

DEPARTMENT OF LABOUR

HEAD OFFICE PRETORIA



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Reference: LR 2/6/8/10

The Secretary
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Dear Mr Michaelides

LABOUR RELATIONS ACT, 1995 – REGISTRAR OF THE STATUTORY COUNCIL FOR THE FAST FOOD, RESTAURANT, CATERING AND ALLIED TRADES

Emanating from your application for the establishment of the Statutory Council for the Fast Food, Restaurant, Catering and Allied Trades and the subsequent determination of the Minister of Labour on 25 October 2012, kindly note that the statutory council has been registered with effect from 14 December 2012.

A notice in this regard will be published in the *Government Gazette* of 21 December 2012.

As provided form in section 42 of the Act, attached please find a copy of the certificate of registration of the Statutory Council and a certified copy of the registered constitution. Please note that any provisions in the constitution that the parties are not satisfied with, may be amended as provided for in clause 16 of the constitution.

Yours faithfully


REGISTRAR OF LABOUR RELATIONS

DATE: 14 December 2012

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Annexure

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 Districts 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
- (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 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 a 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".


REGISTRAR OF LABOUR RELATIONS

DATE.....14 December 2012.