

FORM 4

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

Case No. _____

IN THE DISPUTE BETWEEN

APPLICANT: _____

And

RESPONDENT: _____

RESPONDENT'S COUNTER-CLAIM
(in terms of Rule 28(2))

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

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

1. **PARTICULARS OF THE RESPONDENT:**

 (a) Name:

(b) Description: (e.g. individual/s, firm, company, partnership, organization, trade union, etc.)

(c) Trade name (if any): _____

(d) Nature of Business: _____

(e) Physical Address: _____

(d) Postal Address: _____

(f) Telephone No.: _____

(g) Telefax No.: _____

(h) Address where the respondent will receive service of documents in these proceedings:

2. BASIS FOR THE COUNTER-CLAIM (set out clear and concise grounds of opposition with a specific admission or denial of the allegations in each paragraph and sub-paragraph on a separate sheet of paper)

3. BRIEF DESCRIPTION OF ALLEGED TRADE DISPUTE FORMING THE BASIS OF THE COUNTER-CLAIM: (E.G. RESIGNATION WITHOUT NOTICE, OVERPAYMENT OF WAGES ETC.)

4. PARTICULARS OF ALLEGED TRADE DISPUTE: (SET OUT CLEAR AND CONCISE PARTICULARS IN PARAGRAPHS, INCLUDING SUBPARAGRAPHS, CONSECUTIVELY NUMBERED ON A SEPARATE SHEET OF PAPER.)

5. PARTICULARS OF RELIEF SOUGHT:

6. DATES AND VENUES OF ALL ATTEMPTS TO SETTLE THE ALLEGED TRADE DISPUTE:

(a) Before the District Labour Officer:

(b) Before the Commissioner of Labour:

(c) Privately between the parties:

7. LIST OF BOOKS OR DOCUMENTS RELEVANT TO THIS MATTER, WHICH ARE IN THE APPLICANT'S POSSESSION OR UNDER HIS CONTROL (USE A SEPARATE SHEET OF PAPER)

8. NOTICE TO THE RESPONDENT:

(a) If the Respondent intends opposing this application, he is required within 14 days after service on him of the Applicant's statement of case to deliver, in terms of Rule (26(2)(a), a statement of defence, as near as may be in accordance with Form 2 set out under the Second Schedule to the Rules of the Industrial Court.

(b) If the Respondent fails to deliver such statement of defence, a determination, including an order as to costs, may be made in his absence.

SIGNED AT (PLACE) _____ **ON THIS (FULL DATE)** _____

RESPONDENT OR RESPONDENT'S REPRESENTATIVE

9. APPLICANT'S ACKNOWLEDGEMENT OF RECEIPT

Received by me (state full names) _____
for and on behalf of the applicant, on this day (insert full date)

APPLICANT OR APPLICANT'S REPRESENTATIVE