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PRESIDENT'S OFFICE

KANTOOR VAN DIE PRESIDENT

No. 1049. 19 July 1995

No. 1049. 19 Julie 1995

It is hereby notified that the President has assented to the following Act which is hereby published for general information:—

Hierby word bekend gemaak dat die President sy goedkeuring geheg het aan die onderstaande Wet wat hierby ter algemene inligting gepubliseer word:—

No. 30 of 1995: Labour Appeal Court Sitting as Special Tribunal Act, 1995.

No. 30 van 1995: Wet op die Arbeidsappèlhof wat sit as Spesiale Tribunaal, 1995.

ACT

To enable the labour appeal court to act as a special tribunal in determining claims and disputes of right which arise out of the implementation of the transitional arrangements on public administration and the rationalisation of the public administration as contemplated in sections 236 and 237 of the Constitution; and to provide for matters connected therewith.

PREAMBLE

WHEREAS section 237(4) of the Constitution envisages legislation to enable the labour appeal court, established by section 17A of the Labour Relations Act, 1956 (Act No. 28 of 1956), to sit as a special tribunal to determine any claim or dispute of right in terms of a law regulating, as at 1 November 1993, employment in an institution referred to in section 236(1) of the Constitution and arising out of the implementation of sections 236 and 237 of the Constitution;

AND WHEREAS section 237(4) of the Constitution provides that the envisaged legislation shall prescribe expeditious procedures for the adjudication of the claims and disputes, including the granting of interim and final relief; that those procedures shall be the only procedures to be followed by the special tribunal, notwithstanding any law; and that a decision of the special tribunal on any such claim or dispute shall be final and binding; and makes provision for the lapsing of that subsection and the envisaged legislation;

(English text signed by the President.)
(Assented to 10 July 1995.)

BE IT THEREFORE ENACTED by the Parliament of the Republic of South Africa as follows:—

Definitions

1. In this Act and in the Schedules hereto, unless the context otherwise indicates—

- (i) “a law regulating employment” means any law in terms of which an employee was employed, or any labour relations law or other relevant law, or the common law applicable to employment, as at 1 November 1993; (ix)
- (ii) “Chief Justice” means the Chief Justice of the Supreme Court of South Africa contemplated in section 97 of the Constitution; (vii)
- (iii) “day” means a calendar day and when any particular number of days are prescribed for the doing of any act, those days shall be reckoned by excluding the first and including the last day, unless the last day falls on a Saturday, a Sunday or any public holiday, in which case the number of days shall be reckoned by excluding the first day and also any such Saturday, Sunday or public holiday; (iv)
- (iv) “dispute” means any claim or dispute of right, including, but not limited to, an alleged unfair labour practice, in terms of a law regulating employment and arising out of the implementation of sections 236 and 237 of the Constitution, and “in dispute” has a corresponding meaning; (v)
- (v) “employee” means a person who, in terms of a law regulating employment—
 - (a) on the date of commencement of the Constitution, was in the employ of a public service, department of state (including a police force), administration, military force as defined in section 224(2)(a) or (b) of the Constitution or other institution (excluding any local government) performing, immediately prior to the commencement

WET

Ten einde die arbeidsappèlhof in staat te stel om as spesiale tribunaal op te tree in die beslegting van eise en geskille van regte wat vanweë die toepassing van die oorgangsbepalings rakende staatsadministrasie en die rasionalisering van die staatsadministrasie soos beoog in artikels 236 en 237 van die Grondwet ontstaan; en om voorsiening te maak vir aangeleenthede wat daarmee in verband staan.

AANHEF

AANGESIEN artikel 237(4) van die Grondwet wetgewing in die vooruitsig stel ten einde die arbeidsappèlhof, ingestel by artikel 17A van die Wet op Arbeidsverhoudinge, 1956 (Wet No. 28 van 1956), in staat te stel om as spesiale tribunaal te sit om 'n eis of geskil van regte ingevolge 'n wet wat, soos op 1 November 1993, diens in 'n instelling bedoel in artikel 236(1) van die Grondwet reël en wat ontstaan vanweë die toepassing van artikels 236 en 237 van die Grondwet, te besleg;

EN AANGESIEN artikel 237(4) van die Grondwet bepaal dat die beoogde wetgewing spoedige prosedures vir die beregting van die eise en geskille, met inbegrip van die toestaan van tydelike en finale regshulp, moet voorskryf; dat daardie prosedures, ondanks enige wet, die enigste prosedures is wat deur die spesiale tribunaal gevolg word; en dat 'n beslissing van die spesiale tribunaal oor so 'n eis of geskil finaal en bindend is; en voorsiening maak vir die verval van daardie subartikel en die beoogde wetgewing;

*(Engelse teks deur die President geteken.)
(Goedgekeur op 10 Julie 1995.)*

WORD DAAR DERHALWE BEPAAL deur die Parlement van die Republiek van Suid-Afrika, soos volg:—

Woordomskrywing

1. In hierdie Wet en in die Bylaes hierby, tensy uit die samehang anders blyk, 5 beteken—

- (i) “arbeidsappèlhof” die arbeidsappèlhof ingestel by artikel 17A van die Wet op Arbeidsverhoudinge; (vii)
- (ii) “beteken” die betekening van 'n dokument ooreenkomstig reël 3 van Bylae 1 en het “betekening” 'n ooreenstemmende betekenis; (xiv)
- 10 (iii) “bevel” enige finale regshulp of remedie, met inbegrip van, maar nie beperk nie tot, 'n vasstelling; (x)
- (iv) “dag” 'n kalenderdag en wanneer enige besondere aantal dae voorgeskryf word vir die uitvoering van enige handeling, word daardie dae gereken met uitsluiting van die eerste en insluiting van die laaste dag, 15 tensy die laaste dag op 'n Saterdag, Sondag of openbare vakansiedag val, in welke geval die aantal dae gereken word met uitsluiting van die eerste dag en ook enige sodanige Saterdag, Sondag of openbare vakansiedag; (iii)
- (v) “geskil” enige eis of geskil van regte, met inbegrip van, maar nie beperk nie tot, 'n beweerde onbillike arbeidspraktyk, ingevolge 'n wet wat diens 20 reël en wat uit die toepassing van artikels 236 en 237 van die Grondwet ontstaan, en het “in geskil” 'n ooreenstemmende betekenis; (iv)
- (vi) “hierdie Wet” ook die reëls vervat in Bylae 1; (xvi)
- (vii) “Hoofregter” die Hoofregter van die Hooggeregshof van Suid-Afrika beoog in artikel 97 van die Grondwet; (ii)
- 25 (viii) “Minister” die Minister deur die President ingevolge artikel 88 van die Grondwet aangestel om die Kantoor van die Staatsdienskommissie te administreer; (ix)

- of the Constitution, governmental functions under control of an authority referred to in section 235(1)(a), (b) or (c) or 232 (1)(c) of the Constitution; or
- (b) after the commencement of the Constitution, was or is employed by any of the above institutions or any institution rationalised in terms of section 237 of the Constitution; (xv) 5
- (vi) "employee organisation" means a staff association or trade union which has employees as members; (xvi)
- (vii) "labour appeal court" means the labour appeal court established by section 17A of the Labour Relations Act; (i) 10
- (viii) "Labour Relations Act" means the Labour Relations Act, 1956 (Act No. 28 of 1956); (xvii)
- (ix) "Minister" means the Minister appointed by the President in terms of section 88 of the Constitution to administer the Office of the Public Service Commission; (viii) 15
- (x) "order" means any final relief or remedy, including, but not limited to, a determination; (iii)
- (xi) "party" an employee, employee organisation or responsible authority, and includes a duly authorised representative of such a person, organisation or authority; (xii) 20
- (xii) "public holiday" means a public holiday as referred to in the Public Holidays Act, 1994 (Act No. 36 of 1994); (xi)
- (xiii) "responsible authority" means any authority which is a party to or which is responsible for the decision on or execution of the abolition, incorporation, integration, consolidation or rationalisation of institutions referred to in section 236(1) of the Constitution; (xiv) 25
- (xiv) "serve" means the serving of any document in accordance with rule 3 of Schedule 1, and "service" has a corresponding meaning; (ii)
- (xv) "special tribunal" means the labour appeal court sitting as a special tribunal as contemplated in section 237(4) of the Constitution and includes any member or assessor authorised to perform the functions of the labour appeal court; (xiii) 30
- (xvi) "this Act", includes the rules contained in Schedule 1; (vi)
- (xvii) "unfair labour practice" means any act or omission, other than a strike or a lock-out, which has or may have the effect that— 35
- (a) any employee or class of employees is or may be unfairly affected or that his, her or their employment opportunities or work security is or may be prejudiced or jeopardised thereby;
- (b) labour unrest is or may be created or promoted thereby; or
- (c) the labour relationship between the responsible authority and employee is or may be detrimentally affected thereby. (x) 40

Application of Act

2. This Act shall apply to any dispute between an employee, or where applicable, an employee organisation, and a responsible authority.

Labour appeal court sitting as special tribunal

45

3. (1) Section 17A of the Labour Relations Act shall apply *mutatis mutandis* to the special tribunal except where otherwise provided for in this Act.

(2) The areas of jurisdiction of the respective divisions of the special tribunal shall be as set out in the second column of Schedule 2.

- (3) The special tribunal may in respect of any dispute— 50
- (a) grant interim relief;
- (b) make an order which any court, including the industrial court, would have been competent to make in terms of a law regulating employment; and
- (c) generally deal with all matters necessary for or incidental to the performance of its functions under this Act. 55

WET OP DIE ARBEIDSAPPELHOF WAT SIT AS SPECIALE
TRIBUNAAAL, 1995.

Wet No. 30, 1995

- (ix) “'n wet wat diens reël” enige wet ingevolge waarvan 'n werknemer in diens geneem is, of enige arbeidsverhoudinge-wet of ander toepaslike wet, of die gemene reg van toepassing op diens, soos op 1 November 1993; (i)
- 5 (x) “onbillike arbeidspraktyk” enige handeling of versuim, uitgesonderd 'n staking of 'n uitsluiting, wat die uitwerking het of kan hê dat—
- (a) enige werknemer of klas werknemers onregverdig daardeur geraak word of kan word of dat sy, haar of hul werksgeleenthede of werksekerheid daardeur benadeel of in gevaar gestel word of kan word;
- 10 (b) arbeidsonrus daardeur geskep of bevorder word of kan word; of
- (c) die arbeidsverhouding tussen die verantwoordelike gesag en werknemer nadelig daardeur geraak word of kan word; (xvii)
- 15 (xi) “openbare vakansiedag” 'n openbare vakansiedag soos bedoel in die Wet op Openbare Vakansiedae, 1994 (Wet No. 36 van 1994); (xii)
- (xii) “party” 'n werknemer, werknemerorganisasie of verantwoordelike gesag en ook 'n behoorlik gemagtigde verteenwoordiger van sodanige persoon, organisasie of gesag; (xi)
- 20 (xiii) “spesiale tribunaal” die arbeidsappèlhof wat sit as 'n spesiale tribunaal soos beoog in artikel 237(4) van die Grondwet, en ook enige lid of assessor gemagtig om die werksaamhede van die arbeidsappèlhof te verrig; (xv)
- (xiv) “verantwoordelike gesag” enige gesag wat 'n party is tot of wat verantwoordelik is vir die besluit oor of die uitvoering van die afskaffing, inkorporering, integrering, konsolidering of rasionalisering van instellings bedoel in artikel 236(1) van die Grondwet; (xiii)
- 25 (xv) “werknemer” 'n persoon wat, ingevolge 'n wet wat diens reël—
- (a) op die datum van die inwerkingtreding van die Grondwet, in die diens van 'n staatsdiens, staatsdepartement (met inbegrip van 'n polisiemag), administrasie, weermag soos omskryf in artikel 224(2)(a) of (b) van die Grondwet of ander instelling (uitgesonderd enige plaaslike regering) was wat onmiddellik voor die inwerkingtreding van die Grondwet regeringsfunksies onder die beheer van 'n gesag bedoel in artikel 235(1)(a), (b) of (c) of 232
- 30 (1)(c) van die Grondwet verrig het; of
- (b) na die inwerkingtreding van die Grondwet, deur enige van die bovermelde instellings of enige instelling soos gerasionaliseer ingevolge artikel 237 van die Grondwet in diens geneem is of in diens gehou word; (v)
- 35 (xvi) “werknemerorganisasie” 'n personeelvereniging of vakbond wat werknemers as lede het; (vi)
- 40 (xvii) “Wet op Arbeidsverhoudinge” die Wet op Arbeidsverhoudinge, 1956 (Wet No. 28 van 1956). (viii)

Toepassing van Wet

- 45 2. Hierdie Wet is van toepassing op enige geskil tussen 'n werknemer, of waar van toepassing, 'n werknemerorganisasie, en 'n verantwoordelike gesag.

Arbeidsappèlhof wat sit as spesiale tribunaal

3. (1) Artikel 17A van die Wet op Arbeidsverhoudinge is *mutatis mutandis* op die spesiale tribunaal van toepassing, tensy anders in hierdie Wet bepaal.
- 50 (2) Die jurisdiksiegebiede van die onderskeie afdelings van die spesiale tribunaal is soos uiteengesit in die tweede kolom van Bylae 2.
- (3) Die spesiale tribunaal kan ten opsigte van 'n geskil—
- (a) tussentydse regshulp verleen;
- 55 (b) 'n bevel uitvaardig wat enige hof, met inbegrip van die nywerheidshof, bevoeg sou wees om ingevolge 'n wet wat diens reël, uit te vaardig; en
- (c) in die algemeen met alle aangeleenthede handel wat nodig is vir of bykomend is by die verrigting van sy werksaamhede kragtens hierdie Wet.

(4) For purposes of this Act, the special tribunal may be approached without it being necessary to make use of or to exhaust any other procedure in terms of any other law or the common law: Provided that a party which so approaches the special tribunal shall observe the rules with regard to the referral and adjudication of disputes referred to in section 4(1): Provided further that in the case of an application for interim relief the applicant may request the special tribunal to dispense with any of those rules. 5

Rules and Rules Committee for special tribunal

4. (1) The rules which give effect to the expeditious procedures prescribed by this Act are contained in Schedule 1. 10

(2) The Minister may, after consultation with the Chief Justice, appoint a Rules Committee, other than the Rules Board referred to in section 17(22) of the Labour Relations Act, consisting of a judge, as chairperson, an advocate and an attorney, which may effect amendments, not inconsistent with this Act, to the rules contained in Schedule 1. 15

Orders by special tribunal

5. (1) An employee who, or where applicable, an employee organisation which, is in dispute with a responsible authority may apply to the special tribunal for an order under section 3(3)(a) or (b).

(2) Unless the special tribunal on good cause shown decides otherwise, no order may be made under section 3(3)(a) or (b) if the relevant application in terms of subsection (1) was not made within 90 days from the date on which the reasons for the dispute became known to the applicant, or from the date of the commencement of this Act, whichever is the later date. 20

(3) The special tribunal shall as soon as possible, but not later than 60 days after receipt of an application in terms of subsection (1), adjudicate on the dispute. 25

(4) The special tribunal may on good cause shown or of its own motion—

(a) either before or after expiry of any period prescribed by this Act, extend such period;

(b) condone non-compliance with any time limit prescribed by this Act. 30

(5) The special tribunal shall not make an order as to costs in respect of any proceedings brought before it, except—

(a) on the grounds of unreasonableness or triviality on the part of a party to a dispute;

(b) on the grounds that a party refused or unjustifiably failed to attend the pre-trial conference convened in terms of rule 5(5) of Schedule 1, or failed to participate properly at such conference in order to limit or define the issues in dispute in terms of rule 5(7) of Schedule 1. 35

Extraordinary procedure

6. Should a situation arise during proceedings for which no provision has been made in this Act, the special tribunal may adopt any procedure or make any order which it deems necessary or expedient in order to achieve the objects of section 237(4) of the Constitution. 40

Short title and commencement

7. This Act shall be called the Labour Appeal Court Sitting as Special Tribunal Act, 1995, and shall come into operation on a date fixed by the President by proclamation in the *Gazette*. 45

WET OP DIE ARBEIDSAPPELHOF WAT SIT AS SPESIALE
TRIBUNAAAL, 1995.

Wet No. 30, 1995

- (4) Vir doeleindes van hierdie Wet, kan die spesiale tribunaal genader word sonder dat dit nodig is om van enige ander prosedure ingevolge enige ander wet of die gemene reg gebruik te maak of dit uit te put: Met dien verstande dat 'n party wat die spesiale tribunaal aldus nader, die reëls in verband met die verwysing en beregting van geskille, soos in artikel 4(1) bedoel, nakom: Met dien verstande voorts, dat in die geval van 'n aansoek om tussentydse regshulp die applikant die spesiale tribunaal kan versoek om af te sien van enige van daardie reëls.

Reëls en Reëlskomitee vir spesiale tribunaal

- 10 4. (1) Die reëls wat uitvoering gee aan die spoedige prosedures voorgeskryf by hierdie Wet, is in Bylae 1 vervat.
- (2) Die Minister kan, na oorlegpleging met die Hoofregter, 'n Reëlskomitee, anders as die Reëlsraad in artikel 17(22) van die Wet op Arbeidsverhoudinge bedoel, bestaande uit 'n regter, as voorsitter, 'n advokaat en 'n prokureur, 15 aanstel wat wysigings wat nie met hierdie Wet in stryd is nie aan die reëls vervat in Bylae 1 kan aanbring.

Bevele deur spesiale tribunaal

- 20 5. (1) 'n Werknemer, of waar van toepassing, 'n werknemerorganisasie, wat met 'n verantwoordelike gesag in geskil is, kan by die spesiale tribunaal om 'n bevel kragtens artikel 3(3)(a) of (b) aansoek doen.
- (2) Tensy die arbeidsappèlhof by die aanvoer van goeie gronde anders besluit, word 'n bevel kragtens artikel 3(3)(a) of (b) nie uitgevaardig nie indien die betrokke aansoek ingevolge subartikel (1) nie gedoen is nie binne 90 dae vanaf die datum waarop die gronde vir die geskil aan die applikant bekend geraak het, 25 of vanaf die datum van die inwerkingtreding van hierdie Wet, wat ook al die latere datum is.
- (3) Die spesiale tribunaal moet so spoedig moontlik, maar nie later nie as 60 dae na ontvangs van die aansoek ingevolge subartikel (1), oor die geskil bereg.
- (4) Die spesiale tribunaal kan by die aanvoer van goeie gronde of uit eie 30 beweging—
- (a) óf voor óf na die verstryking van 'n tydperk voorgeskryf by hierdie Wet, sodanige tydperk verleng;
- (b) die nie-nakoming van enige tydsbeperking voorgeskryf by hierdie Wet, kondoneer.
- 35 (5) Die spesiale tribunaal vaardig nie 'n bevel met betrekking tot koste ten opsigte van enige verrigtinge wat voor hom ingestel is uit nie, behalwe—
- (a) op grond van onredelikheid of beuselagtigheid van die kant van 'n party by 'n geskil;
- 40 (b) op grond daarvan dat 'n party geweier of ongeregverdig versuim het om die voorverhoorsamespreking belê ingevolge reël 5(5) van Bylae 1 by te woon of versuim het om ingevolge reël 5(7) van Bylae 1 by sodanige samespreking behoorlik deel te neem ten einde die geskilpunte te beperk of te omskryf.

Buitengewone prosedure

- 45 6. Sou 'n geval hom gedurende verrigtinge voordoen waarvoor geen voorsiening in hierdie Wet gemaak is nie, kan die spesiale tribunaal enige prosedure volg of enige bevel maak wat hy nodig of dienstig ag ten einde die oogmerke van artikel 237(4) van die Grondwet te bereik.

Kort titel en inwerkingtreding

- 50 7. Hierdie Wet heet die Wet op die Arbeidsappèlhof wat Sit as Spesiale Tribunaal, 1995, en tree in werking op 'n datum wat die President by proklamasie in die *Staatskoerant* bepaal.

SCHEDULE 1**RULES FOR PROCEEDINGS IN THE
SPECIAL TRIBUNAL****Definitions**

1. In these Rules, unless the context otherwise indicates, any word or expression to which a meaning has been assigned in the Act shall bear the same meaning and—

“notice” means a written notice and “notify” means to notify in writing;

“registrar” means the registrar of the labour appeal court contemplated in section 17A(6) of the Labour Relations Act.

Office hours and address of registrar, and filing documents with registrar

2. (1)(a) Subject to paragraph (b), the office of the registrar shall be open for the issue of process and the filing of documents from 08:00 to 12:30 and from 14:00 to 15:30 on every day other than on a Saturday, Sunday or public holiday.

(b) The registrar may in exceptional circumstances issue process and accept documents at any time, and shall do so when so directed by the special tribunal.

(2)(a) Subject to paragraph (b), the addresses of the registrar's offices shall be those mentioned in Appendix 3 to these Rules.

(b) The registrar may from time to time give notice in the *Gazette* of any change of address or address in addition to the addresses referred to in paragraph (a).

(3)(a) The filing of documents with the registrar may take place by hand or by registered post.

(b) Notwithstanding paragraph (a), the registrar may accept documents transmitted by telefacsimile if the original document is also, within seven days thereafter, filed with the registrar or sent to him or her by registered post.

(c) A document shall be deemed to have been filed with the registrar on the date—

- (i) on which such document was handed in to the registrar;
- (ii) on which such document was sent by registered post to the registrar; or
- (iii) of the completion of the telefacsimile transmission to the office of the registrar or to such other telefacsimile receiver as the registrar may appoint.

Service of documents

3. (1) Subject to subrule (2), any document which is required to be served in terms of the Act and these Rules shall be served by or on behalf of the party who desires service thereof—

- (a) by handing a copy thereof to the party concerned personally;
- (b) by leaving a copy thereof at the place of employment of the party concerned with any person who is apparently not less than 16 years of age and who is apparently in authority over the party concerned;
- (c) by leaving a copy thereof at the address which the party concerned has chosen as *domicilium citandi et executandi*;
- (d) by handing a copy thereof to any representative authorised in writing to accept service on behalf of the party concerned;
- (e) by sending a copy thereof by registered post to the last known postal address of the party concerned, and in such a case, unless the contrary is proved, it shall be presumed that service was effected on the 10th day following the day upon which the document was posted;
- (f) by sending a copy thereof by telefacsimile transmission to the telefacsimile receiver of the party concerned; or

BYLAE 1

REËLS VIR VERRIGTINGE IN DIE
SPESIALE TRIBUNAAL

Woordomskrywing

1. In hierdie Reëls, tensy uit die samehang anders blyk, het 'n woord of uitdrukking waaraan 'n betekenis in die Wet toegeskryf is, dieselfde betekenis en beteken—

“griffier” die griffier van die arbeidsappèlhof beoog in artikel 17A(6) van die Wet op Arbeidsverhoudinge;

“kennisgewing” 'n skriftelike kennisgewing en “kennis gee” om skriftelik kennis te gee.

Kantoorure en adres van griffier, en indiening van dokumente by griffier

2. (1)(a) Behoudens paragraaf (b) is die griffier se kantoor daaglik van 08:00 tot 12:30 en van 14:00 tot 15:30 oop vir die uitreik van prosesstukke en die indiening van dokumente behalwe op 'n Saterdag, Sondag of openbare vaksiedag.

(b) Die griffier kan in buitengewone omstandighede te eniger tyd prosesstukke uitreik en dokumente ontvang, en moet dit doen indien deur die spesiale tribunaal daartoe gelas.

(2)(a) Behoudens paragraaf (b) is die adresse van die griffier se kantore dié vermeld in Aanhangsel 3 by hierdie Reëls.

(b) Die griffier kan van tyd tot tyd in die *Staatskoerant* kennis gee van enige adresverandering of adres bykomend by die adresse bedoel in paragraaf (a).

(3)(a) Die indiening van dokumente by die griffier kan per hand of per geregistreerde pos geskied.

(b) Ondanks paragraaf (a) kan die griffier dokumente ontvang wat per telefaksimilee versend is indien die oorspronklike dokument ook, binne sewe dae daarna, by die griffier ingedien of per geregistreerde pos aan hom of haar versend word.

(c) 'n Dokument word geag by die griffier ingedien te wees op die datum—

(i) waarop sodanige dokument by die griffier ingehandig is;

(ii) waarop sodanige dokument per geregistreerde pos aan die griffier gestuur is; of

(iii) van die voltooiing van die telefaksimileeversending aan die kantoor van die griffier of aan sodanige ander telefaksimilee-ontvanger wat die griffier aanwys.

Betekening van dokumente

3. (1) Behoudens subreël (2) word 'n dokument wat ingevolge die Wet en hierdie Reëls beteken moet word, beteken deur of ten behoeve van die party wat betekening verlang—

(a) deur 'n afskrif daarvan aan die betrokke party persoonlik te oorhandig;

(b) deur 'n afskrif daarvan by die betrokke party se werkplek te laat by 'n persoon wat blykbaar nie jonger as 16 jaar is nie en wat blykbaar beheer oor die betrokke party uitoefen;

(c) deur 'n afskrif daarvan by die adres wat die betrokke party as *domicilium citandi et executandi* gekies het, te laat;

(d) deur 'n afskrif daarvan te oorhandig aan enige verteenwoordiger wat skriftelik gemagtig is om betekening namens die betrokke party te aanvaar;

(e) deur 'n afskrif daarvan per geregistreerde pos aan die laaste bekende posadres van die betrokke party te stuur, en in so 'n geval, tensy die teendeel bewys word, word daar vermoed dat betekening op die 10de dag na die dag waarop die dokument gepos is, geskied het;

(f) deur 'n afskrif daarvan by wyse van 'n telefaksimileeversending na die telefaksimilee-ontvanger van die betrokke party te stuur; of

- (g) where a document is to be served on a statutory body, by handing a copy thereof to an officer or member of such body.
- (2) If the special tribunal is satisfied that the service cannot conveniently or expeditiously be effected in any manner contemplated in subrule (1), service may be effected in any manner directed by the special tribunal.
- (3) Unless otherwise directed by the special tribunal, service shall be effected as near as possible between the hours of 07:00 and 19:00 on any day other than a Saturday, Sunday or public holiday.
- (4) Service shall be proved before the special tribunal—
- (a) by a signed acknowledgement of receipt by the party upon whom the document was served;
 - (b) by an affidavit by the party who effected service;
 - (c) in the case of service by registered post, by the party who effected service by producing the certificate issued by the post office for the posting of such letter; or
 - (d) in the case of service by telefacsimile transmission, by the party who effected service by producing the transmission slip relating to such transmission.
- (5) If the special tribunal is not satisfied that service has been proved in accordance with subrule (4), it may make such order as it may deem fit.

Form and content of process

4. (1) Unless otherwise provided, any process initiating proceedings or opposing an application shall be substantially in accordance with the forms prescribed in Appendices 1 and 2 to these Rules, and a party may abbreviate a form by omitting sections which are not relevant.

(2)(a) Any party which wishes to challenge an address provided in any form for the service of any document or the nomination of a representative shall do so by serving a copy of a notice setting out such changes on the other party and filing the original with the registrar.

(b) Any change of address or change in the nomination of a representative shall only take effect on receipt of the relevant notice by the other party.

Application, notice of opposition, notice of exception, pre-trial conference, and hearing

5. (1) An application for an order under section 3(3) shall be commenced by requesting the registrar to affix a case number to the form prescribed in Appendix 1 to these Rules.

(2) The applicant shall serve a copy of the form contemplated in subrule (1) on the respondent and file the original with the registrar together with proof of service as contemplated in rule 3(4).

(3) The respondent referred to in subrule (2) may within 14 days or, in the case of an application for interim relief, within five days from the date on which the copy of the application was served on such respondent, serve a notice of opposition, in the form prescribed in Appendix 2 to these Rules, on the applicant and file the original with the registrar.

(4) The respondent may, together with the notice of opposition, give notice of an exception.

(5) On receipt of a notice of exception the registrar shall fix a date, time and venue for the hearing of the exception and shall give written notice of set down to the parties.

(6) On receipt of the notice of opposition, or after the expiry of the 14 days or the five days referred to in subrule (3), the registrar shall fix a date, time and venue for the hearing of the application and shall give written notice of set down to the parties.

(7) The notice of set down referred to in subrule (6) shall, in the absence of a notice of opposition, contain a statement that judgement by default may be entered against the respondent.

(8) If a notice of opposition is received the registrar shall, except in the case of

- (g) waar 'n dokument aan 'n statutêre liggaam beteken moet word, deur 'n afskrif daarvan aan 'n beampte of lid van so 'n liggaam te oorhandig.
- (2) Indien die spesiale tribunaal oortuig is dat betekening nie gerieflik of so gou as moontlik kan geskied op enige wyse in subreël (1) beoog nie, kan betekening op enige wyse deur die spesiale tribunaal gelas, geskied.
- (3) Tensy anders deur die spesiale tribunaal gelas, geskied betekening so na as moontlik tussen die ure 07:00 en 19:00 op enige dag buiten 'n Saterdag, Sondag of openbare vakansiedag.
- (4) Betekening word voor die spesiale tribunaal bewys—
- (a) deur 'n getekende ontvangserkenning deur die party aan wie die dokument beteken is;
 - (b) deur 'n verklaring van die party wat beteken het;
 - (c) in die geval van betekening per geregistreerde pos, deur voorlegging deur die party wat beteken het van die sertifikaat, uitgereik deur die poskantoor, dat sodanige brief gepos is; of
 - (d) in die geval van betekening by wyse van telefaksimileeversending, deur voorlegging deur die party wat beteken het van die versendingstrokie met betrekking tot sodanige versending.
- (5) As die spesiale tribunaal nie oortuig is dat betekening ingevolge subreël (4) bewys is nie, kan hy sodanige bevel uitvaardig as wat hy dienstig ag.

Vorm en inhoud van prosesstukke

4. (1) Tensy anders bepaal, moet 'n prosesstuk wat verrigtinge instel of 'n aansoek bestry, wesenlik in ooreenstemming wees met die vorms voorgeskryf in Aanhangsels 1 en 2 by hierdie Reëls, en 'n party mag 'n vorm verkort deur weglating van gedeeltes wat nie ter sake is nie.

(2) (a) 'n Party wat 'n adres wat in 'n vorm vir die betekening van 'n dokument verskaf word of die benoeming van 'n verteenwoordiger wil bestry, moet dit doen deur 'n afskrif van die kennisgewing wat die veranderings uiteensit aan die ander party te beteken en die oorspronklike by die griffier in te dien.

(b) 'n Adresverandering of verandering in die benoeming van 'n verteenwoordiger word slegs van krag by ontvangs van die betrokke kennisgewing deur die ander party.

Aansoek, kennisgewing van bestryding, kennisgewing van eksepsie, voorverhoor-samespreking, en verhoor.

5. (1) 'n Aansoek om 'n bevel kragtens artikel 3(3) neem 'n aanvang deur die griffier te versoek om 'n saaknommer op die vorm voorgeskryf in Aanhangsel 1 by hierdie Reëls aan te bring.

(2) Die applikant beteken 'n afskrif van die vorm beoog in subreël (1) aan die respondent en dien die oorspronklike saam met die bewys van betekening beoog in reël 3(4) by die griffier in.

(3) Die respondent in subreël (2) bedoel, kan binne 14 dae of in die geval van 'n aansoek om tussentydse regshulp, binne vyf dae vanaf die datum waarop 'n afskrif van die aansoek aan so 'n respondent beteken is, 'n kennisgewing van bestryding, in die vorm voorgeskryf in Aanhangsel 2 by hierdie Reëls, aan die applikant beteken en die oorspronklike by die griffier indien.

(4) Die respondent kan, saam met die kennisgewing van bestryding, kennis gee van 'n eksepsie.

(5) By ontvangs van 'n kennisgewing van eksepsie, stel die griffier 'n datum, tyd en plek vir die verhoor van die eksepsie vas en gee hy of sy aan die partye skriftelik kennis van die terrolleplasing.

(6) By ontvangs van die kennisgewing van bestryding, of na verstryking van die 14 dae of die vyf dae in subreël (3) bedoel, stel die griffier 'n datum, tyd en plek vir die verhoor van die aansoek vas en gee hy of sy aan die partye skriftelik kennis van die terrolleplasing.

(7) Die kennisgewing van terrolleplasing in subreël (6) na verwys, moet, in die afwesigheid van 'n kennisgewing van bestryding, 'n verklaring bevat dat vonnis by verstek teen die respondent aangeteken kan word.

(8) Indien 'n kennisgewing van bestryding ontvang word, stel die griffier, behalwe in die geval van 'n aansoek om tussentydse regshulp of kennisgewing

an application for interim relief or notice of exception, fix a date, time and venue for a pre-trial conference and shall give written notice thereof to the parties.

(9) Each party shall, not later than 10 days prior to the pre-trial conference, furnish every other party with—

- (a) a list of the admissions which he, she or it requires;
- (b) the enquiries which he, she or it will direct and other matters regarding preparation for trial which such party will raise for discussion at the pre-trial conference;
- (c) statements of witnesses or summaries thereof; and
- (d) summaries of the opinions and reasons therefor of his, her or its expert witnesses, if any.

(10)(a) At the pre-trial conference the parties shall endeavour to limit or define the issues in dispute and to facilitate the expeditious determination of the application, and shall thereafter prepare minutes in respect of that conference which shall reflect those endeavours.

(b) The pre-trial conference may be chaired by a mediator agreed upon by the parties, and the parties shall share the costs of such mediator.

(11) Whenever a matter is settled prior to the date of hearing or when the parties agree to postpone the matter, the applicant shall forthwith notify the registrar by delivering a notice of withdrawal or postponement, as the case may be.

(12) At the commencement of the hearing and after hearing representations from the parties and having regard to the documents filed, the special tribunal shall determine whether any further documentary or written or oral evidence is required and shall give directions in respect of the presentation to the special tribunal of such evidence.

(13) In respect of any oral evidence presented pursuant to a direction of the special tribunal as contemplated in subrule (12) the special tribunal may proceed in an inquisitorial manner and may give directions concerning the examination, cross-examination or re-examination of witnesses.

(14) After directions made in terms of subrule (13) have been complied with, the parties may present argument to the special tribunal subject to any directions given by the special tribunal concerning the presentation thereof.

Joinder of parties

6. (1) The special tribunal may of its own motion, or on application on notice to each party, make an order joining any person as a party to the proceedings.

(2) An order referred to in subrule (1) shall be made only where the party to be joined has a substantial interest in the dispute.

(3) In making such order the special tribunal may impose such conditions in respect of the delivery of documents and, subject to section 5(5), as to costs as it deems fit.

Consolidation of disputes

7. The special tribunal may of its own motion, or on application by any party on notice to every other party, make an order consolidating the disputes pending before it in separate proceedings where it deems such consolidation to be expedient and just.

Consent to judgment or relief claimed, and judgment by default

8. (1)(a) A respondent may at any time in respect of the whole or any part of an application consent to judgment or to the relief claimed.

(b) The consent referred to in subrule (1) shall be in writing, signed and dated by the respondent.

(c) On receipt of a consent referred to in subrule (1), the applicant may apply in writing for an order to be made in accordance with such consent.

(2) Whenever a respondent fails to submit a notice of opposition in response to an application, the special tribunal may on application, having satisfied itself that notice of set down has been given to all parties, proceed with the matter and make such order as it considers just in the absence of the respondent.

van eksepsie, 'n datum, tyd en plek vir die voorverhoorsamespreking vas en gee hy aan die partye skriftelik kennis daarvan.

(9) Elke party voorsien nie later nie as 10 dae voor die voorverhoorsamespreking al die ander partye van—

- (a) 'n lys van erkennings wat hy of sy verlang;
- (b) die vrae wat hy of sy sal rig en ander sake in verband met die voorbereiding vir die verhoor wat sodanige party tydens die voorverhoorsamespreking vir bespreking sal opper;
- (c) verklarings van getuies of opsommings daarvan; en
- (d) opsommings van die menings en redes daarvoor van sy of haar deskundige getuies, indien enige.

(10)(a) Tydens die voorverhoorsamespreking moet die partye poog om die geskilpunte te beperk of te omskryf en om die spoedige vasstelling van die aansoek te bevorder, en moet daarna 'n notule ten opsigte van daardie samespreking opstel wat daardie pogings moet weerspieël.

(b) 'n Bemiddelaar deur die partye op ooreengekom, kan by 'n voorverhoorsamespreking voorsit, en die koste van so 'n bemiddelaar word deur die partye gedeel.

(11) Wanneer 'n aangeleentheid vroeër as die datum van die verhoor geskik word of wanneer die partye ooreenkom om die aangeleentheid uit te stel, moet die applikant die griffier onverwyld in kennis stel deur die aflewering van 'n kennisgewing van terugtrekking of uitstel, na gelang van die geval.

(12) By die aanvang van die verhoor en nadat die partye se vertoë aangehoor is en met inagneming van die dokumente wat ingedien is, bepaal die spesiale tribunaal of enige verdere dokumentêre of skriftelike of mondelinge getuienis benodig word en gee hy lasgewings in verband met die voorlegging van sodanige getuienis aan die spesiale tribunaal.

(13) Ten opsigte van enige mondelinge getuienis voorgelê ooreenkomstig 'n lasgewing van die spesiale tribunaal soos beoog in subreël (12), kan die spesiale tribunaal op 'n inkiwisitoriale wyse voortgaan en kan hy lasgewings gee in verband met die ondervraging, kruisondervraging of herondervraging van getuies.

(14) Nadat lasgewings ingevolge subreël (13) uitgevaardig, nagekom is, kan die partye argumente aan die spesiale tribunaal voorlê behoudens enige lasgewing wat deur die spesiale tribunaal gegee is in verband met die voorlegging daarvan.

Voeging van partye

6. (1) Die spesiale tribunaal kan uit eie beweging, of op aansoek na kennisgewing aan elke party, 'n bevel uitvaardig om 'n persoon as 'n party by die verrigtinge te voeg.

(2) 'n Bevel bedoel in subreël (1) word uitgevaardig slegs waar die party wat gevoeg staan te word 'n wesenlike belang by die geskil het.

(3) By die uitvaardiging van so 'n bevel kan die spesiale tribunaal sodanige voorwaardes met betrekking tot die lewering van dokumente en, behoudens artikel 5(5), met betrekking tot kostes neerlê as wat hy goedgevind.

Samevoeging van geskille

7. Die spesiale tribunaal kan uit eie beweging, of op aansoek deur enige party na kennisgewing aan elke ander party, 'n bevel uitvaardig vir die samevoeging van geskille wat in afsonderlike verrigtinge voor hom hangende is, waar hy sodanige samevoeging wenslik en billik ag.

Toestemming tot vonnis of bevel, en vonnis by verstek

8. (1)(a) 'n Respondent kan te eniger tyd ten opsigte van die geheel of enige gedeelte van 'n aansoek toestem tot vonnis of tot die regshulp wat geëis word.

(b) Die toestemming bedoel in subreël (1) moet deur die respondent op skrif gestel, geteken en gedateer word.

(c) By ontvangs van 'n toestemming bedoel in subreël (1) kan die applikant skriftelik aansoek doen om die uitvaardiging van 'n bevel in ooreenstemming met sodanige toestemming.

Witness fees

9. A witness subpoenaed to give evidence before the special tribunal shall be entitled to such fees and costs as such witness would have been entitled to receive if he or she had been subpoenaed to give evidence before the Supreme Court.

Taxation of costs

10. (1) The costs ordered in terms of section 5(5) shall be taxed by the registrar on the scale which could have been allowed in a provincial division of the Supreme Court.

(2) Costs taxed by the registrar shall be subject to review by the special tribunal on application by one or more of the parties within 14 days of such taxation.

(3) Any application referred to in subrule (2) shall identify each disputed item or part thereof together with the grounds of the objection to the allowance or disallowance thereof.

Oath of office of interpreter

11. (1) Before any interpreter may interpret in the special tribunal he or she shall take an oath or make an affirmation in the following form:

"I, do hereby swear/truly affirm that whenever I may be called upon to perform the functions of an interpreter in any proceedings in the special tribunal I shall truly and correctly and to the best of my ability interpret from the..... language into the language and *vice versa*."

(2) Such oath or affirmation shall be taken or made in the manner prescribed by law for taking an oath or making an affirmation, and shall be signed by the interpreter.

Correction, clarification, rescission or variation of order

12. (1) The special tribunal may of its own motion, or on application by any party on notice to every other party, correct an omission or error or clarify any provision in any order.

(2) The special tribunal may on good cause shown in an application by the respondent rescind or vary any order which was given on the grounds of the respondent having been in default in his, her or its reply or having failed to appear at the hearing.

(3) Any party bringing an application under subrule (2) shall within 14 days after having become aware of the order in question give notice of his, her or its application to all parties whose interests may be affected by the rescission or variation sought.

(4) The special tribunal shall not rescind or vary any order unless it is satisfied that all parties whose interests may be affected have notice of the rescission or variation proposed.

(2) Wanneer 'n respondent versuim om 'n kennisgewing van bestryding in antwoord op 'n aansoek in te dien, kan die spesiale tribunaal op aansoek, nadat hy homself vergewis het dat kennisgewing van terrolleplasing aan alle partye gegee is, met die aangeleentheid voortgaan en kan hy die bevel gee wat hy in die afwesigheid van die respondent billik ag.

Getuiegelde

9. 'n Getuie wat gedagvaar is om getuienis voor die spesiale tribunaal af te lê, is geregtig op sodanige gelde en kostes as waarop so 'n getuie geregtig sou gewees het indien hy of sy gedagvaar was om getuienis voor die Hooggeregshof af te lê.

Taksering van kostes

10. (1) Die kostes ingevolge artikel 5(5) beveel, word deur die griffier teen die skaal wat in 'n provinsiale afdeling van die Hooggeregshof toegelaat sou kon word, getakseer.

(2) Kostes deur die griffier getakseer, is op versoek van een of meer van die partye binne 14 dae vanaf sodanige taksering onderworpe aan hersiening deur die spesiale tribunaal.

(3) 'n Versoek bedoel in subreël (2) moet elke item of gedeelte van 'n item wat in geskil is, tesame met die gronde vir die beswaar teen die toelating of nie-toelating daarvan, identifiseer.

Ampseed van tolk

11. (1) Voordat 'n tolk in die spesiale tribunaal kan tolk, moet hy of sy 'n eed aflê of bevestiging doen in die volgende vorm:

"Ek,.....verklaar hierby onder eed/bevestig opreg dat wanneer ek ook al die werksaamhede van 'n tolk in enige verrigtinge in die spesiale tribunaal moet verrig, ek getrou en juis en na my beste vermoë uit die.....taal in die.....taal sal tolk, en omgekeer."

(2) Sodanige eed of bevestiging word afgelê of gedoen op die wyse wat vir die aflegging van 'n eed of doen van 'n bevestiging by wet voorgeskryf is, en moet deur die tolk onderteken word.

Regstelling, verduideliking, herroeping of wysiging van bevel

12. (1) Die spesiale tribunaal kan uit eie beweging, of op versoek van enige party met kennisgewing aan al die ander partye, 'n weglating of fout regstel of enige voorsiening in enige bevel verduidelik.

(2) Die spesiale tribunaal kan by die aanvoer van goeie gronde in 'n aansoek deur die respondent, enige bevel wat gegee is op grond van die feit dat die respondent in verstek was met sy of haar antwoord of versuim het om by die verhoor te verskyn, herroep of wysig.

(3) Enige party wat kragtens subreël (2) aansoek doen, moet binne 14 dae nadat hy of sy van die betrokke bevel bewus geraak het aan al die partye wie se belange deur die gevraagde herroeping of wysiging geraak kan word, van sy of haar aansoek kennis gee.

(4) Die spesiale tribunaal herroep of wysig nie 'n bevel nie tensy hy oortuig is dat alle partye wie se belange geraak kan word, kennis dra van die voorgestelde herroeping of wysiging.

APPENDIX 1

- 1 **Applicant** Case Number
- 1.1 Title and full names
- 1.2 Details of position held
- 1.3 Details of Department, organisational component or institution in which applicant is employed
- 1.4 Persal reference number (or any other applicable reference number)
- 1.5 Telephone, telefacsimile and telex numbers
- 1.5.1 Home:
- 1.5.2 Work:
- 1.6 Address at which applicant shall receive documents in the proceedings and where process are to be served
- 2 **Respondent**
- 2.1 Name of Department, organisational component or institution
- 2.2 Name of head of Department, organisational component or institution
- 2.3 Address at which documents will be delivered and person on whom process will be served
- 2.4 Telephone, telefacsimile and telex numbers
- 3 **Particulars of employment relationship of applicant**
- 3.1 Date of employment
- 3.2 Position employed in at present
- 3.3 Place of work
- 3.4 Salary or wages before deductions, if applicable
- 3.5 Salary or wages after deductions, if applicable
- 3.6 Date of termination of employment, if applicable
- 4 **Appointment of representative, if applicable**
- 4.1 Name of applicant's representative
- 4.2 Business address
- 4.3 Postal address
- 4.4 Telephone, telefacsimile and telex numbers
- 4.5 Address at which documents are to be delivered and process are to be served
- 5 **The complaint**
- 5.1 The description of the action committed by the respondent against applicant:
- 5.2 Alleged reasons for the action:
- 5.3 Why applicant believes this action to be unfair:
- 6 **Brief description of relief sought**
- 7 **Reason why the matter is urgent (if applicable)**

DATED at on this the..... day of19

SIGNED:

TO:

The Registrar

AND TO:

The Respondent

AANHANGSEL 1

- 1 **Applikant** **Saaknommer.....**
- 1.1 Titel en volle name
- 1.2 Besonderhede van pos bekleë
- 1.3 Besonderhede van Departement, organisasiekomponent of instelling waar applikant in diens is
- 1.4 Persal-verwysingsnommer (of enige ander toepaslike verwysingsnommer)
- 1.5 Telefoon-, telefaksimilee- en teleksnommers
- 1.5.1 Huis:
- 1.5.2 Werk:
- 1.6 Adres waar applikant dokumente tydens die verrigtinge sal ontvang en prosesstukke beteken moet word
- 2 **Respondent**
- 2.1 Naam van Departement, organisasiekomponent of instelling
- 2.2 Naam van hoof van Departement, organisasiekomponent of instelling
- 2.3 Adres waar dokumente gelewer en persoon aan wie prosesstukke beteken sal word
- 2.4 Telefoon-, telefaksimilee- en teleksnommers
- 3 **Besonderhede van diensverhouding van applikant**
- 3.1 Datum van indiensneming
- 3.2 Pos wat tans bekleë word
- 3.3 Standplaas
- 3.4 Salaris of lone voor aftrekkings, indien van toepassing
- 3.5 Salaris of lone na aftrekkings, indien van toepassing
- 3.6 Datum van diensbeëindiging, indien van toepassing
- 4 **Aanstelling van verteenwoordiger, indien van toepassing**
- 4.1 Naam van applikant se verteenwoordiger
- 4.2 Besigheidsadres
- 4.3 Posadres
- 4.4 Telefoon-, telefaksimilee- en teleksnommers
- 4.5 Adres waar dokumente gelewer en prosesstukke beteken moet word
- 5 **Die klag**
- 5.1 'n Beskrywing van die optrede deur die respondent teen die applikant:
- 5.2 Beweerde redes vir die optrede:
- 5.3 Waarom die applikant van mening is dat hierdie optrede onbillik is:
- 6 **'n Kort beskrywing van regshulp verlang**
- 7 **Rede waarom die aangeleentheid dringend is (indien van toepassing)**

GEDATEER te op hierdie dag van19

GETEKEN:

AAN:

Die Griffier

EN AAN:

Die Respondent

APPENDIX 2**1 Details of respondent**

- 1.1 Name of Department, organisational component or institution
- 1.2 Name of head of Department, organisational component or institution

2 Notice of opposition

I, the undersigned respondent, hereby give notice that I oppose the relief sought by the applicant in Appendix 1, Case No.

3 Order sought

I seek an order dismissing the application or alternatively the following order:

(Details of the order sought)

4 Appointment of representative

- 4.1 Name of representative
- 4.2 Business address
- 4.3 Postal address
- 4.4 Telephone, telefacsimile and telex numbers
- 4.5 Address at which documents are to be delivered and person on whom process are to be served

5 Defence to applicant's complaint

- 5.1 The following allegations on the applicant's form are correct and are admitted:
- 5.2 The following allegations on the applicant's form are incorrect and are denied, for the following reasons:
- 5.3 The application is opposed by reason of the following facts:
- 5.4 Reasons why matter is urgent (if applicable):

DATED at on this the..... day of19

SIGNED:

TO:

The Registrar

AND TO:

The Applicant

AANHANGSEL 2**1 Besonderhede van respondent**

- 1.1 Naam van Departement, organisasiekomponent of instelling
- 1.2 Naam van hoof van Departement, organisasiekomponent of instelling

2 Kennisgewing van bestyding

Ek, die ondergetekende respondent, gee hiermee kennis dat ek die regshulp wat deur die applikant in Aanhangsel 1, Saakno., verlang word, bestry.

3 Bevel verlang

Ek verlang 'n bevel wat die aansoek van die hand wys of alternatiewelik die volgende bevel:

(Besonderhede van die bevel wat verlang word)

4 Aanstelling van verteenwoordiger

- 4.1 Naam van die verteenwoordiger
- 4.2 Besigheidsadres
- 4.3 Posadres
- 4.4 Telefoon-, telefaksimilee- en teleksnommers
- 4.5 Adres waar dokumente gelewer en persoon aan wie prosesstukke beteken moet word

5 Verweer teen applikant se klag

- 5.1 Die volgende bewerings op die applikant se vorm is korrek en word erken:
- 5.2 Die volgende bewerings op die applikant se vorm is nie korrek nie en word om die volgende redes ontken:
- 5.3 Die aansoek word bestry op grond van die volgende feite:
- 5.4 Redes waarom aangeleentheid dringend is (indien van toepassing):

GEDATEER te op hierdie dag van19

GETEKEN:

AAN:

Die Griffier

EN AAN:

Die Applikant

APPENDIX 3**REGISTRAR'S OFFICES****1. PRETORIA****NOTE:**

Postal address:

Also serves the Orange Free State Division

Private Bag X117

PRETORIA

0001

Street address:

Continental Building

Visagie Street

PRETORIA

Telephone number:

(012) 323 7643

Telefacsimile number:

(012) 323 9586

2. CAPE TOWN**NOTE**

Postal address:

Also serves the Northern Cape Division

Private Bag X6

ROGGEBAAI

8012

Street address:

6th Floor

Thomas Pattulo Building

19 Jan Smuts Street

Heerengracht

ROGGEBAAI

CAPE TOWN

Telephone number:

(021) 419 3555

Telefacsimile number:

(021) 251 933

3. PORT ELIZABETH

Postal address:

Private Bag X3912

NORTH END

6056

Street address:

Silver Oaks House

North Street

NORTH END

PORT ELIZABETH

Telephone number:

(041) 542 404

Telefacsimile number:

(041) 547 142

4. DURBAN

Postal address:

Private Bag X54312

DURBAN

4000

Street address:

Suite No. 2

D'Urban Hall

Cato Square

DURBAN

Telephone number:

(031) 329 620, 329 629 or 329 631

Telefacsimile number:

(031) 370 857

AANHANGSEL 3

KANTORE VAN GRIFFIER

1. PRETORIA
LET WEL: Bedien ook die Oranje-Vrystaatse Afdeling
Posadres: Privaatsak X117
PRETORIA
0001
Straatadres: Continental Gebou
Visagiestraat
PRETORIA
Telefoonnommer: (012) 323 7643
Telefaksimileenommer: (012) 323 9586
2. KAAPSTAD
LET WEL: Bedien ook die Noord-Kaapse Afdeling
Posadres: Privaatsak X6
ROGGEBAAI
8012
Straatadres: 6de Verdieping
Thomas Pattulo Gebou
Jan Smutsstraat 19
Heerengracht
ROGGEBAAI
KAAPSTAD
Telefoonnommer: (021) 419 3555
Telefaksimileenommer: (021) 251 933
3. PORT ELIZABETH
Posadres: Privaatsak X3912
NOORDEINDE
6056
Straatadres: Silver Oaks Huis
Noordstraat
NOORDEINDE
PORT ELIZABETH
Telefoonnommer: (041) 542 404
Telefaksimileenommer: (041) 547 142
4. DURBAN
Posadres: Privaatsak X54312
DURBAN
4000
Straatadres: Suite No. 2
D'Urban Saal
Cato Plein
DURBAN
Telefoonnommer: (031) 329 620, 329 629 of 329 631
Telefaksimileenommer: (031) 370 857

SCHEDULE 2**DIVISIONS OF THE SPECIAL TRIBUNAL AND AREAS OF JURISDICTION**

Divisions	Area of Jurisdiction
Cape of Good Hope Division of the Special Tribunal	The province of Western Cape
Eastern Cape Division of the Special Tribunal	The province of Eastern Cape
Northern Cape Division of the Special Tribunal	The province of Northern Cape
Natal Division of the Special Tribunal	The province of KwaZulu/Natal
Orange Free State Division of the Special Tribunal	The province of Orange Free State
Transvaal Division of the Special Tribunal	The province of Pretoria- Witwatersrand-Vereeniging The province of North-West The province of Northern Transvaal The province of Eastern Transvaal

WET OP DIE ARBEIDSAPPELHOF WAT SIT AS SPESIALE
TRIBUNAAAL, 1995.

Wet No. 30, 1995

BYLAE 2

AFDELINGS VAN DIE SPESIALE TRIBUNAAAL EN REGSGEBIEDE

Afdelings	Regsgebied
Afdeling Kaap die Goeie Hoop van die Spesiale Tribunaal	Die provinsie Wes-Kaap
Oos-Kaapse Afdeling van die Spesiale Tribunaal	Die provinsie Oos-Kaap
Noord-Kaapse Afdeling van die Spesiale Tribunaal	Die provinsie Noord-Kaap
Natalse Afdeling van die Spesiale Tribunaal	Die provinsie KwaZulu/Natal
Oranje-Vrystaatse Afdeling van die Spesiale Tribunaal	Die provinsie Oranje-Vrystaat
Transvaalse Afdeling van die Spesiale Tribunaal	Die provinsie Pretoria-Witwatersrand-Vereeniging Die provinsie Noordwes Die provinsie Noord-Transvaal Die provinsie Oos-Transvaal

