



# THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

## JUDGMENT

Case No: 664/10

In the matter between:

**EMERGENCY CARE TRAINING ASSOCIATION**

Appellant

and

**HEALTH PROFESSIONS COUNCIL OF  
SOUTH AFRICA  
PROFESSIONAL BOARD FOR EMERGENCY CARE  
PRACTITIONERS  
CHAIRPERSON: PROFESSIONAL BOARD FOR  
EMERGENCY CARE PRACTITIONERS**

First Respondent

Second Respondent

Third Respondent

**Neutral citation:** *Emergency Care Training Association v Health Professions Council of South Africa* (664/10) [2011] ZASCA 126 (9 September 2011).

**Coram:** CLOETE, SNYDERS, SHONGWE, SERITI and WALLIS JJA

**Heard:** 9 SEPTEMBER 2011

**Delivered:** 9 SEPTEMBER 2011

**Summary:**

---

## ORDER

---

**On appeal from:** North Gauteng High Court (Pretoria) (Kollapen J sitting as court of first instance):

The appeal is dismissed. The appellant is ordered to pay the respondents' costs including the costs of two counsel.

---

## JUDGMENT

---

CLOETE JA (SNYDERS, SHONGWE, SERITI and WALLIS JJA concurring):

[1] No decision was required by the court a quo as the undertakings given by some of the respondents in the answering affidavit rendered the relief sought unnecessary.

[2] A decision on the issues sought to be raised on appeal would have no practical effect or result.

[3] I would therefore exercise the discretion this court has in terms of s 21A of the Supreme Court Act, 59 of 1959, in favour of dismissing the appeal.

[4] The appeal is dismissed. The appellant is ordered to pay the respondents' costs including the costs of two counsel.

---

T D CLOETE  
JUDGE OF APPEAL

## APPEARANCES:

## APPELLANTS:

D S Fourie SC

Instructed by Hurter Spies Inc, Pretoria  
Rossouw Attorneys, Bloemfontein

## RESPONDENTS:

M Chaskalson SC (with him Ms N J Jele)

Instructed by Gildenhuys Lessing Malatji Inc,  
Pretoria  
Honey Attorneys, Bloemfontein