IN THE HIGH COURT OF SOUTH AFRICA
(GAUTENG DIVISION, JOHANNESBURG)

(1) REPORTABLE: YES
(2) OF INTEREST TO OTHER JUDGES: YES
(3) REVISED.

[redacted]

SIGNATURE DATE: 27 February 2026

Case No. 2022-003485

In the matter between:

SPOTPROPS 34 (PTY LTD	Applicant
and	
BODY CORPORATE OF BRIDGETOWN	First Respondent
GAUTENG MANAGEMENT AGENTS	Second Respondent
RUTH RAMOKONE MOGADIMA	Third Respondent

Summary

The jurisdictional consequences of section 16 of the Sectional Titles Schemes Management Act 8 of 2011 are discussed. The High Court's power to appoint or remove a body corporate administrator under that Act is confirmed, albeit on a basis different from that identified in previous decisions of this court.

JUDGMENT

WILSON J:

1 The central question in this case is whether the effect of section 16 of the Sectional Titles Schemes Management Act 8 of 2011 ("the 2011 Act") is to

remove the power to appoint an administrator to take over the affairs of a sectional title scheme from the High Court and to assign that power to the Magistrates' Court. This court has apparently assumed, in at least three cases decided since the 2011 Act came into effect, that section 16 had no impact on this court's power to appoint an administrator, but none of those cases engaged at any length with text of the 2011 Act itself (see *Gert v Body Corporate of Albany Court* [2013] ZAGPJHC 69 (8 March 2013) ("*Gert*"); *Dibakoane N.O v Van den Bos* [2021] ZAGPJHC 652 (17 August 2021) ("*Dibakoane*") and *Ex Parte van den Bos NO* [2023] ZAGPJHC 443 (9 May 2023) ("*Van den Bos*"). Having myself considered the text of the 2011 Act closely, I am driven to conclude that the High Court does retain the jurisdiction to appoint an administrator.

2 The applicant, Spotprops, owns a section of the Bridgetown Sectional Title Scheme. It regards the Scheme's affairs to be in disarray, and considers that the first respondent, the Bridgetown Body Corporate, can no longer be trusted to manage them. Spotprops applies to me to order that Bridgetown's affairs be placed under the control of an administrator. Bridgetown resists such an order on its merits, chiefly on the basis that such an order would be inappropriate because, after a period of mismanagement, Bridgetown has now been able to begin regularising its affairs with the assistance of an executive managing agent, who administers the Scheme's affairs under the direction of the Body Corporate. Bridgetown says that the appointment of an administrator, whose powers would supplant those of the executive managing agent and the Body Corporate, is not justified in light of the progress it has made with its executive managing agent.

3 Bridgetown also raises a jurisdictional objection. It says that Spotprops should have brought this application in the Magistrates' Court. Bridgetown accepts that, historically, under section 46 (1) of Sectional Titles Act 95 of 1986 ("the 1986 Act"), the power to appoint an administrator was vested in the High Court. However, Bridgetown says that this position changed when the 2011 Act repealed section 46 of the 1986 Act, and replaced it with section 16 of the 2011 Act.

4 Section 16 of the 2011 Act provides that any one of a defined group of interested parties "may apply to a Magistrate's Court for the appointment" of an administrator. In setting out the process for considering such an application, in defining the court's powers in dealing with it, and in setting out the jurisdictional requirements for the exercise of that power, section 16 makes repeated and exclusive reference to the "Magistrate's Court". Bridgetown argues that, in light of the express repeal of section 46 of the 1986 Act, and the 2011 Act's repeated and explicit reference to the Magistrates' Court, the 2011 Act's purpose is clear: the power to appoint an administrator is removed from the High Court and assigned to the Magistrates' Court.

5 Spotprops disagrees. It relies on the well-known presumption against statutory ousters of a court's jurisdiction, except in the clearest of cases, and it argues that the Body Corporate's interpretation of the 2011 Act is inconsistent with the right of access to court in section 34 of the Constitution,1996. Spotprops adverts to the fact that the 2011 Act assigns a multitude of powers specifically to the High Court, and argues that the meaning of section 16 is merely that the power to appoint an administrator can be exercised by the Magistrates'

Court concurrently with the High Court. It relies on the decisions in *Gert* and *Dibakoane*, each of which asserts that conclusion.

6 In my view, the central question is what section 16 of 2011 Act means on its own terms. That meaning has to be apprehended by the ordinary principles of statutory interpretation: the effect of the 2011 Act must be determined by a consideration of the ordinary grammatical meaning of its text, the context in which section 16 appears and the purpose of the provision read in light of the overall purpose of the statute (*Road Traffic Management Corporation v Waymark Infotech (Pty) Ltd* 2019 (5) SA 29 (CC), paragraph 29). It is to that exercise, which does not appear to have been undertaken in either *Gert* or *Dibakoane*, which I now turn.

Section 16 of the 2011 Act

7 Section 16 provides as follows –

16 Appointment of administrators

(1) A body corporate, a local municipality, a judgment creditor of the body corporate or any owner or other person having a registered real right in or over a unit may apply to a Magistrate's Court for the appointment of a suitably qualified and independent person to serve as the administrator of the body corporate.

(2) (a) If a Magistrate's Court on hearing the application referred to in subsection (1) finds -

(i) evidence of serious financial or administrative mismanagement of the body corporate; and

(ii) that there is a reasonable probability that, if it is placed under administration, the body corporate will be able to meet its obligations and be managed in accordance with the requirements of this Act,

the Magistrate's Court may appoint an administrator for a fixed period and on such terms and conditions as it deems fit.

(b) The remuneration and expenses of the administrator are administrative expenses contemplated in section 3 (1) *(a)*.

(3) An administrator has, to the exclusion of the body corporate, such powers and duties of the body corporate as the Magistrate's Court

directs and must exercise these powers to address the body corporate's management problems as soon as reasonably possible.

(4) The administrator must-

(a) convene and preside at the meetings required in terms of this Act and the scheme's rules; and

(b) lodge with the ombud-

(i) copies of the notices and minutes of meetings; and

(ii) written reports on the administration process every three months or at such shorter intervals as the Magistrate's Court may direct.

(5) A Magistrate's Court may, on application by the administrator or any person or body referred to in subsection (1)-

(a) remove the administrator from office;

(b) replace the administrator;

(c) extend the term of the administrator's appointment or amend his or her terms of appointment; and

(d) may make such order for the payment of costs as the Magistrate's Court considers fit.

(6) The provisions of subsection (4) apply, with the necessary changes required by context, to the administrators appointed in terms of section 46 of the Sectional Titles Act.

8 The plain text meaning of section 16 is that the power to appoint and remove administrators is assigned to the Magistrates' Court. Ms. de Wet, who appeared for Spotprops, submitted, however, that the word "may" in subsection 16 (1) preserved the power of the High Court to appoint administrators. Ms. de Wet argued that the use of the word "may" means that a person seeking to appoint an administrator may apply either to the Magistrates' Court or the High Court for that relief.

9 There is no indication of this in the text of section 16 itself. Reading section 16 in isolation, the most natural meaning of the word "may" is that those persons section 16 (1) defines as having standing to seek the appointment of an administrator "may [or may not]" apply to the Magistrates' Court for that relief. It is not that either the High Court or the Magistrates' Court "may" appoint such an administrator. If the word "may" can sensibly be given the meaning for

which Ms. de Wet contended, then the source of that meaning could only be found beyond section 16 itself.

10 In advancing that case, Ms. de Wet urged me to attach significance to the definition of the word "Court" in section 1 of the 2011 Act. There, "Court" means "the High Court having jurisdiction". Every other power the 2011 Act confers on a court is assigned to the "Court", by which is meant the High Court. Those powers are the power to appoint a *curator ad litem* to institute proceedings on a body corporate's behalf (section 9); the power to order the joinder of members of a body corporate in their personal capacities where a judgment against the body corporate has been left unsatisfied (section 15); and the power to deem a building that comprises a sectional title scheme to have been destroyed (section 17). Ms. de Wet argued that there is no reason why these powers would have been reserved for the High Court if the underlying purpose of the statute was not also to allow the High Court to appoint administrators, albeit subject to the concurrent jurisdiction of the Magistrates' Court.

11 Were there any basis on which to carve out the power to appoint an administrator as particularly special or unusual in a way that would justify its assignment to the Magistrates' Court rather than the High Court, I would have rejected that argument. However, I am driven to the conclusion that there is no rational basis on which to differentiate between the powers explicitly assigned to the High Court under the 2011 Act on the one hand and the power to appoint an administrator on the other. The more natural reading of section 16 in the context of the 2011 Act as a whole is that all the powers granted to

any court under the 2011 Act are powers that may be exercised by the High Court. In the case of the appointment or removal of an administrator, section 16 makes clear that the Magistrates' Court may exercise that power in addition to, rather than instead of, the High Court.

12 On that reading, which I am persuaded in the correct one, the word "may" in section 16 of the 2011 Act really means that the statute must be construed to read: "[in addition to being able to apply to the High Court, a] body corporate, a local municipality, a judgment creditor of the body corporate or any owner or other person having a registered real right in or over a unit may apply to a Magistrate's Court for the appointment of . . . an administrator". Although the words "in addition to being able to apply to the High Court" do not appear in section 16, they are necessarily implied by the use of the word "may", read in the context of the 2011 Act as a whole. Subsequent references to the "Magistrate's Court" in section 16 ought to be read as references to both the High Court and the Magistrates' Court.

13 That reading is reinforced, in my view, by a consideration of the purposes of the 2011 Act. One of the purposes of the Act is to harmonise the management of sectional title schemes with the work and power of Community Schemes Ombud Service. That service is intended to provide fast and accessible dispute resolution for individual members of a body corporate who take issue with the exercise of a body corporate's powers. Empowering a Magistrates' Court to appoint an administrator serves the same purpose, because It expands access to that remedy.

14 The trigger for the appointment of an administrator is "evidence of serious financial or administrative mismanagement of the body corporate" (section 16 (2) (a) (i)). An application to appoint an administrator may be brought by a local municipality, a judgment creditor of the body corporate or any owner or other person having a registered real right in or over a unit within a sectional ownership scheme. The purpose of giving the Magistrates' Court jurisdiction to appoint an administrator is clearly to widen access to that remedy. To exclude the High Court's jurisdiction to provide the same relief is inconsistent with that purpose. It narrows rather than widens the range of remedial courses of action available to someone who wishes to press for the appointment of an administrator.

15 To hold otherwise, I would have to find some rational basis – evident from the 2011 Act itself – for differentiating between the powers explicitly assigned to the High Court and the power to appoint an administrator. I can see no such basis – especially not one that would justify reading section 16 to specifically exclude the High Court's power to appoint an administrator. Since section 16 does not explicitly provide for the Magistrates' Court to appoint administrators instead of, rather than in addition to, the High Court, the most natural reading of the Act as a whole is that section 16 establishes the concurrent jurisdiction of the High Court and the Magistrates' Court to appoint administrators.

16 Ms. Gxogxa, who appeared for Bridgetown, argued that the legislative history leading to the adoption of the 2011 Act strongly indicates that section 16 was meant to exclude the appointment and removal of administrators from High Court's jurisdiction and to assign those functions to the Magistrates' Court.

Legislative history refers to the record of the proceedings, such as committee reports or explanatory memoranda attached to bills presented to Parliament, before the bills ultimately become law. When interpreting any statute a court will always treat legislative history with a degree of caution. Where a statute contains an ambiguity, there is likely to be little in its legislative history that will reveal a clearly expressed intention that the Act was meant to work in any particular way. Even where a clear legislative intent does appear from a statute's legislative history, the fact of the ambiguity that appears in the final text will always beg the question of why a clear intention expressed in the drafting or deliberation process was not carried through into the text of the final statute.

17 There may be cases in which that question is easy to answer, but this is not one of them. What the legislative history of the 2011 Act reveals is that the Bill as initially drafted explicitly provided for the High Court to exercise the power to appoint or remove administrators. The deliberations over the Bill contain references to the need to expand access to that remedy. There was a suggestion that the power should be removed from the courts completely and assigned to the Community Schemes Ombud Service. The final position, that the Magistrates' Court would have jurisdiction to appoint or remove an administrator, was likely a compromise between these two poles of the debate. But that tells me nothing about whether the purpose of section 16 of the 2011 Act as finally adopted was to provide the Magistrates' Court with exclusive jurisdiction over the appointment or removal of administrators, or whether the point was to allow the Magistrates' Court to exercise that

jurisdiction, and that jurisdiction alone, concurrently with the High Court, which has all the other judicial powers that the 2011 Act creates.

18 The much clearer indication of the 2011 Act's purpose is that it grants a wide range of powers to the High Court, without providing any indication that the single power it assigns to the Magistrates' Court was meant to be exercised exclusively by that court. In the absence of any rational basis for differentiating between the various powers the High Court exercises under the Act on the one hand, and the power to appoint and remove an administrator on the other, it seems to me that section 16 means that the Magistrates' Court exercises its jurisdiction to appoint and remove administrators concurrently with the High Court.

19 Accordingly, I have jurisdiction to entertain Spotprops' application. I may not decline to exercise that jurisdiction merely because another court could have done so (see *Standard Bank of SA Ltd and Others v Thobejane* 2021 (6) SA 403 (SCA) at paragraph 88). It follows that I must entertain the question of whether Spotprops is entitled to its relief under section 16 of the 2011 Act. The objection to my jurisdiction fails.

Ouster

20 I have reached this conclusion through a straightforward interpretation of the 2011 Act. The courts in *Gert* (at paragraph 2) and *Dibakoane* (at paragraph 63) chose a different route. Relying on the presumption against ouster clauses (on which see, for example, *Commissioner for the South African Revenue Service and Another v Richards Bay Coal Terminal (Pty) Ltd* 2025 (5) SA 617 (CC) at paragraph 69), both courts concluded that there was no explicit

indication that section 16 intended to “oust” the High Court’s jurisdiction to appoint an administrator.

21 Ouster is a statutory mechanism that forbids a court from exercising a power that it would otherwise have. Both *Gert* and *Dibakoane* presumed that there was a pre-existing jurisdiction to appoint an administrator that the 2011 Act might have ousted. But I think that was incorrect. There was no such pre-existing power.

22 This is so for two reasons. The first is that South African common law has never recognised the concept of sectional ownership of immovable property. The common law position has always been that a building accedes to the land on which it stands, and the owner of the land becomes the owner of the building (see *Macdonald v Radin* 1915 AD 454 at 466 and 467). The common law did not provide the legal tools necessary to divide ownership of a building from the ownership of the land on which it stands. Still less could it cope with the idea that different parts of a building could be owned by different people for their exclusive use, while still other parts of a building could be held as common property in undivided shares.

23 In order to provide for sectional ownership of land and buildings, it was necessary to enact Sectional Titles Act 66 of 1971. That legislation, and the 1986 and 2011 Acts that succeeded it, cut from whole cloth the idea that a building or cluster of buildings could be subject to shared ownership through a body corporate, within which each individual would own both a part of the property under sectional ownership for their exclusive use, and an undivided share of the common areas of the property, which may be used by everyone.

The power to appoint an administrator of a dysfunctional body corporate is merely an incident of that statutory creation. It has no common law antecedent. It follows that the power to appoint an administrator could only have been conferred by statute.

24 Secondly, the only statute that explicitly conferred such a power on the High Court was section 46 (1) of the 1986 Act, which the 2011 Act repealed. Accordingly, the High Court could have no power to appoint an administrator unless that power was set out in, or necessarily implied by, the 2011 Act itself.

25 This point may seem of little consequence, especially as I agree with the ultimate conclusions reached in *Gert* and in *Dibakoane*. However, it is in my view important to be clear about where the source of a judicial power lies, especially in the context of a carefully designed statutory scheme meant to enable group ownership of immovable property. The concept of ouster deployed on in *Gert* and in *Dibakoane* risks obscuring rather than clarifying that source.

The merits

26 I now turn to the merits of the application. Section 16 (2) of the 2011 Act provides that the appointment of an administrator "may" follow upon two findings of fact. The first is that there is "evidence of serious financial or administrative mismanagement of the body corporate". The second is "that there is a reasonable probability that, if it is placed under administration, the body corporate will be able to meet its obligations and be managed in accordance with the requirements of this Act". Even if both of those findings are made, the use of the word "may" indicates that I retain a discretion not to

appoint an administrator if the exercise of that discretion is justified on the facts (see, for example, *Body Corporate of Stamford Hall v Molapo* [2022] ZAGPJHC 498 (3 August 2022) at paragraph 5).

27 The appointment of an administrator is a "drastic power" which should "normally only be exercised when [the members of a body corporate] are not in a position properly to perform the functions assigned to them" or where "the body corporate has not elected trustees or where for some other reason the affairs of the body corporate are not being or not capable of being administered in the fashion that the Act contemplates". The purpose of appointing an administrator is "remedial". The idea is "that the conduct of the affairs of the body corporate should after administration be restored to the members of the body corporate" (see *Herald Investments Share Block (Proprietary) Limited v Meer* 2010 (6) SA 599 (KZD) ("*Meer*") at paragraph 46). *Meer* was decided under the 1986 Act, but I think that these observations retain their force under the 2011 Act.

28 The papers in this matter disclose a long and complex history of conflict and mismanagement of the Bridgetown Body Corporate, including various applications to this court, or to the Community Schemes Ombud Service, brought by one or other faction of the Body Corporate, seeking intervention in Bridgetown's affairs. The papers deal with these events in the vaguest and most general of terms, such that it is often difficult pin down each party's case, or the facts on which they rely to advance it. However, I believe that the material facts arising from the papers are as follows.

29 The Bridgetown Body Corporate is a complex of 524 units in Bloubosrand, Randburg. This application was instituted on an urgent basis in June 2022. At that stage Spotprops had control of, or an interest in, 47 of the 524 units. Only 108 of the units (including all 47 of Spotprops' units) were up-to-date with the levies due to the Body Corporate. It was alleged that the Body Corporate's trustees had been continuously intimidated and extorted by unknown individuals who wished to syphon off Bridgetown's resources for their own use.

30 The mainstay of Spotprops' case was that the vast majority of the trustees of the Body Corporate who were then in office owed substantial sums in levies, and for that reason, together with the intimidation alleged, they had no motive to do what was necessary to rehabilitate Bridgetown's financial performance. Spotprops said that an administrator, a Mr. George Poulton, had previously been appointed and had taken meaningful steps towards recovering the Body Corporate's financial position. Mr. Poulton died in October 2021, however. His appointment obviously lapsed when that happened. Spotprops' case is that a new appointment must now be made.

31 Bridgetown opposes a new appointment on the basis that the Body Corporate had been under administration for most of the six years immediately preceding the institution of this application. Bridgetown pointed out that Mr. Poulton had been the second of two administrators who had run Bridgetown in the preceding decade. Bridgetown alleged that the periods of administration accelerated rather than abated the complex's decline. It averred that both Mr. Poulton and an individual they identify as his predecessor, a Mr. Sydow, had

neglected their duties, and had no interest in improving the complex because they did not live there.

32 Those facts appear on affidavits filed three and a half years ago in support of and in opposition to the urgent application. The urgent application came before Swanepoel AJ on 10 June 2022. Swanepoel AJ granted some interdictory relief, but he declined to appoint an administrator, and postponed that relief to the ordinary opposed motion roll.

33 Supplementary papers followed. The material facts arising from those papers are that successive attempts to reconstitute the Body Corporate's board of trustees failed when the trustees resigned *en masse* in March 2024. Thereafter, on 14 October 2024, the Community Schemes Ombud Service appointed an executive managing agent to perform the functions that the board of trustees would otherwise have performed, subject to the Body Corporate's overall control. Spotprops is critical of the executive managing agent, who it says has not been properly appointed, and who is in thrall to a Body Corporate in which a large majority of members have not, and still have no wish to, pay their levies. Only an administrator, Spotprops avers, can do what needs to be done to rehabilitate Bridgetown's affairs. This is because an administrator, unlike an executive managing agent, need not seek the approval of the Body Corporate to perform their functions.

34 The most recent factual material on file is contained in an affidavit filed on Bridgetown's behalf, dated 2 November 2025. In that affidavit, it is alleged that the executive managing agent has started to rehabilitate Bridgetown's affairs. Bridgetown's debt to the municipality has been reduced by R3 million. The

Body Corporate has adopted a debt collection and credit control policy to manage its members' arrears. Physical improvements to the common areas of the complex have been made. Most members of the Body Corporate have entered into arrangements with the executive managing agent to reduce their arrears.

35 During argument, Ms. de Wet was critical of the supplementary affidavit. She adverted to the lack of particularity given of the details of the arrangements allegedly made with those members of the Body Corporate who are in arrears with their levies. Ms. de Wet also pointed out that the debt owing to the City of Johannesburg is still substantial – some R15 million.

36 Still, Spotprops elected not to reply to the supplementary affidavit. On the ordinary rules applicable to fact-finding in applications for final relief, I would in any event have to decide this application substantially on the version set out in the November 2025 affidavit, unless it was so far-fetched or untenable that it may safely be rejected. In light of these realities, Ms. de Wet could do little to displace the probabilities that version establishes.

37 The contents of the November 2025 supplementary affidavit are neither far-fetched nor untenable. While I accept that they lack particularity in some respects, I must accept that Bridgetown's debt to the City of Johannesburg has been significantly reduced. Bridgetown's payments to the City and to another of its creditors are fully documented. I also have no reason to doubt that payment arrangements have been reached with the majority of the Body Corporate's members. I accept that these arrangements are not fully documented in the supplementary affidavit, but that is likely because there are

so many Body Corporate members who are in arrears (over 400 by Spotprops' own reckoning). Spotprops has laid no basis to go behind the allegation that the arrangements exist, and that they have been reached pursuant to a new debt collection and credit control policy. Bridgetown also produces photographic evidence of improvements to the common property made during the tenure of the executive managing agent.

38 Still, there is no meaningful dispute that papers disclose evidence of that, historically, the Bridgetown Body Corporate has been seriously mismanaged, both financially and administratively. Bridgetown has been substantially in arrears with its municipal accounts and has suffered low rates of levy payments from its members for some years. There is also evidence that the physical condition of the property has deteriorated, although steps have recently been taken to maintain and repair the common areas of the property. On these facts, all of which are common cause, the requirement prescribed in section 16 (2) (a) (i) of the 2011 Act has plainly been met.

39 However, I do not think that the requirement in section 16 (2) (a) (ii) has been fulfilled. On the facts of this case, that requirement could only be fulfilled by evidence that there is a reasonable probability that, if it is placed under administration, the Body Corporate will be able to meet its obligations and be managed in accordance with the requirements of the Act. Spotprops alleges two broad respects in which Bridgetown has, historically, failed to meet its obligations. In the first place, it has not paid its municipal accounts. Secondly, the management of the Body Corporate has often been in breach of the rules the Act imposes on the way the Body Corporate should be run.

40 But the evidence is that both of these areas of non-compliance are being addressed by the executive managing agent, and that the situation is slowly improving. In order to accept that the section 16 (2) (a) (ii) requirement had been fulfilled, I would need evidence that the administrator would do a better job than the executive managing agent has of working towards compliance with the Body Corporate's financial and legal obligations. There is simply no such evidence on the papers. The person Spotprops nominates as the prospective administrator does not set out what he would do that the executive management agent is not doing. He neither advanced any criticism of the executive managing agent nor provides any sense at all of the steps he would take were he appointed Bridgetown's administrator. The performance of Bridgetown's pervious administrators is also hotly disputed. What is not seriously disputed is that the executive managing agent presently in charge at Bridgetown is making real progress toward ensuring compliance with the Body Corporate's obligations.

41 It follows that the requirement set out in section 16 (2) (a) (ii) of the 2011 Act has not been fulfilled, and the application to appoint an administrator must fail for that reason.

42 Even if I were satisfied that the requirements of section 16 (2) had both been met, I would still have exercised my discretion against the appointment of an administrator. This is because the only reasonably clear and substantially undisputed facts on the papers are that, over the last year or so, the Body Corporate's situation has improved as a result of the engagement of the executive managing agent. Those facts justify allowing the executive

managing agent the time necessary to build upon that improvement. If it turns out that the picture painted in Bridgetown's November 2025 affidavit was over-optimistic, or if the efforts of the executive managing agent falter, then Spotprops is free to raise again the question of the appointment of an administrator on the facts as they then stand. For now, however, the drastic step of placing Bridgetown beyond its owners' control has not been justified on the papers before me.

43 The application is dismissed, with costs, including the costs of counsel, which may be taxed on the "B" scale.

[redacted]

S D J WILSON
Judge of the High Court

This judgment was prepared by Judge Wilson. It is handed down electronically by circulation to the parties or their legal representatives by email, by uploading it to the electronic file of this matter on Caselines, and by publication of the judgment to the South African Legal Information Institute. The date for hand-down is deemed to be 27 February 2026.

HEARD ON:	5 February 2026
DECIDED ON:	27 February 2026
For the Applicant:	L de Wet Instructed by Verton Moodley and Associates Inc
For the First Respondent:	A Gxogxa Instructed by Mduzulwana Attorneys Inc