



## OFFICE OF THE JUDGE PRESIDENT

### **GAUTENG DIVISION OF THE HIGH COURT OF SOUTH AFRICA**

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02 April 2020

#### **To:**

- 1. All Judges of the Gauteng Division of the High Court, Pretoria and Johannesburg**
- 2. All Judiciary Heads of the Regional and District Courts, Gauteng Division**
- 3. Court staff, Professional Bodies, Practitioners and members of the public**

### **JUDGE PRESIDENT'S DIRECTIVE**

**RE: SUPPLEMENTARY DIRECTIVE (*dies non*) in re SPECIAL ARRANGEMENTS TO ADDRESS COVID-19 IMPLICATIONS FOR ALL LITIGATION IN THE PRETORIA AND JOHANNESBURG HIGH COURTS**

This Directive is issued in terms of section 8.4(b) of the Superior Courts Act, Act no.10 of 2013, as amended, and by virtue of the authority delegated to me by the Chief Justice per letter dated 24 March 2020, and for the purposes of ensuring compliance with the national lockdown declaration under the provisions of the Disaster Management Act 57 of 2002. This Directive is issued to supplement the Directive issued under my hand on 25 March 2020 (The 25 March Directive).

1. The objective of this Directive is to address concerns from litigants and members of the profession regarding obligations they face imposed by rules of Court and/or any statute to



file Court process and/or deliver any documents within certain stipulated periods, which periods fall within the national lockdown period declared by the President. The Directives that follow will apply until further notice and are issued cognizant that the Superior Courts Act does not clothe a Head of Court in my position, with the power to declare the national lockdown period to be *dies non*.

2. Any litigant who is obligated by any provision in a statute or by a rule of Court to serve and file Court process and/or deliver any document ancillary thereto, and the date for compliance falls within the lockdown period, may comply with such obligation, as stipulated in this Directive.

3. The relevant process and/or document as the case may be:

3.1. May be uploaded on the relevant case/matter if it is registered on the CaseLines platform. Such uploading and the date thereof shall be deemed to be the effective date and service on all relevant parties as well as proper filing in terms of the rules of Court;

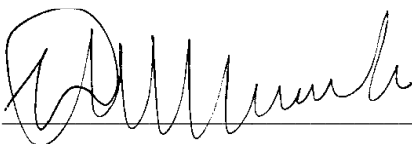
3.2. If the matter is not registered on the CaseLines platform, the process and/or document as the case may be, may be transmitted by email to the relevant parties entitled to receive such process and/or document, who may not withhold their email addresses unreasonably. Such email transmission shall be deemed to be effective service on such parties provided that proof of transmission and/or delivery must be filed. For filing purposes in terms of this paragraph, the relevant process and/or document, with the relevant proof of transmission and/or delivery, shall be transmitted to the following email address:



3.2.1 For matters in the Gauteng Division, Pretoria – [PTAfilings@judiciary.org.za](mailto:PTAfilings@judiciary.org.za)

3.2.2 For matters in the Gauteng Division, Johannesburg – [JHBfilings@judiciary.org.za](mailto:JHBfilings@judiciary.org.za)

4. No practitioner/messenger/member of the public may enter the Court building for purposes of filing any process and document envisaged in this Directive, provided that unrepresented litigants who have no email facilities, intending to file such process and/or document will be guided further at the Court entrance.
5. In the event of non-compliance or partial compliance with any provision in a statute or by a rule of Court to serve and file Court process and/or deliver any document ancillary thereto during the national lockdown, and which is attributable to the strictures imposed by the national lockdown and its implications for the litigant or the litigant's legal representatives, condonation, where required, shall be granted by a Court in respect of any shortcomings in compliance attributable to the national lockdown.
6. Further to paragraph 3.7 of the 25 March Directive, all Judgements and orders ready to be handed down during the lockdown period, will be uploaded on the relevant section of the respective matter, if it is registered on CaseLines. If the matter is not on CaseLines, the Judgement will be transmitted by email to the respective parties.



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**JUDGE PRESIDENT OF THE GAUTENG DIVISION OF THE  
HIGH COURT OF SOUTH AFRICA**

