

Section 144 of the Labour Relations Act 66 of 1995

APPLICATION FOR RESCISSION OF AN ARBITRATION AWARD OR A RULING

PLEASE READ THIS:

The grounds for rescission or variation are set out under the Written Statement section of this application form.

INSTRUCTIONS:

Service and filing

A copy of this completed application form must be served on the other party by means of fax, e-mail, registered mail, hand delivery, or any other means as set out in CCMA Rule 5.

A copy of the application form must be filed with the CCMA within 14-days of the date on which the applicant became aware of the award or ruling. Proof of service on the other party must be attached to the application form.

The other party has 5 days in which to oppose the application, after which the applicant has 3 days to respond to the opposing statement or affidavit.

Condonation

Failure to comply with the above time periods will require an application for condonation.

DENTIFYING DETAILS
Name of party applying for rescission (if it is an employer, please cite the full name of the business or in the case of a natural person, that person's name and surname)
Contact number and e-mail address
Softweet Harrison and C main address
Name of the respondent (if it is an employer, please cite the full name of the business or
in the case of a natural person, that person's name and surname)
Contact Person, Contact number and e-mail address (e.g name and surname of
HR or ER representative for CCMA disputes against the employer or name and surname of union representative if the employee is represented by a union)
Case number

Section 144 of the Labour Relations Act 66 of 1995 WRITTEN STATEMENT (the LRA) provides that: Any commissioner who has issued an arbitration award or or any I, the undersigned, commissioner appointed by the *director* for that purpose, (full name of person making the written statement) may on that commissioner's own accord or, on the do hereby declare that the following information is accurate and that I understand that I may be application of any affected required to confirm the content of this written statement under oath or affirmation before a party, vary or rescind an commissioner of the CCMA. arbitration award or ruling— (a) erroneously sought or I hereby apply for the rescission / variation (please select the relevant option) of the erroneously made in the ruling/arbitration award (please select the relevant option) rendered by absence of any party affected by that award; Commissioner......date. (b) in which there is an ambiguity, or an obvious The grounds for this application are set out below: error or omission, but only to the extent of that ambiguity, error omission: (c) granted as a result of a mistake common to the parties proceedings; or (d) made in the absence of any party, on good cause shown. Please note that commissioner may require that you confirm the content of your written statement under oath or affirmation.

8. POPIA CONFIRMATION:
O. PUPIA CUNTIKINATION.
By signing this document, I/we hereby grant my voluntary consent that my/our personal information may be processed, collected, used, and disclosed in compliance with the Protection of Personal Information Act, 4 of 2013. I/we furthermore agree that my/our personal information may be used for the lawful and reasonable purposes in as far as the CCMA (responsible party) must use my/our information in the performance of its public legal duty. I/we understand that my/our personal information may be disclosed to a third party in as far as the CCMA must fulfil its public legal duty. I/we furthermore understand that there are instances in terms of abovementioned Act where my express consent is not necessary to permit the processing of personal information, which may be related to litigation or when the information is publicly available.
Signature of applicant or duly authorised representative
Capacity