



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 31 May 2019

STATUS Immediate

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

Rhino Oil and Gas Exploration South Africa (Pty) Ltd v Normandien Farms (Pty) Ltd (100/2018) [2019] ZASCA 88 (31 May 2019)

MEDIA STATEMENT

The Supreme Court of Appeal (SCA) today allowed the appeal of Rhino Oil and Gas Exploration South Africa (Pty) Ltd (Rhino) against Normandien Farms (Pty) Ltd (Normandien). Rhino had applied for a petroleum exploration right in terms of the Minerals and Petroleum Resources Development Act 28 of 2002 (the MPRDA). It wished to conduct a desk-top and aerial survey of a vast area so that it could identify potential sites of gas reserves. Normandien applied successfully to the court below to review and set aside the acceptance of Rhino's application and other preliminary steps that had been taken. The SCA, in setting aside the court below's order, held that the relief should not have been granted because Normandien had not been prejudiced by the steps taken and, because no final decision had been taken on Rhino's application, Normandien's application had not been ripe for adjudication.