

**Section 69**

**READ THIS FIRST**



**WHAT IS THE PURPOSE OF THIS FORM?**

This form is to enforce compliance with a provision of the Act

**WHO FILLS IN THIS FORM?**

The inspector.

**WHERE DOES THIS FORM GO?**

Order must be delivered to employer named in it, an to employee affected by it or, if this is impractical, to a representative of the employees including a registered trade union.

**INSTRUCTIONS**

- The employer must display a copy of this order prominently at a place accessible to the affected employees at each workplace named in it.
- An employer must comply within time period stated unless the employer objects in terms of section 71.
- Failure to comply could result in a fine.

**DEPARTMENT OF LABOUR  
COMPLIANCE ORDER**

Ref/Case no: .....

Enquiries: .....

Office/Labour Centre: .....  
(Delete that which is not applicable)

1. Name of employer: .....

2. Workplace/s: .....

3. You have not complied with the following sections of the Act or clauses of a Sectoral Determination:

Sections: .....

Sectoral Determination no: ..... Clauses: 1.....

**AND / OR**

4. You have not complied with a written undertaking to the following extent:

.....  
.....  
.....

**AND / OR**

5. You are hereby ordered to pay to  
(Name)..... (address).....

.....  
the sum of R..... (amount in writing) .....

.....  
within ..... days from the receipt hereof.

**AND / OR**

6. You are required to perform/cease the following within seven days of receipt hereof:
- 6.1 .....
- 6.2 .....

**AND/OR**

**7. Fines**

- 7.1 The Director-General may recommend to the Labour Court to impose a fine in accordance with Schedule 2 of the Act.
- 7.2 Despite compliance with any compliance order the Director-General may, request the Labour Court to impose a fine of R.....

**8. Objections**

You may object to this compliance order by making representations to the Director-General within 21 days of receipt of this order.

**TABLE ONE : MAXIMUM PERMISSIBLE FINE NOT INVOLVING AN UNDERPAYMENT**

No previous failure to comply	R100 per employee in respect of whom the failure to comply occurs
A previous failure to comply in respect of the same provision	R200 per employee in respect of whom the failure to comply occurs
A previous failure to comply within the previous 12 months or two previous failures to comply in respect of the same provision within three years	R300 per employee in respect of whom the failure to comply occurs
Three previous failures to comply in respect of the same provision within three years	R400 per employee in respect of whom the failure to comply occurs
Four previous failures to comply in respect of the same provision within three years	R500 per employee in respect of whom the failure to comply occurs

**TABLE TWO : MAXIMUM PERMISSIBLE FINE INVOLVING AN UNDERPAYMENT**

No previous failure to comply	25% of the amount due, including any interest owing on the amount at the date of the order
A previous failure to comply in respect of the same provision within three years	50% of the amount due, including any interest owing on the amount at the date of the order
A previous failure to comply in respect of the same provision within a year, or two previous failures to comply in respect of the same provision within three years	75% of the amount due, including any interest owing on the amount at the date of the order
Three previous failures to comply in respect of the same provision within three years	100% of the amount due, including any interest owing on the amount at the date of the order
Four or more previous failures to comply in respect of the same provision within three years	200% of the amount due, including any interest owing on the amount at the date of the order

GIVEN UNDER MY HAND ON THIS ..... DAY OF ..... 19... AT ..... (PLACE)

.....  
**DIRECTOR-GENERAL: LABOUR**