**2689. Mr I M Ollis (DA) to ask the Minister of Labour:**

(1) Whether the acting Registrar of Labour Relations: Trade Unions accepted the financial statements of the Chemical, Energy, Paper, Printing, Wood and Allied Workers’ Union (CEPPWAWU) for each of the (a) 2010-11, (b) 2011-12, (c) 2012-13 and (d) 2013-14 financial years; if not, (i) for which of the specified financial years were the specified financial statements not accepted and (ii) why not, in each case;

***MINISTER'S RESPONSE***

***(1) The following financial statements of CEPPWAWU were submitted and accepted by the Registrar of Labour Relations:***

 ***(a) 2010 - 2011***

 ***(b) 2011 - 2012***

 ***(c) 2012 - 2013***

 ***(d) 2013 - 2014 (under construction, therefore not yet submitted)***

 ***(i) not applicable***

 ***(ii) not applicable***

(2) whether the specified acting registrar accepted the minutes of the meeting of the National Executive Committee of the CEPPWAWU held on 14 January 2016 where the financial statements were allegedly tabled; if so, (a) why did the acting registrar accept the minutes of the specified meeting despite the Labour Court judgment handed down on 15 April 2016 that the financial statements were not compliant with the CEPPWAWU’s rules and labour legislation and (b) what are the further relevant details;

***MINISTER'S RESPONSE***

 ***(2) The Registrar of Labour Relations accepted the CEPPAWAWU NEC minutes of the meeting held on 14 January 2016.***

 ***(a) There was no reason compelling the Registrar of Labour not to accept or reject the minutes referred to. The minutes referred to were brought to the Registrar's attention during the course of February 2016. Therefore the Labour Court judgement of 15 April 2016 had no bearing on decision of the Registrar of Labour Relations whether to accept or reject the minutes of 14 January 2016.***

(3) whether each of the financial statements were fully audited in terms of sections 25(5) and 98(2) of the Labour Relations Act, Act 66 of 1995, as amended; if not, in each case, why not; if so, did CEPPWAWU comply with its own constitution in this regard;

***MINISTER'S RESPONSE***

***(3) In as far as it relates to the question and information submitted by CEPPAWAWU to the Registrar of Labour Relations, the financial statements submitted were fully audited in terms of section 25(5) and 98(2) of the Labour Relations Act 66 of 1995 and CEPPAWAWU complied with its own constitution.***

(4) whether she has taken any steps against any member of the leadership of CEPPWAWU for allegedly failing to comply with Labour Court orders dated (a) 9 October 2015 and (b) 15 April 2016 in terms of failing to table full, legally audited financial statements and minutes showing the adoption of such financial statements; if not, why not; if so, what are the relevant details? NW3180E

***MINISTER'S RESPONSE***

***Assuming that "she" refers to me, it important to note that in terms of the provisions of the Labour Relations Act 66 of 1995, the Minister does not have any legal powers to reprimand any registered Trade Union or Employer Organization other than engage the Trade Union or Employer Organization as a stakeholder.***

 ***However if the "she" refers to the Registrar of Labour Relations, it is important to note that the Registrar of Labour Relations is a "he".***

***(a) CEPPAWAWU complied with the Court Order handed on 09 October 2015. Therefore there was no compelling reason for me to engage the leadership of CEPPAWAWU or the Registrar of Labour Relations to take any steps against the leadership of CEPPAWAWU.***

 ***(b) In terms of the information submitted to the Registrar of Labour Relations during the course of February 2016, CEPPAWAWU tabled full, legal audited financial statements and minutes showing the adoption of such financial statements. During the course of February 2016 there was no compelling reason for me to engage the leadership of CEPPAWAWU or the Registrar of Labour Relations to take any steps against the leadership of CEPPAWAWU. However I am not suggesting that now there is such a compelling reason to engage or take steps against the leadership of CEPPAWAWU; because such a decision legally falls within the discretion of the Registrar of Labour Relations.***

***I am advised though that the Registrar of Labour Relations is awaiting the release of the transcript of the alleged judgement of 15 April 2016. Thereafter he will study the content of the judgement and take a decision on how to deal with the matter; because the alleged judgement deals with a number of issues which may or not directly/indirectly assist him in executing his duties in as far as it relates to the question raised.***