

CASE NO: \_\_\_\_\_

**IN THE MATTER BETWEEN**

\_\_\_\_\_ Applicant

And

\_\_\_\_\_ Respondent

**AFFIDAVIT IN SUPPORT OF APPLICATION FOR  
RECISSION OF AWARD / RULING**

I, the undersigned \_\_\_\_\_  
*(Name in full of person making the affidavit)*

Do hereby make oath and say:

**Parties:**

1. I am the applicant in this matter / I am duly authorized to make this affidavit because:

\_\_\_\_\_

*(Explain your relationship to the case ie., Dismissed employee, trade union official, manager at the employer, human Resource Officer, etc.)*

2. I will accept service of any documents in relation to this matter at the following address or fax number *(delete which is not applicable)*

\_\_\_\_\_

\_\_\_\_\_

3. The respondent is \_\_\_\_\_  
(Explain who the other party is in relation to the case ie., former employer (describe also type of employer, ie., Company, Close Corporation, Partnership or individual etc, former employee)

4. The respondent's address is: \_\_\_\_\_

\_\_\_\_\_

**Background and facts on which the applicant relies**

5. *(This section should state the material facts on which the application is based in chronological order, and in sufficient detail to enable the other party to reply to the affidavit)*

a. The ruling/arbitration award came to my attention on \_\_\_\_\_

200 \_\_\_\_ I immediately did the following:

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b. I submit that I did not deliberately / intentionally fail to attend or be represented at the conciliation / arbitration, because:

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c. I believe that the Commissioner should rescind the ruling / award because I have a good prospect of succeeding in my claim against the respondent because *(must set out in as much detail as possible why your case will succeed. It is insufficient to just say because I was unfairly dismissed. You must indicate why? Was it procedurally or substantially unfair and what part of it was unfair?)*

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d. As a result of the above, I respectfully submit that the Commissioner issued the ruling / award erroneously in my absence, and I am therefore entitled to rescission of that ruling / award *(See Section 144 for other grounds for rescission, if necessary) as I have shown good cause for this in this application).*

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- e. *(The issue raised here are not meant to be exhaustive. Please add any information that you think the Commissioner may wish to consider in granting the application).*

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6. I am making this affidavit in support of my application for variation / rescission.

**I HEREBY CERTIFY** that the deponent has acknowledged 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 Gazette Notices R 1258 and R 1658 having been complied with.

\_\_\_\_\_  
**DEPONENT**

\_\_\_\_\_  
**COMMISSIONER OF OATHS**

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