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
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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

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THE MINISTER OF FINANCE AND ANOTHER v PAPER MANUFACTURERS ASSOCIATION OF SOUTH AFRICA

The SCA today upheld an appeal from the High Court, Pretoria, which had issued an interdict preventing the Minister of Finance from submitting a Bill to Parliament. The object of the Bill was to amend Schedules to the Customs and Excise Act. The effect was to reduce or remove or lower rates of duty and rebates on paper and paperboard products. The basis for the interdict was that the Paper Manufacturers Association wished to review the recommendation by the International Trade Administration Commission which gave rise to the Bill.

The SCA held that the Minister cannot be interdicted from presenting a Bill to Parliament, particularly under the circumstances of this case.

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