

## **Kurtz v Nampost**

**Labour Law - Charge of misconduct by first respondent (employer) against applicant (employee) – Disciplinary hearing – Right to legal representation – Right to legal representative of choice in tribunals other than courts of law not absolute – First respondent's disciplinary procedures precluding external representation – Legal representation not totally excluded – Disciplinary inquiry's discretion to allow external representation, including legal representation, where exceptional circumstances exist – What constitutes exceptional circumstances – Factors to be taken into account in exercise of inquiry's discretion as to whether or not to allow external legal representation – Labour Court's power to grant a declaratory order under the Labour Act 1992 – Availability of another remedy does not render the grant of a declaratory order incompetent.**

