

Supreme Court of Appeal of South Africa

MEDIA SUMMARY– JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: 12 September 2013

Status: Immediate

Please note that the media summary is intended for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal.

Sanral v The Toll Collect Consortium

The SCA today upheld an appeal by SANRAL against a judgment reviewing and setting aside the award of a tender for the operation and maintenance of the N2 South Coast Toll Plaza. The court stressed that judicial review is not a means of obtaining a fresh evaluation by the court of the assessment of competing tenders and the decision to award a tender. It is a mechanism for ensuring that in the award of tenders the obligations imposed on public bodies by the Constitution and legislation are observed. In this case the challenge to the evaluation of the tenders was essentially an invitation to the court to re-assess the respondent's tender and this invitation should be declined.