



IN THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

CASE NO: J 645/16

Honourable Justice Van Niekerk **ORDERED on 20 September 2016.**

In the matter between:

THE CASUAL WORKERS ADVICE OFFICE (CWAO)	1 st Applicant
NTOMBIFUTHI DLADLA	2 nd Applicant
THE BLACK SASH	3 rd Applicant
MAOKENG ADVICE OFFICE & RESOURCES CENTRE	4 th Applicant

and

COMMISSION FOR CONCILIATION, MEDIATION, AND ARBITRATION	1 st Respondent
THE GOVERNING BODY OF THE CCMA	2 nd Respondent
THE CHAIRPERSON OF THE GOVERNING BODY OF THE CCMA, DANIEL DUBE NO	3 rd Respondent
MINISTER OF LABOUR	4 th Respondent

ORDER

Having read the documents and by agreement between the parties:

IT IS ORDERED THAT:



- 1 The application is postponed sine die.

- 2 It is declared that, on a proper interpretation of Rule 25, read with Rule 35, of the CCMA Rules and the provisions of the Labour Relations Act 66 of 1995, a commissioner has a discretion to authorise any party to CCMA proceedings to be represented by any other person, on good cause shown.

- 3 The CCMA is directed to file a practice note with this court within ten court days directing commissioners that they have a discretion in terms of paragraph 2 of this order and setting out guidelines for the manner in which that discretion should be exercised. Such directive shall make specific provision for the discretion to be exercised, in appropriate circumstances, to permit representation by community advice offices registered in terms of the Non-Profit Organisations Act 71 of 1997.

- 4 Any of the parties may re-enrol this matter for hearing at any stage, if necessary on duly supplemented papers, to address the need for further orders and on timeous notice to all interested parties. Without derogating from the foregoing, the applicants may re-enrol the matter, on timeous notice and a mutually agreed date, for purposes of applying for the relief sought in prayers 1, 3 and 5 of the applicants' notice of motion.

- 5 The costs of the postponement are reserved.

