

**DEPARTMENT OF LABOUR****No. 470****22 June 2012****DEPARTMENT OF LABOUR  
LABOUR RELATIONS ACT, 1995****ESTABLISHMENT OF A STATUTORY COUNCIL**

I, Johannes Theodorus Crouse, Registrar of Labour Relations, hereby, in terms of Section 40(1) of the Labour Relations Act, 1995, establish the Statutory Council for the Fast Food, Restaurant, Catering and Allied Trades.

The sector and area in respect of which the Council is established, is the Fast Food, Restaurant, Catering and Allied Industries, as defined hereunder, in the following areas:

- a) The Province of Western Cape
- b) The Province of Eastern Cape
- c) The Province of Northern Cape
- d) The Province of the Free State
- e) The Province of KwaZulu Natal
- f) The Province of North West
- g) The Province of Mpumalanga
- h) The Limpopo Province; and
- i) The Magisterial Districts of Heidelberg, Nigel, Vereeniging, Vanderbijlpark, Oberholzer, Meyerton and Carltonville.

"Fast Food, Restaurant, Catering and Allied Industries" means the industries concerned with the Tearoom, Restaurant, Catering, Coffee Shop, Pub, Tavern, Roadhouse, Café, Snack Bar, Fast Food Outlet, Convenience Store, Industrial or Commercial Caterer, Function Caterer, Contract Caterer, Catering and associated activities, without in any way limiting the ordinary meaning of the expression, include(s) the sector or sectors and or

establishment(s) in which person(s) carry on the business or in which employers and employees are associated, for the purpose(s) of preparing, baking, providing, supplying, serving, selling, processing, producing meals. These shall include the provision of meals in bulk, edibles and beverages on any premises. Included would be all operations incidental to or in support of the employers' enterprise in relation to any of the above-mentioned activities and would further include:

- (a) all franchisor(s) where such franchisor or their employee(s) are associated for the activities prescribed above; and
- (b) the baking of wheaten products which includes pies, snacks, confectionaries and pizzas for sale directly to customers for consumption whether on or off the premises where such products are baked.

Provided further that, for the purposes of this definition, the following business activities are specifically excluded from the ambit thereof:

- 1) Any casino and hotel industry and all activities that is ancillary and incidental to carrying on the primary activities of such industries. For the purpose of this exclusion, such primary activities are to be carried on, managed and operated solely and exclusively by the hotel or casino, as the case may be, at which these activities are undertaken and such activities must form an integral part of the business and operations of the hotel and casino in question.
- 2) Any catering facility of whatever nature which is owned, managed or operated by sports and recreation clubs on its own premises and which, in turn, provides food and beverages to its members and patrons from the premises from which its sports and recreation facilities are undertaken;
- 3) Any convenience store or convenience outlet which forms part of a filling station provided that such convenience store and outlet is not separately registered and operated from the activities of such filling station;

- 4) Any outlet which prepares and sells food and beverages and is operated as part of a supermarket undertaking and which, in turn, is owned, managed and operated by the supermarket undertaking in question and conducted from the premises of such supermarket undertaking”.

All registered trade unions and registered employers’ organisations engaged in the sector and area concerned are invited to attend a meeting on 18 July 2012, at 10h00, at the CCMA House, 20 Anderson Street, Johannesburg.

The Commission for Conciliation, Mediation and Arbitration has appointed Commissioner, Yusuf Nagdee, to chair the meeting and to facilitate the conclusion of an agreement on:

- (i) The registered trade unions and registered employers’ organisations to be parties to the Council;
- and
- (ii) A constitution that meets the requirements of Section 30 of the Act, read with the changes required by the context.

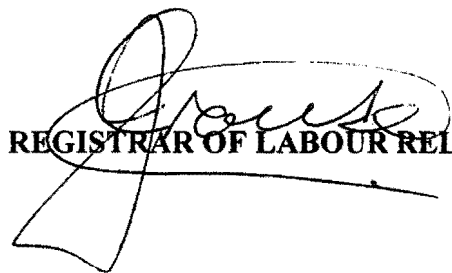
Interested parties in the above-mentioned sector and areas are further invited to nominate representatives for the Statutory Council by 15 July 2012.

The nominations should be directed to:

- a) The Registrar at Private Bag X117, Pretoria, 0001, Fax No. (012) 309 4156; and
- b) The Commissioner, Yusuf Nagdee at Private Bag X94 Marshalltown, 2017, Fax No. (011) 339 2242.

The following particulars of nominated representatives are required:

- (i) Name and address;
- (ii) Designation;
- (iii) Constituency represented; and
- (iv) State whether nominated to represent a trade union or an employers' organisation.



**REGISTRAR OF LABOUR RELATIONS**