

OFFICE OF THE PRESIDENT

No. 2082

2 December 1994

NO. 49 OF 1994: INTEGRATION OF LABOUR LAWS ACT, 1994.

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:

GENERAL EXPLANATORY NOTE:

- ** ** Words between asterisks indicate omissions from existing enactments.
- << >> Words between pointed brackets indicate insertions in existing enactments.

ACT

To provide for the repeal of the labour laws mentioned in Schedule 1; the extension of the labour laws mentioned in Schedule 2 to the whole of the national territory of the Republic referred to in section I of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993); and to provide for powers of regulation to regulate transitional matters.

(English text signed by the President.)
(Assented to 23 November 1994.)

BE IT ENACTED by the Parliament of the Republic of South Africa, as follows:-

Repeal of laws

1. Subject to sections 3 and 4, the laws mentioned in Schedule 1 are repealed.

Extension of labour laws

2. Subject to sections 3 and 4, the laws mentioned in Schedule 2 shall apply in the whole of the national territory referred to in section 1 of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993).

Regulations

3. The Minister may make regulations regulating any matter arising from the repeal of the laws referred to in section 1 or the application of the laws referred to in section 2 in those parts of the national territory in which they did not apply prior to the commencement of the Constitution of the Republic of South Africa, 1993 (Act No. 200 of 1993), including, but not limited to-

- (a) the transfer of assets, liabilities, rights, obligations and funds;
- (b) the status of trade unions, employers' organisations and industrial councils and other statutory bodies registered or established in terms of the laws referred to in Schedule 1 and Schedule 2;
- (c) the status of collective agreements, arbitration awards and industrial court decisions binding in terms of the laws referred to in Schedule 1 and Schedule 2; (d) the provision for the resolution of disputes and claims that arise before the repeal of the laws in Schedule 1;

(e) the integration of the different departments, functions and statutory bodies for the purpose of establishing a single integrated Department of Labour; and generally, any matter which he or she considers it necessary or expedient to prescribe in order that the objects of this Act may be achieved.

Commencement

4. (1) This Act shall come into operation on a date to be determined by the President by proclamation in the Gazette.

(2) Different dates may be so determined for the coming into operation of section 1 with respect to each of the laws mentioned in Schedule 1.

(3) Different dates may be so determined for the coming into operation of section 2 in different areas with respect to each of the laws mentioned in Schedule 2.

Short title

5. This Act shall be called the Integration of Labour Laws Act, 1994.

SCHEDULE 1

| Number and year of law | Title |
|----------------------------|---|
| 1. Transkei | |
| Decree No.12 of 1990 | Labour Relations Decree, 1990 |
| Act No. 14 of 1977 | Labour Act, 1977 |
| Act No. 15 of 1977 | Wage Act, 1977 |
| Act No. 3 of 1979 | Shops and Offices Act, 1979 |
| Act No. 20 of 1977 | Workmen's Compensation Act, 1977 |
| Act No. 24 of 1985 | Machinery and Occupational Safety Act, 1985 |
| Act No. 11 of 1983 | Unemployment Insurance Act, 1983 |
| Act No. 10 of 1974 | Apprenticeship Act, 1974 |
| 2. Bophuthatswana | |
| Decree No. 10 of 1994 | Labour Relations Decree, 1994 |
| Act No. 4 of 1979 | Bophuthatswana Labour Act, 1979 |
| Act No. 22 of 1992 | Basic Conditions of Employment Act, 1992 |
| Act No. 49 of 1992 | Occupational Safety Act, 1992 |
| Act No. 17 of 1978 | Unemployment Insurance Act, 1978 |
| Act No. 12 of 1977 | Workmen's Compensation Act, 1977 |
| Act No. 32 of 1993 | Manpower Training Act, 1993 |
| Act No. 19 of 1979 | National Provident Fund Act, 1979 |
| Act No. 12 of 1979 | Workmen's Compensation Act, 1979 |
| Act No. 14 of 1977 | Bophuthatswana Government Pension Service Act, 1977 |
| 3. Venda | |
| Proclamation No. 3 of 1991 | Labour Relations Proclamation, 1991 |
| Act No. 11 of 1988 | Basic Conditions of Employment Act, 1988 |
| Act No. 5 of 1981 | Wage Act, 1981 |
| Act No. 11 of 1987 | Machinery and Occupational Safety Act, 1987 |
| Act No. 9 of 1989 | Manpower Training Act, 1989 |
| Act No. 11 of 1983 | Unemployment Act, 1983 |
| Act No. 9 of 1980 | Workmen's Compensation Act, 1980 |
| Act No. 12 of 1989 | Guidance and Placement Act, 1989 |

4. Ciskei

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| Decree No. 15 of 1990 | Labour Relations Decree, 1990 |
| Act No. 1 of 1989 | Wage Act, 1989 |
| Act No. 34 of 1984 | Conditions of Employment Regulation Act, 1984 |
| Act No. 35 of 1984 | Machinery and Occupational Safety Act, 1984 |
| Act No. 33 of 1984 | Manpower Training Act, 1984 |
| Act No. 11 of 1983 | Unemployment Insurance Act, 1983 |
| Act No. 11 of 1982 | Workmen's Compensation Act, 1982 |
| Act No. 19 of 1987 | Manpower Placement Act, 1987 |
| Act No. 7 of 1973 | Apprenticeship Act, 1973 |

5. KwaZulu

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| Act No. 7 of 1985 | Labour Relations Act, 1985 |
| Act No. 9 of 1985 | Wage and Basic Conditions of Employment Act, 1985 |
| Act No. 10 of 1985 | Machinery and Occupational Safety Act, 1985 |
| Act No. 23 of 1987 | Manpower Training Act, 1987 |
| Act No. 24 of 1987 | Workers Accommodation Act, 1987 |
| Act No. 23 of 1988 | Guidance and Placement Act, 1988 |

6. Qwaqwa

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| Act No. 13 of 1988 | Labour Relations Act, 1988 |
| Act No. 19 of 1992 | Wage Act, 1992 |
| Act No. 16 of 1992 | Basic Conditions of Employment Act, 1992 |
| Act No. 15 of 1992 | Machinery and Occupational Safety Act, 1992 |
| Act No. 11 of 1981 | Apprenticeship Act, 1981 |

Number and year of law

Title

7. Lebowa, Gazankulu and KaNgwane

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| Act No. 48 of 1953 | Black (Settlement of Disputes) Act, 1953 |
| Act No. 28 of 1956 | Industrial Conciliation Act, 1956 |
| Act No. 70 of 1973 | Black Labour Relations Regulations Act, 1973 |

8. KwaNdebele

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| Act No. 19 of 1991 | Labour Relations Act, 1991 |
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SCHEDULE 2

Number and year of law

Title

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|--------------------|---|
| Act No. 28 of 1956 | Labour Relations Act, 1956 |
| Act No. 3 of 1983 | Basic Conditions of Employment Act, 1983 |
| Act No. 5 of 1957 | Wage Act, 1957 |
| Act No.147 of 1993 | Agricultural Labour Act, 1993 |
| Act No. 85 of 1993 | Occupational Health and Safety Act, 1993 |
| Act No. 30 of 1966 | Unemployment Insurance Act, 1966 |
| Act No. 56 of 1981 | Manpower Training Act, 1981 |
| Act No.130 of 1993 | Compensation for Occupational Injuries and Diseases Act, 1993 |
| Act No. 62 of 1981 | Guidance and Placement Act, 1981 |

