

DEPARTMENT OF LABOUR

NO. R. 39

22 JANUARY 2016

LABOUR RELATIONS ACT, 1995

**MOTOR INDUSTRY BARGAINING COUNCIL-MIBCO: EXTENSION TO
NON-PARTIES OF THE ADMINISTRATIVE COLLECTIVE AMENDING
AGREEMENT**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby in terms of section 32(2) read with section 32(5) and 32(8) of the Labour Relations Act, 1995, declare that the Collective Agreement which appears in the Schedule hereto, which was concluded in the **Motor Industry Bargaining Council**, and is binding in terms of section 31 of the Labour Relations Act, 1995, on the parties which concluded the Agreement, shall be binding on the other employers and employees in that Industry with effect from the second Monday after the publication of this notice and for the period ending 31 January 2016.


MINISTER OF LABOUR
17/12/2015

SCHEDULE

MOTOR INDUSTRY BARGAINING COUNCIL - MIBCO COLLECTIVE ADMINISTRATIVE AGREEMENT

In accordance with the provisions of the Labour Relations Act, 1995, made and entered into by and between the

Retail Motor Industry Organisation – RMI

and the

Fuel Retailers' Association of Southern Africa -FRA

and the

National Employers' Association of South Africa - NEASA

(hereinafter referred to as the “employers” or the “employers’ organisations”), of the one part, and the

National Union of Metalworkers of South Africa - NUMSA

and

Motor Industry Staff Association - MISA

(hereinafter referred to as the “employees” or the “trade unions”), of the other part, being parties to the Motor Industry Bargaining Council – MIBCO,

1. CLAUSE 1 - SCOPE OF APPLICATION

- (1) The terms of this Agreement shall be observed in the Motor Industry -
 - (a) throughout the Republic of South Africa as it existed prior to the coming into operation of the Constitution of the Republic of South Africa, 1993 (Act 200 of 1993);
 - (b) by the employers and the employees in the Motor Industry who are members of the employers' organizations and the trade unions, respectively.

(2) Notwithstanding the provisions of sub clause (1), the provisions of this Agreement shall apply to -

- (a) apprentices only in so far as they are not inconsistent with the provisions of or any conditions fixed under the Manpower Training Act, 1981, and learners in terms of Chapter IV of the Skills Development Act, Act No. 97 of 1998; and
- (b) trainees undergoing training under the Manpower Training Act, 1981, only in so far as they are not inconsistent with the provisions of or any conditions fixed under that Act.

2. **CLAUSE 2 - PERIOD OF OPERATION OF AGREEMENT**

This Agreement shall come into operation on such date as may be fixed by the Minister of Labour in terms of section 32 of the Act, and shall remain in operation for the period ending 31 January 2016.

3. **CLAUSE 11 – RETURNS TO THE COUNCIL**

(1) Substitute sub clause (4) with the following:

“Every employer shall pay the total amount of the levies payable and render the statement of details required each month in terms of sub clause (3) of this clause to the secretary of the Regional Council concerned by not later than the 10th day of the month immediately following the month to which the levies and details relate.

[Note:

- (a) The present postal addresses of the secretaries of the various Regional Councils are as follows:

Region EC: PO Box 7270, Port Elizabeth, 6055;

Region KZNL: PO Box 17263, Congella, 4013;

Region FS & NC: PO Box 22887, Bloemfontein, 9300;

Region Highveld: PO Box 2578, Randburg, 2125;

Region Northern: PO Box 13970, Hatfield, 0028;

Region WP: PO Box 17, Bellville, 7535.

- (b) Forms prepared specifically for the inclusion of the details required by this clause are obtainable on application from the secretary of the Regional Council concerned.]
- (2) In sub clause (5) substitute the expression "R2.65" for the expression "R2.50".

Signed at Randburg, on behalf of the parties, this 27 August 2015.



..... **B. CELE**

PRESIDENT OF THE COUNCIL



..... **M.C. LAMPRECHT**

VICE-PRESIDENT OF THE COUNCIL



..... **B.C. MKHWANAZI**

GENERAL SECRETARY OF THE COUNCIL