



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: 19 June 2024

Status: Immediate

The following summary is for the benefit of the media in the reporting of this case and does not form part of the judgments of the Supreme Court of Appeal

City of Tshwane Metropolitan Municipality v Glofurn (Pty) Ltd (136/2023) [2024] ZASCA 101 (19 June 2024)

Today the Supreme Court of Appeal (SCA) has dismissed an appeal by the City of Tshwane Metropolitan Municipality against a Gauteng High Court decision in a dispute with Glofurn Pty Ltd over electricity accounts. The dispute arose after the City migrated Glofurn from a post-paid to a pre-paid system, leading to confusion over billing and payments.

Key points:

1. The SCA majority judgment held that the dispute between the City and Glofurn remained unresolved, precluding the City from disconnecting Glofurn's electricity supply under the Local Government: Municipal Systems Act.
2. The SCA found no merit in the City's question of law regarding the enforceability of its Credit Control Policy, stating that the High Court's comments on this issue were obiter and not legally binding.
3. The SCA minority judgment agreed with the order but differed on the High Court's handling of the policy enforceability issue, stating that it should have been addressed through a separate review application.
4. The appeal was dismissed with costs, including the costs of two counsel where so employed.

