

LABOUR: ACT 1/2000(1)
INDUSTRIAL COURT RULES, 2007
(Under section 9)

Citation and commencement.

1. (1) These Rules may be cited as the Industrial Court Rules, 2007.
- (2) These Rules shall come into force on the date of publication.

Interpretation.

2. In these Rules, unless the context otherwise requires —

“Act” means the Industrial Relations Act of 2000;

“application” means an application or reference made to the Court for the determination or settlement of any issue or dispute, or for any order or injunction which the Court may lawfully make;

“arbitration” means the process provided for in terms of Part VIII of the Act and conducted under the auspices of the Commission;

“Commission” means the Conciliation Mediation and Arbitration Commission established in terms of section 62 of the Act.

“Court” means the Industrial Court as established by section 6 of the Act;

“day” means a day other than a Saturday, Sunday or public holiday;

“dispute” has same meaning as in section 2 of the Act;

“legal practitioner” has same meaning as in the Legal Practitioner’s Act of 1964;

“party” any party to Court proceedings and includes a person representing a party;

“public holiday” means any day declared as such by publication in a Government Gazette; and

“Registrar” means the Registrar of the Court as appointed in terms of section 7 of the Act.

Office hours.

3. (1) The office of the Registrar shall be open to the public from 0830 hours to 1300 hours and from 1400 hours to 1630 hours on every Monday to Friday excluding public holidays.
- (2) The Registrar —
 - (a) may, in exceptional circumstances, issue, process and accept documents at any time; and

- (b) shall, issue, process and accept documents when directed by the President or Judge of the Court.

Notice on sessions of the Court.

4. (1) Notice of dates and times of sessions of the Court as determined by the President of the Court shall be published by being affixed to the public notice board at the office of the Court.

(2) The Registrar shall send a copy of the notice to an attorney who has notified the Registrar that the attorney has opened and maintains an office in Swaziland.

(3) The notice referred to in subrule (1) shall be sent to every employer organization and employee organization who has notified the Registrar that the employer organization or employee organization has opened and maintains an office in Swaziland.

(4) The Court shall sit on such days for the discharge of such business as the President may direct.

(5) The Court may, where it appears convenient to the Presiding Judge, sit at any place or at any time or at any time during vacation other than a time prescribed in terms of these Rules.

Issue of documents.

5. (1) A document that initiates proceedings shall be issued and signed by the Registrar or any other person delegated by the Registrar or the President.

(2) The Registrar shall assign consecutive case numbers to all documents that initiate proceedings, and every document subsequently filed in respect of the same proceedings shall be marked with the same case number.

(3) The Registrar may decline to issue or accept a document from any party if such document does not comply with these Rules or any other procedure of the Court.

(4) The Registrar may request a party to correct any patent defect or error in any document filed.

(5) The Registrar shall be responsible for the security of the records of the Court and no original record may be removed from the Court building without the prior authorization of the Registrar.

Service of documents.

6. (1) Service of Court documents may be effected —

(a) by handing a copy of the document to the person or entity;

(b) by leaving a copy of the document at the residence of the person or place of business with any person who appears to be at least sixteen (16) years old or above and is in charge of the premises at the time;

(c) by leaving a copy of the document at the place of employment of the person with any person who appears to be at least sixteen (16) years old or above and appears to be in authority;

(d) by handing a copy of the document to any representative authorized in writing to accept service on behalf of the person;

- (e) if the person is a company or other body corporate, by serving a copy of the document on a responsible employee of the company or body corporate at its registered office or principal place of business, and if —
 - (i) there is no employee willing to accept service, by affixing a copy of the document to the main door of the premises; or
 - (ii) the entity has closed down, by affixing a copy on the main door of the premises;
 - (f) if the person is a municipality, by serving a copy of the document on the office of the Town Clerk; or any person acting on behalf of the Town Clerk;
 - (g) if the person is a statutory body, by serving a copy on the office of the Corporate Secretary, or Chief Executive Officer;
 - (h) if the person is the Government, by serving a copy on the office of the Attorney-General and a copy on the Principal Secretary of the affected Ministry;
 - (i) if the person is a partnership, firm or association, by serving a copy of the document on a person who at the time of service is apparently in charge of the premises and apparently at least 16 years of age and is apparently in charge of the premises of such association, firm or partnership; or
 - (j) by any other means expressly authorized by the Court, including service by registered post or fax transmission.
- (3) Service is proved in Court —
- (a) by return of service duly signed and completed by a Sheriff or a lawful Deputy of the Sheriff;
 - (b) by an Affidavit of Service completed by a person who is at least sixteen (16) years of age and has effected the service;
 - (c) by producing the certificate issued by the Post Office for the posting of a registered item and an affidavit that the item posted contained the document concerned provided that such mode of service shall have been authorized by the Court;
 - (d) by acknowledgement or receipt signed by an authorized person at the address chosen for service by the person to be served;
 - (e) if service was effected by fax, by an affidavit of the person who transmitted the fax that confirms that the entire document was transmitted to the correct named fax number; or
 - (f) if the Court is not satisfied that the service has taken place in accordance with these Rules or is not satisfied with the manner of service, it may make any order as it deems fit.

Institution of proceedings.

7. (1) Proceedings in the Court, other than proceedings brought on notice of motion as provided in Rule 9, shall be instituted by the Applicant issuing out, through the office of the Registrar, an application and five copies of the application.

(2) The application shall be signed by or on behalf of the issuing party and shall contain a heading and a statement of claim.

- (3) The heading shall follow the form set out in Form I and shall contain —
 - (a) the title of the matter;
 - (b) the case number assigned to the matter by the Registrar;
 - (c) an address within the urban area of Mbabane at which the party issuing out the application will accept notices and service of all documents in the proceedings;
 - (d) the date determined by the Registrar on which the matter will be called in Court; and
 - (e) notice that if the other party intends opposing the matter, such party must attend Court on the stated date and deliver its reply in terms of Rule 8, failing which judgment by default may be granted, after hearing such evidence as the Court deems necessary, without further notice to such party.
- (4) The statement of claim shall contain —
 - (a) the names, descriptions and addresses of the parties to the application;
 - (b) a clear and concise statement of the material facts on which the party relies, which statement shall be sufficiently particular to enable any opposing party to reply to the document;
 - (c) a clear and concise statement of the legal issues that arise from the material facts, which statement shall be sufficiently particular to enable any opposing party to reply to the document;
 - (d) in the case of applications for determination of an unresolved dispute under section 85 of the Act, a copy of the certificate of unresolved dispute issued by the Commission shall be annexed; and
 - (e) the relief sought.

The reply.

8. (1) A party who is served with an application may attend Court on the date stated in the application and deliver a reply to the application and five copies of the reply in open Court.
- (2) The reply shall be signed by or on behalf of the Respondent and shall contain —
 - (a) the same information required by Rules 7(3)(a), 7(3)(b), 7(3)(c) and 7(4)(a);
 - (b) a clear and concise statement of any preliminary legal issue which the Respondent requires to be determined before the matter proceeds to trial on the merits;
 - (c) an admission of the facts in the statement of claim as the Respondent admits or a denial of any the facts as the Respondent denies; and
 - (d) a clear and concise statement of the material facts and legal issues upon which the Respondent relies in its defence.
- (3) A Respondent who is entitled to a counterclaim shall deliver a statement of the counterclaim, in compliance with Rule 7(4), with the reply.
- (4) An Applicant may deliver a replication, and shall deliver a reply to any counterclaim in terms of Rule 8(2), within ten days of delivery of the reply or counterclaim.

Pre-trial conference.

9. The parties shall, as soon as practicable after delivery of a reply, hold a pre-trial conference with an object of reaching an agreement as to possible ways of curtailing the duration of the trial, and in particular to reach an agreement on —

- (a) facts that are common cause and is admitted;
- (b) facts that are in dispute and require to be proven;
- (c) issues that the Court needs to determine;
- (d) the precise relief that is sought, including any agreement on the computation of such relief;
- (e) the making of discovery of documents to be utilized during the course of the trial;
- (f) any agreement on the holding of an inspection *in loco* or inspection and examination of documents;
- (g) the consolidation of matters involving more than one Applicant;
- (h) whether the parties agree in terms of section 6(7) of the Act to the Court sitting without the nominated members;
- (i) whether the parties agree to have the matter referred back to arbitration by the Commission in accordance with section 85(2) of the Act, where such matter is capable of being determined through Arbitration in terms of section 85(2) of the Act;
- (j) whether either party intends to apply to the President to decide whether the matter should be referred to arbitration in terms of section 8 (8) of the Act;
- (k) whether any means exist by which the dispute may be settled; and
- (l) any settlement agreement reached by the parties.

(2) Where the parties are unable to agree on a date for holding the pre-trial conference, either party may apply to the Registrar to fix a date in consultation with the parties.

(3) The Registrar shall report any vexatious or dilatory conduct by either of the parties to the President who may make an appropriate award including that of costs as may be appropriate.

(4) A minute of the pre-trial conference, signed by the parties shall be submitted to the Registrar as soon as possible after the conclusion of the pre-trial conference.

(5) Upon receipt of the pre-trial conference, the Registrar shall send the file to the President for directions in terms of this subrule.

(6) The President of the Court may, upon receipt of the file from the Registrar —

- (a) refer the matter back to the Registrar if the President is satisfied that the matter is ripe for hearing;
- (b) within fourteen (14) days of receipt of the file, direct that the parties convene a further formal pre-trial conference at a date, time and place to be fixed by the Registrar, at which a Judge shall preside to deal with any pre-trial matters;
- (c) direct that an informal conference be held before a Judge in chambers to deal with any pre-trial issues; or

- (d) direct that the matter be referred to Arbitration in accordance with section 8(8) of the Act.

Powers of the Judge on pre-trial matters.

10. (1) The Judge may, at a pre-trial conference held in terms of Rule 9, make an appropriate order for the conduct of proceedings including an order as to costs.
(2) The Judge may direct the parties to produce any documents for inspection.

Non-compliance with requirements of pre-trial.

11. (1) If a party fails to attend a pre-trial conference convened in accordance with Rule 9(2), 9(5)(b) or 9(5)(c), or fails to comply with a pre-trial direction made by the President or Judge in terms of this Rule, the other party shall be entitled to make an application to Court for an order that the other party attend such pre-trial conference or comply with such directive, failing which an application for the dismissal of a claim or defence, as the case may be, of the defaulting party may be made.
(2) The Court may make an appropriate order, including an order as to costs.

Enrolment for hearing.

12. (1) The Registrar shall, upon receipt of the file from the President for the enrolment of a matter, place the matter on a running roll to be recorded in a register.
(2) The register shall be called the Trial Register and shall record the case number, the names of the parties, and the date of registration of each matter in chronological order.
(3) The Registrar shall allocate trial dates to cases according to their chronological sequence as recorded in the Trial Register.
(4) A case that is allocated a trial date shall be marked as deleted from the Trial Register.
(5) Where the case does not proceed to trial for any reason, it may, on application of a party to the Registrar, be enrolled in the Trial Register at the end of the running roll.
(6) Notwithstanding subrule (5), the Court or the President in chambers may, on good cause, direct that the matter be re-instated in its former chronological place on the running roll and on good cause shown, the President or Judge may direct it be slotted in such manner as not to cause prejudice to the Applicant.
(7) An interlocutory matter, *ex-parte* trial matter and application supported by an affidavit shall not be registered in the Trial Register but shall be allocated a hearing date by the Registrar on an *ad hoc* basis.
(8) Where the Registrar allocates a hearing date, whether in terms of subrule (3) or (7), the Registrar shall notify the parties in writing of the date and time of the hearing.
(9) Upon receipt of notification of the allocation of a hearing date, a party to the matter may deliver notice of set-down to the Court and all other parties.
(10) In the case of trial matters, the notice of set-down shall be delivered at least ten (10) Court days, and in other matters four (4) Court days before the scheduled date of hearing.
(11) If notice of set down is not delivered in terms of subrule (10), the matter shall be removed from the roll for hearing.

Discovery.

13. (1) A party may request the other party to deliver, within seven days a true copy of —
 - (a) a document or recording that the other party intends to rely on at the hearing;
 - (b) a document or recording referred to in the pleading party or affidavit filed of record of the other party; or
 - (c) a document or recording that a party believes is in the possession of the other party and which such party reasonably requires for the presentation of its case.
- (2) The request shall be accompanied by a tender to pay the reasonable cost of making copies of the documents or recordings so requested, a request for a waiver of payment of such costs.
- (3) A document or recording so requested which is not timeously delivered may not, save with the leave of the Court, be used for any purpose at the hearing by the person who was requested and failed to deliver it, but such document or recording may be used by any other party.
- (4) Any party may apply to the Court for an order compelling compliance with any request in terms of Rule 10(1) or relating otherwise to the discovery of documents and recordings, and the Court may make an appropriate order, including an Order as to costs if it deems appropriate.

Notice of motion.

14. (1) Where a material dispute of fact is not reasonably foreseen, a party may institute an application by way of notice of motion supported by affidavit.
- (2) An application on notice of motion shall be brought on at least fourteen (14) days' notice to all persons who have an interest in the application.
- (3) The notice of application shall be signed by the party bringing the application.
- (4) The notice of application shall be delivered and shall contain —
 - (a) the title of the matter;
 - (b) the case number assigned to the matter by the Registrar;
 - (c) an address of the party delivering the document at which that party shall accept notice and service of all documents in the proceedings;
 - (d) a notice that advises the other party that if the party intends to oppose the matter, that party shall attend at Court on the date stated in the notice of motion to deliver an answering affidavit failing which the matter may be heard in the absence of the party and an order of costs may be made; and
 - (e) the relief sought.
- (5) The affidavit shall clearly and concisely set out —
 - (a) the names, description and addresses of the parties;
 - (b) a statement of the material facts, in chronological order, on which the application is based, which statement shall be sufficiently particular to enable any person who opposes the application to reply to the document;

(c) a statement of the legal issues that arise from the material facts, which statement shall be sufficiently particular to enable any party to reply to the document.

(6) The Applicant shall attach to the affidavit —

(a) all material and relevant documents on which the Applicant relies; and

(b) in the case of an application involving a dispute which requires to be dealt with under Part VIII of the Act, a certificate of unresolved dispute issued by the Commission, unless the application is solely for the determination of a question of law.

(7) A party who opposes the application shall attend Court on the date stated in the notice of motion and deliver an answering affidavit of the party in open Court.

(8) The answering affidavit shall contain the information required in subrules 14(4)(a), (b) and (c) and must clearly and concisely set out —

(a) any preliminary legal issues which the Respondent wishes to raise;

(b) which allegations in the founding affidavit are admitted and which are denied;

(c) all material facts and legal issues upon which the Respondent relies in its defence.

(9) The Applicant may deliver a replying affidavit within seven (7) days from the date on which the answering affidavit is delivered.

(10) The replying affidavit must address only those issues raised in the answering affidavit and may not introduce new issues of fact and law.

(11) A party may request the Registrar to allocate a hearing date once a replying affidavit has been delivered or the time limit for such delivery has expired, whichever occurs first.

(12) An interlocutory application or an application for the registration of a settlement agreement, an arbitration award or a collective agreement, may be set down on at least four (4) days' notice to the Court and the parties. Such application may be supported by such affidavits as the case requires.

(13) In dealing with an application provided for in this subrule, the Court may make any competent order it deems fit, including an order —

(a) referring the matter to oral evidence for the determination of a specified dispute of fact;

(b) referring the matter to trial and directing that it be enrolled in the Trial Register; or

(c) as to the costs of the application.

Urgent applications.

15. (1) A party that applies for urgent relief shall file an application that so far as possible complies with the requirement of Rule 14.

(2) The affidavit in support of the application shall set forth explicitly —

(a) the circumstances and reasons which render the matter urgent;

(b) the reasons why the provisions of Part VIII of the Act should be waived; and

(c) the reasons why the Applicant cannot be afforded substantial relief at a hearing in due course.

(3) On good cause shown, the Court may direct that a matter be heard as one of urgency.

(4) The party who brings the application shall satisfy the Court, when the application is heard, that a copy of the application has been served on all affected parties or that sufficient and adequate notice of the content of the application has been brought to the attention of the affected party by other acceptable means, unless giving notice of the application will defeat the relief sought in the application.

(5) A party who intends to oppose the application or make representation concerning the application shall notify the Registrar and the party who brings the application as soon as possible after the application has come to the notice of the party.

(6) The Court may deal with an urgent application in any manner it considers fit, and may dispense with the usual time limits, forms and service prescribed by the Rules of Court.

(7) Unless otherwise ordered a party may anticipate the return date of an interim order granted in the absence of such party on not less than twenty-four (24) hours' notice to the Applicant and the Registrar.

Extension of time of time limits and condonation.

16. (1) The Court may extend or abridge any period prescribed by these Rules on application and on good cause shown unless the Court is precluded from doing so by the Act.

(2) If a party fails to comply with any notice or direction given in terms of these Rules, any interested party may apply on notice for an order that the notice or direction be complied with within a period that may be specified, and that failing compliance with the order, the claim or defence of the party in default shall be dismissed or the Court may make any order as it deems fit.

(3) The Court may, on good cause shown condone any non compliance with these Rules.

Withdrawal and postponement.

17. (1) A party who initiates proceedings may at any time before the matter has been set down and thereafter by consent of the parties or leave of Court withdraw such proceedings and shall deliver a Notice of Withdrawal of Action as soon as possible.

(2) If costs are not tendered, the other party may apply to Court on Notice for costs.

(3) If in any proceedings a settlement or agreement to postpone or withdraw has been reached, it shall be the duty of the party who initiated the proceedings to immediately notify the Registrar accordingly.

Referral to arbitration.

18. (1) A party may apply to the President for a direction that a pending application be referred to arbitration under the auspices of the Commission.

(2) The application shall be made on notice to all other parties, explicitly stating the reasons for the referral.

(3) The application for referral shall not be delivered prior to delivery of the reply in a contested application, without the leave of the President.

(4) The President may make such order on the application as he deems fit.

(5) Should the President consider, on the motion of the President, that a matter may be suitable for referral to arbitration, the President shall direct the Registrar to invite the parties to make representations in chambers before the President makes a decision.

Ex-parte hearing and default judgment.

19. (1) Where no reply has been delivered within the prescribed time period or any extended period granted by the Court within which to deliver a reply, the party initiating the proceedings may make an application that —

- (a) the Court directs that the matter proceed as an *ex-parte* trial; or
- (b) judgment by default be entered,

as the case may be.

(2) If a matter is enrolled for default judgment or *ex-parte* hearing, the person who initiates the proceedings may request the Registrar to have the matter removed from the roll where —

- (a) the matter has been, in the interim, settled between the parties; or
- (b) an agreement is reached between the parties for the granting of any extension.

(3) The Court shall satisfy itself that proper service has been effected before granting an Order that a matter proceed as an *ex-parte* trial or the granting of a judgment by default as the case may be.

(4) Where a matter is referred for *ex-parte* trial, a party who desires to defend the matter may, before judgment is granted, apply to Court on good cause shown for leave to defend, and the Court may make such order as may be just, including any order for costs.

Rescission, variation of order or judgment.

20. (1) The Court may, in addition to any powers that it may have —

- (a) in the motion of the Court or on application of any affected party, rescind or vary any order or judgment —
 - (i) erroneously sought or erroneously granted in the absence of any party affected by it;
 - (ii) in which there is ambiguity or a patent error or omission, but only to the extent of such ambiguity, error or omission; or
 - (iii) granted as the result of a mistake common to the parties; or
- (b) on application of any party affected, and on good cause shown, rescind, vary or set aside any order or judgment granted in the absence of that party.

(2) A party who desires relief under —

- (a) subrule (1)(a) shall apply for the relief on notice to all parties whose interests may be affected by the relief sought; or
- (b) subrule (1)(b) may within twenty-one (21) days after the party acquires knowledge of an order or judgment granted in the absence of that party, apply

on notice to all interested parties to set aside the order or judgment and the Court may, upon good cause shown, rescind, vary or set aside the order or judgment on such terms as it deems fit.

Consent order.

21. (1) A party who opposes any proceedings may at any time consent to the whole or any part of the relief sought in the proceedings.
- (2) The consent, unless given in open Court, shall be in writing, signed and dated by the party consenting to the relief and filed with the Court.

Heads of Argument.

22. (1) The Court may at any time call on the parties to deliver concise Heads of Argument on the points that they wish to argue.
- (2) The Heads of Argument shall —
 - (a) include a chronology of the material facts;
 - (b) include a list or an attachment of the authorities referred to in the Heads of Argument;
 - (c) in its reference to a text book, specify the author, title, edition, page number or an extract of the relevant page.

Joinder of parties, intervention as Applicant or Respondent, amendment of citation and substitution of parties.

23. (1) The Court may join any number of persons, whether jointly and severally, separately, or in the alternative, as parties in proceedings, if the right to relief depends on the determination of the same decision of law or facts.
- (2) The Court may, of its own motion or on application and on notice to every other party, make an order that joins any person as a party in the proceedings if the party to be joined has a substantial interest in the subject matter of the proceedings.
- (3) The Court may, on making an order in terms of subrule (1), give such directions as to the further procedure in the proceedings as it deems fit, and may make an order as to costs.
- (4) Any person entitled to join as a party in any proceedings may, on notice to all parties, at any stage of the proceedings, apply for leave to intervene as a party and the Court may make an order, including any order as to costs, or give such directions as to the further procedure in the proceedings as it deems fit.
- (5) The Court may, if a party is incorrectly or defectively cited, on application and on notice to the party concerned, correct the error or defect and the Court may make an order as to costs where appropriate.
- (6) An application to join any person as a party to the proceedings or to be substituted for an existing party shall be accompanied by copies of all documents previously delivered, unless the person concerned or the representative of the person is already in possession of the documents.

(7) No joinder or substitution in terms of this Rule shall affect any prior steps taken in the proceedings.

Offer of settlement.

24. (1) If a sum of money or the performance of some act is claimed in any proceedings, any party against whom the claim is made may at any time make an offer, in writing, to settle the claim or perform the act.

(2) Notice of an offer in terms of this Rule shall be signed by the party who makes the offer and delivered to all other parties to the proceedings.

(3) The notice shall state whether —

(a) the notice is unconditional or without prejudice as an offer of settlement;

(b) the notice is accompanied by an offer to pay all or only part of the costs of the party to whom the offer is made; and

(c) the offer is made by way of settlement of both claims and costs or of the claim only.

(4) An Applicant may accept an offer made in terms of subrule (2) by delivering a Notice of Acceptance of the offer.

(5) If an offer accepted in terms of this Rule is not stated to be in satisfaction of a claim and costs of the Applicant, the party to whom the offer is made may apply to the Court, on five (5) days' written notice to the other party, for an order for costs.

Costs.

25. (1) The costs between party and party allowed in terms of a judgment or order of Court, or any agreement between the parties, shall be calculated and taxed by the Taxing Master at the tariff determined by the order or agreement, failing which, the tariff applicable in the High Court shall apply.

(2) The Court may, in special circumstances, authorize the Taxing Master to depart from the provisions of the tariff.

(3) Qualifying fees for expert witnesses may not be recovered as costs between party and party unless otherwise directed by the Court during the process.

Taxation.

26. (1) The Registrar shall perform the functions and duties of a Taxing Master or appoint any person as Taxing Master who in the opinion of the Registrar is fit to perform the functions and duties as are assigned to or imposed on a Taxing Master by these Rules, on such terms and for such period as may be determined.

(2) The Registrar shall follow the Rules and tariff of the High Court when the Registrar conducts taxation.

Decisions of the Court.

27. (1) A decision of the Court shall be a reasoned decision and shall be delivered at an open sitting of the Court and recorded in a document signed by the President or Judge as the case may be.

(2) Where the decision is made *ex-tempore*, or is an interlocutory ruling, it shall not be necessary to record the reasons for such decision in writing unless one of the parties so requires.

(3) Where any nominated member disagrees with the majority decision of the Court on a question of fact of the Court, such disagreement and the reasons shall be recorded in a document signed by that nominated member.

Application of High Court Rules.

28. Subject to the Act and these Rules —

(a) where these Rules do not make provision for the procedure to be followed in any matter before the Court, the High Court Rules shall apply to proceedings before the Court with such qualifications, modifications and adaptations as the Presiding Judge may determine; and

(b) where, in the opinion of the Presiding Judge, the High Court Rules cannot be applied, in the manner provided for in paragraph (a), the Court may determine its own procedures.

Pending proceedings.

29. Proceedings instituted and steps taken before the Court before the commencement of these Rules shall be valid and shall be governed by these Rules.

Revocation of Legal Notice No. 8 of 1984.

30. The Industrial Court Rules of 1984 are revoked.

SCHEDULE
(Under Rule 7(3))

FORM 1

IN THE INDUSTRIAL COURT OF SWAZILAND

In the matter between:

Case No.....

..... Applicant(s)

.....

..... Respondent(s)

APPLICATION TO THE COURT

In accordance with the Industrial Relations Act, 2000 (as amended) and the Industrial Court Rules, 2006 application is hereby made to the Court for the determination of the issues and granting of the relief as set out in the annexed statement of claim.

You are hereby notified that if you intend opposing the matter, you and your duly authorized representative must attend before the Court at Mbabane on the day of 200 at 9.30

a.m. and deliver your Reply (in six copies). If you fail to do so, judgment by default may be granted against you, after hearing such evidence as the Court deems necessary, without further notice to you.

DATED AT MBABANE THIS DAY OF 200

REGISTRAR OF THE INDUSTRIAL COURT
PO BOX 3547 MBABANE

APPLICANT

(Address within urban area of Mbabane
for service of all documents in the
proceedings:)

Received copy hereof this day of 2006.

for: RESPONDENT
