

Supreme Court of Appeal of South Africa

MEDIA SUMMARY – JUDGMENT DELIVERED IN SUPREME COURT
OF APPEAL

From: The Registrar, Supreme Court of Appeal

Date: 27 May 2008

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

THE CHAIRMAN OF THE STATE TENDER BOARD & ANOTHER v
SUPERSONIC TOURS (PTY) LTD

Supersonic Tours (Pty) Ltd tendered for, and was awarded, a contract for the supply of travel services to the Department of Defence. The State Tender Board subsequently disqualified Supersonic and its directors, for a period of 10 years, from tendering for State contracts, on the basis that Supersonic had acted fraudulently or in bad faith when it had submitted its tender.

The SCA set the disqualification aside as Supersonic had at no time been informed that the State Tender Board was considering disqualifying

it on either of the grounds relied on by the Board, and the Board's decision was accordingly held to be procedurally unfair.

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