

APPLICATION IN TERMS ON S142A

IN THE COMMISSION FOR CONCILIATION MEDIATION AND ARBITRATION

HELD AT CAPE TOWN

CASE NO. WECT _____

In the matter between:

Applicant(s)

AND

Respondent(s)

NOTICE OF APPLICATION

To: The Registrar
 CCMA

And to: _____ (Respondent)

(Address) _____

(Address) _____

Take notice that the above-named applicant(s) will make application on a date to be determined by the CCMA for an order in the following terms:

1. That the annexed settlement agreement entered into between the abovementioned parties be made an arbitration award in terms of section 142A.

Take further notice that the affidavit of the applicant, annexed hereto, will be used in support of this application.

Take further notice that if the respondent wishes to oppose the application, it must deliver an answering affidavit within 14 days from the day on which this application was served on the respondent, failing which the matter may be heard in the respondent's absence.

Take further notice that the applicant has appointed the address below at which notices and service of all documents and proceedings will be accepted.

Dated at _____ this _____ day of _____ 2012.

Applicant's Signature

Applicant's Address

APPLICATION IN TERMS OF S142A

CASE NO. :WECT _____

Applicant(s) _____

AND

Respondent(s) _____

AFFIDAVIT

I, _____ the _____ undersigned,

(full name of Applicant)

do hereby make oath and say:

1. Background

- 1.1. The settlement agreement annexed hereto and marked "A" was concluded between the parties on _____ (date).
- 1.2. The settlement agreement is in respect of a dispute that a party has the right to refer to arbitration or to the Labour Court, excluding a dispute that a party has the right to refer to arbitration in terms of section 74(4) or 75(5).
- 1.3. The dispute in respect of which the settlement agreement was concluded was referred for conciliation on _____ (date) under case number WECT _____.
- 1.4. The parties have not agreed to the settlement agreement being made an arbitration award.

2. Reasons (EG. one party failed to comply with its obligations in terms of the agreement)

Applicant's signature

Signed before me on _____ at _____ by the deponent who acknowledges that he/she knows and understands the contents of the affidavit, has no objection to taking the oath/affirmation and considers it binding on his/her conscience.

Commissioner _____ of _____ Oaths
:

Name _____
:

Address _____

Capacity _____