

PSA calls for labour registrar's removal after court ruling

Union wants minister to act against registrar after court halts bid to deregister union

August 26, 20264 min read



PSA general manager Reuben Maleka says the registrar is overstepping his bounds. Picture: (PSA)

The [Public Servants Association \(PSA\)](#) has asked employment and labour minister Nomakhosazana Meth to fire labour registrar Lehlohonolo Molefe after a damning court ruling over the registration of the PSA.

The PSA, an affiliate of the Federation of Unions in SA (Fedusa), is the country's third-largest public service union with close to 250,000 members.

The labour court this week granted the PSA an interim interdict against Molefe, suspending his notice of intention to cancel the union's registration pending the outcome of the PSA's appeal against his decision.

[Business Day](#) reported in July that Molefe had gazetted his intention to cancel the PSA's registration for allegedly failing to submit audited financial statements and membership records.

He said the PSA, the largest affiliate of Fedusa and one of the largest unions within the public service co-ordinating bargaining council, "is not a genuine trade union" as envisaged in the Labour Relations Act (LRA).

"The organisation cannot function in terms of a constitution as per the LRA. The organisation failed to comply with the provisions of sections 98, 99 and 100 of the act," Molefe stated in the Government Gazette.

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— Reuben Maleka, PSA general manager

"The sections pertain to accounting records and audits (section 98), duty to keep records of membership, meetings and ballots (section 99), and duty to provide information to the labour registrar regarding annual membership and financial reports (section 100)."

Molefe called on the [PSA](#) and interested parties to make representations within 60 days as to why the union's registration should not be cancelled. This prompted the PSA to approach the courts for relief.

"The court accepted evidence that the PSA's leadership is democratically elected through the union's branches and congress, with the voting process overseen by an independent service provider," PSA general manager Reuben Maleka said.

"The court found this process accords with the democratic process contemplated by the LRA and that the registrar's primary assumption regarding the PSA's governance was false.

"The judgment also confirms the PSA's finances are subjected to rigorous scrutiny. The PSA's books are audited annually in accordance with international financial reporting standards, a higher standard than that required under the LRA.

"The court recorded that the registrar has never demonstrated that the PSA's financial records fail to meet generally accepted accounting standards."

The court noted the proposed deregistration was not based on any need to protect PSA members from financial maladministration or improper use of union resources.

Section 95 of the LRA requires any trade union that wishes to be formally registered to adopt and submit a written constitution, which should state, among other things, that it is an association not for profit

Maleka said there was a labour appeal court judgment in 2026 that directed “we comply with section 95 of the LRA. We did and submitted our amended constitution, but it was rejected without any reasons [being given]”.

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Maleka said the court ruling goes to the “heart of concerns the PSA has consistently raised, in that the registrar had adopted a predetermined position and that the PSA was not being afforded a genuinely fair opportunity to engage.

“The court found that no proper analysis had been conducted, described the registrar’s treatment of the PSA as ‘high-handed’, and found the registrar had demonstrated a ‘mulish determination’ that the PSA was not a genuine trade union. Most seriously, the court stated the registrar’s approach ‘bordered on malice’ and was telling that the PSA would not receive a fair hearing.”

He said these finding should result in Meth removing Molefe “with immediate effect. Section 108 of the LRA empowers the minister to designate any official of the department of employment and labour as registrar of labour relations. This administrative decision thus rests with the minister to ensure the integrity of the function.”

Molefe has been approached for comment, which will be added once received.

Business Day
