



**OFFICE OF THE JUDGE PRESIDENT
WESTERN CAPE HIGH COURT**

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TO : ALL JUDGES
FROM : JUDGE PRESIDENT JM HLOPHE
SUBJECT : ACCESS TO COURT IN LIGHT OF COVID -19
LOCKDOWN
IMPLEMENTATION DATE : 22 JULY 2021

The following directives will apply from the implementation date above during the National State of Disaster. These Directives replace all previous COVID 19 directives in this division and should be read together with the Directives issued by the Chief Justice (on 20 March 2020 and 02 May 2020).

As a Division we are committed to deliver transparent, efficient and quality access to justice for all.

A. PURPOSE

To provide guidance in relation to how judicial, quasi-judicial and administrative functions are to be managed and performed during the remaining period of the National State of Disaster.

B. GENERAL

1. Physical access to the Court building shall only be permitted where it is necessary for the achievement of the due administration of justice subject to these directions. All communications and all filing of documents shall preferably be done electronically between parties, if practically possible. It must be noted that electronic filing of pleadings and notices with the court is no longer permissible, hard copies may be filed at the court once the levels decrease and access for filing is allowed.

During 2pm to 3pm daily the general office/ civil divisions will be functioning on a limited basis and will ONLY attend to the issuing of urgent applications, notices of intention to defend/oppose and apostilles/authentication of documents.

2. It is mandatory for any person entering the court precinct to wear a face mask, excluding a child under the age of six years, social distancing of 1,5m will be maintained at all times (while waiting outside the building or when inside the court building and courtrooms). Sanitizing liquid will be available at the entrance to the court building as well as the courtrooms and all offices. Courtrooms will be sanitized before and after a hearing is conducted. Each person entering the building will be subjected to temperature screening. A register will be kept at all entrances and at key strategic points for persons entering the building. The relevant form is to be completed **in full** and accurately to aid contact tracing. Failure to do so will result in the person being refused access to the building.
3. Counsel and attorneys shall not attend Judges' chambers for purposes of introductions or consultations unless expressly requested by the Judge President or relevant Judicial Officer (proof of such invitation must be presented to security before access will be allowed). All personal introductions are suspended.

4. Any party wishing to have a matter, which has been set down for hearing during the National State of disaster period, removed from the roll, shall provide the Office of the Registrar with a notice of removal and where the matter is opposed a notice of removal by agreement between the parties as envisaged in the Chief Justices' Directive dated 02 May 2020.
5. In matters already enrolled and/or set down before the court, where settlement has been reached between the parties, the settlement agreement and/or orders together with proof that all relevant parties' legal representatives and/or unrepresented parties are seeking leave for the order to be granted shall be forwarded to the Judge President via the fourth division clerk or relevant Judicial Officer via his/her secretary as indicated on the updated list of e-mail addresses attached hereto.

Settlements for transmission to the Judge President's office must be delivered together with the court file to the 4th division. The accompanying draft order shall include the information as indicated in the attached example/ in order to expedite the issuing of the order by the Registrar's office. Non-compliant draft orders will be returned without being processed. If compliant, the file together with the order will be processed to the Judge President's Office.

6. Where the filing of original documents is required and the filing thereof is impractical as a result of virtual hearings, the responsible legal practitioner shall electronically file an affidavit confirming possession of the original document/s as required, and file the original affidavit and document/s as soon as practicable thereafter. No order granted shall be issued by the Registrar's office prior to the filing of such original affidavit and document/s.
7. In matters already enrolled before the court, where the parties by agreement wish to postpone the matter, a draft order, the relevant 3rd or 4th division form confirming the postponement date, together with proof that all relevant parties' legal representatives and/or unrepresented parties are seeking leave that the order to be granted must be delivered to the Registrar's Office for consideration by the Judicial Officer assigned to the matter. The draft

order shall include the information as indicated in the attached example/s, in order to expedite the issuing of the order by the Registrar's office. Non-compliant draft orders will be returned without being processed.

8. The Judicial Officer shall consider options to proceed with cases with minimal contact between themselves, court personnel, legal practitioners and the litigants. Where it becomes necessary to have an open court session compliance with the provisions of paragraph 2 above must be adhered to.

Virtual hearing options such as Microsoft Teams, Zoom, Webex and the like shall be considered where additional evidence and/or further argument/submissions other than what has been filed on record is required to reach a decision. The request for a virtual hearing must be made by e-mail, if not possible, by hand delivered letter to the relevant Judicial Officer's secretary on the day of allocation of the file and be incorporated in an electronically submitted Practice Note. The parties should also indicate in the Practice note whether counsel and all other interested parties (i.e. the instructing legal practitioner/s and client/s) have access to a device and reliable internet for purposes of the remote hearing, and provide the email addresses of all the participants to be invited to the virtual hearing. The link to the virtual hearing will be set up by the relevant Judicial Officer or the Judicial Officer's secretary and disseminated to all the parties. The control room is to be included on all virtual hearings (JDonaldson@judiciary.org.za), so that matters may where possible be recorded directly on the CRT machines.

The recordings of all virtual hearings are to be saved in MP3/ MP4 format and must be forwarded to the CRT Control room (Room 20) on the ground floor for purposes of storage and/ or transcription immediately after the hearing. The recording done by the court will be considered as the official court record in the event of any dispute.

9. The exchange of hard copies shall be minimized where possible and all documents and pleadings may be sent electronically between parties, where practically possible. Original documents and pleadings together with proof of service must be delivered to the court for filing once the levels reduce and access is allowed in terms of the directives. Proof of electronic delivery is to be included with the document when the original is filed. The integrity and quality of the scanned images should be of high quality.
10. Signed and dated judgments and issued orders may be delivered electronically. The date indicated on the judgment must reflect the date of electronic delivery. Proof of electronic service and acknowledgment of receipt are to be filed with the original judgment in the court file. It is incumbent on the Plaintiff/Applicant to ensure that the Defendant/Respondent does have knowledge of the judgment/ order.
11. Practitioners are reminded that when draft orders are presented to a Judicial Officer that the draft order complies with the requirements mentioned in this directive and as per the attached examples.
12. Subject to these directives, the Chief Registrar and Court Manager will determine requirements and conditions for:

a. open court hearings,

The Judicial Officers secretary will, after authorization from and determination by the Judicial Officer and after consultation with the parties, retain the following information in the court file:

- i. Case No; type of case (civil or criminal);
- ii. Names of the parties and their legal representatives;
- iii. Full contact details including mobile numbers and e-mail addresses on which the parties or their legal representative may be contacted at any time pending, during and after the hearing of the matter;
- iv. Number of persons who will be allowed in the courtroom including

the Judicial Officer and court staff. Cognizance should be taken of the floor size of the court room and the allowable limitations in respect thereof.

- v. Should members of the media be allowed, Judicial Officers are to ensure compliance with PN53 of the WC Consolidated Practice Directives;

b. physical filing of documents

- i) All documents including summonses, notices of motion, pleadings, affidavits, other documents to be filed of record and documents for taxations may be filed at the general office or relevant section.

All issued documents and taxation documents which cannot be issued on the same day will be available for collection from the designated attorneys pigeon holes or the relevant section at the Court building (Summons, Apostilles, Taxations), on the following day where possible.

- ii) Heads of argument in matters that have been set down may be delivered to the relevant clerk. If the matter has already been allocated to a Judicial Officer then the heads of argument should be delivered to the relevant Judicial Officers secretary either in the pigeon holes provided on the ground floor or via e-mail as per the e-mail addresses on the list attached to these directives.

Where heads of argument have been filed electronically and acknowledgement of receipt via e-mail is not received within two (2) days, the duty remains on the person filing the heads of argument to ensure that such documents were in fact received.

c. Upliftment of and access to files

- i. The upliftment of files from the general office will be suspended other than for urgent applications (incl Rule 43), chamber book applications, enrolled matters (in respect of settlements), setdown matters, pre-trials, warrants of execution and leave to appeal, subject to further directions herein mentioned.
- ii. Access to any other file will be subject to approval by the Civil Registrars (Ms Esterhuizen / Mr Mabindi) or the Chief Registrar (Mrs David) based on the motivation provided.

Indexing and pagination of documents will **ONLY** be allowed at the court in designated areas, i.e. no documents can be uplifted and taken outside the court building.

4th division files together with the relevant draft order or letter to the Judge President for early allocation, settlements, postponements, exceptions, opposed motion set downs and expedited pre-trials may be delivered to the 4th Division Clerk/ Registrar.

The 4th Division Clerk will deliver the files to the Judge President's secretary.

Arrangements for indexing and pagination should be made with the 4th Division Clerk.

- d. Entry into the court building** by practitioners, the public (including the media) is to be strictly controlled:

- i. Access to the building is subject to a member of the public or legal practitioners and/or their assistants having a matter on the roll and/or having received permission to attend the hearing of a

matter from the Judicial Officer seized with the matter and/or for issuing, collection and indexing of documents.

- ii. Access by the media to attend the hearing of a matter must be approved by the relevant Judicial Officer seized with the matter.
- iii. In all other cases access will be denied unless it is permitted on good cause shown to Registrar's Office or a Judicial Officer.
- iv. Access is further restricted in terms of the allowable number of people within a specified area/ space or office in terms of the applicable regulations.

13. Documents / Pleadings/ Bills of Cost (Taxation)

In order to aid communication between the court, legal practitioners and litigants, all documents filed whether electronic or hard copy must contain the following information:

- i. Full names of the parties and their legal representatives;
- ii. Full contact details (Name of attorney firm, the firms contact telephone number including mobile numbers, full address and high court box number where applicable) and e-mail addresses on which the parties or their legal representative may be contactable at any time pending, during and after the hearing of the matter or for any virtual hearing process.

14. Communication regarding the allocation of cases to Judicial Officers

Once a matter has been allocated to a Judicial Officer, the Judge Presidents' office will electronically inform the Judicial Officer and his/her secretary as well as the parties to the matter thereof.

A copy of the electronic Practice Note filed by one of the parties, will be provided at the same time, to allow the Judicial Officer to determine if the original file or an electronic version will be required from the relevant legal practitioner/s.

As far as practically possible parties will be informed of unallocated matters and the reasons therefore.

15. Dress code

During open court sessions the dress code for the Judicial Officer and legal practitioners will apply as per the Directives issued previously by the Judge President on the "Dress Code".

For virtual hearing purposes, Judicial Officers and all legal practitioners need not robe. However, in order to maintain the decorum required of a court hearing, they are to be dressed appropriately.

Cognizance should be taken of the environment in which relevant participants set up their access to the virtual hearing process, including any visible backdrop so as to ensure they are appropriate.

16. Default Judgment applications in terms of Rule 31(5)

Default judgment applications before the Registrar may be filed at the General Office in the normal course.

17. Subpoenas

Subpoenas shall be issued by the Registrar's office on request. Documents and other items filed at the court in respect of a subpoena must be placed in a sealed envelope/ folder /box containing the case details on the outside. Parties may request that documents be filed in a digital format, where possible.

18. Warrants of Execution

- i) Warrants of execution (for movable property) including arrear maintenance and delivery may, be dropped off at the General office as per the normal pre-lockdown process. The order relating to the warrant of execution should be attached for ease of reference.
- ii) The warrant of execution should contain the attorney's full contact information to enable the Registrar's office to relay any further queries. The Registrar's office will draw the files and allocate warrants of execution for issuing.
- iii) The number of warrants per firm may be limited by the Chief Registrar depending on the volume and the availability of staff to attend to same. Limitations determined by the Chief Registrar may be communicated by notice placed at the entrance to the court from time to time.
- iv) Any other warrant of execution (immovable and ejectment) will only be issued save with permission of a Judicial Officer.

The Registrar's office is currently working through a backlog of warrants of execution and delays in the finalization of warrants should be expected.

19. Apostilles/ Authentications

Authentication / Apostille services in respect of documents will be managed by the Registrar of the Civil division. Only compliant documents allowable in terms of the Department of International Relations requirements may be brought to the court for authentication.

Take note:

Notarised documents should contain the notary's seal or watermark on every page. Translations should contain a certificate by the Sworn Translator and be sealed on each page. Documents that are delivered for authentication should be in a self-addressed envelope with a cover letter confirming the country to which the document will be sent.

20. Right of appearance and good standing certificates (J349)

Applications with certified copies of supporting documents may be dropped off at the Chief Registrar's office in a sealed envelope. Notification will be sent when the document is ready for collection.

21. Service of civil process and proceedings

The sheriff shall serve all civil process and proceedings issued by the Registrar, in terms of the Rules and section 43 of the Superior Courts Act 10 of 2013.

In the event that the sheriff is unable to serve the process or proceedings, the affected party may approach the duty Judge for a directive.

22. Entry of matters on the continuous and opposed motion roll.

The attached continuous roll and opposed motion roll register forms, marked D1 to D2 may be completed and filed at the court where a folio number will be assigned. Parties may opt to complete the form at the general office as per the pre-Lockdown process.

C. CIVIL MATTERS

i) CIVIL TRIALS

- a) Trial ready matters may be allocated a trial date by the Registrar's office.
- b) The Judge President will determine from the civil trials set down, if any matter shall be assigned for hearing.

To assist the Judge President in making that determination, the parties must email the Judge President's Secretaries (EPotgieter@judiciary.org.za) a Joint Practice Note two days before the set down date containing the following:

- i) Case No;
- ii) Names of the parties and their legal representatives and their full contact details including mobile numbers and e-mail addresses;
- iii) A brief description of the nature of the claim and the main issue/s for determination;
- iv) An assessment of the possibility of the matter being resolved by mediation, arbitration or settlement;

- v) Whether the services of an interpreter is required and the relevant language;
- vi) Whether the matter can be determined without a hearing in open court, and if so, how and if not, why not;
- vii) If the matter has to be determined in open court, wholly or partly:
 - whether all of the witnesses whose evidence must be heard in open court are currently resident in the area of jurisdiction of the Court;
 - the total number of persons (excluding the Judicial Officer and court staff) which it is anticipated will have to be in the courtroom;
 - whether it is anticipated that members of the public or the media will request to be allowed to attend the proceedings; and
- viii) Any other information that may be relevant to the decision to be made by the Judge President.

Where the joint practice note has been filed electronically and acknowledgement of receipt via e-mail is not received within two (2) days, the duty remains on the person filing the joint practice note to ensure that such joint practice note was in fact received.

- c) The Judicial Officer assigned to the matter will determine the manner in which the trial is to be conducted, regard being had for the preference to conduct virtual hearings.

If requested by the Judicial Officer, the parties shall create an electronic indexed set of the court papers for electronic submission to the Judicial Officer.

ii) RULE 43 APPLICATIONS AND UNOPPOSED DIVORCES

New Rule 43 applications and unopposed divorces may be set down by the Registrar and those that are allocated dates, shall be dealt with as directed by the Judicial Officer assigned to the matter.

To aid the Judicial Officer the following shall be considered:

- a) If the matter can be determined on the documents filed, the matter shall then be finalized;
- b) Should there be a need for evidence, same shall be requested to be provided on affidavit or via Microsoft Teams, any other virtual hearing facility or any other manner the Judicial Officer shall consider necessary and expedient.

The provisions under paragraph B8 above shall apply to this section.

MATTERS WHERE MINOR CHILDREN ARE INVOLVED INCLUDING HAGUE CONVENTION MATTERS

1. In all matters where minor children are involved pleadings must be served on the relevant Office of the Family Advocate. Jurisdiction of the Office of the Family Advocate will be the office where the parties reside.
2. Proof of timeous filing at the relevant Office of the Family Advocate together with the annexures to pleadings and (or) affidavits drafted by the Office of the Family Advocate must accompany pleadings

when a matter is enrolled for hearing and should form part of the paginated and indexed court file.

3. Should pleadings be filed electronically at the Office of the Family Advocate for interrogation and comment, the Office of the Family Advocate should be provided with at least five (5) working days to evaluate the pleadings and (or) affidavits and provide their annexures except in urgent matters.
4. Issued court orders requesting the Office of the Family Advocate to conduct an investigation should be duly furnished to the Family Advocate's office together with all the relevant pleadings and (or) affidavits and expert reports by the applicants.
5. The Judicial Officer shall, as far as possible, retain and manage files where the interests of the minor children are at stake.
6. Any of the parties or the Office of the Family Advocate may approach the Judge President by way of a Practice Note for the appointment of an overseeing / supervising Judicial Officer should that be deemed necessary.

iii) **CIVIL REVIEWS**

New review applications which are compliant with the requirements of Rule 53 of the Uniform Rules of court may be set down by the Registrar's office.

All review applications in respect of judgments of judicial officers must by law be heard by two (2) judicial officers and according to the practice directives of this division are heard on a Friday. **Review applications should therefore not be set down in motion court.**

To aid the Judicial Officer the following shall be considered:

- a) If the matter can be determined on the documents filed, the matter shall then be finalized;

- b) Should there be a need for further evidence, same shall be requested to be provided on affidavit or via Microsoft Teams, any other virtual hearing facility or any other manner the Judicial Officer shall consider necessary and expedient.

The provisions under paragraph B8 above shall apply to this section.

iv) ADMISSIONS

Admissions may be set down as per the dates indicated on the WC Court Calendar and will be dealt with as follows:

- a) A maximum of 46 applications may be scheduled by the Registrar's office on any given admission date. Not more than 23 applicants will be admitted at any one sitting. They will be conducted as follows: 10h00 to 11h00 and 11h30 to 12h30.

The attached third division allocation form marked "E" hereto, must be completed. A date will be allocated by the 3rd division clerk based on the available dates on the admission roll. The applicant may then approach the Issuing clerk with the relevant application for issuing.

- b) All matters in which certificates have been issued by the Legal Practice Council will be attended to in Court 1 or any other designated court;
- c) Only candidates and legal practitioners presenting the candidates for admission will be allowed to enter the court building/ court room. Family members, friends and colleagues of candidates may be allowed to access court proceedings via a virtual link obtainable from the relevant Judicial Officers secretary.

d) Requests by candidates for virtual admissions are subject to approval by the Judge President or presiding Judicial Officer/s attending to admissions. Candidates whose request has been approved will be required to sign the oath or affirmation form forwarded to them via e-mail, at the appropriate time during their admission, and deliver the original to the court. Upon receipt thereof the Registrar's office will be authorized to issue the admission order.

v) JUDICIAL CASE MANAGEMENT (CIVIL PRE-TRIALS)

A backlog pre-trial process will run together with the normal and expedited pre-trial allocation process.

All pre-trials before a case management Judicial Officer will proceed as scheduled, on the following basis:

1. A pre-trial minute or an update must be submitted by email to the case management Judge at least five days prior to the pre-trial date.
2. The pre-trial minute or update must:
 - a. clearly define the issues still in dispute and the assistance required from the case management Judge.
 - b. deal with all issues delineated in Uniform Rule 37A, including the possibility of mediation, arbitration or settlement;
 - c. contain a clear explanation as to why the matter has not been settled; and
 - d. include the e-mail addresses and mobile numbers to be used for purposes of a virtual hearing, if that is

possible.

3. Where no such pre-trial minute or update is submitted, the matter will be removed from the roll.
4. The pre-trial will be dealt with by the case management Judge in chambers without any attendances by legal representatives unless directed otherwise by the case management Judicial Officer.
5. Should the case management Judge require submissions from the legal representatives or have any queries, the legal representatives will be contacted by the case management Judge's secretary.
6. The case management Judge's directives/orders will be transmitted electronically by the Judge's secretary.
7. Any interlocutory application arising during the case management process (such as separation of issues in terms of rule 33(4), applications to compel discovery, joinder applications and the like) shall be dealt with by the case management Judge, unless the interests of justice require that it be dealt with by another Judicial Officer.

D. APPLICATIONS

1) UNOPPOSED MOTIONS

Unopposed motion matters may be set down and shall be adjudicated upon.

The roll will be divided as follows to allow for adequate social distancing and queue control outside and inside the court building:

- Commercial and all other matters, excluding divorce and Rule 43

applications - from 10am to 11am.

- Divorce matters from 11h30 to 12h30.
- Rule 43 and other postponed matters from 12h30.

All matters shall be accompanied by a practice note stating any issues the judicial officer should have regard to, and the status of the matter. Where appropriate, the legal practitioner shall certify that the papers are in order. It is incumbent on the legal practitioner to indicate to the judicial officer, any issues to be addressed on the papers.

Dates in respect of eviction matters, S4(1) and S4(2) (PIE Act 19 of 1998) applications shall obtained from the 3rd division clerk at the same time. Any order granted must take cognizance of the lockdown regulations currently in place at the time of the order.

Rule 46A applications may be set down in accordance with the dates obtained from the 3rd division clerk. An affidavit must accompany the application and must indicate the impact of COVID 19 on the indebtedness of the Defendant. The Chief Registrar may with the permission of the Judge President assign a separate Rule 46A roll on a Friday for bulk Rule 46A applications.

In respect of curatorship applications, the applicant shall provide the judicial officer with a list of potential curators on the roll of legal practitioners having regard to transformation imperatives.

Categories of matters will be allocated only a certain number of spaces per day. This will be increased to **85** matters in total as from September 2021, see the attached breakdown. Parties are to approach the 3rd division Registrar/clerk for the availability of dates for set downs and postponements.

The attached third division allocation form marked "E" hereto, must be completed and presented to the 3rd division clerk who will allocate a date based on the available dates on the roll. The form will be returned to the applicant who must approach the court with the relevant application for issuing.

In respect of postponements the form is to be presented to the 3rd division Judicial Officer for the postponement of a matter already on the unopposed motion roll.

The Judicial Officer will determine the manner of the further conduct of the matter taking cognizance of the provisions contained under the paragraph marked "**General**" above, when providing directions to the parties. Matters which can be dealt with without the necessity of counsel appearing in court can be attended to in chambers or electronically.

To aid the Judicial Officer the following shall be considered:

- a) If the matter can be determined on the documents filed, the matter shall then be finalized;

Should there be a need for evidence, same shall be requested on affidavit via Microsoft Teams, any other virtual hearing facility or any other manner that the Judicial Officer shall consider necessary and expedient.

NB. There is a backlog in motion court allocations, and matters where the High Court has exclusive jurisdiction will be given preference.

The provisions under paragraph B8 above shall apply to this section.

2. URGENT APPLICATIONS

Subject to the directives contained herein, items 14 to 24 of the Western Cape High Court Division Consolidated Practice Notes dealing with urgent applications in the fast lane of the Third division shall apply.

To aid the Judicial Officer should the matter not be heard in the normal course, the following may be considered:

- a) If the matter can be determined on the documents filed, the matter shall then be finalized;
- b) Should there be a need for evidence, same shall be requested on affidavit via Microsoft Teams, or any other virtual hearing platform or in any other manner that the Judicial Officer shall consider necessary and expedient.

The provisions under paragraph B8 above shall apply to this section.

Urgent applications, brought after hours (after 3pm and on weekends), may only be issued once the duty judge determines as such, that the matter may be issued and heard on an urgent basis. The duty Judge will make a determination based on the papers presented electronically to him/her. Communication regarding these matters, including the regulations relating to travel during curfew hours, must be made through the Judges Secretary or afterhour Registrar (after 5pm) on 0836252790.

3. OPPOSED MOTIONS

The Registrar's Office may allocate hearing dates for opposed motions based on the availability of dates. The matter is to be entered on the opposed motion roll as indicated under "General" above.

The Judge President will determine from the opposed motions (including semi-urgent matters) set down, if any matter shall be assigned for hearing. To assist the Judge President in making that determination, the parties must forthwith email the Judge President's Secretary (EPotgieter@judiciary.org.za), two days before the set down date a Joint Practice Note as envisaged in the Chief Justices directive dated 02 May 2020 where applicable indicating:

- i) Case No;

- ii) Names of the parties and their legal representatives and their full contact details including mobile numbers and e-mail addresses;
- iii) A brief description of the nature of the claim and the main issue/s for determination. It is also incumbent on the legal practitioners to indicate, any issues to be addressed on the papers.
- iv) An assessment of the possibility of the matter being resolved by mediation, arbitration or settlement;
- v) Whether the services of an interpreter are required and the relevant language;
- vi) Whether the matter can be determined without a hearing in open court, and if so, how and if not, why not;
- vii) If the matter has to be determined in open court, wholly or partly:

Whether all of the persons whose submissions must be heard in open court are currently resident in the area of jurisdiction of the Court;

- the total number of persons (excluding the Judicial Officer and court staff) which it is anticipated will have to be in the courtroom;
 - whether it is anticipated that members of the public or the media will request to be allowed to attend the proceedings; and
- viii) Any other information that may be relevant to the decision to be made by the Judge President.

Where the joint practice note has been filed electronically and acknowledgement of receipt via e-mail is not received within two (2) days, the duty remains on the person filing the joint practice note to ensure that such joint practice note was in fact received.

Once allocated the Judicial Officer on perusal of the file and the heads of argument filed, will provide directions to the parties electronically, for the further conduct of the matter, having regard to the prevailing conditions,

To aid the Judicial Officer the following shall be considered:

- a) If the matter can be determined on the documents filed, the matter shall then be finalized;
- b) Should there be a need for evidence, same shall be requested on affidavit, via Microsoft Teams, Zoom, Webex or the like and/or any other manner the Judicial Officer shall consider necessary and expedient.
- c) Detailed written submissions (including replying argument), as well as Microsoft Teams, Zoom, Webex or the like should be utilized as an alternative to oral submissions in open court, so as to eliminate the need for practitioners to attend court.

If requested by the Judicial Officer, the parties shall create an electronic indexed set of the court papers for electronic submission to the Judicial Officer.

E. CIVIL & CRIMINAL APPEALS

New civil appeals which are compliant with the requirements of Rule 49 and 50 of the Uniform Rules of Court may be issued and allocated a date of hearing by the Registrar's office.

All allocated appeals both civil and criminal shall be heard during the lockdown period in terms of S19(a) of the Superior Courts Act and as envisaged by paragraph 13 of the directives issued by the Chief Justice on 02 May 2020.

- a) If the matter can be determined on the documents filed, the matter shall then be finalized, unless the presiding Judicial Officer determines otherwise;
- b) Detailed written submissions (including replying argument), as well as Microsoft Teams, Zoom, Webex or the like should be utilized as an alternative to oral submissions in open court, so as to eliminate the need for practitioners to attend court.

The provisions under paragraph B8 above shall apply to this section.

F. APPLICATIONS FOR LEAVE TO APPEAL

All applications for leave to appeal including requests for reasons both civil and criminal shall be heard or dealt with during the lockdown period in terms of S19(a) of the Superior Courts Act and as envisaged by paragraph 13 of the directives issued by the Chief Justice on 02 May 2020.

Applications for leave to appeal must be issued and filed at the court. It is incumbent on the applicant's legal representative to deliver the issued application and the court file to the secretary of the relevant presiding Judicial Officer.

Judicial Officers should utilize Microsoft Teams, Zoom, Webex or the like as an alternative to oral submissions in open court, so as to eliminate the need for practitioners to attend court.

The provisions under paragraph B8 above shall apply to this section.

G. CRIMINAL MATTERS

1. CRIMINAL TRIALS

- a) Subject to the provisions mentioned under “General” above certain Criminal trials will commence under the following conditions:
 - i) Where such a matter is partly heard before a Judicial Officer and has already commenced before the lockdown period;
 - ii) Where the Judge President has already allocated a matter for hearing to a Judicial Officer before the lockdown period and the plea and trial did not yet commence;
 - iii) Where such a matter is regarded as a backlog case;
 - iv) In trial ready cases where there are no more than three accused persons that can reasonably be finalized during the term, with preference being given to accused persons in custody and trials with vulnerable witnesses;
 - v) All section 105A, plea and sentencing agreements and section 112(1)(b) and (2) guilty pleas;
 - vi) Any other matter approved by the Judge President for allocation.
- b) The number of cases to be enrolled will depend on the number of persons involved in order to give effect to social distancing of a minimum of 1.5 meters between persons in court.

- c) The option of virtual hearings may be considered (for postponements or argument), in consultation with the legal representatives for the State and accused person/s, taking into account the provisions of the Criminal Procedure Act and the “right to a fair trial” as enshrined in the Constitution.

For the purposes of these directives the virtual presence and ability of an accused person/s to participate in the proceedings electronically, together with their legal representative/s and/or witness/es, some or all being virtually present, should be considered.

- d) The Judge President may consider the setting down of matters in the criminal circuit depending on the prevailing COVID 19 regulations, applicable at the time.

In addition to the existing circuits, circuit courts have been proclaimed at the following correctional facilities:

Pollsmoor Medium A Correctional Centre,
Goodwood Correctional Centre,
Drakenstein Maximum Correctional Centre,
Malmesbury Medium A Correctional Centre, and
George Correctional Centre.

2) JUDICIAL CASE MANAGEMENT (CRIMINAL PRE-TRIALS)

All criminal pre-trials set down, will be dealt with in consultation with the relevant Judicial Officer, the Office of the Director of Public Prosecutions and the legal representative/s of the accused person/s.

- i) The relevant State Advocate and the Attorney/Advocate of any accused person who is incarcerated shall compile a practice note to

inform the pre-trial judicial officer about the necessity for their further pre-trial incarceration or any dispute between the prosecution and defence;

- ii) The option of a virtual pre-trial and judicial case management hearings may be considered, in consultation with the legal representatives for the State and accused person/s, taking into account the provisions of the Criminal Procedure Act and the “right to a fair trial” as enshrined in the Constitution.

For the purposes of these directives the virtual presence and ability of an accused person/s to participate in the proceedings electronically, together with their legal representative/s should be considered.

The Judge President may consider the setting down of matters in the criminal circuit depending on the prevailing COVID 19 regulations, applicable at the time.

In addition to the existing circuits, circuit courts have been proclaimed at the following correctional facilities:

Pollsmoor Medium A Correctional Centre,
Goodwood Correctional Centre,
Drakenstein Maximum Correctional Centre,
Malmesbury Medium A Correctional Centre, and
George Correctional Centre.

The Court Manager has implemented a Protocol document which is to be completed by Correctional Services (in respect of accused persons that are transported to court) and the DPP and legal representatives (in respect of witnesses).

H. EASTERN CIRCUIT LOCAL DIVISION AT THEMBALETHU

1. The civil circuit at Themba lethu, George will continue as determined by the Judge President from time to time. The allocation of matters is at the discretion of the presiding Judicial Officer.

All legal practitioners are required, to ensure that they have an electronic copy of the contents of their files which is currently pending at Themba lethu, to facilitate virtual hearings. During the relevant sitting, parties may liaise with the designated administrative personnel of the Registrar's Office based at Themba lethu for the uploading of the electronic files onto the Teams platform or any other virtual platform applicable.

I. EQUALITY COURT MATTERS

New Equality Court matters may be issued by the Registrar's office.

As far as practically possible Equality Court directional hearings are to be attended to by the Judicial Officer seized with the matter. The same provisions contained under "**General**" above will apply.

J. TAXATIONS

Taxations may be done via the following online platforms: Microsoft Teams or Zoom, where possible. The party presenting the bill may in consultation with the Taxing Master determine who will set up the online process. Unopposed taxations may also be finalised via telephone/e-mail.

If online platforms and any other forms of communication are unavailable to the parties to an unopposed or opposed taxation these will be conducted in a designated courtroom. All protocols regarding sanitation before and after each session will apply.

If neither of the options are possible, taxations should be postponed to the first available dates after the National State of disaster.

Parties should attempt settlement prior to the taxation date so that settlement negotiations are not held in the court building on the day of taxation. This will aid the necessity for the parties to be in the building or reduce the time spent at the court.

Should you wish to clarify any of the provisions of these Directives, you may contact the Chief Registrar (Ruanne David or care of Antoinette Marinus – 021 480 2635/6 RDavid@judiciary.org.za / AMarinus@judiciary.org.za).

Any enquiries in respect of general access to the court, the Protocol in respect of accused persons and setting up of virtual hearings may be directed to the Court Manager (Valerie Noah or care of Astrin Ernstzen – 021 480 2619 VNoah@judiciary.org.za / AErnstzen@judiciary.org.za)

Any enquiries in respect of criminal matters may be made to the DPP (care of Adv Bell 021- 487 7226 nabell@npa.gov.za).

We are committed to a safe working environment to protect all. Court users including practitioners and members of the public who display symptoms or have undergone a COVID test and are awaiting results are required to stay away from the court building.

The court building should be accessed ONLY if absolutely necessary.

Judicial Officers, legal representatives and the public are urged to consider virtual hearings as an option rather than in-person hearings. Where formal attendances are not necessary (eg. noting of judgments and postponements) legal representatives need not attend court unless expressly requested by the presiding judicial officer.

We are further committed to easing any backlog and ultimately eliminating same so that we can resume normal activity and enhance the efficient administration of justice.

We can only succeed with the continued cooperation and constructive collaborative support of all parties working together.



JUDGE PRESIDENT JM HLOPHE

22 July 2021

To be issued to:

The Magistracy;

The National Prosecuting Authority;

Legal Aid South Africa;

Cape Bar Council;

Western Cape Bar Association;

Legal Practice Council;

Family Advocate;

State Attorney;

NADEL;

BLA;

South African Police Services;

Office of the Chief Justice

Department of Justice and Constitutional Development;

Department of Correctional Services;

Department of Social Development;

Department of Health;

Any other Court Official not mentioned above.

WC PRACTICE DIRECTIVE COVID 19 UPDATE – 22 JULY 2021

INDEX TO SCHEDULE OF ATTACHMENTS

NO.	TYPE OF DOCUMENT	AS REFERENCED ON
1.	E-mail address list (Term 3- 2021)	Pg 3, 4, 6, 14, 6
2.	Examples of draft orders	Pg 3, 5, 7
3.	4 th division upliftment form	Pg 3
4.	Continuous roll registration form	Pg 12
5.	Opposed motion registration form	Pg 12
6.	3 rd division allocation breakdown	Pg 19
7.	3 rd division hearing and postponement date application form marked “E”	Pg 16, 19
8.	Protocol Screening (Detained Persons)	Pg 27
9.	Protocol Screening (Witnesses – Criminal matters)	Pg 27
ADDITIONAL FORMS		
10.	4 TH Division postponement date allocation form	
11.	General office upliftment form	

JUDICIARY

JUDGE PRESIDENT HLOPHE'S OFFICE:

Lizette Potgieter	EPotgieter@judiciary.org.za	021 480 2564
Antoinette Delport	ADelport@judiciary.org.za	021 480 2565
Carol Williams	CaWilliams@judiciary.org.za	021 480 2585

DEPUTY JUDGE PRESIDENT GOLIATH'S OFFICE:

Elmarie Sievers	ESievers@judiciary.org.za	021 480 2638
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JUDGES:

Judge Erasmus	Fadiah Davids	FDavids@judiciary.org.za	021 480 2549
Judge Meer	Bernadette Burger	BBurger@judiciary.org.za	021 480 2648
Judge Bozalek	Robyn Battista	RBattista@judiciary.org.za	021 480 2673
Judge Allie	Leana Tolken	LTolken@judiciary.org.za	021 480 2620
Judge Ndita	Mariam Moose	MMoose@judiciary.org.za	021 480 2647
Judge Le Grange	Anthea Cronje	ACronje@judiciary.org.za	021 480 2672
Judge Saldanha	Zahira Bhawoodien	ZBhawoodien@judiciary.org.za	021 480 2539
Judge Baartman	Rowena Bihl	RBihl@judiciary.org.za	021 480 2629
Judge Binns-Ward	Joy Ely-Hanslo	JEly@judiciary.org.za	021 480 2674
Judge Steyn	Christa Pollet	CPollet@judiciary.org.za	021 480 2645
Judge Gamble	Phumza Siphatho	PSiphatho@judiciary.org.za	021 480 2661
Judge Fortuin	Kerien Van Heerden	KVanHeerden@judiciary.org.za	021 480 2544
Judge Samela	Linda Zibi	LZibi@judiciary.org.za	021 480 2651
Judge Henney	Nashreen Khan	NKhan@judiciary.org.za	021 480 2659
Judge Rogers	Pauline Schmidt	PSchmidt@judiciary.org.za	021 480 2623
Judge Dolamo	Tamsyn Francis	TFrancis@judiciary.org.za	021 480 2563
Judge Cloete	Gillian Kay	GKay@judiciary.org.za	021 480 2547
Judge Mantame	Ursula Johnson	UJohnson@judiciary.org.za	021 480 2562
Judge Savage	Benita Long	BLong@judiciary.org.za	021 480 2642
Judge Salie-Hlophe	Gail Martin	GMartin@judiciary.org.za	021 480 2632
Judge Nuku	Mariam Matthews	MMatthews@judiciary.org.za	021 480 2622
Judge Wille	Mandisa Madonci	MMadonci@judiciary.org.za	021 480 2646

Judge Papier	Janice Ambulo	JAmbulo@judiciary.org.za	021 480 2560
Judge Parker	Helen Lategan	HLategan@judiciary.org.za	021 480 2643
Judge Sher	Jacqueline Blanchard	JBlanchard@judiciary.org.za	021 480 2640
Judge Kusevitsky	Donovan Baatjes	DBaatjes@judiciary.org.za	021 480 2624
Judge Slingers	Velheminah Khumalo	VKhumalo@judiciary.org.za	021 480 2625
Judge Francis	Sharon Veerapen	SVeerapen@judiciary.org.za	021 480 2538
Judge Mangcu-Lockwood	Chantal Gusha	CAndrews@judiciary.org.za	021 480 2540

ACTING JUDGES (TERM 3 - 2021)

Acting Judge Thulare	Helen Lategan	HLategan@judiciary.org.za	021 480 2643
Acting Judge De Wet	Beverley Irwin	BIrwin@judiciary.org.za	021 480 2561
Acting Judge Le Roux	Pauline Schmidt	PSchmidt@judiciary.org.za	021 480 2623
Acting Judge Lekhuleni	Cherylene Adams	CAdams@judiciary.org.za	021 480 2671
Acting Judge Nziweni	June Cooper	JCooper@judiciary.org.za	021 480 2639
Acting Judge Pangarker	Bernadette Burger	BBurger@judiciary.org.za	021 480 2648
Acting Judge Nyati	Gillian Kay	GKay@judiciary.org.za	021 480 2631

ADMINISTRATION:**CHIEF REGISTRAR'S OFFICE**

Mrs R. David	RDavid@judiciary.org.za	021 480 2635/6
Mrs Antoinette Marinus	AMarinus@judiciary.org.za	021 480 2636

COURT MANAGER'S OFFICE:

Mrs V. Noah	VNoah@judiciary.org.za	021 480 2619
Ms Astrin Ernstzen	AErnstzen@judiciary.org.za	021 480 2619

REGISTRARS:

STENOGRAPHERS	Dianna Healley	DHealley@judiciary.org.za	021 480 2532 / 2556
TAXING MASTERS	Thembisisa Yalezo	TYalezo@judiciary.org.za	021 480 2403
	Ashleen Jones-Pretorius	AJones-Pretorius@judiciary.org.za	021 480 2424
CRIMINAL TRIALS	Lana Manuel-Naran	LManuel-Naran@judiciary.org.za	021 480 2415
CRIMINAL APPEALS, REVIEWS & PETITIONS			
	Sibulele Vusani	SVusani@judiciary.org.za	021 480 2536
ROOM 1	Leandi L.F. Esterhuizen	LEsterhuizen@judiciary.org.za	021 480 2403
	Anathi Malindi	AMalindi1@judiciary.org.za	021 480 2402

PRINCIPAL USHER: COURT ALLOCATIONS

Russel Daniels	RDaniels@judiciary.org.za	021 480 2453
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PRINCIPAL INTERPRETER

Christopher Blow	CBlow@judiciary.org.za	021- 480 2446
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3RD DIVISION

Wayne Deck	WDeck@judiciary.org.za	021 480 2438
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4TH DIVISION

Zain Booysen	ZBooyesen@judiciary.org.za	021 480 2438
Mandisi Nyameli	MNyameli@judiciary.org.za	021 480 2438

CIVIL PRE-TRIALS:

Andrew Fraser	AFraser@judiciary.org.za	021 480 2454
Keenan De Wee	KDeWee1@judiciary.org.za	021 480 2454

CRIMINAL TRIALS:

Sonja Pace	SPace@judiciary.org.za	021 480 2414
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CRIMINAL APPEALS, REVIEWS, MENTAL HEALTH AND PETITIONS:

Lusanda Slaai	LSlaai@judiciary.org.za	021 480 2665
Zamikhaya Mgala	ZMgala@judiciary.org.za	021 480 2665

TAXATION ADMINISTRATION:

Matthew Mvimbi	MMvimbi@judiciary.org.za	021 480 2590
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THEMBALETHU CIRCUIT (TERM 3 - 2021)

Christa Pollet	CPollet@judiciary.org.za
Fadiah Davids	FDavids@judiciary.org.za



**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

Case No. 1215/2019

**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

CAPE TOWN: Thursday 23 July 2020

BEFORE THE HONOURABLE MR JUSTICE WILLE

In the matter between:

KELLY PATRICIA WESTERMAN

First Applicant

NTOMBIZINE ELIZABETH MAKANANDA

Second Applicant

TINASHE CHIPATIKO

Third Applicant

And

ANTHONY PAUL PETER TEUCHERT

Respondent

**Having heard the Legal Representative for the Applicants
and having read the documents filed of record;**

IT IS ORDERED:

That the matter is postponed to 07 SEPTEMBER 202 on the Semi-Urgent Roll for hearing.

BY ORDER OF THE COURT

COURT REGISTRAR

**Fareed Moosa & Assoc. Inc.
23 Coniston Road
RONDEBOSCH**

/avz



26

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

VOLUNTARY SURRENDER

CASE NO. 3807/2020

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CAPE TOWN: Tuesday 3 March 2020

Before the Honourable Ms Justice Slingers

In the Ex Parte application of:

GEAN SIMON NOTHNAGEL
I.D.NO. 700403 5283 08 9

First Applicant

And

KAREN MICHELLE NOTHNAGEL
I.D.NO. 680917 0287 08 8
(Married in Community of Property)
Both Residing at
25 Three Fountains Estate
Old Mamre Road
PHILADELPHIA
Cape Town

Second Applicant

Having heard Counsel for the Applicants
and having read the documents filed of record;

IT IS ORDERED:

1. That the Applicant's estate is accepted as insolvent and placed under Sequestration.
2. That the costs of this application will be borne by the Applicant's insolvent estate; provided that the legal costs by the Applicant's attorney, inclusive of value added tax, does not exceed the amount as set out in the Dividend Calculation of the Applicant's Founding Affidavit.

R Hendricks & Assoc.
Unit 12, Block A
1st Floor, Clareview Business Park
236 Imam Haron Road
CLAREMONT

BY ORDER OF THE COURT

/avz

COURT REGISTRAR



2c

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

Case No. **3732/2020**

FINAL LIQUIDATION

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CAPE TOWN: Tuesday 14 July 2020

Before the Honourable **Mrs Justice Salie-Hlophe**

In the matter between:

AFRILINE CIVILS (PTY) LTD
(Registration Number: **2008/016280/07**)

Applicant

And

NL BIOLOGISTICS (PTY) LTD
(Registration Number: **2019/151242/07**)
Registered Address:
Unit 5, 5 Cecil Morgan Road
STIKLAND
Western Cape

Respondent

Having heard the Legal Representative for the Applicant
and having read the documents filed of record:

IT IS ORDERED:

That the rule nisi granted on 1 June 2020 is made absolute and Respondent is placed under Final Liquidation.

BY ORDER OF THE COURT

COURT REGISTRAR
Van der Meer & Partners Inc.
DURBANVILLE
c/o 77 Schneider Galloon Reef & Co.
CAPE TOWN

/avz



IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

RULE EXTENDED

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CASE NO. **1622/2020**

CAPE TOWN: Friday 29 May 2020

Before the Honourable **Mr Justice Le Grange**

In the application of:

CHRISTIAN MORKEL

Applicant

And

MORKEL AND VILJOEN ELECTRICAL (PTY) LTD

Respondent

(Registration Number: **2013/092460/07**)

(Registered Address:

4 Sonop Street, Arauna

BRACKENFELL

Western Cape Province

Having heard the Legal Representative for the Applicant
and having read the documents filed of record;

IT IS ORDERED:

That the rule nisi granted on 28 February 2020 is extended to 29 JUNE 2020.

BY ORDER OF THE COURT

COURT REGISTRAR

Voss Wiese Haggard Inc.

DURBANVILLE

c/o 665 Knowles Husain Lindsay Inc.

CAPE TOWN

/avz



2e

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

RULE DISCHARGED

IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

Case No. **9160/2019**

CAPE TOWN: Tuesday 5 May 2020

Before the Honourable **Mr Acting Justice Sievers**

In the matter between:

SB GUARANTEE COMPANY (RF) (PTY) LTD

Applicant

And

ZUNRUMODE (PTY) LTD

Respondent

(Registration Number: 2018/326074/07)

13 Riethaan Row, Woodlands Hills

BLOEMFONTEIN

Free State

Having heard Counsel for the Applicant
and having read the documents filed of record;

IT IS ORDERED:

1. That the Provisional Liquidation Order granted on 3 March 2020 is set aside, the Rule Nisi is discharged and the Application is dismissed.

BY ORDER OF THE COURT

COURT REGISTRAR

31 Werksmans Att.

CAPE TOWN

/avz



**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

**PROVISIONAL LIQUIDATION
IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)
CAPE TOWN: Wednesday 27 May 2020
Before the Honourable Mr Acting Justice Sievers**

Case No. 14235/2019

In the matter between:

**DB CONTRACTING CC
(Registration Number: 1996/007005/23)**

Applicant

And

**LUSIZIS CONTRACTORS CC
(Registration Number: 1999/044558/23)
Registered address at:
22B Church Street
DURBANVILLE
Western Cape**

Respondent

**Having heard Counsel for the Applicant
and having read the documents filed of record;**

IT IS ORDERED:

1. That the respondent is placed under a provisional order of liquidation.
2. That a rule nisi is issued calling on all persons concerned to appear and show cause at 10h00 on 14 JULY 2020 as to why a final order of liquidation should not be granted and why the costs of this application should not be costs in the liquidation.
3. That this order be served:
 - a) on the respondent at its registered address;
 - b) on SARS;
 - c) by one publication in each of DIE BURGER and THE CAPE TIMES newspapers.

**19 Laàs & Scholtz Att.
DURBANVILLE**

BY ORDER OF THE COURT

/avz

COURT REGISTRAR



IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

FINAL SEQUESTRATION
IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

CASE NO. 2608/2020

CAPE TOWN: Friday 31 July 2020

Before the Honourable Mr Acting Justice Martin

In the matter between:

ELIZABETH MAGDALENA ADOLINA BREUGEM

Applicant

And

PIETER BREUGEM

Respondent

(I.D.NO. 490119 5031 08 8)

Married out of community of property to each other

Residing at

1302 Casper Road

PRINGLE BAY

Province of the Western Cape

**Having heard the Legal Representative for the Applicant
and having read the documents filed of record;**

IT IS ORDERED:

**That the rule nisi granted on 28 February 2020 is made absolute and the Respondent's estate is placed
under Final Sequestration.**

BY ORDER OF THE COURT

COURT REGISTRAR
132 AS Hurter Att.
BELLVILLE

/avz



IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

PROVISIONAL SEQUESTRATION
IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)

Case No. 10515/2004

CAPE TOWN: Thursday 22 July 2020
Before the Honourable Mr Justice Saldanha

In the matter between:

MITIPROP LIMITED (INCORPORATED
THE REPUBLIC OF MAURITIUS)

Applicant

and

CRAIG YOUNG
I.D.NO. 650924 5033 08 3
MICHELLE YOUNG
Both Residing at
Winlands Estate
Simonsvlei Road
SIMONDIUM

First Respondent

Second Respondent

Having heard Counsel for the Applicant
and having read the documents filed of record;

IT IS ORDERED:

1. That the estate of the First Respondent be placed under sequestration in the hands of the Master of the High Court of Sout Africa.
2. That a rule nisi is hereby issued calling upon all persons concerned to show cause, if any, to this Honourable Court on 21 NOVEMBER 2005 at 10h00 or soon thereafter as Counsel may be heard why:
 - 2.1 a final sequestration order should not be granted;
 - 2.2 the costs of this application should not be costs in the sequestration of the first respondent's estate;
3. That service of this Order shall be effected by the Sheriff as follows:
 - 3.1 on the respondents personally;

- 3.2 on the South African Revenue Service;
- 3.3 on such employees of the first respondent as may exist:-
 - 3.3.1 by affixing a copy of the application to any notice board to which the Sheriff and such employees have access inside the premises of the first Respondent; or
 - 3.3.2 if there is no access to the premises by the Sheriff and the employees, by affixing a copy of the application to the front gate of the premises, if applicable, failing which to the front door of the premises from which the first respondent conducted any business at the time of the presentation of the application herein.
- 4. That notice of this Order shall be given by prepaid registered post to all creditors which claims in excess of R5 000.00

**127 Cliffe Dekker Inc.
CAPE TOWN**

BY ORDER OF THE COURT

/avz

COURT REGISTRAR

IN THE HIGH COURT OF SOUTH AFRICA

(WESTERN CAPE DIVISION, CAPE TOWN)

UPLIFTMENT OF 4TH DIVISION COURT FILES

Date On Roll:

Case No:

Name Of Parties:

Applicant/Plaintiff

Vs

Respondent/Defendant

Attorney Firms Details:

Name and Surname:

Telephone Numbers:

Email Address:

Specified documents being Uplifted and reason why file is requested:

Date which documents/file were removed:

Signature of person removing documents/file:

NOTE: YOU MAY NOT REMOVE THE BROWN COVER FROM THE COURT EVEN THOUGH THE FORM SAYS "REMOVAL OF COURT FILE" THIS IS ONLY FOR THE PURPOSE WITHIN THE COURT

CONTINUOUS ROLL

Page no Folio no

CASE NO: _____ /

DATE _____

ESTIMATED TIME: _____ (DAYS)

FULL NAMES OF PLAINTIFF: _____

FULL NAMES OF DEFENDANT: _____

NAME & ADDRESS OF ATTORNEY FOR PLAINTIFF: _____

NAME & ADDRESS OF ATTORNEY FOR DEFENDANT: _____

Opposed Motion

Folio no:

/2020

Date Entered: _____

Case No:

ESTIMATED TIME: _____ (DAYS)

FULL NAMES OF APPLICANT:

FULL NAMES OF RESPONDENT:

NAME & ADDRESS OF ATTORNEY FOR APPLICANT:

NAME & ADDRESS OF ATTORNEY FOR RESPONDENT:

ANNEXURE A - WC MOTION COURT ALLOCATION SCHEDULE

TYPE OF APPLICATION	QUANTITY
1. Applications (other than evictions and liquidations)	20
2. Curatorship Applications	6
3. Evictions	7
4. Liquidations/ Sequestrations/ Voluntary Surrender	7
5. Default Judgments	20
6. Rule 46A	3
7. Divorces	10
8. Rule 43 (set downs done by the 4th division clerk ONLY)	2
9. Postponements/ Rule Nisi	10



OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA
Western Cape High Court

35 Keerom Street
CAPE TOWN
8001

Private Bag X 9020
CAPE TOWN
8000

3RD DIVISION HEARING/ POSTPONEMENT DATE ALLOCATION FORM

(Once a date is obtained kindly provide the court with the application/ set down and include this document with so that the matter can be physically placed on the court roll.)

CASE NO.	
PARTIES (PLAINTIFF\ APPLICANT & DEFENDANT\ RESPONDENT)	
PLAINTIFF/S or APPLICANT/S or ATTORNEYS DETAILS	
DEFENDANTS or RESPONDENTS or ATTORNEYS DETAILS	
APPLICANTS HC BOX NO. ALTERNATIVELY E-MAIL ADDRESS	

NATURE OF APPLICATION: COMPULSORY

ADMISSION		SUMMARY JUDGMENT	
RULE NISI		PROVISIONAL SENTENCE	
APPLICATION <u>SPECIFY TYPE OF APPLICATION</u>		EVICION	
DEFAULT JUDGMENT		DIVORCE	
RULE 46A		RULE 43 APPLICATIONS ARE SET DOWN BY 4TH DIVISION ONLY	N/A

FOR REGISTRARS OFFICE USE ONLY

DATE ALLOCATED	
NAME & SIGNATURE OF REGISTRAR	
DATE STAMP	



PROTOCOL FOR THE SCREENING OF DETAINEES TRAVELLING TO AND FROM COURT

Please mark the box with an X for no or a ✓ for yes	DCS	SAPS
Any physical contact with a confirmed/presumptive COVID-19 case in the correctional facility		
Persistent coughing		
Sore throat		
Persistent sneezing		
Shortness of breath		
Vomiting		
Loss of smell or loss of taste		
Redness of the eyes		
Diarrhoea, stomach cramps, nausea		
Joint and muscle aches		
Fatigue/weakness		
Fever/Chills		
Wearing Mask		
Temperature reading taken at the correctional facility		

Please mark the box with an X for no or a ✓ for yes

Any physical contact with a confirmed/presumptive COVID-19 case in the holding cells at court, or in the Court

Persistent coughing

Sore throat

Persistent sneezing

Shortness of breath

Vomiting

Loss of smell or loss of taste

Redness of the eyes

Diarrhoea, stomach cramps, nausea

Joint and muscle aches

Fatigue/weakness

Fever/Chills

Wearing mask

Temperature reading taken on arrival at Court

SHOULD ONE OR MORE SYMPTOMS BE PRESENT, THE DETAINEE MAY NOT BE RELEASED INTO THE CUSTODY OF SAPS

SCREENED BY:

SCREENED BY:

DESIGNATION:

DESIGNATION:

SIGNATURE:

SIGNATURE:

OFFICIAL DATE STAMP:

OFFICIAL DATE STAMP:



COVID-19 SCREENING CHECKLIST FOR WITNESSES IN CRIMINAL MATTERS

[illegible]



OFFICE OF THE CHIEF JUSTICE
REPUBLIC OF SOUTH AFRICA
WESTERN CAPE HIGH COURT,

35 KEEROM STREET
CAPE TOWN
8000

PRIVATE BAX X 9020
CAPE TOWN
8000

CASEFLOW MANAGEMENT

TRIAL DATE / OPPOSED MOTION/ SEMI -URGENT DATE ALLOCATION

CASE NO	
PARTIES	
PLAINTIFFS / APPLICANTS ATTORNEYS	
DEFENDANT/ RESPONDENTS ATTORNEYS	
SEMI-URGENT DATE ASSIGNED	
REGISTRAR/ REGISTRARS CLERK	
SIGNATURE	

DATE STAMP

UPLIFTMENT OF DOCUMENTS/REMOVAL OF COURT FILES

Case No : _____

Name of Parties

Notice of Removal of documents form the court file:

1. Attorneys Firms details :

2. Name and Tel No and email address of person who is removing the Document/file

Name and Surname: _____

Telephone Numbers: _____

Email Address : _____

3. Specify documents being uplifted and reason why file is requested

4. Date which documents / file were removed:

5. Signature of the person removing documents/ file

6. Additional information: what roll is the matter on or what happened last:

8 .Date Stamp and signature of person receiving the documents:

**NOTE: YOU MAY NOT REMOVE THE BROWN COVER FROM THE COURT EVEN
THOUGH THE FORMS SAYS "REMOVAL OF COURT FILE" THIS IS ONLY FOR THE
PURPOSES WITHIN THE COURT**