

DEPARTMENT OF LABOUR

NO. R. 221

28 FEBRUARY 2020

APPROVAL OF REGISTRATION OF A BARGAINING COUNCIL

I, Lehlohonole Molefe, Registrar of Labour Relations, hereby, give notice in terms of Section 109 of the Labour Relations Act, 1995, that, following an application by the **Statutory Council for the Fast Food, Restaurant, Catering and Allied Trades** in terms of section 48 read with section 29, the **Bargaining Council for the Fast Food, Restaurant, Catering and Allied Trades** has been registered as a bargaining council as reflected in the attached Annexure.


REGISTRAR OF LABOUR RELATIONS

Annexure A

The Fast Food, Restaurant, Catering and Allied Trades, 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, excluding the Magisterial District of Brits and Rustenburg
- (g) The Province of Mpumalanga, excluding the Magisterial District of Witbank
- (h) The Limpopo Province; excluding the Magisterial District of Warmbaths; and

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- (1) 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 and 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) The business conducted by filling and/or service stations including ancillary activities forming part of the filling station linked to the convenience store environment inclusive of the preparing, serving and selling of food/beverages to customers but excluding activities of separately registered establishments whose sole activities relates to the restaurant, tea room and catering environment.
- 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”.