



REPUBLIC OF SOUTH-AFRICA
THE HONOURABLE JUDGE DS FOURIE

HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION
P O Box 442, PRETORIA
Tel: (012) 492 6667

27 March 2020

TO: ALL LEGAL PRACTITIONERS


IN RE: **IMPLEMENTATION OF THE JUDGE PRESIDENT'S DIRECTIVE**
DATED 25 MARCH 2020 FOR THE URGENT COURT OF 27 MARCH
(16:00) TO 3 APRIL 2020 (16:00)

1. A copy of the Judge President's Directive will again be circulated, together with the Urgent Court roll for 31 March to 3 April 2020.
2. All applications which had already been enrolled by 12:00 on Thursday 26 March 2020 are indicated on the roll for Urgent Applications. It is also indicated to whom of the two Judges a matter has been allocated.
3. All matters on the Urgent Roll will be postponed *sine die* with no cost order, unless a Certificate of Urgency (par 3.9 of the Judge President's Directive) has been issued, stating expressly that a matter is of such an urgent nature that it must be heard before 21 April 2020, served on all parties concerned and filed by no later than Monday 30 March 2020 at 12:00. It is the duty of the practitioner who will issue the certificate to ensure that it has been sent by email to all parties concerned.

4. The Certificate of Urgency must contain full particulars of the practitioner who will issue it, i.e. full names, contact number, email address and name of law firm/Bar. Full particulars of all parties on whom the Certificate has been served, must also appear on the Certificate.
5. In all matters where a Certificate has been issued, a Practice Note as well as Heads of Argument must also be served and filed by all parties concerned as one of the "*other electronic means*" referred to in paragraph 3.1 of the Directive. The application will then be adjudicated "*on paper only*" (i.e. without an oral hearing). Failure to file a Practice Note and/or Heads of Argument timeously, will be an indication that there is no appearance for the party concerned and the application will then be dealt with in the absence of such party.
6. The Practice Note and Heads of Argument must be served and filed by no later than Tuesday 31 March 2020 at 16:00. The party who has filed the Certificate must also set out the reasons, in the Heads of Argument, why a matter is so urgent that it must be heard before 21 April 2020, by referring to the evidence in the founding affidavit. It must also indicate, in unopposed matters, where in the court papers the Sheriff's return of service is to be found. Papers which have not been properly indexed and paginated run the risk of being struck off the roll.
7. The Practice Directive regarding Urgent Applications (Chapter 13.24) will still apply (to opposed and unopposed applications) and the Rules pertaining to urgency will be strictly enforced. Compliance with annexure "A" (13.24), more particularly par [4], subparagraphs (1) to (11) thereof, as referred to in paragraph 11 of Chapter 13.24 of the Practice Manual, will also be strictly enforced. If a matter is not ready to be adjudicated upon at the time indicated in the notice of motion (subject to the degrees of urgency) and/or not to be so urgent as indicated in paragraph 3.9 of the Directive, it will be struck off the roll in which event a punitive costs order, and/or interdict, as indicated in paragraph 4 of the Directive may be made without any further reference to the parties concerned.

8. All new applications, after hours or during court hours, must first be brought to the attention of Judge Fourie's clerk. In this regard the provisions of paragraph 7.1 to 7.4 of Chapter 13.24 of the Practice Manual will apply *mutatis mutandis*. New applications will only be enrolled after a Certificate of Urgency has been issued, served and filed. All the provisions regarding the service and filing of the Certificate, Practice Note and Heads of Argument referred to above, will apply *mutatis mutandis* to all new applications. All Rules and principles regarding urgency will also apply to these applications and will be strictly enforced. The urgent Court cellular number for Pretoria is: 065 859 4819.
9. Filing of papers must be done via email to the Judges' clerks, taking into account to which judge a matter has been allocated. Particulars of the clerk of Judge Fourie are as follows:
Me S Gillissen, Cellular No: 079 400 1963
sgillissen@judiciary.org.za and sgillissen@yahoo.com.
Particulars of the clerk of Judge Van der Schyff are as follows:
Mr S Tshethlo, Cellular No: 073 5119 251
STshetlho@judiciary.org.za and sello.tshetlho@webmail.co.za
10. No judgments will be handed down, only orders will be issued. For this purpose all practitioners are requested to prepare draft court orders by using "MS Word format".

SIGNED and DATED at PRETORIA on this the ²⁷27 day of MARCH 2020.


D S FOURIE
JUDGE OF THE HIGH COURT
PRETORIA