

FORM 12

**IN THE INDUSTRIAL COURT OF THE REPUBLIC OF BOTSWANA
HELD AT GABORONE**

Case No. _____

IN THE DISPUTE BETWEEN

APPELLANT: _____

And

RESPONDENT: _____

NOTICE OF APPEAL

(in terms of Rule 31(1))

TO: **The Registrar
Industrial Court
Private Bag BR 267
Gaborone**

AND TO: (Insert the full names and address of the respondent)

KINDLY TAKE NOTICE that the appellant herein, being dissatisfied with the award made at arbitration by Arbitrator _____ on the *(insert the date of the award)* _____ hereby notes an appeal against that award.

TAKE NOTICE FURTHER THAT the appellant's address of service for purposes of this appeal is:

(Insert the address of the appellant)

The grounds of appeal are that:

- (a) The Arbitrator declined to join a party to the arbitration proceedings, as contemplated under section 9(14)(a) of the Trade Disputes Act; OR
- (b) The Arbitrator exceeded his/her jurisdiction, as contemplated under section 9(14)(b) of the Trade Disputes Act; OR

The facts which support the grounds of appeal are that:

(a) _____

(Here state the concise facts which support the selected ground of appeal, i.e. indicate briefly how the Arbitrator either failed to join a relevant party to the arbitration proceedings or acted beyond his/her lawful power when he/she made the award that you appeal against.)

The relief that the appellant seeks from the Industrial Court is an order that:

(a) _____

(Here state the concise facts which support the selected ground of appeal, i.e. indicate briefly how the Arbitrator either failed to join a relevant party to the arbitration proceedings or acted beyond his/her lawful power when he/she made the award that you appeal against.)

Within 7 days of receiving the notice of appeal, the respondent may deliver a notice of opposition to the appeal. The notice of opposition against the appeal shall be filed with the Commissioner and the Registrar and also served upon the appellant.

The respondent may within 7 days of receiving the record of appeal from the Commissioner, file after a concise written representations in respect of the appeal.

DATED AT (place) _____ **ON THIS** (insert full date) _____

The Appellant/Appellant's representative
And their full address