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**South Africa
and
Namibia**

**Memorandum of Understanding between the Government of the Republic of South Africa
and the Government of the Republic of Namibia on cooperation in the field of labour
and employment. Windhoek, 24 November 2014**

Entry into force: *24 November 2014 by signature, in accordance with article 8*

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**Afrique du Sud
et
Namibie**

**Mémorandum d'accord entre le Gouvernement de la République sud-africaine et le
Gouvernement de la République de Namibie relatif à la coopération dans le domaine du
travail et de l'emploi. Windhoek, 24 novembre 2014**

Entrée en vigueur : *24 novembre 2014 par signature, conformément à l'article 8*

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[ENGLISH TEXT – TEXTE ANGLAIS]

MEMORANDUM OF UNDERSTANDING

BETWEEN

**THE GOVERNMENT OF THE REPUBLIC
OF SOUTH AFRICA**

AND

**THE GOVERNMENT OF THE REPUBLIC
OF NAMIBIA**

ON

**COOPERATION IN THE FIELD OF
LABOUR AND EMPLOYMENT**

PREAMBLE

The Government of the Republic of South Africa and the Government of the Republic of Namibia (hereinafter jointly referred to as “the Parties” and separately as “a Party”);

DESIROUS of promoting and developing mutual exchanges and cooperation in the field of labour and employment on the basis of equality, mutual benefit and reciprocity;

HEREBY AGREE as follows:

ARTICLE 1 COMPETENT AUTHORITIES

The competent authorities responsible for the implementation of this Memorandum of Understanding shall be—

- (a) in the case of the Government of the Republic of South Africa Department of Labour; and
- (b) in the case of the Government of the Republic of Namibia, the Ministry of Labour and Social Welfare; and

ARTICLE 2 AREAS OF COOPERATION

The Parties shall cooperate in the following areas of labour and employment:

- (a) Dispute resolution mechanisms and institutions;
- (b) Social dialogue;
- (c) Productivity promotion;
- (d) Labour inspections and investigations;
- (e) International relations;
- (f) Employment equity;
- (g) Labour law reform;
- (h) Minimum wage setting and its implementation and monitoring;
- (i) Occupational health and safety;

- (j) Unemployment insurance fund benefits in the case of inter-state movement;
- (k) Compensation in respect of occupational injuries and diseases;
- (l) Stakeholder and public education, including the sharing of strategies on effective engagement with stakeholders;
- (m) Public employment services;
- (n) Collective bargaining;
- (o) Research and development; and
- (p) Any other areas of cooperation as may be agreed upon in writing by the Parties.

ARTICLE 3 FORMS OF COOPERATION

Cooperation may include the following:

- (a) Exchange of visits at Ministerial level;
- (b) Exchange of visits of senior officials and study groups in specialized fields;
- (c) Exchange of experts in the fields of social dialogue and dispute resolution institutions of both Parties;
- (d) Exchange of expertise, materials and information;
- (e) Training on labour inspection and investigations; employment services; productivity, employment equity labour law reform and social insurance;
- (f) Coordination of respective positions in the Southern African Development Community(SADC), African Union (AU) Labour and Social Affairs Commission and the International Labour Organization and on labour issues in the area of trade agreements; and monitoring and report back thereof;and
- (g) Such further cooperation as may be agreed upon and or deemed necessary by the Parties.

ARTICLE 4
COORDINATION OF PROGRAMMES

- (1) The implementation of cooperation under this MoU shall be in accordance with the annual framework plan drawn up by both Parties through consultations.
- (2) The South African Commission for Conciliation, Mediation and Arbitration (CCMA) and the office of the Labour Commissioner of Namibia will continue to cooperate in the area of dispute resolution.
- (3) The Employment Equity Commission of Namibia and the Commission for Employment Equity of South Africa will continue to cooperate in their fields.
- (4) The Department of Labour of the Republic of South Africa will facilitate interaction between Productivity SA and the Ministry of Labour and Social Welfare.
- (5) The South African Unemployment Insurance and Compensation Funds will cooperate with the Social Security Commission of Namibia.
- (6) The South African Compensation Fund and the Ministry of Labour and Social Welfare of Namibia will exchange information and cooperate on matters relating to occupational injuries and diseases in both countries.
- (7) The competent authorities shall evaluate the implementation of this Memorandum of Understanding every six months and provide progress reports to each other with regard thereto.

ARTICLE 5
FINANCIAL ARRANGEMENTS

- (1) Each Party will bear all the expenses incurred with regard to travelling and accommodation of its delegates, unless otherwise agreed to in writing by the Parties.
- (2) The host Party shall be responsible for arrangements of the meetings in respect of providing local transport to the delegates, local transport, and provision of stationary, translation and secretarial services.