

SOUTH AFRICA / JUDGMENT

Registrar of Labour Relations v Sino N.O (J2896/2018) [2024] ZALCJHB 405 (16 October 2024) [2024] ZALCJHB 405

COURT

Labour Court Johannesburg

BEFORE

Connie Prinsloo

CASE / FILE NUMBER

J2896/2018

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THE LABOUR COURT OF SOUTH AFRICA, JOHANNESBURG

Not Reportable

Case number J 2896/18

In the matter between:

THE REGISTRAR OF LABOUR RELATIONS. Applicant and SIPHO ERIC SONO N.O (Administrator of the Chemical, Energy, Paper, Printing, Wood and Allied Workers' Union) First Respondent
CHEMICAL, ENERGY, PAPER, PRINTING, WOOD AND ALLIED WORKERS' UNION (Under administration) Second Respondent ALFRED TSEKI Third Respondent

Decided: In Chambers

Judgment: 16 October 2024

This judgment was handed down electronically by consent of the parties by circulation to them via email. The date for hand-down is deemed to be on 4 October 2024.

JUDGMENT:

APPLICATION FOR LEAVE TO APPEAL

PRINSLOO J.

- [1] The Applicant filed an application for leave to appeal against the judgment and orders of this Court handed down on 14 August 2024. The First and Second Respondents opposed the application.

- [2] I have considered the grounds for appeal raised by the Applicant as well as the submissions made in support and in opposition thereof and I do not intend to repeat those herein.
- [3] It is trite that to be entitled to leave to appeal, an applicant in the application for leave to appeal must satisfy this Court that it has reasonable prospects of success on appeal and that based on the facts and the law another court would arrive at a conclusion different than the one reached by the Court a quo. Appeals should be limited to matters where there is a reasonable prospect that the factual matrix could receive a different treatment of where there is some legitimate dispute on the law.
- [4] Section 17(1)(a)(ii) of the Superior Courts Act[1] provides that leave to appeal may also be granted if there is a compelling reason why the appeal should be heard. In casu important questions relating to the powers of the Applicant and an administrator of a trade union are raised which require the appeal to be heard.
- [5] In my view this is a case where the appeal should be heard.

Order

[6] I therefore make the following order:

1. Leave to appeal is granted.
2. There is no order as to costs.

Connie Prinsloo

Judge of the Labour Court of South Africa

[1] Act 10 of 2013.

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Prepared on 14 October 2026 · Esheria