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**GOVERNMENT NOTICES • GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF EMPLOYMENT AND LABOUR**

NO. 77

08 February 2021

**BASIC CONDITIONS OF EMPLOYMENT ACT NO, 1997****DETERMINATION: EARNINGS THRESHOLD**

I, Thembelani Waltermade Nxesi, Minister of Employment and Labour, hereby in terms of Section 6 (3) of the Basic Conditions of Employment Act, No. 75 of 1997, (the Act), determine that all employees earning in excess of R211 596.30 (two hundred and eleven thousand, five hundred and ninety six rand, thirty cents) per annum be excluded from sections 9, 10, 11, 12, 14, 15, 16, 17(2) and 18(3) of this Act with effect from 1 March 2021.

For the purposes of this notice:

“Earnings” means the regular annual remuneration before deductions i.e income tax, pension, medical and similar payments but excluding similar payments (contributions) made by the employer in respect of the employee: Provided that subsistence and transport allowances received, achievement awards and payments for overtime worked shall not be regarded as remuneration for the purpose of this notice.



**MR TW NXESI, MP**  
**MINISTER OF EMPLOYMENT AND LABOUR**

DATE: 25/01/2021

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