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GOVERNMENT NOTICE

DEPARTMENT OF LABOUR

No. R. 1793

12 December 2003

TARIFF OF FEES

LABOUR RELATIONS ACT, 1995 (ACT No. 66 OF 1995)

COMMISSION FOR CONCILIATION, MEDIATION AND ARBITRATION

CORRECTION NOTICE

Government Notice No. R.1745 published in *Government Gazette* No. 25797 (*Regulation Gazette* No. 7847 of 5 December 2003), is hereby corrected as follows:

- (1) "R939" to be substituted with "R940"

- (5) Subrule (4) applies irrespective of whether a party has lodged a notice of objection in terms of subrule (2).
- (6) In con-arb proceedings a party to the dispute may appear in person or be represented only by –
 - (a) subject to subrule (7) a legal practitioner;
 - (b) a director or employee of that party and if a close corporation also a member thereof; or
 - (c) any office bearer or official of that party's registered trade union or registered employers' organisation².
- (7) If the dispute concerns an unfair dismissal and the party has alleged the reason for the dismissal relates to the employee's conduct or capacity, a party may only be represented by a legal practitioner in the circumstances contemplated in the rules.³
- (8) The provisions of the Act and these rules that are applicable to conciliation and arbitration respectively apply, with the changes required by the context, to con-arb proceedings.
- (9) If the arbitration does not commence on the date specified in terms of the notice in subrule (1), the Commission must schedule the matter for arbitration either in the presence of the parties or by issuing a notice in terms of rule 21.

PART FOUR

ARBITRATIONS

18. How to request arbitration

- (1) A party may request the Commission to arbitrate a dispute by delivering a document in the form of Annexure LRA 7.13 ("the referral document").
- (2) The referring party must –
 - (a) sign the referral document in accordance with rule 4;

² See rule 25(1)(a) and (b).

³ See rule 25(1)(c)(2).