



THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

MEDIA SUMMARY OF JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: 19 June 2026

Status: Immediate

The following summary is for the benefit of the media in the reporting of this case and does not form part of the judgments of the Supreme Court of Appeal

Bandara Investments CC & Another v Palmer & Others (205/2024 & 613/2024) [2026] ZASCA 85 (19 June 2026)

Today, the Supreme Court of Appeal (SCA) dismissed two applications to review the Taxing Master's taxation of costs arising from earlier proceedings between the first applicant, Bandara Investments CC, and the first respondent, Simon Chetwynd-Palmer.

The matter concerned two bills of costs taxed following the dismissal of the first applicant's application for leave to appeal and a subsequent application for reconsideration in terms of s 17(2)(f) of the Superior Courts Act 10 of 2013. The first applicant challenged numerous rulings made by the Taxing Master, contending that various items had been incorrectly allowed, including attorney's fees, correspondent attorney's fees, perusal charges, attendances, communications, copying charges and counsel's fees.

The SCA reiterated the established principle that a court will interfere with a Taxing Master's decision only where it is satisfied that the Taxing Master was clearly wrong or exercised her discretion on an incorrect principle. The court emphasised that the Taxing Master enjoys a wide discretion in determining whether costs claimed are reasonable and necessary.

The SCA rejected the first applicant's contention that an attorney who litigates successfully in person is not entitled to recover professional fees. It held that South African law recognises an exception permitting an attorney acting in person to recover professional costs representing lost professional earnings, provided the charges are genuine and necessary.

The SCA further held that there was no impermissible duplication in allowing certain perusal fees to both the instructing and correspondent attorneys. Where a correspondent attorney performs a substantive role and is not merely a conduit for documents, separate perusal fees may be justified.

In relation to counsel's fees, the SCA found that the Taxing Master had properly considered the complexity and importance of the litigation, the nature of the work performed and the applicable tariff provisions. The SCA was not persuaded that the fees allowed were excessive or unreasonable.

The SCA likewise upheld the Taxing Master's rulings in respect of the correspondent attorney's fees, including charges for taking instructions, perusal of documents, preparation of court copies, scanning and transmission of documents, copying charges and various attendances required for the proper prosecution of the appeals.

Having considered all the objections raised in relation to both bills of costs, the SCA concluded that the first applicant had failed to demonstrate that any of the Taxing Master's rulings were clearly wrong or based on an incorrect principle.

In the result, the applications for review of taxation were accordingly dismissed with costs.

-----oO-----