

IN THE EXEMPTION APPLICATION OF:-

TELEGENIX 239 CC

Applicant

and

NATIONAL BARGAINING COUNCIL FOR THE
ROAD FREIGHT INDUSTRY (Council)

Respondent

DECISION

This matter appeared on the agenda of the Exemptions Body at the meeting of the 22nd June 2009.

Present on this day were:-

- | | | | |
|----|-------------------|---|-------------------------------------|
| 1. | Adv. R. Rawat | - | Chairperson of the Exemption's Body |
| 2. | Mr. Y. Nagdee | - | Member of the Exemption's Body |
| 3. | Mr. T. Short | } | Representatives of the RFEA |
| 4. | Ms M. Brown | | |
| 5. | Mr. T. Zulu | - | TAWUSA Representative |
| 6. | Mr. J. Gamede | - | SATAWU Representatives |
| 7. | Mr. Paul Mndaweni | } | Secretariat of NBCFRI (Council) |
| 8. | Mr. E. Kock | | |

() This Application for Exemption stems from a compliance order issued by Council for the period June 2008 to September 2008. The Applicant was seeks to obtain an exemption for the amount in question, namely R1 229 031.75 on conditions proposed by itself.


Objection to the application was raised by the Secretariat of Council who averred that the correct procedure would be to allow the matter to proceed to arbitration.

The Exemptions Body, on a full consideration of all the facts, is of the view that it has no jurisdiction in this matter as the arbitration process should be finalized.

DATED THE 10 DAY OF JULY 2009 AT BRAAMFONTEIN, JOHANNESBURG.

EXEMPTIONS BODY
Chairperson: *R Rawat*

ADV. R. RAWAT
Chairperson of the
Exemption Body



MR. Y. NAGDEE

I agree