

LRA Form 7.18
Section 143
Labour Relations Act, 1995

APPLICATION TO CERTIFY CCMA AWARD



READ THIS FIRST



WHAT IS THE PURPOSE OF THIS FORM?

This form requests the Director or delegated commissioner of the CCMA to certify that an award is an award issued by a CCMA Commissioner.

If the party against whom an award was made does not comply with an award that has been certified, the award may be enforced. This is done by-

- obtaining a copy of the arbitration award;
- obtaining proof of service of the award on the other party from the CCMA office;
- attaching a copy of the arbitration award and proof of service to this form;
- the applicant or a duly authorised representative completing part 1 of this form;
- making an oath before a Commissioner of Oaths
- submitting the form to the Registrar of the Regional Office of the CCMA for certification by the Director.

WHO FILLS IN PART 1 OF THIS FORM?

A party applying to have an arbitration award certified must complete Part 1. The applicant must state whether it is the referring party or the other party in the matter. If the applicant is a legal person, trade union, employer's organisation or company, the form must be completed by a duly authorised representative.

IN THE CCMA FOR THE REGION OF:.....

In the matter between:

..... REFERRING PARTY

and

.....OTHER PARTY

PART 1: APPLICATION IN TERMS OF SECTION 143 OF THE ACT

I, the undersigned:

.....

(name)

do hereby make oath and say:

1. I am/representthe referring / other party (delete whichever is not applicable) in the matter referred to above (referred to in this document as 'the applicant').

2. On (date)
Commissioner
made an arbitration award (referred to in this document as 'the award') in favour of the applicant. A copy of the award is attached to this form.

3. The award was served on the party against whom the award was made (referred to in this document as 'the other party') on (date).....

A copy of the proof of service is attached to this form.

Case Number.....

Please turn over..... →

“Deponent” refers to the applicant. The completed affidavit should only be signed by the applicant in the presence of the Commissioner of Oaths.

A Commissioner of Oaths must complete this section in the presence of the Deponent.

THE FOLLOWING DOCUMENTS MUST BE ATTACHED TO THIS FORM

- A copy of the Commissioner’s award.
- Proof that the award was served on the other party.

4. To date the other party has not complied with the award.
5. Application is hereby made for the Award to be certified by the Director in terms of section 143(3) of the Act.

.....
DEPONENT

I HEREBY CERTIFY that the deponent has acknowledge that he/she knows and understands the contents of the affidavit which was signed and sworn to before me at.....
on (date),
the regulations contained in Government Notices R1258 and R1648 having been complied with.

.....
COMMISSIONER OF OATHS

Please turn over..... →

**THE STATUS OF A CERTIFIED
AWARD**

In terms of sections 143(1) and (3) of the Act, an arbitration award that has been certified by the Director may be enforced.

A certified award may be enforced against a party that does not comply with the award by -

- in the case of an award ordering the payment of money, execution against the property of that party by the Sheriff of the Court;
- in the case of any other award, contempt of court proceedings in the Labour Court.

A party who wishes to have the Sheriff execute against the other party's property, must deliver the original of this document and the certified award to the Deputy Sheriff in the Magisterial District where the other party resides.

CHECK!

Have you attached a copy of the arbitration award and proof that the award was served on the other party?

PART 2

CERTIFICATE IN TERMS OF SECTION 143(3) OF THE ACT

In terms of Section 143(3) of the Labour Relations Act, 1995, I hereby certify that the above arbitration award is a final and binding award issued by a Commissioner as contemplated in Section 143(1).

.....
DIRECTOR – CCMA

.....
DATE