

NOTICE 118 OF 2012**DEPARTMENT OF LABOUR****LABOUR RELATIONS ACT, 1995: 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 variation of its registered scope has been received from **Bargaining Council for the Fishing Industry**

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;
- (b) the sector and area in respect of which the application is made is not appropriate;
- (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 (postal address: Private Bag X117, Pretoria, 0001) Fax No. (012) 309-4156, 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 been served on the applicant.

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 of bargaining council: Bargaining Council for the Fishing Industry

Address: P.O Box 7734 Roggebaai 8012

Fax 021-4210341

Date on which the application was lodged:

10 November 2011

Proposed variation of scope

The Council applies for variation of scope to increase its registered scope to include Mid- Water Trawling in its scope of jurisdiction.

For the purposes of above-

Sector and area in respect of which application is made:

That portion of the Fishing Industry concerned with Mid Water Trawling in the Republic of South Africa.

For the purposes of above-

"Mid Water Trawling" means fishing for Horse Mackerel with any net which can be dragged by a fishing vessel along any depth between the bed and the surface of the sea without continuously touching the bottom-

Interest and area in respect of which registration is held

The Fishing Industry in the Republic of South Africa:

"Fishing Industry" means the Industry in which employers and employees are associated for the purposes of legally exploiting in respect of the Marine Living Resources Act, No. 18 of 1998, any form of marine living resource by searching, catching, taking or harvesting, farming, growing, the procuring and processing of fish, for financial gain, by Deep-Sea Bottom Trawling and In-Shore Bottom Trawling.

"Deep-Sea Bottom Trawling" means the fishing operations at sea in which the employers and their employees are associated for the purpose of Deep-Sea Bottom Trawling by way of a net for fin fish species outside a five nautical mile perimeter west of twenty degrees east longitude and outside the hundred-and ten meters isobaths east of twenty degree east longitude.

"In-Shore Bottom Trawling" means the fishing operations at sea in which the employers and their employees are associated for the purpose of Bottom Trawling within the hundred-and-ten meters isobaths.

"Processing of Fish" for the purposes of this definition means the activities undertaken on any vehicle or vessel at sea, where any substance or article is produced from any form of marine living resources by any method, including but not limited to the work of cutting up, dismembering, separating parts of, cleaning and sorting, lining and preserving thereof or where any form of marine living resources are packed, dried, gutted, salted, iced, chilled, frozen or otherwise processed for sale.

Representativeness of the Council:

Total number of employees falling within the proposed scope of the council who belong to the trade unions that are party to the Council:

1038

Total number of employers falling within the proposed scope of the Council and who belong to the employers' organisations that are party to the Council:

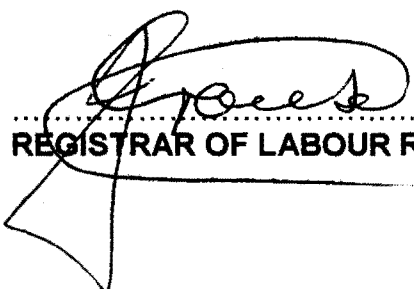
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Total number of employees employed within the proposed scope of the Council by the employers that belong to the employers' organisations which are party to the Council:

1403

Total number of employees employed within the proposed scope of the Council:

1722


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REGISTRAR OF LABOUR RELATIONS