

DEPARTMENT OF LABOUR

NO. R. 1213

11 DECEMBER 2015

LABOUR RELATIONS ACT, 1995

APPLICATION FOR VARIATION OF REGISTERED SCOPE OF A BARGAINING COUNCIL

I, Malixole Ntleki, The Acting 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 **South African Local Government Bargaining Council**

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 the application is made is not appropriate; and
- (c) the applicant is not sufficiently representative in the sector and area in respect of which the application is made.

Any person who objects must lodge his/her written objection with me, c/o the Department of Labour, Laboria House, 215 Francis Baard Street, Pretoria (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 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 the bargaining council: South African Local Government
Bargaining Council

Address of bargaining council:

South African Local Government Bargaining Council
P/Bag X16
Musgrave
4062

Tel:031 201 8210

Fax: 031 201 9738

Date on which application was lodged: 19 November 2015

Intention of the application

The intention of the application is to vary the scope of the council and to provide for a definition as contained in the legislation that regulates the Local Government Undertaking.

Interest in respect of which the application is made:

“Local Government Undertaking” as defined hereunder, in the Republic of South Africa

“Local Government Undertaking” means the undertaking in which the employer and employees are associated for the institution, continuance or finalisation of any act, scheme or activity undertaken by a Municipality and by municipal entities as established in terms of the Local Government: Municipal Systems Act, 2000;

“a municipality”

- (a) is an organ of state within the local sphere of government exercising legislative and executive authority within an area determined in terms of the Local Government: Municipal Demarcation Act, 1998;
- (b) consists of—
 - (i) the political structures and administration of the municipality; and
 - (ii) the community of the municipality;
- (c) functions in its area in accordance with the political, statutory and other relationships between its political structures, political office bearers and administration and its community; and
- (d) has a separate legal personality which excludes liability on the part of its community for the actions of the municipality

“municipal entity” means

- (a) a company, co-operative, trust, fund or any other corporate entity established in terms of any applicable national or provincial legislation and which operates under the ownership control of one or more municipalities, and includes, in the case of a company under such ownership control, any subsidiary of that company; or
- (b) a service utility;

“service utility” means a municipal entity established in terms of section 82(1)(c) of the Local Government: Municipal Systems Act, 2000 ;

A service utility is a separate juristic person.

Sector and area(s) in respect of which registration is held:

“Local Government Undertaking” in the Republic of South Africa.

Representativeness of the Council:

Total number of employees falling within the new scope of the Council and who belong to the trade unions which are party to the Council:

223 324

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

278

Total number of the employers within the new scope of the Council:

About 300

Total number of employees employed within the new scope of the Council by the employers who belong to the employers' organisation which is a party to the Council:

239 232

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

246 366



ACTING REGISTRAR OF LABOUR RELATIONS

2015 -12- 01

DATE: