

INDEPENDENT CONTRACTOR POLICY

The Company from time to time has to make use of the services of an Independent Contractor for specific tasks/projects.

Provisions and constraints

The following factors **may not** be present in terms of Section 200A of the Labour Relations Act, no 66 of 1995 (as amended) when determining whether a person is an Independent Contractor or an employee:

1. The manner in which the person works is subject to the control or direction of another person;
2. The person's hours of work are subject to the control and direction of another person;
3. In the case of a person who works for an organisation, the person forms part of that organisation;
4. The person has worked for the company for an average of at least 40 hours per month, over the last three months;
5. The person is economically dependent on the other person for whom he or she works or renders services;
6. The person is provided with tools of trade or work equipment by the company;
7. The person only works for or renders services to one person / company.

The above does not apply to any person who earns in excess of the amount determined by the Minister of Labour in terms of Section 6(3) of the *Basic Conditions of Employment Act*.