



**IN THE LABOUR COURT OF SOUTH AFRICA JOHANNESBURG**

Case No: J 99/14

Honourable Justice Cele **ORDERED** on 30 January 2014.

In the matter between:

**CHAMBER OF MINES OF SOUTH AFRICA** Applicant  
**ACTING IN ITS OWN NAME & OBO**  
**HARMONY GOLD MINING COMPANY LTD**  
**ANGLOGOLD ASHANTI LTD SIBANYE GOLD LTD**

and

**AMCU** First Respondent

**NUM** Second Respondent

**SOLIDARITY** Third Respondent

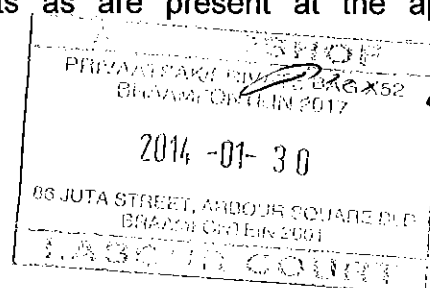
**UASA – THE UNION** Fourth Respondent

**EMPLOYEES LISTED IN ANNEXURE 'A'**  
**TO NOTICE OF MOTION** Fifth and Further Respondents

<b>ORDER</b>	RECEIVED PRIVATE BAG PRIVATE BAG X52 JOHANNESBURG 2014
Having read the documents filed and having considered the matter	2014 -01- 30 JUSTICE CELE CHAMBER OF MINES OF SOUTH AFRICA

IT IS ORDERED THAT:-

1. A *Rule Nisi* is issued calling upon the First Respondent and fifth to Further Respondents herein to appear and show cause on **14 March 2014 at 10:00am** or soon thereafter, why a final order should not be granted in the following terms:
  - 1.1 Declaring the strike action called by the first Respondent on the 20 January 2014, set to commence at the mines of the members of the Applicant from 23 January 2014, is unprotected;
  - 1.2 Interdicting the first respondent from inciting or otherwise encouraging its members and or any other employees from embarking on the unprotected strike;
  - 1.3 Interdicting the fifth to further respondents from embarking on the unprotected strike;
  - 1.4 Ordering the first respondent to communicate the terms of the court order to its members on an urgent basis; and
  - 1.5 Ordering the first respondent to pay the costs of this application.
2. Prayers 1.1 to 1.5 above shall operate as an interim interdict with immediate effect and shall remain in force until such time as it is confirmed, varied, extended or discharged by this court..
3. The order shall be served on the first and fifth to further respondents in the following manner:
  - 3.1. By service on the first respondent's Attorneys and head office
  - 3.2. By service on one of the first respondent's branches representatives at each mine where the strike has been called;
  - 3.3. By attaching copies of the order, together with a letter explaining the effect of the order to notice boards in hostels and gathering areas
  - 3.4. By reading aloud by a person/s nominated by the applicant to so many of the fifth and further respondents as are present at the applicant's premises at the time



- 3.5. By distributing copies of the order to as many of the fifth and further respondents as may request same; and
- 3.6. By SMS to known cellular phone numbers of the fifth and further respondents with the wording: *"the Labour Court has interdicted the strike that was planned to commence on 23 January 2014. The planned strike is interdicted as of 30 January 2014 and you must continue to report for work."*

BY THE COURT

ARBEIDSTOF
PRIVAATSEKTORE/PRIVATE LAB X52
BRAMFONTEIN 2017
2014 01-30
88 JUTA STREET, ARBOUR SQUARE BLD
BRAMFONTEIN 2001
LABOUR COURT

REGISTRAR

LABOUR COURT