

## **BUILDING INDUSTRY BARGAINING COUNCIL (CAPE OF GOOD HOPE)**

**CIRCULAR NO.:** DEM 01/2026

**DATE:** 03 March 2026

**TO:** ALL EMPLOYERS AND EMPLOYEES OPERATING WITHIN THE REGISTERED SCOPE OF THE BIBC

**SUBJECT:** THE BIBC'S JURISDICTION IN RELATION TO LEAK DETECTION ACTIVITIES

### **Purpose of this Circular**

1. The purpose of this Circular is to provide practical guidance to employers who provide leak detection services in relation to whether their business falls within the registered scope of the BIBC and whether they are accordingly required to comply with the provisions of the BIBC's Main Collective Agreement.

### **When leak detection activities fall within the BIBC's registered scope**

2. Based on the outcome of recent demarcation disputes in the Commission for Conciliation, Mediation and Arbitration (CCMA)<sup>1</sup> an employer's leak detection services fall within the BIBC's registered scope if they result in any changes being made to buildings or structures. This includes, but is not limited to, work associated with the trade of plumbing, such as:
  - 2.1. opening, cutting into, breaking or exposing any part of a building or structure in order to locate or find a leak;
  - 2.2. cutting, altering, removing or replacing plumbing pipes, fittings or components;

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<sup>1</sup> **WECT1278 -22: Stelzmann Plumbing (Pty) Ltd v BIBC (Cape of Good Hope)**  
**WECT1459-25: Plumb Patrol CC t/a Leak Patrol v BIBC (Cape of Good Hope)**



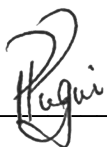
- 2.3. repairing leaks once they are detected;
  - 2.4. covering or closing areas where leaks were detected and/or repaired;
  - 2.5. sealing, waterproofing and/or damp proofing;
  - 2.6. corrosion control;
  - 2.7. sanding, priming, spraying, painting, coating, sealing and/or polishing work; and
  - 2.8. preparation, cleaning and snagging work associated with the above work.
3. An employer will also fall within the BIBC's registered scope if the above work is subcontracted by that employer to a third party or independent contractor. A code of good practice explaining this issue is attached to the BIBC's Main Collective Agreement.

### **When leak detection activities fall outside of the BIBC's registered scope**

4. Employers who only perform leak detection services which are purely non-invasive and do not result in any changes being made to buildings or structures (such as moisture measurement, tracer gas, acoustics, thermal imaging, and camera inspections) would generally fall outside of the BIBC's registered scope.

### **Key takeaways**

5. The BIBC remains committed to protecting employees' rights and maintaining fair competition within the building industry between employers.
6. Employers whose leak detection activities fall within the BIBC's registered scope and employers who are uncertain as to whether their business activities fall within the BIBC's registered scope, are urged to contact their local BIBC office as soon as possible to obtain guidance.



**Regards: Pearl Pugin - CEO**

**Building Industry Bargaining Council**

**(Cape of Good Hope)**

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