

SPECIAL TRIBUNAL OF SOUTH AFRICA
Judgment summary

<i>Special Investigating Unit and Another v Ndlovu and Others</i>	
URL	https://lawlibrary.org.za/za/judgment/special-tribunal-south-africa/2022/38
Citations	(GP 19 of 2021) [2022] ZAST 38
Date of judgment	23 August 2022
Keyword(s): ¹	Special tribunal, urgency, authorised, forfeited assets, obtain possession, application, pending finalisation, <i>curator bonis</i> , appeal, invest, preserve, proceeds, rentals, collected, interest-bearing trust account, immediately operative, executable, reasons
Case type ²	Application
Result	Order granted, and first and ninth respondents ordered to pay costs.
Flynote ³	Special Tribunal – urgent application – Tribunal may dispense the rules relating to ordinary time periods for forms and service in matters that are regarded as urgent in terms of Rule 12
Legislation and International Instruments ⁴	o Rule 12 of the Special Tribunal Rules
Cases cited as authority ⁵	n/a
Facts ⁶	The Special Tribunal had granted an order on 7 June 2022 (Tribunal's Order). The applicants approached the Tribunal on an urgent basis in terms of Rule 12 of the Special Tribunal Rules, to be authorised to immediately take certain steps contained in the Tribunal's Order.
Summary ⁷	The Tribunal was asked to consider the papers filed and determine whether the applicants could be authorised to take certain steps contemplated in the Tribunal's Order.
Decision/ Judgment ⁸	The Tribunal authorised that certain steps contained in the Tribunal's Order could be executed with immediate effect, and the first and ninth respondents were ordered to pay costs.
Basis of the decision ⁹	The Tribunal dispensed with the ordinary time periods provided for

¹ Clarify the type of issues that come up in the case.

² Whether Trial, Application or Appeal.

³ **Area of law** - topic – subtopic.

⁴ Legislation/ International instrument title and section numbers.

⁵ List of cases considered to be important precedent (case name and citation).

⁶ Brief facts about the case (max 150 words).

⁷ Summary of the determination of legal questions and/or grounds of appeal (between 150-250 words).

⁸ A brief summary of the ruling/judgment of the court (max 100 words).

⁹ A 1-2 sentence summary of the basis of the decision (i.e. which legal rules were relied on).

	<p>in the Special Tribunal Rules as the matter was regarded as one of urgency in terms of Rule 12. The Tribunal authorised the applicants to immediately take the steps contained in the Tribunal's Order to the extent necessary to obtain possession, control and access to the forfeited assets listed, and to preserve such assets pending the finalisation of an application brought by the first, ninth, tenth and thirteenth respondents for leave to appeal (respondents' application). The Tribunal also ordered the <i>curator bonis</i> to invest and preserve all rental proceeds collected in an interest-bearing trust account pending the finalisation of the respondents' application.</p>
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