

MEDIA RELEASE	PSA vindicated by the Labour Court judgement granting interim interdict against Registrar of Labour Relations
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The Public Servants Association (PSA) is vindicated by the judgement delivered by the Labour Court on 24 August 2026, granting an interim interdict against the Registrar of Labour Relations.

The Court suspended the Registrar's Notice of Intention to Cancel the Registration of the PSA and interdicted the Registrar from acting on or enforcing that Notice pending the final determination of the PSA's appeal. The judgement is important as it protects the PSA and the Union's more than 250 000 members and made serious findings concerning the Registrar's conduct.

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. The Court found that this process accords with the democratic process contemplated by the *Labour Relations Act (LRA)* and that the Registrar's primary assumption regarding PSA's governance was false.

The judgement also confirms that 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. Importantly, the Court noted that the proposed deregistration is not based on any need to protect PSA members from financial maladministration or improper use of union resources.

Of particular importance is paragraph 69 of the judgement, where the Court stated: *"I am also convinced that the deregistration of the PSA is inevitable, any written representations notwithstanding."* This finding 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 further found that no proper analysis had been conducted, described the Registrar's treatment of the PSA as "high-handed", and found that the Registrar had demonstrated a "mulish determination" that the PSA was not a genuine trade union. Most seriously, the Court stated that the Registrar's approach "bordered on malice" and was telling that the PSA would not receive a fair hearing.



These are serious judicial findings concerning the exercise of public power and vindicate the PSA's longstanding concerns that the Union has not been treated fairly and objectively by the Registrar. The PSA has never sought preferential treatment and seeks only lawful, rational and fair administration, proper consultation, and an open-minded consideration of the Union's representations.

These findings should result in action by the Minister of Employment and Labour to remove the Registrar with immediate effect. The PSA is strongly of the view that the Minister and government cannot afford the embarrassing conduct of the Registrar towards the PSA and the Union's more than 250 000 members in view of the dawn of democracy in 1994 and the enactment of the *LRA* in 1996.

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 in order to ensure the integrity of the function.

END

