

## **CAPES NEWS FLASH**

### **ASSIGN LABOUR APPEAL COURT JUDGMENT**

**31 JULY 2017**

1. We are pleased to advise that the attached application for leave to appeal was filed with the Constitutional Court earlier today.
2. Given that the application has being filed within the fifteen (15) day time limit, the effect of the filing is to suspend the Labour Appeal Court Judgment until finalisation of the appeal process.
3. The attached application is the product of work undertaken by our four-man legal team. We are of the view that the application makes out a compelling case.
4. It stands to be emphasised that the attached application does not include all argument that will be submitted to the Constitutional Court. The attached application is aimed at securing leave to appeal not arguing the appeal itself.
5. The respondents have ten (10) court days (two weeks) in which to file opposing submissions.
6. While we have little doubt that there will be opposition to the main case, we do not know whether the respondents will oppose the application for leave to appeal to the Constitutional Court. It is possible that this application may not be opposed given the fact that all

appreciate the importance of the subject matter of the appeal being considered and adjudicated upon by the Constitutional Court.

7. Our further news flash will follow once we have established whether or not any one or more of the respondents will be opposing the application.
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