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GOVERNMENT NOTICE GOEWERMENSKENNISGEWING

DEPARTMENT OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT DEPARTEMENT VAN JUSTISIE EN STAATKUNDIGE ONTWIKKELING

No. R. 766

17 August 2001

AMENDMENT OF THE RULES FOR THE CONDUCT OF PROCEEDINGS IN THE LABOUR COURT

The Rules Board for Labour Courts has, in terms of section 159 of the Labour Relations Act, 1995 (Act No. 66 of 1995), made the rules in the Schedule.

SCHEDULE

Definitions

1. In these rules "the Rules" means the rules published under Government Notice No. R. 1665 of 14 October 1996, as amended by Government Notices Nos. R. 961 of 11 July 1997 and R. 1100 of 4 September 1998.

Amendment of rule 7 of the Rules

2. Rule 7 of the Rules is hereby amended -

(a) by the substitution for paragraph (b) of subrule (6) of the following paragraph:

"(b) The registrar must notify the parties of the date, time and place for the hearing of the application but need not notify a respondent who has not delivered an answering affidavit in support of its opposition of the application."; and

(b) by the substitution for subrule (6A) of the following subrule:

“(6A) An application to make a settlement agreement or arbitration award an order of court which is unopposed must be enrolled by the registrar on notice to the applicant. The Court may make any competent order in the absence of the parties.”.

Amendment of rule 16 of the Rules

3. Rule 16 of the Rules is hereby amended by the substitution for subrule (1) of the following subrule:

“(1) If no response has been delivered within the prescribed time period or any extended period granted by the court within which to deliver a response, the registrar must, on notice to the applicant(s), enrol a matter for judgment by default.”.

Commencement

4. These rules come into operation on 20 August 2001.

No. R. 766

17 Augustus 2001

WYSIGING VAN DIE REËLS WAARBY DIE VOER VAN VERRIGTINGE IN DIE ARBEIDSHOF GEREËL WORD

Die Reëlsraad vir Arbeidshowe het kragtens artikel 159 van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995), die reëls in die Bylae gemaak.

BYLAE**Woordomskrywing**

1. In hierdie reëls beteken "die Reëls" die reëls uitgevaardig by Goewermentskennisgewing No. R. 1665 van 14 Oktober 1996, soos gewysig by Goewermentskennisgewings Nos. R. 961 van 11 Julie 1997 en R. 1100 van 4 September 1998.

Wysiging van reël 7 van die Reëls

2. Reël 7 van die Reëls word hierby gewysig -

(a) deur paragraaf (b) van subreël (6) deur die volgende paragraaf te vervang:

"(b) Die griffier moet die partye van die datum, tyd en plek vir die aanhoor van die aansoek in kennis stel, maar hoef nie 'n respondent wat nie 'n antwoordende beëdigde

verklaring ter ondersteuning van sy bestryding van die aansoek afgelewer het nie, in kennis te stel nie.”; en

(b) deur subreël (6A) deur die volgende subreël te vervang:

“(6A) ‘n Aansoek om ‘n skikkingsooreenkoms of arbitrasiebeslissing ‘n hofbevel wat onbestrede is, te maak, moet by die griffier ter rolle geplaas word by kennisgewing aan die applikant. Die hof kan enige geldige bevel gee in die afwesigheid van die partye.”.

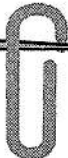
Wysiging van reël 16 van die Reëls

3. Reël 16 van die Reëls word hierby gewysig deur subreël (1) deur die volgende subreël te vervang:

“(1) Indien geen antwoord afgelewer is nie binne die voorgeskrewe tydperk of binne enige verlenging van die tydperk wat deur die hof toegestaan is om ‘n antwoord af te lewer, moet die griffier, by kennisgewing aan die applikant(e), die aangeleentheid ter rolle plaas vir vonnis by verstek.”.

Inwerkingtreding

4. Hierdie reëls tree op 20 Augustus 2001 in werking.



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