



OFFICE OF THE CHIEF JUSTICE  
REPUBLIC OF SOUTH AFRICA

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THE HIGH COURT OF SOUTH AFRICA

MPUMALANGA DIVISION

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ROOM CF65

NELSPRUIT

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02 May 2020

**RE: COVID-19 DIRECTIVE No. 5A OF 2020**

WHEREAS the Covid-19 Lockdown has been reduced to level 4;

AND WHEREAS it is not known when the lockdown will be lifted to allow normality;

AND WHEREAS the Chief Justice on 2 May 2020 issued further directives replacing the ones issued on 17 April 2020 concerning provision of essential services in relation to the operation of courts during the lockdown period;

AND WHEREAS on 26 April 2020 this Division issued directives by virtue of delegated authority by the Chief Justice to which many practitioners complied with the Division Covid-19 Directive No. 5 and continue to do so;

AND WHEREAS we are living during trying times and from time to time we are forced to re-adjust;

The Division COVID-19 DIRECTIVE NO.5 of 2020, issued on 26 April 2020;

IS HEREBY amended or added as follows:

PARAGRAPHS 2.1 AND 15 OF COVID-19 DIRECTIVE No. 5 DATED 26 APRIL 2020

1. The email addresses, indicated in paragraphs 2.1 and 15 of the Directive above, are hereby changed to read as follows:

**Middelburg Local Seat cases:**      [AMalambe@judiciary.org.za](mailto:AMalambe@judiciary.org.za)  
[Segopotje@worldonline.co.za](mailto:Segopotje@worldonline.co.za); and cc  
[FLegodi@judiciary.org.za](mailto:FLegodi@judiciary.org.za);

**Mbombela Main Seat cases:**      [MNhlapo@judiciary.org.za](mailto:MNhlapo@judiciary.org.za);  
[MMasekoameng@judiciary.org.za](mailto:MMasekoameng@judiciary.org.za); and cc  
[FLegodi@judiciary.org.za](mailto:FLegodi@judiciary.org.za)

2. Therefore, with immediate effect, any communication by emails concerning court papers, must be sent to the Registrar at the court in which court papers are or were issued or filed.
3. Communication sent at the wrong email addresses will not be attended to.

PARAGRAPH 15 OF COVID-19 DIRECTIVES No. 5 DATED 26 APRIL 2020

4. Paragraph 15 is hereby amended by addition of the following paragraphs:

“15.1 Filing, indexing, pagination and bounding of court papers in terms of paragraph 29 of the Practice Directive dated 9 January 2020 in respect of opposed matters enrolled during the motion week of 25 to 29 May 2020, shall be done by not later than 12h00 on Wednesday 20 May 2020.

15.2 The indexing, pagination and bounding of court papers of opposed matters including all other matters wheter appeal or unopposed matters enrolled during any lockdown period in the future, shall be made from a set of the applicant’s court papers and shall be filed by contacting the Registrar of the court concerned by using relevant email addresses set out in paragraph 1 above, in order to arrange for the handing over of a set of court papers.

- 15.3 Paragraph 15.2 above, is meant to ensure that before matters are allocated, each file is properly arranged to facilitate an easy and directed reading of court papers as contemplated in paragraph 29 of the Practice Directive dated 9 January 2020.
- 15.4 Similarly, all appeal matters which are on the roll during any extended lockdown period in the future, except those on the roll for 4 to 8 May 2020, shall be filed and indexed as indicated in paragraph 15.2 above; and shall be so filed not later than 12h00 on a Wednesday preceding two weekends before the week of the hearing of any such **appeal or opposed** matters, to allow 7 clear court days before the week during which such matters are enrolled.
- 15.5 Paragraph 15.4 above, is meant for the purpose as set out in paragraph 15.3 read with paragraph 15.2 above.
- 15.6 Unopposed matters enrolled on Monday and Friday 25 and 29 May 2020 respectively, shall be filed, indexed, paginated and bound together as follows:
- 15.6.1 Those matters enrolled for Monday 25 May 2020, shall be indexed paginated and bound together by the applicant as contemplated in paragraph 29 of the Practice Directive dated 9 January 2020 by not later than Tuesday 19 May 2020 and thereafter contact the Registrar of the court concerned as contemplated in paragraph 15.2 above.
- 15.6.2 The Registrar concerned shall by not later than Monday 18 May 2020 issue a roll of unopposed matters for 25 May 2020 and may also indicate when and where a set of court papers, can be handed over in a staggered form.
- 15.6.3 The purpose of paragraph 15.6.2 above, is to avoid many people from coming into or within the court premises or precinct during the lockdown period.
- 15.6.4 The Registrar of each court shall ensure that the unopposed matters enrolled for 25 May 2020, are handed over to the Judges on the unopposed motion roll by not later than 12h00 on Thursday 21 May

2020 to enable the Judges on the unopposed motion roll, sufficient time to read the court papers enrolled for Monday 25 May 2020.

15.6.5 Unopposed matters which are enrolled for hearing on Friday 29 May 2020, shall be indexed, paginated and bound together as contemplated in paragraph 29 of the Practice Directive dated 9 January 2020 by not later than 12h00 on Friday 22 May 2020 and thereafter the Registrar of the court concerned, shall be contacted as indicated in paragraph 15.2 above.

15.6.6 The Registrar of each court shall by not later than Thursday 21 May 2020, issue a roll for the matters enrolled on the unopposed motion roll for Friday 29 May 2020, and may at the same time, indicate when and where a set of court papers prepared from the applicant's set of papers, should be handed over to the Registrar concerned.

15.7 Any other unopposed matters enrolled or might be enrolled during any extended lockdown period in the future, shall be dealt with as above. That is: Unopposed matters enrolled for any Monday of Motion week, shall be dealt with as contemplated in paragraphs 15.6.1 to 15.6.4 above. That is: Tuesday (para 15.6.1), Monday (para 15.6.2), and Thursday (para 15.6.4) before Monday of the unopposed motion day during any lockdown period.

15.8 Similarly, unopposed matters enrolled or which might be enrolled on a Friday during any extended lockdown period in the future, after the motion week of 25 to 29 May 2020, shall be dealt with as in paragraphs 15.6.5 to 15.7 above. That is: Friday (para 15.6.5) and Thursday (para 15.6.6) before Friday of the unopposed motion day during any extended lockdown period in the future.

15.8 When a set of court papers of any appeal, opposed and unopposed matters enrolled during the lockdown period in the future, including those enrolled for the week of 25 to 29 May 2020 are handed over to the Registrar, it shall be accompanied by what should be termed :“ Practice Note”, which must be put on top of the court papers indicating whether the parties agree to dispense with oral argument and appearance in court or whether they opt for proceedings to be conducted through video link and if so, what arrangements are proposed by the parties to set up such a video link system”.

CONCLUSION

The rest of the provisions of Covid-19 Directives No. 5 of 2020 remain in force.

**BY DIRECTIVE OF THE JUDGE PRESIDENT**

A handwritten signature in blue ink, appearing to read 'M F Legodi', is displayed on a light blue rectangular background.

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**M F LEGODI**  
**JUDGE PRESIDENT OF MPUMALANGA DIVISION**