
GOVERNMENT NOTICES
GOEWERMENTSKENNISGEWINGS

DEPARTMENT OF LABOUR
DEPARTEMENT VAN ARBIED

No. R. 293

28 February 2003

BCEA 7

DETERMINATION IN TERMS OF SECTION 50

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 16(1)

2. Extent of the variation:

That employees employed in the Hotel Trade are paid their ordinary daily wage for work on Sundays.

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

Employers and employees in the Hotel Trade who are not subject to the provisions of a Bargaining Council.

4. Conditions on which determination is granted:

- (a) That employees are granted a free period of 24 consecutive hours in every week;
- (b) That employees not be required or permitted to perform any duties during such free period; and
- (c) That an employer may, in lieu of granting an employee such free period, pay such employee an amount of not less than double his/her daily wage in respect of each such period not granted.

5. Period for which the determination is granted:

With effect from 1 February 2003 for the duration of Sectoral Determination 457.

For the purpose of this Determination "Hotel Trade" means the trade in which employers and employees are associated for the purpose of providing accommodation and one or more meals per day for reward on premises where the sale of liquor is carried on and in connection with which one or more of the following licences or authorities are required to be held in terms of the Liquor Act, 1977:

- Hotel Liquor Licence;
- Temporary Liquor Licence;

Special authorities in terms of section 23(1) for on-consumption, or any superseding licences or authorities.

Provided that for the purposes of this definition the expression "accommodation" shall mean bedroom accommodation and the services ordinarily associated therewith.

Signed under delegated authority in terms of section 85 of the Basic Conditions of Employment Act, 1997, at Pretoria on this 20th day of February 2003.

DIRECTOR GENERAL: LABOUR