**NATIONAL ASSEMBLY**

**QUESTION 2524**

**15 November 2016**

**Hon IM Ollis (DA) to ask the Minister of Labour:**

1. Why was a certain person (name furnished) appointed as the Chairperson of the Governing Body of the Commission for Conciliation, Mediation and Arbitration (CCMA) for a period of five years as opposed to a three year period as prescribed by section 116 of the Labour Relations Act, Act 66 of 1995, as amended;
2. Did the National Economic Development and Labour Council nominate the specified person for the specified position; if not, why was the specified person appointed without compliance with the specified Act; if so;
3. Will she furnish Mr IM Ollis with a copy of the mandate?

**REPLY BY THE MINISTER OF LABOUR:**

1. The appointment of the Chairperson of the Governing Body of the CCMA for a period of five years was done in error, and the matter was reported by the Department to the Portfolio Committee. The Department is aware that section 116 of the Labour Relations Act specifies a three year appointment period and steps have been taken to rectify the situation so as to bring the period of appointment in line with the Act.
2. The National Economic Development and Labour Council (NEDLAC) did nominate two candidates for the position of Chairperson of the CCMA Governing Body and requested the Minister to consider the nominees. This was done in writing by the Executive Director of NEDLAC in August 2013.
3. The mandate for the appointment of the Chairperson of the CCMA Governing Body is contained in section 116 of the Labour Relations Act. Further information relating to the functioning of the CCMA Governing Body is contained in Schedule 3 to the Labour Relations Act.

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