

# LABOUR RELATIONS ACT 66 OF 1995

[ASSENTED TO 29 NOVEMBER 1995]

[DATE OF COMMENCEMENT: 11 NOVEMBER 1996]  
(Unless otherwise indicated)

*(English text signed by the President)*

## **as amended by**

Labour Relations Amendment Act 42 of 1996  
Basic Conditions of Employment Act 75 of 1997  
Labour Relations Amendment Act 127 of 1998  
Labour Relations Amendment Act 12 of 2002  
Intelligence Services Act 65 of 2002  
Electronic Communications Security (Pty) Ltd Act 68 of 2002  
General Intelligence Laws Amendment Act 52 of 2003  
Prevention and Combating of Corrupt Activities Act 12 of 2004  
Public Service Amendment Act 30 of 2007

## **Regulations under this Act**

CODE OF GOOD PRACTICE ON DISMISSAL BASED ON OPERATIONAL REQUIREMENTS <sup>i\*</sup> (GenN 1517 in GG 20254 of 16 July 1999)

CODE OF GOOD PRACTICE ON PICKETING (GenN 765 in GG 18887 of 15 May 1998)

CODE OF GOOD PRACTICE ON KEY ASPECTS OF HIV/AIDS AND EMPLOYMENT (GN R1298 in GG 21815 of 1 December 2000)

CODE OF GOOD PRACTICE ON THE HANDLING OF SEXUAL HARASSMENT CASES (GenN 1367 in GG 19049 of 17 July 1998)

CODE OF GOOD PRACTICE: WHO IS AN EMPLOYEE (GenN 1774 in GG 29445 of 1 December 2006)

ESSENTIAL SERVICES COMMITTEE REGULATIONS (GN R1865 in GG 17576 of 15 November 1996)

FACILITATION REGULATIONS (GN R1445 in GG 25515 of 10 October 2003)

GUIDELINES ISSUED IN TERMS OF SECTION 95(8) (GN R1446 in GG 25515 of 10 October 2003)

LABOUR RELATIONS REGULATIONS (GN R1442 in GG 25515 of 10 October 2003)

RULES FOR THE CONDUCT OF PROCEEDINGS BEFORE THE CCMA (GN R1448 in GG 25515 of 10 October 2003)

RULES FOR THE CONDUCT OF PROCEEDINGS IN THE INDUSTRIAL COURT (GN R771 in GG 12408 of 5 April 1990)

RULES FOR THE CONDUCT OF PROCEEDINGS IN THE LABOUR COURT (GN 1665 in GG 17495 of 14 October 1996)

RULES REGULATING THE CONDUCT OF THE PROCEEDINGS OF THE LABOUR APPEAL COURT (GN 1666 of 14 October 1996)

TARIFF OF FEES (GN R1444 in GG 25515 of 10 October 2003)

## **ACT**

**To change the law governing labour relations and, for that purpose-  
to give effect to section 27 of the Constitution<sup>ii\*</sup>;  
to regulate the organisational rights of trade unions;  
to promote and facilitate collective bargaining at the workplace and at sectoral level;  
to regulate the right to strike and the recourse to lock-out in conformity with the  
Constitution<sup>iii\*</sup>;**

**to promote employee participation in decision-making through the establishment of workplace forums;**  
**to provide simple procedures for the resolution of labour disputes through statutory conciliation, mediation and arbitration (for which purpose the Commission for Conciliation, Mediation and Arbitration is established), and through independent alternative dispute resolution services [sic] accredited for that purpose;**  
**to establish the Labour Court and Labour Appeal Court as superior courts, with exclusive jurisdiction to decide matters arising from the Act;**  
**to provide for a simplified procedure for the registration of trade unions and employers' organisations, and to provide for their regulation to ensure democratic practices and proper financial control;**  
**to give effect to the public international law obligations of the Republic relating to labour relations;**  
**to amend and repeal certain laws relating to labour relations; and**  
**to provide for incidental matters.**

#### ARRANGEMENT OF SECTIONS

[Arrangement of sections amended by s. 29 of Act 127 of 1998.]

*Section*

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[S. 33A inserted by s. 7 of Act 12 of 2002.]

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<sup>i</sup>Italicised words and phrases bear the same meaning as accorded to them by section 213 of the Labour Relations Act, 1995

<sup>ii</sup>The Constitution referred to is the Constitution of the Republic of South Africa, 1993, which was repealed by the Constitution of the Republic of South Africa, 1996. The reference in this Act will remain until such time as the legislature shall amend it. The Constitution of the Republic of South Africa, 1996 deals with labour relations in section 23.

<sup>iii</sup>The Constitution referred to is the Constitution of the Republic of South Africa, 1993,

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which was repealed by the Constitution of the Republic of South Africa, 1996. The reference in this Act will remain until such time as the legislature shall amend it.