



Chief Justice Mogoeng Mogoeng
Constitution Hill, 1 Hospital Street, Braamfontein, 2017
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24 March 2020

Dear Colleagues

DELEGATION OF AUTHORITY IN TERMS OF SECTION 8(3) OF THE SUPERIOR COURTS ACT, 2013

1. The recent developments with regard to COVID-19 as announced by the President of the Republic seem to have rendered it necessary to revisit the Directives that we issued last week.
2. For this reason, I hereby delegate my 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 matter, bail applications, Maintenance and Domestic Violence related matters and cases involving Children issues.
3. You would recall that even in the case of the state of emergency, section 37(3) of the Constitution, empowers the courts to pronounce on the validity of the declaration of the state of emergency and related matters. Courts therefore have to stay open in case members of the public want to bring one challenge or another in relation to the constitutionality or the validity of the measures being implemented.

Best regards

Mogoeng Mogoeng
Chief Justice of the Republic of South Africa

