensation for work on Sundays; and
- (f) to exclude employees employed by mines listed in Annexure A from Sections 33 and 35, pending the outcome of the joint task team investigation.

**3. Employers or employees in respect of whom the determination applies:**

Officials on the entities listed in Annexure A, Annexure B and Annexure C, who are members of the Chamber of Mines of South Africa.

**4. Conditions on which determination is granted:**

- (a) That overtime is worked voluntarily or as agreed collectively;
- (b) That informal rest arrangements and opportunities to take sustenance are made; and
- (c) That rapid shift changeovers do not occur on more than two occasions per month per employee.

**5. Period for which the determination is granted:**

With effect from 1 October 2002 to 30 September 2003 in respect of the entities listed in Annexure A and Annexure B.

With effect from 1 October 2002 to 30 September 2004 in respect of the entities listed in Annexure C.

Signed under delegated authority in terms of section 85 of the Basic Conditions of Employment Act, 1997, at Pretoria on this 31<sup>st</sup> day of October 2002.

**DIRECTOR GENERAL: LABOUR**

**ANNEXURE A**

**ANGLO OPERATIONS LIMITED : ANGLO COAL DIVISION**

Collieries

- Bank Colliery
- Goedehoop Colliery
- Greenside Colliery
- Kriel Colliery
- New Denmark Colliery
- New Vaal Colliery
- Kleinkopje Colliery
- Landau Colliery

Service Divisions

- Anglo Coal Central Coal Laboratory
- Anglo Coal Central Workshops
- Anglo Coal Computer Services
- Anglo Coal Environmental Services
- Anglo Coal Estates
- Anglo Coal Geological Services
- Anglo Coal Highveld Hospital
- Anglo Coal Inventory Services
- Anglo Coal Management Services
- Anglo Coal Training Centre
- Anglo Coal Project Services

**ANNEXURE B****DUIKER MINING (PTY) LTD**

TwEEfontein Collieries  
Waterpan Colliery  
Boschmans Colliery  
Witbank Consolidated Colliery  
South Witbank Colliery

iMpunzi Collieries  
Phoenix Colliery  
Tavistock Colliery  
Arthur Taylor Colliery (underground)

Mpumalanga Collieries  
Strathrae Colliery  
Spitzkop Colliery  
Tslentis Colliery

**EYESIZWE COAL**

Arnot Colliery  
Matla Colliery (including New Clydesdale Colliery)

**TWEEWATERS FUEL (PTY) LTD**

Tweewaters Fuel (Pty) Ltd trading as Springlake Colliery

**ANNEXURE C****INGWE COLLIERIES LIMITED**

Delmas Colliery  
Douglas Colliery  
Koorfontein Colliery – Blinkpan Section  
Optimum Colliery