



# GOVERNMENT GAZETTE

## OF THE

# REPUBLIC OF NAMIBIA

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WINDHOEK - 22 June 2011

No. 4743

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## Government Notice

### MINISTRY OF LABOUR AND SOCIAL WELFARE

No. 92

2011

#### AMENDMENT TO THE LABOUR COURT RULES: LABOUR ACT, 2007 (ACT NO. 11 OF 2007)

Under section 119(3) of the Labour Act, 2007 (Act No. 11 of 2007), and on the advice of the Labour Court Rules Board, I have amended the Labour Court Rules promulgated by Government Notice No 279 of 2 December 2008 as set out in the Schedule.

**P.T. DAMASEB**  
**JUDGE PRESIDENT**  
**HIGH COURT OF NAMIBIA**

Windhoek, 13 June 2011

### SCHEDULE

#### Definition

1.      In these rules “the Rules” means the Labour Court Rules promulgated by Government Notice No. 279 of 2 December 2008.

#### Amendment of rule 6 of the Rules

2.      Rule 6 of the Rules is amended by –

- (a) the substitution of the following subrule for subrule (13) -

“(13) After the expiration of the 14-day period mentioned in subrule (9)(b) the applicant may apply to the registrar, on five days’ notice to all other parties, to assign a date for the hearing of the application.”

- (b) the insertion of the following subrule after subrule (14) -

“(14A) On receipt of an application referred to in subrule (13) or (14), the registrar must, as soon as is reasonably possible, assign a date of hearing, which date must be at least 20 days after the receipt of the said application, unless all parties consent in writing to an earlier date.”

#### **Amendment of rule 14 of the Rules**

2. Rule 14 of the Rules is amended by –

- (a) the substitution of the following subrule for subrule (13) -

“(13) After the expiration of the 14-day period mentioned in subrule (9)(b) the applicant may apply to the registrar, on five days’ notice to all other parties, to assign a date for the hearing of the application.”

- (b) the insertion of the following subrule after subrule (14) -

“(14A) On receipt of an application referred to in subrule (13) or (14), the registrar must, as soon as is reasonably possible, assign a date of hearing, which date must be at least 20 days after the receipt of the said application, unless all parties consent in writing to an earlier date, except that the registrar may not assign a date of hearing until the provisions of subrule (7) have been duly complied with.”

#### **Substitution of rule 22 of the Rules**

3. The following rule is substituted for rule 22 of the Rules -

“22. (1) Subject to the Act and these rules, where these rules do not make provision for the procedure to be followed in any matter before the court, the rules applicable to civil proceedings in the High Court made in terms of section 39(1) of the High Court Act, 1990 (Act No. 16 of 1990) do apply to proceedings before the court with such qualifications, modifications and adaptations as the court may deem necessary.

(2) The judicial case management rules in terms of the rules of the High Court referred to in subrule (1) apply to proceedings before the court with such qualifications, modifications and adaptations as the managing judge may deem necessary.”

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