

OFFICE OF THE REGIONAL COURT PRESIDENT LIMPOPO DIVISION

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LIMPOPO REGIONAL DIVISION DISASTER MANAGEMENT DIRECTIVES

The Chief Justice has on 24 March 2020, delegated his authority in terms of section 8(3) of the Superior Courts Act, 2013, to all Heads of Court in the Superior Courts and Magistrates/Lower Courts to issue such Directives as would enable access to courts in relation to any urgent matters, bail applications, Maintenance and Domestic Violence related matters and cases involving children.

At the Provincial Efficiency Enhancement Committee (PEEC) on 24 March 2020, resolutions were adopted by all stakeholders present that have already been issued for implementation with immediate effect, which will remain in effect, subject to Directives that might be issued by the Minister of Justice and Correctional Services after consultation with the Chief Justice.

As Head of the Regional Court in Limpopo I hereby issue the following Directives for the Regional Courts in Limpopo Regional Division to supplement the resolutions adopted by the PEEC, in terms of the authority delegated to me by the Chief Justice in terms of section 8(3) of the Superior Courts Act, 2013:

1. Access to the Regional Courts:

- 1.1 The Regional Courts will remain open during the lock down subject to the basic safety measures being provided and for limited hours, namely 09h00 – 11h00 or as otherwise specifically arranged by all concerned if deemed in the interest of justice to do so and subject to any further directives published in respect of court services.
- 1.2 The number of persons allowed into the court room will be limited to those necessary for each case on the court roll and who are required to be in the court to deal with such cases.
- 1.3 All persons, including staff, legal practitioners and other officials inside the court must observe social distancing at all times.
- 1.4 All must ensure that they sanitise their hands or gloves when they are handling any documents, books, files, charge sheets or other objects in court.

2. Criminal matters in the Regional Courts:

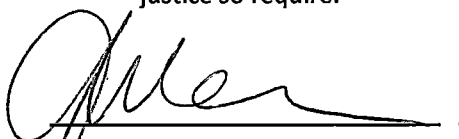
- 2.1 No trials will be conducted during the lock down period. Witnesses should be stopped as far as possible. If it is deemed in the interest of justice to finalise the testimony of any witness present at court, such testimony should be finalised if essential to prevent gross injustice to the affected parties.
- 2.2 Cases should be postponed to new dates after the lock down period.
- 2.3 Legal Practitioners will be allowed to arranged dates electronically through email or telephonically will all concerned.
- 2.4 Matters may be remanded in absentia if it is deemed in the interest of justice to do so and after consultation with the practitioners and prosecutor involved.
- 2.5 If an Accused who is on bail or warning is not at court, any warrant for arrest to be issued can be held over for a date after the lock down period had lapsed, or as arranged with his/her legal practitioner and the prosecutor.
- 2.6 Matters on the roll for judgment or sentence may be proceeded with and finalised if it is deemed in the interest of justice to do so.

3. Civil matters in the Regional Courts (including divorces):

- 3.1 The Assistant Registrars at all Regional Court Civil Seats are directed to liaise with all the parties in consultation with the Regional Magistrate in the civil court to arrange new dates for all the civil matters on the rolls during the lock down period.
- 3.2 Matters to be issued that might prescribe as well as the filing of pleadings and notices due to time limits should be done electronically to the central email address of the relevant Regional Court Civil Seat as far as possible.
- 3.3 Time limits about to expire can be extended by agreement between parties and the relevant assistant registrar/s should be notified as soon as possible electronically.
- 3.4 The contact details for staff and regional magistrates for urgent matters must be made available.
- 3.5 The Regional Magistrate at that court or the Regional Court President can be contacted and urgent applications can be submitted and dealt with electronically or as arranged telephonically with the Regional Magistrate concerned.

4. Exclusion

- 4.1 A Regional Magistrate who presides in any matter brought before the court may order that the application of any of these directives be excluded in any matter where the interest of justice so require.


JH Wessels
Regional Court President

LIMPOPO REGIONAL DIVISION
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MRS J. H. WESSELS
REGIONAL COURT PRESIDENT