



THE SUPREME COURT OF APPEAL
REPUBLIC OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: 30 March 2009

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.

SOUTH AFRICAN BROADCASTING CORPORATION v COOP & OTHERS

The Supreme Court of Appeal (SCA) today confirmed the decision of the Johannesburg High Court which had interdicted the SABC from phasing out certain subsidies enjoyed by the respondents who were no longer employees of the SABC but had remained on the SABC Medical Scheme,.

The SABC had, years before, withdrawn the subsidies but the Johannesburg High Court ordered it to reinstate them. That order was confirmed by the SCA. Subsequently the SABC commenced phasing out the subsidies of another group of former employees and notified the respondents in this case that it would commence doing the same regarding the subsidies paid to them. As a result of an impasse the respondents instituted motion proceedings in the Johannesburg High Court.

The Johannesburg High Court found that its previous order remained binding on the SABC. On appeal the SCA, upholding the judgment and order of the Johannesburg High Court, concluded that the previous order of the High Court remained effective until the rights upon which it was founded came to an end.