

# Review Application

## Overview

This is a Review Under Rule 32 of the Industrial Court Rules to the Industrial court against the decision of the Mediators/Arbitrators in terms of section 21 (1) of the Trade Disputes Act of 2016.

## Who is eligible?

Any aggrieved party in terms of section cited above who wishes to have the decision set aside and the matter to be referred back to Commissioner of Labour for the matter to be allocated to another mediator/Arbitrator for arbitration/mediation to be done all over again.

## How do I get this service?

In order to file a Review, follow the steps below:

- Get a referral certificate from District Labour office and bring it to the Industrial Court Registry.
- Complete form 3 - Notice of Motion as near as can be in terms the schedule.
- 1. Affidavit (stating the grounds on which the applicant seeks to have the decisions of the arbitrator set aside)
- Record of the proceedings from District Labour Office.
- File and serve the application on the Respondent(s).
- File proof of service and wait for any response from the Respondent(s).
- Application is enrolled for a hearing on a date to be decided upon by the court.

The court will then hear the appeal on the date set and make its determination.

## What supporting documents are required?

- **Form 3 – Notice of Motion**
- Certificate of referral in terms of section 7 "I" of the Trade Disputes Act 2016
- Record of proceedings from District Labour Office encompassing the decision at mediation/arbitration level

## How long will this service take?

Once the appeal has been delivered to the Judge for enrolment, the appeal process is expected to be completed within approximately three (3) months.

## How much does it cost?

This service is for free.

## Where can I get more information on this Service

For more information, please refer to the Trade Disputes Act; the Industrial Court Rules or contact the office listed below.

The Registrar

Industrial Court of Botswana

Private Bag BR 267

Gaborone, Botswana

Phone: (+267) 3900565

Fax: (+267) 3900567

Facebook: Industrial Court of Botswana

Opening hours: 07:30 to 12:45 and 13:45 to 16:30 Monday to Friday, except public holidays.

Additional information can also be obtained from the Rules of Court