

Statutory Instrument No. 115 of 1969

By virtue of the powers vested in him by sub-section (4) of Section 10 of The Trade Unions Act, 1969, the Chief Justice has made the appended Rules governing appeals to the High Court.

F.X. ROONEY,
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RULES OF THE HIGH COURT OF BOTSWANA

ORDER 60

THE TRADE UNIONS ACT RULES, 1969

1. These rules, which shall come into operation on publication in the Gazette, may be cited as The Trade Unions Act Rules, 1969.
2. All appeals to the High Court made under Section 10 (4) of The Trade Unions Act, 1969, shall be brought by notice of motion within 60 days (or within such further time as the Court may think fit to allow) of the decision of the Registrar of Trade Unions under Sections 8 or 9 of the Act.
3. The notice of motion shall be in the form numbered 31 annexed hereto.
4. A fee of R10.00 shall be taken in the High Court in the form of stamps affixed to the copy of the notice of motion filed with the Registrar of the High Court.
5. The notice of motion shall be headed with a reference to The Trade Unions Act, 1969, and also with a reference to the decision of the Registrar against which the appeal is brought and shall contain, or have scheduled or annexed thereto, a concise statement of the grounds of the appeal, and no grounds other than those comprised in such statement shall (except with the leave of the Court and on such terms, if any, as the Court shall think just) be allowed to be taken by the appellant at the hearing of the motion.
6. Except where the trade union, or alleged trade union, in question are themselves the appellants, such trade union, or alleged trade union, or any person who appeared before the Registrar and in whose favour he decided, shall (unless the Court shall otherwise order) be the respondent or one of the respondents to the motion.
7. A copy of the notice of motion shall be served on the respondents in manner provided in the Rules of the High Court for the time being in force in relation to service of documents, by any responsible person in the employ of the appellant. The Court may at any stage of the motion direct that the same be served on any persons whom the Court may think proper.
8. At any stage of the motion the Court may, if it shall appear expedient so to do, cause notice to be given by advertisement or otherwise of the time when the motion will be, or is likely to be, heard and disposed of, or otherwise make provision for enabling any persons interested in the trade union, or alleged trade union, in question, or in the subject matter of the appeal, to appear and be heard on the motion.
9. At any stage of the motion, the Court may, if thought fit, give any such special directions for the hearing and disposal of the motion either on affidavit evidence or with witnesses or otherwise, and generally at such time and in such manner as may be just and convenient.

