



Labour Courts
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Also in Cape Town
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05 January 2022

Number LC/LAC 01 /2022

(3 pages)

FROM THE OFFICE OF THE JUDGE PRESIDENT

DIRECTIVE IN RESPECT OF ACCESS TO AND CONDUCT OF PROCEEDINGS IN THE LABOUR COURT AND LABOUR APPEAL COURT AS AND FROM THE BEGINNING OF THE FIRST TERM 2022.

This Directive will apply with effect from 17 January 2022 and all previous Directives issued in relations to the conduct of proceedings in the Labour and Labour Appeal Court in light of Covid-19 pandemic are no longer applicable.

PHYSICAL HEARING

1. All matters allocated for hearing will be heard in open Court.

HEARING BY WAY OF VIDEO CONFERENCE

2. Any party seeking to have their matter heard by the way of video conference must first seek agreement from their opponents and whether there is agreement or not, no less than 14 days prior to the hearing of the matter the party/ies must apply to the judge President to have their allocated their matter heard by way of Video Conference.
3. Only matters where no evidence is to be led will be considered to be heard by way of Video conference.
4. The application may be in the form of letter, copied to the opponents and set out in detail (notwithstanding agreement between the parties-where there is one) as to why it is necessary for the matter not to be heard in open court and by way of video conference. Where there is agreement between the parties the matter may be favourably considered.

GENERAL CONDITIONS UNDER WHICH PARTIES MAY ENTER THE COURT BUILDING

5. Representatives and litigants, who are required to travel to the Court building, must comply where applicable with any restrictions that may be imposed. If travel is not lawful, the matters shall be removed from the roll.
6. Anyone seeking access into the Court buildings must submit to compulsory screening, must wear a face mask and must adhere to applicable social distancing rules. In addition, there must be compliance with such directions as set by the Registrar of that seat of the Labour Court/ Labour Appeal Court.
7. Only the Parties, and persons with them, where they do not exceed ten in number, and their Representative shall enter the Court building unless otherwise arranged with the Registrar.
8. The representatives of the parties or the parties themselves shall not visit the presiding Judge's chambers to either introduce themselves or raise any issues concerning the matter to be heard, unless specifically invited by the presiding Judge.

TAXATION OF BILLS OF COSTS

9. The taxing master will not tax a bill of costs in the absence of an order of Court authorising the taxation.

ORDERS AND JUDGMENTS

10. Orders and judgments of the Court shall be prepared in hard copy, signed, a copy retained by the Judge, a copy sent to the Registrar, and communicated to the Parties by email.

REGISTRAR'S DIRECTIONS

11. If they deem this necessary the Registrars of the different seats of the Labour Court are hereby authorised to issue Directions, with regard to practise that will apply in relation to the running of their seat of the Labour Court. These directions may only deal with: access to the Courts; pro-bono office; paginations of Court files; taxations; issuing of writs; set-downs; and urgent applications.
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JUDGE PRESIDENT

THE LABOUR COURT OF SOUTH AFRICA