



# Government Gazette Staatskoerant

REPUBLIC OF SOUTH AFRICA  
REPUBLIEK VAN SUID-AFRIKA

*Regulation Gazette*

**No. 10336**

*Regulasiekoerant*

**Vol. 594**

**Pretoria, 19 December 2014**

**No. 38317**

**PART 1 OF 2**

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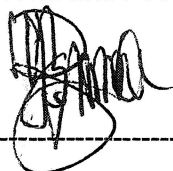
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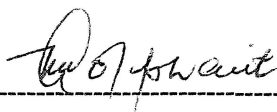
**PROCLAMATION***by the**President of the Republic of South Africa***No. R. 87, 2014****COMMENCEMENT OF THE LABOUR RELATIONS AMENDMENT ACT, 2014**

In terms of section 45 of the Labour Relations Amendment Act, 2014, (Act No. 6 of 2014) ("the Act") I hereby determine 1 January 2015 as the date on which the said Act, excluding that portion of Section 37(c) inserting subsection 198(4F) in the Labour Relations Act, 1995, shall come into operation.

Given under my Hand and the Seal of the Republic of South Africa at  
..... PRETORIA ..... on this 24 ..... day of NOVEMBER ..... Two  
Thousand and Fourteen.



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**J G ZUMA**

**PRESIDENT****By Order of the President-in-Cabinet**

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**M N OLIPHANT, MP**

**MINISTER OF THE CABINET**

**PROKLAMASIE***van die**President van die Republiek van Suid-Afrika***No. R. 87, 2014****INWERKINGTREDING VAN DIE WYSIGINGSWET OP ARBEIDSVERHOUDINGE  
2014**

Kragtens Artikel 45 van die Wysigingswet op Arbeidsverhoudinge, 2014 (Wet Nr. 6 van 2014) (die Wet), verklaar ek hiermee dat die Wet, uitgesonderd daardie gedeelte van Artikel 37(c) wat sub-artikel 198(4F) in die Wet op Arbeidsverhoudinge, 1995, invoeg, op 1 Januarie 2015 in werking tree.

Gegee onder my Hand en die Sëel van die Republiek van Suid-Afrika te PRETORIA op hede die 24 dag van NOVEMBER Tweeduisend en Veertien.



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**J G ZUMA**

**PRESIDENT****Op las van die President-in-Kabinet:**

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**M N OLIPHANT, LP**

**MINISTER VAN DIE KABINET**

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**GOVERNMENT NOTICES**  
**GOEWERMENTSKENNISGEWINGS**

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**DEPARTMENT OF LABOUR**  
**DEPARTEMENT VAN ARBEID**

No. R. 1015

19 December 2014

**LABOUR RELATIONS ACT, 1995**  
**REPEAL OF LABOUR RELATIONS REGULATIONS**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby withdraw the regulations made under section 208 of the Labour Relations Act, 1995 (Act No. 66 of 1995) as published under Government Notice No. R. 938 of 25 July 2002, with effect from **31 December 2014**.

**M N OLIPHANT, MP**  
**MINISTER OF LABOUR**

No. R. 1015

19 Desember 2014

**HERROEPING VAN REGULASIES VAN DIE**  
**WET OP ARBEIDSVERHOUDINGE, 1995**

Ek, **MILDRED NELISIWE OLIPHANT**, Minister van Arbeid, trek hierby die regulasies uitgevaardig ingevolge artikel 208 van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995) soos gepubliseer by Goewermentskennisgewing No. R. 938 van 25 Julie 2002 in, met ingang van **31 Desember 2014**.

**M N OLIPHANT, MP**  
**MINISTER VAN ARBEID**

No. R. 1016

19 December 2014

**LABOUR RELATIONS AMENDMENT ACT, 2014****REGULATIONS**

I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, hereby under section 208 of the Labour Relations Act, 1995 (Act No. 66 of 1995) and after consulting NEDLAC and the CCMA, made the regulations in the Schedule with effect from **1 January 2015**.

**M N OLIPHANT, MP**  
**MINISTER OF LABOUR**

No. R. 1016

19 Desember 2014

**WYSIGINGS WET OP ARBEIDSVERHOUDINGE, 2014****REGULASIES**

Ek, **MILDRED NELISIWE OLIPHANT**, Minister van Arbeid, vaardig hierby, kragtens artikel 208 van die Wet op Arbeidsverhoudinge, 1995 (Wet No. 66 van 1995) en na oorlegpleging met NEOAR en die KVBA, die regulasies in die Bylae hierby uit met ingang van **1 Januarie 2015**.

**M N OLIPHANT, MP**  
**MINISTER VAN ARBEID**

No. R. 1017

19 December 2014

## LABOUR RELATIONS AMENDMENT ACT, 2014

## INVITATION TO MAKE REPRESENTATIONS

NOTICE IN TERMS OF SECTION 198A: APPLICATION OF SECTION 198A TO EMPLOYEES  
EARNING BELOW THE EARNINGS THRESHOLD

1. I, **MILDRED NELISIWE OLIPHANT**, Minister of Labour, do hereby in terms of section 198A(1)(c) of the Labour Relations Amendment Act, 2014, publish a notice in accordance with the provisions of subsections (6) to (8), inviting representations from the public on which categories of work should be deemed to be temporary service by notice to be issued by the Minister in terms of subsection (1)(c) as contemplated by subsection (6).
2. Representations must reach the Department of Labour not later than 90 calendar days after the date of publication of this notice.
3. The Labour Relations Amendment Act is available at the following web address:  
[www.labour.gov.za](http://www.labour.gov.za)
4. Representations should be submitted to the following addresses:

**By post or fax:**

Department of Labour  
Directorate: Collective Bargaining  
Attention: Mr I A Macun / Ms S K Mahlangu  
Private Bag X 117

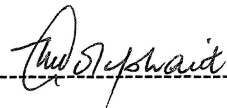
**PRETORIA**

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Fax nr: (012) 309-4848

**By e-mail:**[Ian.Macun@labour.gov.za](mailto:Ian.Macun@labour.gov.za)[Sellinah.Mahlangu@labour.gov.za](mailto:Sellinah.Mahlangu@labour.gov.za)[Stiaan.Meyer@labour.gov.za](mailto:Stiaan.Meyer@labour.gov.za)**Hand deliveries:**

Room 121/117  
Laboria House  
215 Frances Baard Street  
PRETORIA



MN OLIPHANT, MP  
MINISTER OF LABOUR

## LABOUR RELATIONS ACT, 1995 REGULATIONS

### REGULATIONS

The Minister of Labour has, under section 208 of the Labour Relations Act, 1995 (Act No. 66 of 1995) and after consultation with NEDLAC and the Commission for Conciliation, Mediation and Arbitration, made the regulations in the Schedule.

### CONTENTS OF REGULATIONS

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## LABOUR RELATIONS REGULATIONS

### Schedule

#### 1. Definitions

In these regulations, any word or expression to which a meaning has been assigned in the Act, shall have the meaning so assigned and, unless the context otherwise indicates –

“**annexure**” means a document attached to these regulations;

“**the Act**” means the Labour Relations Act, 1995 (Act No. 66 of 1995);

“**the CCMA or Commission**” means the Commission for Conciliation, Mediation and Arbitration;

“**the Constitution**” means the Constitution of the Republic of South Africa, 1996.

#### 2. Services

Whenever a party is required to satisfy the Registrar that a copy of a referral, objection or other document has been served on another party, the party so required must provide the Registrar with –

- (a) a copy of the proof of mailing the referral, objection or other document by registered post to the other party;
- (b) a copy of the telegram, telex or telefax communicating the referral, objection or other document to the other party;
- (c) a copy of a receipt signed by the other party or on that party's behalf if the copy of the referral, objection or other document was delivered by hand; or
- (d) a statement confirming service signed by the person who delivered a copy of the referral objection or other document to the other party.

#### 3. Subpoenas

(1) A subpoena issued in terms of the Act must be served –

- (a) by delivering a copy of it to the person subpoenaed personally;
- (b) by sending a copy of it by registered post to the subpoenaed person's –
  - (i) residential address;
  - (ii) place of business or employment; or
  - (iii) post office box or private bag number; or
- (c) by leaving a copy of it at the subpoenaed person's residence or place of business or employment with a person who apparently –
  - (i) is at least sixteen years of age; and

(ii) is residing or employed there.

(2) A subpoena issued in terms of section 142(1) of the Act must be in the form of annexure LRA 7.16.

(3) A subpoena issued by a designated agent in terms of section 33 read with item 5 of Schedule 10 of Act must be in the form of annexure LRA 3.10.

(4) A subpoena issued by an arbitrator in terms of section 33A(5)/127(6) read with section 142 must be in the form of annexure LRA 3.10A

#### **4. Witness fees**

(1) The fee payable to a witness in terms of section 142(7) of the Act is the total of –

- (a) R300.00 for each day or part of a day during which the witness is required to be present at any proceedings; and
- (b) reasonable substantiated travel and subsistence expenses incurred by the witness in order to be present at those proceedings.

(2) Despite sub-regulation (1), no witness fee may be paid to a person who, at the time of the relevant proceedings, is employed full-time by the state, or is a member of any legislature mentioned in the Constitution.

#### **5. Access to documents**

Any person may inspect any document that the Act permits at the Office of the Registrar of Labour Relations, in Pretoria, at any time between 08h30 and 12h00 and between 13h30 and 15h30 on Mondays to Fridays.

#### **6. Fees for documents**

(1) Whenever an employer provides an employee with a copy of a collective agreement, arbitration award, or sectoral determination in terms of section 204(c)(i) of the Act, the employer may charge a fee of no more than R0,50 for each page of that copy.

(2) The registrar may charge the fee shown in column 3 of Table LRA 1 for a service listed in column 2 of that Table.

(3) All fees referred to in sub-regulations (2) must be paid in advance in revenue stamps.

**Table LRA 1: Table of Document Fees**

<b>1 – Section</b>	<b>2 – Service</b>	<b>3 - Fees</b>
Any section	Inspecting a document	R1.00
Any section	Copying a document	R1,00
Any section	Providing a certified copy of a document	R1,00 for each copy, plus R0,50 for each page in the document
25(7)	Providing a certified extract of an auditor's report	R0,50 for each page in the extract
71(4)	Providing a certified copy or extract from a written representation	
110(2)	Providing a certified copy of, or extract from, any of the document referred to in section 110(1)	
110(4)	Providing a certified copy of, or extract from, any document referred to in section 110(3)	
127(7)(b)	Providing a certified copy, or extract from, a document referred to in section 127(7)(a)	
132(6)(b)	Providing a certified copy of, or extract notice referred to in section 132(6)(a)	

## 7. Form of requests and applications

(1) Whenever a request or application is contemplated in terms of a section of the Act shown in column 1 of Table LRA 2 for a purpose listed in column 2 of that Table, the request or application must be in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.

- (2) The Registrar has the power to assign an official to –
- (a) verify from the membership lists the figures furnished in respect of representativeness in an industry or sector; and

- (b) check that applications lodged with the registrar's office meet the requirements.

**TABLE LRA 2: Table of Requests and Applications**

<b>1 - Section</b>	<b>2 - Purpose</b>	<b>3 - Annexure</b>	<b>4 - Conditions</b>
25(4)(b) and 26(8)	Conscientious objector requests agency fee to be paid to the Department of Labour	LRA 3.1	Agency fee deducted pursuant to the request must be remitted with annexure LRA 3.2
26(8) applying 25(4)(b)	List of deduction from conscientious objector's wages	LRA 3.2	Agency fee deducted pursuant to the request must be remitted with annexure LRA 3.2
29(1)	Application for registration of a bargaining council	LRA 3.3	<ol style="list-style-type: none"> <li>1. Submit two copies</li> <li>2. Submit to the Registrar of Labour Relations, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001</li> </ol>

<b>1- Section</b>	<b>2 - Purpose</b>	<b>3 - Annexure</b>	<b>4 - Conditions</b>
32(1) & 32()	Bargaining council requests extension of collective agreement to non-parties	LRA 3.5	1. Submit two copies 3. 2. Submit to the Minister, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001
32(1) & read with 43(3)	Statutory council requests extension of collective agreement to non-parties	3.5A	1. Submit two copies 3. Submit to the Minister, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001
32(6)(a)	Council requests to extend the period of, or renew, collective agreement extended to non-parties	LRA 3.6	1. Submit two copies 3. Submit to the Minister, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001
32(7)	Council requests cancellation of collective agreement extended to non-parties	LRA 3.7	1. Submit to the Minister, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001
43(3) applying 33(1)	Council requests appointment of designated agent	LRA 3.8	1. Submit two copies 2. Submit to the Minister, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001
<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 – Conditions</b>
34(2)	Amalgamating bargaining council applies for registration	LRA 3.11	1. Submit two copies 2. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001
38(4)	Referring public service jurisdictional dispute for	LRA 3.13	1. Proof of service on the other party

	arbitration		2. Submit to CCMA National Office, 28 Harrison Street Johannesburg. Private Bag X 94 Marshalltown, 2107
39(2)	Trade union applies for establishment of a statutory council	LRA 3.14	1. Submit two copies 2. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001
39(2)	Employers' organisation applies for establishment of a statutory council	LRA 3.15	1. Submit two copies 2. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001
48(1)	Statutory council applies to register as a bargaining council	LRA 3.19	1. Submit two copies 2. Submit to the Registrar of Labour Relations Department of Labour, Private Bag X117, Pretoria, 0001
58	Council applies for variation of scope of registration	LRA 3.22	1. Submit two copies 2. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001
<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 – Conditions</b>
62(1)	Application about demarcation dispute	LRA 3.23	1. Proof of service on the other party 2. Submit to the Registrar Regional Office of the CCMA
69(4)	Request to establish	LRA 4.1	1. Send a copy of request to other

	picketing rules		<p>party</p> <p>2. Proof of service on the other party</p> <p>3. Submit to the Registrar, Regional Office of the CCMA</p>
70B(2), 70(3)	Bargaining council request for essential service investigation	LRA 4.7	<p>1. Copy of current certificate of accreditation</p> <p>2. Submit to the Essential Services Committee c/o CCMA 28 Harrison Street Johannesburg 2001 Private Bag X94 Marshalltown, 2107</p>
70B(2)	Interested party requests essential service investigation	LRA 4.7A	<p>1. Copy of current certificate of accreditation</p> <p>2. Submit to the Essential Services Committee c/o CCMA 28 Harrison Street Johannesburg 2001 Private Bag X 94 Marshalltown, 2107</p>
72(1)	Referring dispute for conclusion of a collective agreement providing for a minimum service agreement	LRA 4.8A	<p>1. Proof of service on the other party</p> <p>2. Submit to the Essential Services Committee c/o CCMA 28 Harrison Street Johannesburg 2001 Private Bag X94 Marshalltown, 2107</p>
72(3)	Request for ratification of collective agreement providing for	LRA 4.8	<p>1. Proof of service on the other party</p> <p>2. Submit to the Essential</p>

	maintenance of minimum services		Services Committee c/o CCMA 28 Harrison Street Johannesburg 2001 Private Bag X94 Marshalltown, 2107
75(2)	Employer applies for maintenance service determination	LRA 4.3	1. Proof of service on the other party 2. Submit to the Essential Services Committee c/o CCMA 28 Harrison Street Johannesburg 2001 Private Bag X94 Marshalltown, 2107
80(2)	Representative trade union applies to establish a work-place forum	LRA 5.1	1. Proof of service on the other party 2. Submit to the Registrar, Regional Office of the CCMA
81(1)	Representative trade union applies to establish a trade union based work-place forum	LRA 5.2	1. Proof of service on the other party 2. Submit to the Registrar, Regional Office of the CCMA



<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 – Conditions</b>
96(1)	Application for registration of a trade union	LRA 6.1	1. Submit two copies 2. Submit to the Registrar of Labour Relations, , Department of Labour, Private Bag X117, Pretoria, 0001
96(1)	Application for registration of an employers' organisation	LRA 6.2	1. Submit two copies 2. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001
99(a)	List of members to be kept by a trade union	LRA 6.5	
99(a)	List of members to be kept by an employers' organisation	LRA 6.6	
102(2)	Application by amalgamating trade unions for registration	LRA 6.9	1. Submit two copies 2. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001
102(2)	Application by amalgamating employers' organisation for registration	LRA 6.10	1. Submit two copies 2. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001
127(1)	Council applies for accreditation/renewal of accreditation	LRA 7.1	1. Attach a copy of registration, a copy of the council's code of conduct and the motivation for accreditation to the form 2. Submit to the Governing Body of the CCMA
127(1)	Private Agency applies for accreditation / renewal of accreditation	LRA 7.2	1. Attach a copy of the agency's code of conduct and the motivation for accreditation to the form

<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 – Conditions</b>
			2. Submit to the Governing Body of the CCMA
129(1) & 131(1)	Council/private agencies applies to amend its accreditation	LRA 7.5	1. Attach a copy of the current certificate of accreditation 2. Submit to the Governing Body of the CCMA
131(1)	Council applies to renew its accreditation	LRA 7.6	No longer in use, combined in LRA Form 7.5
131(1)	Private agency applies to renew its accreditation	LRA 7.7	No longer in use, combined in LRA Form 7.5
132(1) & (8)	Council applies for subsidy/renewal of subsidy	LRA 7.8	1. Attach a copy of the current certificate of accreditation (if applicable) and motivation 2. Submit to the CCMA National Office, 28 Harrison Street, Johannesburg, 2001. Private Bag X 94, Marshalltown, 2107.
132(1)	Private agency applies for subsidy	LRA 7.9	Form deleted
132(8)(a)	Council or private agency applies for renewal of subsidy	LRA 7.10	No longer in use, combined in LRA Form 7.8
136, 10 of the EEA and 41 of the BCEA	Request for arbitration	LRA 7.13	1. Proof of service on the other party 2. Submit to the Registrar, Regional Office of the CCMA
137(1)	Application to the Director of the CCMA to appoint a senior commissioner to arbitrate	LRA 7.15	1. Proof of service on the other party 2. Submit to the Commissioner in charge of the Regional Office of the CCMA.
<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 - Conditions</b>
115 and 138(10)	Referral of cost dispute	LRA 7.17	1. Proof of service on the other party

Rule 39 of the CCMA Rules			2. Submit to the Registrar, Regional Office of the CCMA
143	Application to certify CCMA Award	LRA 7.18	Submit to the Registrar, Regional Office of the CCMA
143 and 51(8)	Application to certify Bargaining Council Award	LRA 7.18A	Submit to the General Secretary of the relevant Bargaining Council
188A	Request for inquiry by Arbitrator	LRA 7.19	1. Proof of service on the other party 2. Submit to the Registrar, Regional Office of the CCMA
189A	Request for operational requirements facilitation	LRA 7.20	1. Proof of service on the other party 2. Submit to the Registrar, Regional Office of the CCMA
200A(3)	Request for advisory award on whether a person is an employee	LRA 7.21	1. Proof of service on the other party 2. Submit to the Registrar, Regional Office of the CCMA

## 8. Form of certificates or particulars

(1) A certificate issued in terms of section 64(1)(a)(i), 135(5)(a) or 136(1)(a) of the Act must be in the form of annexure LRA 7.12.

(2) Whenever a certificate or statement of particulars is contemplated in terms of a section of the Act shown in column 1 of Table LRA 3 for a purpose listed in column 2 of that Table, the document must be in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.

**Table LRA 3 – Table of Certificates and Particulars**

<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 - Conditions</b>
29(15)(a)	Certificate of registration of bargaining council	LRA 3.4	Must bear the official stamp of the Registrar of Labour Relations
33(2)	Certificate of appointment as a designated agent of a council	LRA 3.9	Must bear the official stamp of the secretary of the council
42(a)	Certificate of registration of a statutory council	LRA 3.16	Must bear the official stamp of the Registrar of Labour Relations
49(3)	Council submits particulars of representativeness of the council's registered scope	LRA 3.20	1. Submit two copies 2. Submit to the Registrar of Labour Relations, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001
49(2)	Council submits particulars of representativeness of parties to a collective agreement	LRA 3.20A	1. Submit two copies 2. Submit to the Registrar of Labour Relations, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001
49(4)	Certificate of representativeness of a council	LRA 3.21	Must bear the official stamp of the Registrar of Labour Relations
49(2)	Certificate of representativeness of parties to a collective agreement	LRA 3.21A	Must bear the official stamp of the Registrar of Labour Relations

<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 - Conditions</b>
54(2)(f)	Council submits particulars of small enterprises	LRA 3.20B	Submit to the Registrar of Labour Relations, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001 annually by end of January covering the previous calendar year ending 31 December
54(2)(f)	Council submits particulars of exemptions and enforcement	LRA 3.20C	Submit to the Registrar of Labour Relations, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001 annually by end of January covering the previous calendar year ending 31 December
135(5)(a), 64(1)(a)(i) and 136(1)(a)	Certificate of outcome of dispute referred to conciliation	LRA 7.12	Must bear the official stamp of the CCMA, council or agency
96(7)(a)	Certificate of registration of a trade union	LRA 6.3	Must bear the official stamp of the Registrar of Labour Relations
96(7)(a)	Certificate of registration of an employers' organisation	LRA 6.4	Must bear the official stamp of the Registrar of Labour Relations
127(5)(a)(ii)	Certificate of accreditation of council	LRA 7.3	1. Must include terms of accreditation 2. Must bear official stamp of the CCMA
127(5)(a)(ii)	Certificate of accreditation of private agency	LRA 7.4	1. Must include terms of accreditation 2. Must bear official stamp of the CCMA

## 9. Form of notices, demands and appeals

Whenever a notice, demand or appeal is contemplated in terms of a section of the Act shown in column 1 of Table LRA 4 for a purpose listed in column 2 of that Table, the document must be in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.

### Notices, Demands and Appeals – LRA 4

<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 - Conditions</b>
77(1)(b)	Notice to NEDLAC about possible protest action	LRA 4.4	Submit to the Executive Director of NEDLAC
77(1)(d)	Notice to NEDLAC of intention to proceed with protest action	LRA 4.5	<ol style="list-style-type: none"> <li>1. Submit to the Executive Director of NEDLAC</li> <li>2. Must be received at least 14 days before the start of the protest action</li> </ol>
136(3)	Notice of objection to arbitration by same commissioner	LRA 7.14	<ol style="list-style-type: none"> <li>1. Proof of service on other party is required</li> <li>2. Submit to Registrar, Regional Office of the CCMA</li> </ol>
33(3) read with item 5 of Schedule 10	Subpoena by designated agent	LRA 3.10	Signed by Designated Agent of Council
33A(5)/127(6) read with 142	Subpoena by council arbitrator	LRA 3.10A	Signed by Secretary/Regional Secretary of Council
70D and 71	Subpoena by panel appointed by the Essential Services Committee	LRA 4.6	Signed by the Chairperson or Deputy Chairperson of the Essential Services Committee
142(1)(a), (b) and (c)	Subpoena by Commissioner	LRA 7.16	Signed by Director of CCMA

**10. Forms of records, reports, statements, lists and registers**

Whenever a record, report, statement, list or register is contemplated in terms of section of the Act shown in column 1 of Table LRA 5 for a purpose listed in column 2 of that Table, the document must be in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.

**Records, Reports, Statements, Lists and Registers – LRA 5**

<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 – Conditions</b>
25(4)(b) and 26(8)	Conscientious objector request agency fee to be paid to Department	LRA 3.1	<ol style="list-style-type: none"> <li>1. Agency fee deducted must be remitted with this form</li> <li>2. Submit two copies</li> <li>3. Submit to the Chief Director: Provincial Operations of the Department of Labour</li> </ol>
25(4) as applied by section 26(8)	List of deductions from conscientious objectors' wages	LRA 3.2	<ol style="list-style-type: none"> <li>1. Agency fee deducted must be remitted with this form</li> <li>2. Submit two copies</li> <li>3. Submit to the Chief Director: Provincial Operations of the Department of Labour</li> </ol>
44(1) and 44(2)	Submission of collective agreement of statutory council to Minister for promulgation as a determination	LRA 3.17	<ol style="list-style-type: none"> <li>1. Submit two copies</li> <li>2. Submit to the Minister of Labour, c/o the Director General, Department of Labour, Private Bag X117, Pretoria 0001.</li> </ol>
100(a)	Number of trade union members	LRA 6.7	<ol style="list-style-type: none"> <li>1. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001</li> <li>2. Must reach the Registrar of Labour Relations by 31 March each year</li> </ol>

100(a)	Number of employers' organisation members	LRA 6.8	<ol style="list-style-type: none"><li>1. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001</li><li>2. Must reach the Registrar of Labour Relations by 31 March each year</li></ol>
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<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 - Conditions</b>
205(1)	Employers' record of employees' earnings, deductions and time worked	LRA 9.1	<ol style="list-style-type: none"> <li>1. Submit two copies</li> <li>2. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X117, Pretoria, 0001</li> </ol>
205(3)(a)	Record of strike, lock-out or protest action	LRA 9.2	<ol style="list-style-type: none"> <li>1. Submit to the Registrar of Labour Relations, Department of Labour, Private Bag X 117, Pretoria, 0001</li> <li>2. Must be submitted within two months of the end of the strike, lock-out or protest action</li> </ol>

#### **11. Form of proposals, resolutions and referrals**

(1) A request to the Commission to arbitrate a dispute in terms of sections 16(9), 21(7), 21(11), 22(4), 24(5), 24(6), 45(4), 61(13), 74(4), 86(7), 89(6), 94(4), 133(2)(b), 141(1) or 191(5)(a), 198, 198A - C of the Act, section 10 of the Employment Equity Act, 1998, section 41 of the Basic Conditions of Employment Act, 1997 and section 19 of the Skills Development Act, 1998 must be made in the form of annexure LRA 7.13.

(2) A referral of a dispute to the Commission for conciliation in terms of sections 9(1), 16(6), 21(4), 21(11), 22(1), 24(2), 24(6), 26(11), 45(1), 61(10), 63(1), 64(1)(a), 64(2), 69(8), 74(1), 86(4)(b), 89(3), 94(1), 134, 191(1), 198, 198A – C of the Act, section 10 of the Employment Equity Act, 1998, sections 41 and 80 of the Basic Conditions of Employment Act, 1997, and section 19 of the Skills Development Act, 1998 by the Commission, must be made in the form of annexure LRA 7.11.

(3) Whenever a proposal, resolution or referral is contemplated in terms of a section of the Act shown in column 1 of Table LRA 6, for a purpose listed in column 2 of that Table, the document must be in the form of the annexure listed opposite that section number in column 3 of that Table, and must be produced subject to any conditions listed opposite that section number in column 4 of that Table.

**Proposals, Resolutions and Referrals – LRA 6**

<b>1- Section</b>	<b>2 – Purpose</b>	<b>3 - Annexure</b>	<b>4 - Conditions</b>
38(3)	Referring a Public Service jurisdictional disputes for conciliation	LRA 3.12	<ol style="list-style-type: none"> <li>1. Proof of service on other party</li> <li>2. Submit to the CCMA National Office: 28 Harrison Street Johannesburg Private Bag X94 Marshalltown 2107</li> </ol>
44(5)	Statutory council requests Minister to amend or extend the period of a determination	LRA 3.18	<ol style="list-style-type: none"> <li>1. Submit two copies</li> <li>2. Submit to the Minister of Labour, c/o the Director General, Department of Labour, Private Bag X117, Pretoria, 0001</li> </ol>
73(1)	Referring disputes for determination as an essential service	LRA 4.2	<ol style="list-style-type: none"> <li>1. Proof of service on other party</li> <li>2. Submit to Essential Services Committee c/o CCMA 28 Harrison Street Johannesburg, 2001 Private Bag X94 Marshalltown, 2107</li> </ol>
72(8)	Referring a dispute arising from negotiations concerning minimum service agreement for determination	LRA 4.2A	<ol style="list-style-type: none"> <li>1. Proof of service on other party</li> <li>2. Submit to Essential Services Committee c/o CCMA 28 Harrison Street Johannesburg, 2001 Private Bag X94 Marshalltown, 2107</li> </ol>
21, 24,133, 135, 191(1), 191(5A), 198 and 198A, 198B, 198C, 198D, 10 of EEA and 41 of BCEA	Referring a dispute to the CCMA for conciliation (including Con -Arb)	LRA 7.11	<ol style="list-style-type: none"> <li>1. Proof of service on other party</li> <li>2. Submit to Registrar, Regional Office of the CCMA</li> </ol>

**12. Labour Court**

The oath to be taken or solemn affirmation to be made before the Judge President of the Labour Court in terms of section 154(6) of the Act by a person who has been appointed a judge of the Labour Court and who is not a judge of a High Court, must be in the following form:

"I ..... swear/solemnly affirm that, as a Judge of the Labour Court, I will be faithful to the Republic of South Africa, will uphold and protect the Constitution; and will administer justice to all persons alike without fear, favor or prejudice, in accordance with the Constitution and the law."

(In the case of an oath: "So help me God".)

**13. Chief Director: Provincial Operations, Department of Labour**

Whenever the Act or a regulation requires a document to be delivered to the Provincial Executive Manager of the Department of Labour within a particular jurisdiction, any document in respect of a matter within a geographical jurisdiction listed in column 1 of Table LRA 7 must be delivered to the Provincial Executive Manager, Department of Labour at the address shown opposite that jurisdiction in column 2 of that Table.

**Chief Director: Provincial Operations – LRA 7**

<b>Geographical Jurisdiction</b>	<b>Address</b>
Eastern Cape Province	3 Hill Street Laboria Building <b>East London</b> 5200  Tel. no: 043 701 3000 Fax no. 043 722 1012
Free State Province	43 National House Charlotte Maxeke Street <b>Bloemfontein</b> 9300  Tel no: 051 505 6200 Fax no: 051 447 9353
Gauteng Province:  Gauteng North in the Magisterial District of Benoni, Bronkhorstspuit, Cullinan, Krugersdorp, Nigel, Pretoria, Randfontein, Soshanguve 1-2, Springs and Wonderboom	239 Nana Sita Street Concillium Building <b>Pretoria</b> 0001  Tel no: 012 309 5000/5050 Fax no: 012 320 5627

Gauteng Province: Gauteng South in the Magisterial Districts of Alberton, Boksburg, Brakpan, Germiston, Heidelberg, Johannesburg, Kempton Park, Oberholzer, Randburg, Roodepoort, Vanderbijlpark, Vereeniging and Westonaria	77 De korte Street Braamfontein <b>Johannesburg</b> 2000  Tel no: 011 853 0300 Fax no: 011 853 0470
Kwazulu-Natal Province	267 Anton Lembede Royal Hotel Building <b>Durban</b> 4000  Tel no: 031 366 2000 Fax no: 031 366 2300
Limpopo Province	42A Schoeman Street <b>Polokwane</b> 0700 Tel no: 015 290 1744 Fax no: 015 290 1608
Mpumalanga Province	Corner Hofmeyer and Beatty Avenue <b>Witbank</b> 1035  Tel no: 013 655 8715 Fax no: 013 690 2622

North West Province	Provident House 2 <sup>nd</sup> Floor (SEBO Building) University Drive <b>Mmabatho</b> 2735  Tel no: 018 387 8102 Fax no: 018 384 2597
Northern Cape Province	No 13 Cnr Pniel/Compound Street Laboria House Kimberly 8300  Tel no: 053 838 1500 Fax no: 053 832 4798
Western Cape Province	22 Parade Street Thomas Boydell Building <b>Cape Town</b> 8000  Tel no: 021 468 5500 Fax no: 021 465 5110

## 14. Regional Offices of the CCMA

REGIONAL OFFICES OF THE CCMA		 <b>CCMA</b>
<b>CCMA NATIONAL OFFICE</b> 28 Harrison Street, Johannesburg, 2001 Private Bag X94, Marshalltown, 2107 <b>Tel:</b> 011-377-6650/01/00 <b>Fax:</b> 011-834-7351 <b>Email:</b> ho@ccma.org.za	<b>CCMA GAUTENG – Tshwane</b> 2 <sup>nd</sup> Floor, Metro Park Building, 351 Francis Baard Street, Pretoria, 0002 Private Bag X176, Pretoria, 0001 <b>Tel:</b> 012-317-7800 <b>Fax:</b> 012-392-9702/012-320-4633/04 <b>Email:</b> pta@ccma.org.za	<b>CCMA LIMPOPO</b> CCMA House, 104 Hans van Rensburg Street, Polokwane, 0699 Private Bag X9512, Polokwane, 0700 <b>Tel:</b> 015-287-7400 <b>Fax:</b> 015- 297-1649 <b>Email:</b> ptb@ccma.org.za
<b>CCMA EASTERN CAPE – East London</b> 6 Oxford Street (Cnr Church Street), East London, 5201 Private Bag X9068, East London, 5200 <b>Tel:</b> 043-711-5400 <b>Fax:</b> 043-743-0810 <b>Email:</b> el@ccma.org.za	<b>CCMA GAUTENG – Vaal</b> Cnr. Kruger Avenue & Edward Street, Vereeniging, 1939 Private Bag X010, Vereeniging, 1930 <b>Tel:</b> 016-440-2700 <b>Fax:</b> 016-422-6837/5285/1859/1959 <b>Email:</b> johannesburg@ccma.org.za	<b>CCMA MPUMALANGA</b> CCMA House, 69 Kruger Street, Witbank, 1035 Private Bag X7290, Witbank, 1035 <b>Tel:</b> 013- 655-2600/01 <b>Fax:</b> 013- 656-2885/6 <b>Email:</b> wtb@ccma.org.za
<b>CCMA EASTERN CAPE – Port Elizabeth</b> 97 Govan Mbeki Avenue, Port Elizabeth, 6001 Private Bag X22500, Port Elizabeth, 6000 <b>Tel:</b> 041-509-1000 <b>Fax:</b> 041-586-4410/4585 <b>Email:</b> pe@ccma.org.za	<b>CCMA KWAZULU-NATAL – Durban</b> Ground, 6 <sup>th</sup> & 7 <sup>th</sup> Floors, Embassy Building, 199 Anton Lembede Street, Durban, 4001 Private Bag X54363, Durban, 4000 <b>Tel:</b> 031-362-2300 <b>Fax:</b> 031-368-7387/7407 <b>Email:</b> kzn@ccma.org.za	<b>CCMA NORTHERN CAPE – Kimberley</b> CCMA House, 5-13 Compound Street, Kimberley, 8301 Private Bag X6100, Kimberley, 8300 <b>Tel:</b> 053- 836-7300 <b>Fax:</b> 053- 831-5947/8 <b>Email:</b> kmb@ccma.org.za

<p><b>CCMA FREE STATE – Bloemfontein</b>  CCMA House, Cnr. Elizabeth &amp; West Burger Streets, Bloemfontein, 9301  Private Bag X20705, Bloemfontein, 9300  <b>Tel:</b> 051-411-1700  <b>Fax:</b> 051-448-4468/9  <b>Email:</b>  blm@ccma.org.za</p>	<p><b>CCMA KWAZULU-NATAL – Newcastle</b>  Rams TV Centre, 71 Scott Street, Newcastle, 2940  Private Bag X6622, Newcastle, 2940  <b>Tel:</b> 034-328-2400  <b>Fax:</b> 034-312-5964  <b>Email:</b> kzn@ccma.org.za</p>	<p><b>CCMA NORTH WEST – Klerksdorp</b>  CCMA House, 47 Siddle Street, Klerksdorp, 2570  Private Bag X5004, Klerksdorp, 2571  <b>Tel:</b> 018-487-4600  <b>Fax:</b> 018-462-4126/4053/018-487-4148  <b>Email:</b>  kdp@ccma.org.za</p>
<p><b>CCMA FREE STATE – Welkom</b>  Phakisa House, Cnr. Ryk &amp; Heeren Streets, Welkom, 9459  Private Bag X10213, Welkom, 9460  <b>Tel:</b> 057-910-8300  <b>Fax:</b> 057-352-8774/8409  <b>Email:</b>  blm@ccma.org.za</p>	<p><b>CCMA KWAZULU-NATAL – Pietermaritzburg</b>  CCMA House, 180 Langalibalele Street, Pietermaritzburg, 3201  P.O. Box 72, Pietermaritzburg, 3200  <b>Tel:</b> 033-328-5000  <b>Fax:</b> 033-345-9790  <b>Email:</b> kzn@ccma.org.za</p>	<p><b>CCMA NORTH WEST - Rustenburg</b>  1<sup>st</sup> Floor, CCMA House, 43-45 Boom Street, Rustenburg, 0299  Private Bag X82104, Rustenburg, 0300  <b>Tel:</b> 014-591-6400  <b>Fax:</b> 014-592-5236  <b>Email:</b>  kdp@ccma.org.za</p>
<p><b>CCMA GAUTENG – Ekurhuleni</b>  CCMA Place, Cnr. Woburn &amp; Rothsay Streets, Benoni, 1501  Private Bag X23, Benoni, 1500  <b>Tel:</b> 011-845-9000  <b>Fax:</b> 011-421-4723/48  <b>Email:</b>  ekurhuleni@ccma.org.za</p>	<p><b>CCMA KWAZULU-NATAL – Port Shepstone</b>  The Chambers, 68 Nelson Mandela Drive, Port Shepstone, 4240  Private Bag X849, Port Shepstone, 4240  <b>Tel:</b> 039-688-3700/02  <b>Fax:</b> 039-684-1771  <b>Email:</b> kzn@ccma.org.za</p>	<p><b>CCMA WESTERN CAPE – Cape Town</b>  CCMA House, 1 Heerengracht Street, Cape Town, 8001  Private Bag X9167, Cape Town, 8000  <b>Tel:</b> 021- 469-0111  <b>Fax:</b> 021-465-7193/97/87/021- 462-5006  <b>Email:</b>  ctn@ccma.org.za</p>
<p><b>CCMA GAUTENG – Johannesburg Regional Office</b>  CCMA House, 127 Fox Street, Johannesburg, 2001  Private Bag X96, Marshalltown, 2107  <b>Tel:</b> 011-220-5000  <b>Fax:</b> 011-220-</p>	<p><b>CCMA KWAZULU-NATAL – Richards Bay</b>  2<sup>nd</sup> Floor, ABSA Building, Lakeview Terrace, 7 Trinidad Parking Area, Richards Bay, 3901  Private Bag X1026, Richards Bay, 3900  <b>Tel:</b> 035-799-3300  <b>Fax:</b> 035-789-7148  <b>Email:</b> kzn@ccma.org.za</p>	<p><b>CCMA WESTERN CAPE – George</b>  2 Cathedral Square, 62 Cathedral Street, George, 6529  Private Bag X6650, George, 6530  <b>Tel:</b> 044-805-7700/01  <b>Fax:</b> 044-873-2906  <b>Email:</b>  ctn@ccma.org.za</p>

5101/02/03/04/05/0 861-392-262 <b>Email:</b> johannesburg@cc ma.org.za		
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**15. Short title and commencement**

- (1) These regulations are called the Labour Relations Regulations.
- (2) These regulations come into operation on **1 January 2015**

## B. INDEX OF FORMS ANNEXED TO REGULATIONS

### 1. Organised according to the sequence of the Act

<b>Chapter 1</b>	<b>Purpose, Application and Interpretation</b>	No forms
<b>Chapter 2</b>	<b>Freedom of Association and General Protections</b>	No forms
<b>Chapter 3</b>	<b>Collective Bargaining</b>	
LRA Form 3.1	Conscientious objector requests agency fees to be paid to the Department	Section 25(4)(b) and 26(8)
LRA Form 3.2	List of deductions from conscientious objector's wages	Section 25(4)(b) as applied by section 26(8)
LRA Form 3.3	Application for registration of a bargaining council	Section 29(1)
LRA Forms 3.4	Certificate of registration of a bargaining council	Section 29(15)(a)
LRA Form 3.5	Bargaining council requests extension of collective agreement to non-parties	Section 32(1) & 32(5)
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LRA Form 3.6	Request to extend period of, or renew, collective agreement extended to non-parties	Section 32(6)(a)



LRA Form 3.7	Council requests cancellation of notice extending collective agreement to non-parties	Section 32(7)
LRA Form 3.8	Council requests appointment of designated agent	Sections 33(1) and 43(3)
LRA Form 3.9	Certificate of appointment as designated agent of council	Section 33(2)
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LRA Form 3.11	Amalgamating bargaining council applies for registration	Section 34(2)
LRA Form 3.12	Referring public service jurisdictional disputes for conciliation	Section 38(3)
LRA Form 3.13	Referring public service jurisdictional disputes for arbitration	Section 38(6)
LRA Form 3.14	Trade union applies for establishment of a statutory council	Section 39(2)
LRA Form 3.15	Employers' organisation applies for establishment of a statutory council	Section 39(2)

LRA Form 3.16	Certificate of registration of a statutory council	Section 42(a)
LRA Form 3.17	Submission of collective agreement of statutory council to Minister for promulgation as a determination	Section 44(1) and 44(2)
LRA Form 3.18	Statutory council requests Minister to amend or extend period of determination	Section 44(5)
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LRA Form 3.20	Council submits particulars of representativeness of its registered scope	Section 49(3)
LRA Form 3.20A	Council submits particulars of representativeness of parties to collective agreement	Section 49(2)
LRA Form 3.20B	Council submits particulars of small enterprises	Section 54(2)(f)
LRA Form 3.20C	Council submits particulars of exemptions and enforcement	Section 54(2)(f)
LRA Form 3.21	Certificate of representativeness of Council	Section 49(4)
LRA Form 3.21A	Certificate of representativeness of parties to a collective agreement	Section 49(2)
LRA Form 3.22	Council applies for variation of scope of registration	Section 58
LRA Form 3.23	Application about demarcation dispute	Section 62(1)

<b>Chapter 4</b>	<b>Strikes and Lock-outs</b>	
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LRA Form 4.2	Referring disputes for determination as an essential service	Section 73(1)
LRA Form 4.2A	Referring a dispute arising from negotiations concerning minimum service agreement for determination	Section 72(8)
LRA Form 4.3	Employer applies for maintenance service determination	Section 75(2)
LRA Form 4.4	Notice to NEDLAC about possible protest action	Section 77(1)(b)
LRA Form 4.5	Notice to NEDLAC of intention to proceed with protest action	Section 77(1)(d)
LRA Form 4.6	Subpoena by Essential Services Committee	Section 70D and 71
LRA Form 4.7	Bargaining council request for essential service investigation	Section 70B(2)
LRA Form 4.7A	Interested party's request for essential service investigation	Section 70B(1)(d) and 71

LRA Form 4.8	Request for ratification of collective agreement providing for maintenance of minimum services	Section 72(3)
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LRA Form 6.6	List of members to be kept by employers' organisation	Section 99(a)
LRA Form 6.7	Number of trade union members	Section 100(a)
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LRA Form 6.9	Application by amalgamating trade unions for registration	Section 102(2)
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<b>Chapter 7</b>	<b>Dispute Resolution</b>	
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LRA Form 7.2	Private agency applies for accreditation/renewal of accreditation	Section 127(1)
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LRA Form 7.4	Certificate of accreditation of private agency	Section 127(5)(a)(ii)
LRA Form 7.5	Council or private agency applies to amend accreditation	Section 129(1)
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LRA Form 7.7	<b>No longer in use, combined into LRA</b>	

	<b>Form 7.5</b>	
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LRA Form 7.10	<b>No longer in use, combined into LRA Form 7.5</b>	
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LRA Form 7.12	Certificate of outcome of dispute referred for conciliation	Sections 64(1)(a)(i), 135(5)(a), 136(1)(a)
LRA Form 7.13	Request for arbitration	Sections 16, 21, 22, 24, 45, 61, 74, 86, 94, 133, 141, 191, 198, 198A – C  Employment Equity Act, 1998 Section 10  Basic Conditions of Employment Act, 1997 Section 41  Skills Development Act, 1998 Section 19
LRA Form 7.14	Notice of objection to arbitrations by same Commissioner	Section 136(3)

LRA Form 7.15	Application to appoint Senior Commissioner	Section 137(1)
LRA Form 7.16	Subpoena by Commissioner	Rule 37 of the CCMA Rules Section 142(1)(a), (b) and (c)
LRA Form 7.17	Referral of Cost Dispute	Rule 39 of the CCMA Rules Section 115 read with Section 138(10)
LRA Form 7.18	Application to certify CCMA Award	Section 143
LRA Form 7.18A	Application to certify Bargaining Council Award	Section 143 read with Section 51(8)
<b>Chapter 8</b>	<b>Unfair Dismissal</b>	
LRA Form 7.19	Request for inquiry by arbitrator	Section 188A
LRA Form 7.20	Request for section 189A operational requirements facilitation	Section 189A
LRA Form 7.21	Request for advisory award on whether a person is an employee	Section 200A(3)

<b>Chapter 9</b>	<b>General Provisions</b>	
LRA Form 9.1	Employer's record of employees' earnings, deductions and time worked	Section 205(1)
LRA Form 9.2	Record of strike, lock-out and protest action	Section 205(3)(a)

<b>2. Organised according to activities and Organisations</b>		
<b>Arbitration</b>		
Referring public service jurisdictional disputes for arbitration	Section 38(6)	LRA Form 3.13
Request for arbitration	Sections 16, 21, 22, 24, 45, 61, 74, 86, 94, 133, 141, 191, 198, 198A – C  Employment Equity Act, 1998 Section 10  Basic Conditions of Employment Act, 1997 Section 41  Skills Development Act, 1998 Section 19	LRA Form 7.13
Notice of objection to arbitration by same Commissioner	Section 136(3)	LRA Form 7.14
Application to appoint Senior Commissioner to arbitrate	Section 137(1)	LRA Form 7.15
Request for Taxation	Rule 39 of the CCMA Rules	LRA Form 7.17