



**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** 20 March 2015  
**STATUS** Immediate

*Please note that the media summary is for the benefit of the media and does not form part of the judgment.*

***KWA SANI MUNICIPALITY v UNDERBERG/HIMEVILLE  
COMMUNITY WATCH (180/2014) [2015] ZASCA 24 (20 March 2015)***

The SCA today dismissed with costs an appeal by the Kwa Sani Municipality against the dismissal of an application in the KwaZulu-Natal High Court, Pietermaritzburg which sought to declare invalid and set aside an agreement signed on 2 November 2010. The basis of the application was that the decision to conclude it fell foul of the provisions of s 217 of the Constitution because the municipality had neglected to adopt a supply chain management policy and no public process had been undertaken. The SCA held that the facts of the matter had entitled the municipality to contract with the respondent as being the single supplier of the specialised services in question and the agreement was not invalid.