

Resolution

No 1

EDUCATION LABOUR RELATIONS COUNCIL

RESOLUTION No. 1/1996 : AMENDMENT TO THE CONSTITUTION OF THE ELRC PROVINCIAL CHAMBERS

The parties to the Education Labour Relations Council (ELRC) note the following:

- * At the second meeting of the ELRC, held at the Auditorium of the Human Sciences Research Council Building on Friday 16 September 1994, the parties to the ELRC adopted Resolution No. 7 in terms of which provincial chambers of the ELRC were established (Resolution No. 7/1994 is included as ANNEXURE A).
- * Clause 12(1)(c)(ii) of the Constitution of the ELRC prescribes that the secretary of a provincial chamber shall arrange a first meeting within a period of ninety (90) days of a decision of Council to establish such a chamber.
- * The requirements as prescribed by clause 12(1)(c)(ii) of the Constitution of the ELRC have not been complied with by any of the Provincial Education Departments or the Secretary of the ELRC in order to comply with the requirements of Resolution No. 7 of 1994.
- * Resolution No. 6 of 1995 was agreed to on 29 September 1995 to deal with interim measures, to enable the Provincial Education Departments and recognised employee organisations, sufficiently represented in the respective provinces, to consult, negotiate and reach agreements as a Reconstituted Bargaining Committee of the ELRC, on matters which are within the competencies of provincial chambers (Resolution No. 6 of 1995 is included as ANNEXURE B).

Whereas:

none of the Provincial Chambers have complied with the provisions of clause 12(1)(c)(ii) of the Constitution of the ELRC, and are consequently not duly constituted,

the parties to the ELRC agree that:

1. Clause 12(1)(b) of the Constitution of the ELRC is amended by the substitution of the said sub-paragraph with the following:

"(b) The chairman or secretary of the Council shall act as interim chairman at the founding meeting of the provincial chamber."

2. Clause 12(1)(c)(ii) of the Constitution of the ELRC is amended by the substitution of the said sub-paragraph with the following:

"(ii) The secretary of a provincial chamber shall arrange a founding meeting of a provincial chamber of the ELRC in a province at any time provided at least 30 days notice of such founding meeting shall be given to all parties of the council; provided further that where such secretary has not been appointed in terms of clause 12(1)(c)(i), the secretary of the ELRC shall perform such function."

3. Clause 12(1)(c) of the Constitution of the ELRC is further amended by the inclusion of the following additional sub-clause (iii):

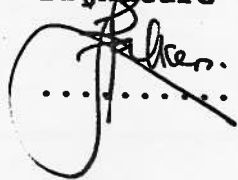

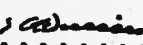





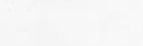
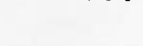

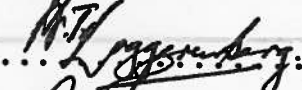
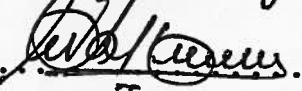
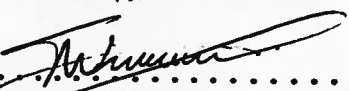
"(iii) If a provincial chamber was established in a province prior to the adoption of Resolution 1 of 1996, and the secretary of such chamber failed to arrange a first meeting within the

period of ninety days after 16 September 1994, such period of ninety days shall be waived and such provincial chamber shall be deemed to be duly and constitutionally established."

SIGNED AND AGREED TO ON THIS 27th DAY OF February 1996.

On behalf of the employer parties:

On behalf of the employee parties:

Signature	Party	Signature	Party
	DEPARTMENT OF EDUCATION!		SNOW (KSN)
	FOR EMPLOYER PARTIES		APER
			APT
			SATA
			SADU
			SADYLE
			ALAE
			SATA
			CTPA
			TO
			OSOR (OFSTA)
			CATU
			SADTU

RESOLUTION No. 1/1996 : AMENDMENT TO THE CONSTITUTION OF THE ELRC
PROVINCIAL CHAMBERS

(continued)

On behalf of the
employer parties:

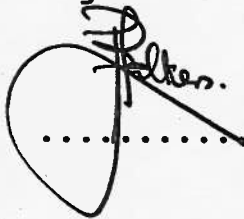
On behalf of the
employee parties:

Signature

Party

Signature

Party

A large, stylized handwritten signature in black ink, appearing to be 'P. Ken.', written over a horizontal dotted line.

DEPARTMENT OF
EDUCATION :
FOR EMPLOYER
PARTY

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