

IN THE SUPREME COURT OF APPEAL

(BLOEMFONTEIN)

APPEAL COURT CASE NUMBER: 1186/2019

GAUTENG HIGH COURT CASE NUMBER: 76755/2018

In the matter between:

JOAO RODRIGUES

Appellant

and

**THE NATIONAL DIRECTOR OF PUBLIC
PROSECUTIONS OF SOUTH AFRICA**

First Respondent

**MINISTER OF JUSTICE AND CORRECTIONAL
SERVICES**

Second Respondent

THE MINISTER OF POLICE

Third Respondent

IMITIAZ AHMED CAJEE

Fourth Respondent

LIST OF AUTHORITIES

1. Sanderson v Attorney-General, Eastern Cape 1998 (1) SACR 227 (CC) (1998 (2) SA 38; 1997 (12) BCLR 1675) para [38] *
2. Broome v Director of Public Prosecutions, Western Cape & Others; Wiggins & Another v Acting Regional Magistrate, Cape Town & Others 2008 (1) SACR 178 (CPD) *
3. Wild and Another v Hoffert NO and Others 1998 (2) SACR 1 (CC) (1998 (3) SA 695; 1998 (6) BCLR 656) par [27]

4. McCarthy v Additional Magistrate, Johannesburg and Others 2000 (2) SACR 542 (SCA) [2000] 4 All SA 561
5. Sanderson v Attorney-General, Eastern Cape 1998 (1) SACR 227 (CC) para [30]
6. Wild and Another v Hoffert NO and Others 1998 (2) SACR 1 (SCA)
7. Minister for Justice and Constitutional Development v Chonco and Others 2010 (4) SA 82 (CC), par [35]
8. Bothma v Els 2010 (2) SA 622 (CC), P. 199 b-c *
9. R v Hui-Chi-Ming [1992] 1 AC 34 at p. 57 B
10. R v Martin [1998] 1 ALL ER 193 P. 215 – 216
11. President of the Republic of South Africa v SARFU 2000 (1) SA 1, par 155
12. Tamarillo v BN Aitken 1982 (1) SA 398 (A) at p. 442
13. Wessels: Law of Contract, Second Edition, Vol. 1, par 693;
14. Serobe v Koppies Bantu Community School Board 1958 (2) SA 265 (O) 271 to 272
15. Transnet v Owner of the MV Snow Crystal 2008 (4) SA 111 (SCA), para 25 to 28
16. State Information Technology Agency SOC Ltd v GGijima Holdings (Pty) Ltd 1918 (2) SA 23 (CC)

17. Grootboom v National Prosecuting Authority & another 2014 (2) SA 68 (CC) par [22]; see *eThekweni Municipality v Ingonyama Trust* 2013 (5) BCLR 497 (CC)
18. Van Wyk v Unitas Hospital and Another (Open Democratic Advice Centre as Amicus Curiae) [2007] ZACC 24; 2008 (2) SA 472 (CC); 2008 (4) BCLR 442 (CC) at para 20.
19. Mathibela v The State (714/2017) [2017] ZASCA 162
20. Brummer v Gorfil Brothers Investments (Pty) Ltd and Others [2000] ZACC 3; 2000 (2) SA 837 (CC); 2000 (5) BCLR 465 (CC) at para 3.
21. Hotz and Others v University of Cape Town [2017] ZACC 10 at par [17]