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OPTION: DEFINITION OF EMPLOYER

"employer" means –

- (a) any –
 - (i) department of state or administration in the national or provincial sphere of government or any municipality in the local sphere of government; or
 - (ii) any other functionary or institution when exercising a power or performing a duty in terms of the Constitution of the Republic of South Africa, 1996, or a provincial constitution or exercising a public power or performing a public function in terms of any legislation which –
 - (aa) is responsible for granting licences or approving the management or operation of any entity, business concern or trade in relation to children; or
 - (bb) employs employees who, in any manner and during the course of their employment, will be placed in a position of authority, supervision or care of a child or children or gaining access to a child or children or places where children are present or congregate; or
- (b) person, organisation, institution, club, sports club, association or body who or which, as the case may be –
 - (i) owns, has any business or economic interest in, manages, operates or is in any manner responsible for, or participates or assists in the management or operation of any entity or business concern or trade;
 - (ii) employs employees who, in any manner and during the course of their employment, will be placed in a position of authority, supervision or care of a child or children or gaining access to a child or children or places where children are present or congregate,

and "employ", "employing", "employed", "employment relationship" have corresponding meanings;

27 October 2006