

9.1 ALLOCATION OF COURTS

1. During Court Term

Six Courts are allocated for the hearing of opposed and unopposed motion matters each week.

1.1 Court 1

1.1.1 This Court is presided over by the senior motion court judge for the week.

1.1.2 This Court is available for the hearing of opposed matters.

1.1.3 This court commences sitting on the Monday at 10h00 and sits until 13h00. It resumes sitting on Tuesday at 10h00 and terminates its sitting on Friday at 16h00.

1.1.4 The Judge presiding in this court allocates the opposed matters which are to be heard on the Monday on the preceding Friday from 13h00.

1.1.5 The Judge presiding in this court allocates the balance of the opposed roll on the Monday from 13h00.

1.2 Court 2

1.2.1 This court hears the following unopposed matters on the Tuesday of each week:

1.2.1.1 Sequestration applications.

1.2.1.2 Return days of provisional orders of sequestration.

1.2.1.3 Voluntary surrender of estates.

1.2.1.4 Rehabilitations.

1.2.1.5 Winding-up applications.

1.2.1.6 Return days of provisional orders of winding-up.

1.2.1.7 Provisional sentence.

1.2.1.8 All applications in terms of the Insolvency Act and the Companies Act

1.2.2 This court hears opposed motion matters, as allocated to it by the senior motion court judge, from Wednesday at 10h00 until Friday at 16h00.

1.3 Court 3

1.3.1 This court hears the following unopposed motion matters on the Tuesday of each week:

1.3.1.1 All other applications (excluding summary judgment, default judgments (subject to the provisions of Rule 31) and Rule 43 applications)

1.3.1.2 All other applications (excluding summary judgment and Rule 43 applications)

1.3.2 This court hears opposed motion matters, as allocated to it by the senior motion court judge, from Wednesday at 10h00 until Friday at 16h00.

1.4 Court 4

1.4.1 This court hears the following motion matters on the Tuesday and Wednesday of each week:

1.4.1.1 Summary judgment applications (unopposed and opposed).

1.4.1.2 Rule 43 applications (unopposed and opposed).

1.4.1.3 Default Judgments (subject to provisions of Rule 31)

1.4.2 Unless specifically so directed by the Deputy Judge President, this court is not available for the hearing of motion matters on Thursday or Friday of the week.

1.5 Court 5

1.5.1 This court hears opposed and unopposed motion matters allocated to it by the senior motion court judge.

1.5.2 This court commences sitting on Monday at 10h00 and terminates its sitting on Friday at 16h00.

1.6 Court 6

1.6.1 This court hears both opposed and unopposed urgent applications that have not been allocated to any of the other motion courts on the ordinary roll.

1.6.2 This court is available from 16h00 on the Friday preceding the motion court week and terminates its sitting on the following Friday at 16h00.

2. During Court Recess

Three courts are allocated for the hearing of opposed and unopposed motion matters each week.

2.1 Court 2

2.1.1 This court hears the matters referred to in para. 1.2.1 and 1.4.1.1 on the Tuesday of each week.

2.1.2 Save as provided for in para. 1.4.1.1 no opposed matters are heard.

2.1.3 Only opposed summary judgment applications without complexity will be heard during recess.

2.2 Court 3

2.2.1 This court hears the matters referred to in para. 1.3.1 and 1.4.1.2 on the Tuesday of each week.

2.2.2 Save as provided for in para. 1.4.1.2 no opposed matters are heard.

2.2.3 Only opposed rule 43 applications without complexity will be heard during recess.

2.3 Court 6

2.3.1 This court hears both opposed and unopposed urgent applications.

2.3.2 This court is available from 16h00 on the Friday preceding the motion court week and terminates its sitting on the following Friday at 16h00, save for the last week of recess. In the last week of recess the court terminates on Monday, at 08h00.

3. In all the motion courts, whether in term or in recess, matters not completed on the designated day will stand over until the next day for completion.