


REPUBLIC OF SOUTH AFRICA



IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA

12/9/2014

CASE NO: 68285/13

(1)	REPORTABLE: NO
(2)	OF INTEREST TO OTHER JUDGES: NO
(3)	REVISED.
	
SIGNATURE	DATE
	2014/09/12

In the matter between:

WATERS FIREARM TRAINING

FIRST APPLICANT

AND ASSESSMENT CENTRE CC t/a FIREARM

COMPETENCY ASSESSMENT AND TRAINING CENTRE

NTATE AVIATION AND SECURITY TRAINING CC

SECOND APPLICANT

YE-SIZWE SECURITY SERVICES CC

THIRD APPLICANT

UNLIMITED BUSINESS UPLIFTMENT

TRADING UNITS (PTY) LIMITED

FOURTH APPLICANT

and

THE NATIONAL COMMISSIONER OF THE
SOUTH AFRICAN POLICE SERVICES

FIRST RESPONDENT

THE DIVISIONAL COMMISSIONER:

VISIBLE POLICING OF THE

SOUTH AFRICAN POLICE SERVICES

SECOND RESPONDENT

THE SAFETY AND SECURITY SECTOR

EDUCATION AND TRAINING AUTHORITY

(“SASSETA”)

THIRD RESPONDENT

THE QUALITY COUNCIL

FOURTH RESPONDENT

FOR TRADE AND OCCUPATIONS (“QCTO”)

SOUTH AFRICAN PROFESSIONAL

FIREARMS TRAINERS COUNCIL (“SAPFTC”)

FIFTH RESPONDENT

JUDGMENT: APPLICATION FOR LEAVE TO APPEAL

BASSON, J

Introduction

[1] This is an application for leave to appeal to the Full Court of this Division against a judgment of this Court dated 20 June 2014 in terms of which this Court dismissed the application that served before it with costs inclusive of

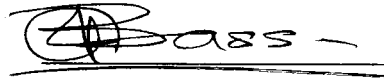
reserved costs. The application for leave to appeal was opposed by the fourth and fifth respondents.

[2] The grounds for leave to appeal are set out in the application for leave to appeal. I do not intend for purposes of this brief judgment repeating the grounds for leave to appeal. I also do not intend to repeat the submissions advanced on behalf of the applicants as those submissions were in essence the same as those submitted before me at the hearing of the application.

[3] It is trite that a Court will grant leave to appeal in circumstances where there are reasonable prospects of success¹. I have again considered the arguments presented to this Court in the application for leave to appeal. I have also considered my judgment and I am not persuaded that the applicants have reasonable prospects of success on appeal.

[4] In the event I make the following order.

4.1 The application for leave to appeal is dismissed with costs.



AC BASSON

JUDGE OF THE HIGH COURT

12 September 2014

¹ The Supreme Court in *Zweni v Minister of Law and Order* 1993 (1) SA 523 (A) held as follows: "The jurisdictional requirements for a civil appeal emanating from a Provincial or Local Division sitting as a Court of first instance are twofold:

(1) the decision appealed against must be a 'judgment or order' within the meaning of those words in the context of s 20(1) of the Act; and

(2) the necessary leave to appeal must have been granted, either by the Court of first instance, or, where leave was refused by it, by this Court. Leave is granted if there are reasonable prospects of success. So much is trite. But, if the judgment or order sought to be appealed against does not dispose of all the issues between the parties the balance of convenience must, in addition, favour a piecemeal consideration of the case. In other words, the test is then 'whether the appeal - if leave were given - would lead to a just and reasonably prompt resolution of the real issue between the parties' (per Colman J in *Swartzberg v Barclays National Bank Ltd* 1975 (3) SA 515 (W) at 518B)."