

Table of Cases

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z
(up to and including Revision Service 4 March 2012)

Note: References given in this Table are to section numbers in chapters, not page numbers

Southern Africa

A

- AAA Investments v Micro Finance Regulatory Council and Another 2007 (1) SA 343 (CC), 2006 (11) BCLR 1255 (CC)
— 3.4(a), 9.4(b)(i), 12.3(d)(iii), 17.5(e)(i) & (iii), 18.3(f)(ii), 32.5(b), 40.1(b)(i), 63.3(b), 63.8
- ABBM Printing and Publishing (Pty) Ltd v Transnet Limited 1998 (2) SA 109 (W), 1997 (1) BCLR 1429 (W), [1997] 4 All AC SA 94 (W)
— 25.8, 62.7
- ABSA Bank Ltd t/a Bankfin v Stander t/a CAW Paneelkloppers 1998 (1) SA 939 (C)
— 32.5(b)
- ABSA Bank Ltd v Amod [1999] 2 All SA 423 (W)
— 55.6(b)(ii)
- AD & Another v DW & Others (Centre for Child Law as Amicus Curiae; Department for Social Development as Intervening Party) 2008 (3) SA 183 (CC), 2008 (4) BCLR 359 (CC)
— 32.5(b), 47.1
- AK Entertainment CC v Minister of Safety and Security and Others 1995 (1) SA 783 (E), 1994 (4) BCLR 31 (E)
— 31.3(d), 36.4(f), 38.4, 54.4
- AM Moola Group Ltd and Others v Commissioner, South African Revenue Service and Others 2003 (6) SA 244 (SCA)
— 32.5(c)
- Abrahamse v East London Municipality and Another; East London Municipality v Abrahamse 1997 (4) SA 613 (SCA)
— 32.3(a)
- Abrams v Allie NO and Others 2004 (4) SA 534 (SCA), 2004 (9) BLLR 914 (SCA), [2004] 2 All SA 99 (SCA)
— 24F.2, 48.8(c)(ii), 58.2
- Abt v Registrar of Supreme Court (1899) 16 SC 476
— 42.9(c)
- Acting Superintendent-General of Education of KwaZulu-Natal v Ngubo 1996 (3) BCLR 369 (N)
— 9.5(c)(iii), 43.3(a)
- Adbro Investment Co Ltd v Minister of Interior and Others 1961 (3) SA 283 (T)
— 9.5(b)(ii)
- Administrator, Natal and Another v Sibiya 1992 (4) SA 532 (A)
— 63.3(b)
- Administrator, Transvaal and Others v Traub and Others 1989 (4) SA 731 (A)
— 63.5(d)
- Administrator, Transvaal and Others v Zenzile and Others 1991 (1) SA 21 (A)
— 63.3(b)

- Administrator, Transvaal v Brydon 1993 (3) SA 1 (A)
— 9.2(b)(i)
- Advance Mining Hydraulics v Botes NO 2000 (1) SA 815 (T), 2000 (2) BCLR 119 (T)
— 36.3(a), 36.3(d)
- Afdelingsraad van Swartland v Administrateur, Kaap 1983 (3) SA 469 (C)
— 7.3(b)
- Affordable Medicines Trust and Others v Minister of Health and Others 2006 (3) SA 247 (CC), 2005 (6) BCLR 529 (CC)
— 3.6, 4.3(d)(ii), 17.5(e)(i), 17.5(f)(ii), 32.5(b), 50.4(h)(ii)(hh), 63.4, 66.1(c)
- Affordable Medicines Trust v Minister of Health 2004 (6) SA 387 (T)
— 36.4(f)
- Africa Christian Action v Marie Stopes South Africa (Advertising Standards Authority of South Africa Final Appeal Committee, 22 April 2004)
— 37.11
- African Charcoal (Pty) v Ndlovu [2002] 2 ALL SA 19 (LCC)
— 48.7(b)(iv)
- African Christian Democratic Party v Electoral Commission and Others 2006 (3) SA 305 (CC), 2006 (5) BCLR 579 (CC)
— 1.3, 9.4(b)(ii), 10.3(b), 10.4(b), 10.5(c), 12.3(d)(ii)(bb), 32.3(b), 32.3(c), 32.5(c)
- African National Congress and Another v Minister of Local Government and Housing, KwaZulu-Natal and Others 1998 (3) SA 1 (CC), 1998 (4) BCLR 399 (CC)
— 6.2(d), 26.5(d)
- African National Congress and Others v United Democratic Movement and Others (Krog and Others Intervening) 2003 (1) SA 533 (CC), 2003 (1) BCLR 1 (CC)
— 4.3(a)(ii), 17.1(c), 19.1(c)
- African National Congress (Border Branch) v Chairman, Council of State, Ciskei 1992 (4) SA 434 (Ck), 1994 (1) BCLR 145 (Ck)
— 32.1(a), 43.2(b)(ii), 43.3(b)(iv)
- African National Congress v Inkatha Freedom Party [1999] 3 All SA 47 (W)
— 42.9(a)
- African Political Organisation and the British Indian Association v Johannesburg Municipality 1906 TS 962
— 7.3(b)
- Afrika v Metzler 1997 (4) SA 531 (NmH)
— 38.2(b)(i), 38.2(b)(iii), 38.3(b)(i), 42.9(a)
- Afrox Healthcare Bpk v Strydom 2002 (6) SA 21 (SCA)
— 11.2(a), 11.3(b), 14.5(d)(ii)(cc), 31.1(c), 31.2(d)(vi), 31.4(a)(v), 31.4(c)(ii), 31.4(e)(x), 31.7(c), 32.5(b), 36.4(f), 56C.3(b)(ii)
- Ahmadiyya Anjuman Ihaati-Islam Lahore (South Africa) and Another v Muslim Judicial Council (Cape) and Others 1983 (4) SA 855 (C)
— 7.2(b), 7.2(c)(v)
- Airconditioning Design & Development (Pty) Ltd v Minister of Public Works, Gauteng Province 2005 (4) SA 103 (T)
— 59.4(a)(iv)
- Airoadexpress v LRTB, Durban 1986 (2) SA 663 (A)
— 4.3(b)(vii)
- Alexkor Ltd and Another v The Richtersveld Community and Others 2004 (5) SA 460 (CC), 2003 (12) BCLR 1301 (CC)
— 4.3(a), 4.3(d)(iii), 9.5(b)(ii), 24F.2, 32.3(c), 36.5(c), 48.4, 48.5, 48.8(c)(ii), 48.8(c)(iii), 58.1(b), 58.2, 64.4(b)(i)

- Alfred Mc Alpine & Son (Pty) Ltd v Transvaal Provincial Administration 1974 (3) SA 506 (A)
— 32.3(b)
- All the Best Trading CC t/a Parkville Motors v S N Nyagar Property Development and Construction CC 2005 (3) SA 396 (T)
— 50.4(b)
- Alliance Corporation Ltd v Blogg: In re Alliance Corporation Ltd v Blogg and Others [1999] 3 All SA 262 (W)
— 66.1(c)
- Allsop v McCann 2001 (2) SA 706 (C), [2000] 3 All SA 475 (C)
— 41.4(c), 47.3(a)
- Amalgamated Engineering Union v Minister of Labour 1949 (3) SA 637 (A)
— 3.4(b)
- Amalgamated Packaging Industries Ltd v Hutt 1975 (4) SA 943 (A)
— 53.5
- American Natural Soda Ash Corp and Another v Competition Commission and Others 2005 (6) SA 158 (SCA)
— 3.5(b)
- Amod v Multilateral Motor Vehicle Accidents Fund 1998 (4) SA 753 (CC), 1998 (10) BCLR 1207 (CC)
— 5.3(e)(ii), 11.3(b), 24D.5(e), 31.4(e)(ii), 31.4(e)(iv), 32.5(b)
- Amod v Multilateral Motor Vehicle Accidents Fund (Commission for Gender Equality Intervening) 1999 (4) SA 1319 (SCA)
— 4.3(d)(i)(aa), 11.3(b), 24D.5(e), 24F.4(e)(i), 41.4(a), 41.6, 64.6(b)(ii)
- Amod v S 2001 (4) All SA 13 (E)
— 52.10(d)
- Antonie v Governing Body, Settlers High School and Others 2002 (4) SA 738 (C)
— 47.1, 57.2(a)(i)(bb)(x), 57.2(a)(ii)(aa)(y)(bbb)(xx)
- Aquafund (Pty) Ltd v Premier of the Province of the Western Cape 1997 (7) BCLR 907 (C), [1997] 2 All SA 608 (C)
— 25.8, 50.3(b)(ii)(aa)(u), 62.7
- Areff v Minister van Polisie 1977 (2) SA 900 (A)
— 38.3(a)(iv)
- Argus Printing and Publishing v Esselen's Estate 1994 (2) SA 1 (A)
— 36.4(h)(iii), 42.9(a)
- Armbruster and Another v Minister of Finance and Others 2007 (6) SA 550 (CC), 2007 (12) BCLR 1283 (CC)
— 4.4, 59.4(a)(i)
- Arnold v Race Classification Appeal Board 1967 (2) SA 267 (C)
— 17.3(f)
- Association of Amusement and Novelty Machine Operators and Another v Minister of Justice and Another 1980 (2) SA 636 (A)
— 32.5(c)
- Association of Chartered Certified Accountants v Chairman, Public Accountants' and Auditors' Board 2001 (2) SA 980 (W)
— 25.8, 31.4(f), 31.4(f)(ii), 63.3(b), 63.3(c)
- Attorney-General, Eastern Cape v Blom and Others 1988 (4) SA 645 (A)
— 6.2(d)
- Attorney-General, Eastern Cape v D 1997 (1) SACR 473 (E), 1997 (7) BCLR 918 (E)
— 51.1(b)(iv), 51.5(f), 51.5(e)(i)

- Attorney General, Namibia, Ex parte: In re Corporal Punishment by Organs of State 1991 (3) SA 76 (NmS)
— 40.7(a)(i), 40.7(a)(ii), 40.7(c)(i), 49.2(d), 49.2(d)(ii)
- Attorney-General, Namibia, Ex Parte: In re the Constitutional Relationship between the Attorney-General and the Prosecutor-General 1995 (8) BCLR 1070 (NmS)
— 17.5(d)
- Attorney-General of Lesotho and Another v Swissborough Diamond Mines (Pty) Ltd and Others 1997 (8) BCLR 1122 (CA)
— 30.4(d)
- Attorney-General of the Transvaal v Additional Magistrate for Johannesburg 1924 AD 421
— 47.7(a)
- Attorney-General v Moagi (1982) (2) BLR 124 (CA)
— 32.1(b), 51.4(b)(ii), 51.5(j)(ii)
- August and Another v Electoral Commission and Others 1999 (3) SA 1 (CC), 1999 (4) BCLR 363 (CC)
— 2.1, 8.3(g), 9.2(b)(i), 9.2(e)(iv)(cc), 9.6(c)(ii)(bb), 10.3(b), 10.4(b), 10.5(c), 12.3(d)(ii)(bb), 17.5(b), 29.2(b), 33.12, 34.7(a), 34.7(c)(i), 34.8(e)(ii), 36.2(d), 38.3(b)(ii), 40.7(c)(i), 49.3(a), 55.5(c), 57.2(b)(ii)(bb), 64.6(f)
- Avril Elizabeth Home for the Mentally Handicapped v Commission For Conciliation, Mediation & Arbitration and Others (2006) 27 ILJ 1644 (LC)
— 59.4(c)(vi)
- Azanian People's Organisation (AZAPO) and Others v President of the Republic of South Africa and Others 1996 (4) SA 671 (CC), 1996 (8) BCLR 1015 (CC)
— 30.1(b)(i), 30.2(b), 32.4(a), 32.5(c), 48.4, 49.1, 51.5(m), 59.5
- Azanian People's Organisation (AZAPO) and Others v Truth and Reconciliation Commission and Others 1996 (4) SA 562 (C)
— 51.5(m)

B

- B v M 2006 (9) BCLR 1034 (W)
— 47.3(a), 47.3(b)
- B v S 1995 (3) SA 571 (A)
— 47.3(a), 47.3(b)
- B v S 2003 (9) BCLR 955 (E)
— 52.4(c)(i)
- BAWU v Asoka Hotel (1989) 10 ILJ 167 (IC)
— 53.6
- BTR Industries SA (Pty) Ltd and Others v Metal and Allied Workers' Union and Another 1992 (3) SA 673 (A)
— 63.5(g)
- Bacela v MEC for Welfare (Eastern Cape Provincial Government) [1998] 1 All SA 525 (E)
— 56D.4(b)
- Bafokeng Tribe v Impala Platinum Ltd and Others 1999 (3) SA 517 (B), 1998 (11) BCLR 1373 (B)
— 7.2(c)(i), 7.2(c)(iii), 59.4(a)(iii)
- Bagnall v The Colonial Government (1907) 24 SC 470
— 7.2(b)

- Baldeo v Minister of Safety and Security for the Republic of South Africa 1997 (12)
BCLR 1728 (D)
— 59.4(a)(ii)
- Balmoral Investments (Edms) Bpk v Minister van Mineraal- en Energiesake en Andere
1995 (9) BCLR 1104 (NC)
— 62.7
- Baloro and Others v University of Bophutathswana 1995 (8) BCLR 1018 (B)
— 32.3(a), 32.4(c)
- Baloro and Others v University of Bophuthatswana and Others 1995 (4) SA 197 (B),
1995 (8) BCLR 1018 (B)
— 11.2(b)(i), 31.3(a)(i), 31.4(f)
- Banana v Attorney-General 1999 (1) BCLR 27 (ZS)
— 42.9(c), 51.5(e)(ii)
- Bangindawo and Others v Head of the Nyanda Regional Authority and Another;
Hlantlalala v Head of the Western Transvaal Regional Authority and Others 1998
(3) SA 262 (Tk), 1998 (2) SACR 16 (Tk), 1998 (3) BCLR 314 (Tk)
— 26.6(c)(i), 51.5(e)(i), 51.5(h), 59.2(b)
- Bannatyne v Bannatyne (Commission for Gender Equality, as Amicus Curiae) 2003 (2)
SA 363 (CC), 2003 (2) BCLR 111 (CC)
— 4.3(g)(ii), 5.3(a)(ii), 6.2(a), 8.3(g), 24D.5(e), 24F.4(e)(i), 31.4(b)(iii), 35.1(d)(iii),
35.5(g)(ii), 47.10(b), 47.3(b), 49.1
- Baramoto and Others v Minister of Home Affairs and Others 1998 (5) BCLR 562 (W)
— 51.3(g), 59.2(b), 59.4(c)(iv)
- Bareki NO v Gencor Ltd & Others 2006 (1) SA 432
— 50.3(b)(i)(bb)(x)(3)
- Barkhuizen v Napier 2007 (5) SA 323 (CC), 2007 (7) BCLR 691 (CC)
— 3.3(a), 4.3(d)(i)(aa), 4.3(d)(i)(aa), 9.2(c)(iii)(bb), 32.1(c), 32.3(c), 32.4(c),
59.2(b), 59.2(a)(ii), 59.4(a)(i), 59.4(a)(ii)
- Barnard v Santam Bpk 1999 (1) SA 202 (SCA)
— 40.8(b)
- Basson and Others v City of Johannesburg Metropolitan Municipality and Others and
Eskom Pension and Provident Fund v City of Johannesburg Metropolitan
Municipality and Others 2005 JDR 1
— 22.3(b)(v)
- Bate v Regional Magistrate, Randburg 1996 (7) BCLR 974 (W)
— 31.2(d)(v), 51.2, 51.4(c), 51.5(f)
- Bato Star Fishing (Pty) Ltd v Minister of Environmental Affairs and Others 2004 (4) SA
490 (CC), 2004 (7) BCLR 687 (CC)
— 1.3, 3.3(c), 4.3(d)(ii), 4.3(d)(iii), 11.1(b), 11.2(b)(iii), 11.3(a), 12.3(d)(ii)(aa),
13.2(a), 13.5(a), 22.5(d), 26.6(c)(iii), 32.3(a), 32.3(c), 35.1(d)(ii), 35.4(a), 35.4(d)
(iii), 48.4, 50.3(b)(i)(ee)(z), 50.3(b)(ii)(bb)(y), 56B.3(b)(i), 63.1, 63.6(a), 63.6(b),
63.6(d)
- Beck v Kopanong Local Municipality, unreported (OFS) Case No 3773/2002
— 22.4(b)
- Beedle & Co v Bowley (1895) 12 SC 401
— 32.5(c)
- Beinash v Ernst and Young 1999 (2) SA 116 (CC), 1999 (2) BCLR 125 (CC)
— 5.2, 6.2(b)(iii), 34.1(b), 34.3(b), 34.8(c)(ii), 43.3(a), 52.6(a)(i), 54.5, 59.2(b),
59.3(b), 59.4(a)(vi), 59.4(b)(iii), 59.5

- Beja and Others v Premier, Western Cape and Others (Unreported), Western Cape High Court Case No.21332/10, 29 April 2011
— 56B.5(b)(ii)
- Bekker and Another v Jika 2002 (4) SA 508 (E), [2002] All SA 156 (E)
— 13.5(a), 24C.3(c)(ii)
- Bekker v Jika [2001] 4 All SA 573 (SE)
— 55.6(b)(ii), 56C.3(b)(ii)
- Belli, Ex Parte 1914 CPD 742
— 30.2(a)
- Bellocchio Trust Trustees v Engelbrecht NO and Another 2002 (3) SA 519 (C)
— 34.7(a), 59.4(a)(iv)
- Bel Porto School Governing Body and Others v Premier of the Province, Western Cape and Another 2002 (3) SA 265 (CC), 2002 (9) BCLR 891 (CC)
— 4.3(d)(ii), 9.2(c)(i)(bb), 9.2(c)(iv), 6.2(a), 6.2(d), 11.1(b), 11.1(c), 11.3(c)(iii), 17.5(f)(i), 31.4(c)(ii), 31.4(c)(iii), 31.4(d)(i), 32.3(b), 34.5(b)(ii), 35.3(a)(ii), 35.3(e)(i), 35.5(g)(i), 35.5(h), 57.2(a)(i)(bb)(y), 59.4(b)(i), 63.5(a), 63.6(b), 63.7(b), 63.10
- Bennett v Minister of Safety and Security 2006 (1) SACR 523 (T)
— 52.4(c)(i)
- Benson v Robinson and Co 1967 (1) SA 420 (A)
— 38.2(c)(i)
- Berg v Prokureur-Generaal, Gauteng 1995 (2) SACR 623 (T)
— 51.5(f), 51.5(g)
- Bernstein and Others v Bester and Others NNO 1996 (2) SA 751 (CC), 1996 (4) BCLR 449 (CC)
— 4.3(c)(ii), 12.3(c)(ii), 12.3(d)(iv), 17.5(d), 32.3(b), 32.4(c), 34.3(b), 34.8(c)(iii), 36.4(e), 38.1, 38.2, 38.2(a)(i), 38.2(a)(iii), 38.3, 38.3(a), 38.3(a)(i), 38.3(a)(ii), 38.4, 38.5(b), 40.2(a), 40.3(b), 40.3(c)(i), 40.3(d), 51.1(a)(v), 51.1(b)(iii), 51.4(b)(iii), 51.5(b), 52.2(b), 59.3(a)(iv), 59.4(b), 59.4(b)(ii), 62.8(a)
- Bertie Van Zyl (Pty) Ltd & Another v Minister for Safety and Security & Others 2010 (2) SA 181 (CC), 2009 (10) BCLR 978 (CC), [2009] ZACC 11
— 17.5(f)(ii)
- Besserglik v Minister of Trade, Industry and Tourism and Others (Minister of Justice Intervening) 1996 (4) SA 331 (CC), 1996 (6) BCLR 745 (CC)
— 5.3(d), 59.3(a)(iv), 59.3(b)
- Bester v Calitz 1982 (3) SA 864 (O)
— 38.2(c)(ii)
- Bester v Commercial Union Versekeringsmaatskappy van SA Bpk 1973 (1) SA 769 (A)
— 40.8(b)
- Betta Eiendomme (Pty) Ltd v Ekple-Epoh 2000 (4) SA 468 (W)
— 32.4(a), 33.11(c), 55.3(b), 55.6(a), 55.6(b)(ii), 56C.3(b)(ii)
- Beukes v Krugersdorp Transitional Local Council and Another 1996 (3) SA 467 (W)
— 7.2(c), 7.2(c)(iii)
- Beyers v Director of Public Prosecutions, Western Cape, and Others 2003 (1) SACR 164 (C)
— 51.5(h), 52.4(c)(i)
- Beyers v Elf Regters van die Grondwetlike Hof 2002 (6) SA 630 (CC), 2002 (10) BCLR 1001 (CC)
— 4.2(b), 5.3(e)(i)
- Bezuidenhout v Bezuidenhout 2003 (6) SA 691 (C)
— 31.4(e)(v)

- Bhe and Others v Magistrate, Khayelitsha, and Others (Commission for Gender Equality as Amicus Curiae); Shibi v Sithole and Others; South African Human Rights Commission and Another v President of The Republic of South Africa and Another 2005 (1) SA 580 (CC), 2005 (1) BCLR 1 (CC)
— 5.3(a)(ii), 5.3(d), 9.2(b)(ii)(bb), 9.2(d)(i)(aa), 9.3, 9.4(d)(iii), 9.4(e)(i)(bb), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 13.1, 13.2(a), 24C.3(c)(ii), 26.3, 26.5(b)(ii), 26.6(a), 31.4(e)(ix), 32.3(c), 34.1(a), 34.7(a), 34.8(c)(i), 34.8(c)(ii), 34.8(e)(ii), 35.1(b), 35.1(d)(i), 35.5(g)(i), 35.5(g)(ii), 35.5(g)(iv), 35.5(g)(vi), 35.5(g)(viii), 35.5(g)(ix), 35.5(h)(i), 36.3(c), 36.4(a), 36.4(d)(ii), 36.5(a)(ii), 36.5(c), 37.4, 47.1, 48.4, 48.5, 57.3(b), 57.4(c)(ii)(cc), 58.1(b), 58.1(c), 58.5(a), 58.6, 64.6(b)(i)
- Bhe and Others v The Magistrate, Khayelitsha and Others (unreported, CPD Case No 9489/02, 25 September 2003)
— 41.6
- Bhika v Minister of Justice 1965 (4) SA 399 (W)
— 38.3(a)(iv)
- Binga v Administrator-General, South West Africa and Others 1984 (3) SA 949 (SWA)
— 30.1(b)(i)
- Binga v Cabinet for South West Africa and Others 1988 (3) SA 155 (A)
— 12.3(d)(iii)
- Biowatch Trust v Registrar Genetic Resources & Others 2009 (6) SA 232 (CC) , 2009 (10) BCLR 1014 (CC), [2009] ZACC 14
— 50.4(h)(ii)(hh)
- Blaauwberg Meat Wholesalers CC v Anglo Dutch Meats (Exports) Ltd 2004 (3) SA 160 (SCA)
— 31.4(e)(x)
- Bleazard v Argus Printing and Publishing Co Ltd (1983) 4 ILJ 60 (IC)
— 53.5
- Bloem and Another v State President 1986 (4) SA 1064 (O)
— 2.2(i)(v), 17.7(a)
- Blore v Standard General Insurance Co Ltd 1972 (2) SA 89 (O)
— 40.5(b)(ii)
- Bock and Others v Duburoro Investments (Pty) Ltd 2004 (2) SA 242 (SCA)
— 59.4(a)(i)
- Boesak v Chairman, Legal Aid Board 2003 (2) SACR 181 (T)
— 51.5(g)
- Boesak v Minister of Home Affairs 1987 (3) SA 665 (C)
— 41.1(a)
- Bogoshi v National Media Ltd and Others 1996 (3) SA 78 (W)
— 42.9(a), 42.9(b)
- Bolofo and Others v Director of Public Prosecutions 1997 (8) BCLR 1135 (Lesotho CA)
— 51.4(d)
- Boltman v Kotze Community Trust (Unreported Land Claims Court Case No LCC 5/99, 11 August 1999)
— 48.8(c)(ii)
- Bongopi v Chairman, Ciskei Council of State and Others 1993 (3) SA 494 (CkA)
— 32.1(a)
- Bongopi v Chairman of The Council of State, Ciskei and Others 1992 (3) SA 250 (CkGD)
— 32.1(a)

- Bongoza v Minister of Correctional Services 2002 (6) SA 330 (TkH)
— 31.4(e)(ii), 31.4(e)(iv), 59.4(c)(v), 59.4(c)(vi)
- Bookworks (Pty) Ltd v Greater Johannesburg Transitional Metropolitan Council 1999 (4) SA 799 (W)
— 31.4(e)(x), 59.4(a)(viii)
- Booyesen and Others v Minister of Home Affairs and Another 2001 (4) SA 485 (CC), 2001 (7) BCLR 645 (CC)
— 4.3(c)(i), 5.3(c), 9.4(e)(i)(cc), 31.3, 31.3(a)(i), 31.3(b), 36.3(a), 36.4(b), 36.5(b), 44.3(c)(ii), 47.3(b), 66.1(d)(i)
- Borgin v de Villiers 1980 (3) SA 556 (A)
— 38.2(c)(i)
- Boswell v Minister of Police 1978 (3) SA 268 (E)
— 40.8(b)
- Botha and Another v Mthiyane and Another 2002 (1) SA 289 (W), 2002 (4) BCLR 389 (W)
— 42.9(a)
- Botha (now Griessel) v Finanscredit (Pty) Ltd 1989 (3) SA 773 (A)
— 31.4(c)(ii)
- Botha v Botha 1972 (2) SA 559 (N)
— 52.9
- Botha v Minister van Veiligheid en Sekuriteit 2003 (6) SA 568 (T)
— 40.5(b)(i)
- Botha v Minister van Wet and Orde 1990 (3) SA 937 (W)
— 59.4(b)(v), 42.9(c)
- Botha v Morobane (unreported, LCC Case No 35R/04, 30 April 2004)
— 48.7(b)(iv)
- Botswana Railways' Organisation v Setsogo (1995) BLR 758
— 64.4(c)
- BP Southern Africa (Pty) Ltd v MEC for Agriculture, Conservation, Environment and Land Affairs 2004 (5) SA 124 (W)
— 31.4(b)(iii), 31.4(b)(v), 31.4(e)(iii), 50.3(b)(i), 50.3(b)(i)(aa), 50.3(b)(i)(dd), 50.3(b)(i)(ee)(w), 50.3(b)(i)(ee)(y)(1), 50.3(b)(i)(ee)(z), 50.3(b)(ii)(bb), 50.4(e), 50.4(g)
- Brink v Kitshoff NO 1996 (4) SA 197 (CC), 1996 (6) BCLR 752 (CC)
— 4.3(c)(i), 9.2(d)(i)(aa), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 32.3(b), 32.4(c), 32.5(b), 32.5(c), 34.8(c)(v), 35.1(b), 35.1(d), 35.2, 35.4, 35.5(b), 35.5(e), 35.5(f), 35.5(g)(ii), 35.5(g)(iii), 35.5(h)(i), 37.4
- Brisley v Drotsky 2002 (4) SA 1 (SCA), 2002 (12) BCLR 1229 (SCA)
— 4.3(d)(i)(aa), 13.3, 31.4(c)(ii), 33.11(c), 36.4(f), 55.6(a), 56C.3(b)(ii)
- Broude v McIntosh 1998 (3) SA 60 (SCA)
— 40.11(b)
- Bruce and Another v Fleecytex Johannesburg CC and Others 1998 (2) SA 1143 (CC), 1998 (4) BCLR 415 (CC)
— 3.4(d), 4.3(b), 5.3(d), 32.5(b), 59.4(a)(iv)
- Brummer v Gorfil Brothers Investments (Pty) Ltd 1999 (3) SA 389 (SCA)
— 31.4(c)(ii)
- Brummer v Gorfil Brothers Investments (Pty) Ltd and Others 2000 (2) SA 837 (CC), 2000 (5) BCLR 465 (CC)
— 5.3(e)(i), 6.2(c), 31.8(a)

- Buffalo City Municipality v Gauss and Another 2005 (4) SA 498 (SCA), 2006 (11) BCLR 1314 (SCA)
— 63.5(e)
- Bullock NO v Provincial Government, North West Province 2004 (5) SA 262 SCA
— 63.3(b), 63.3(c), 63.5(d)
- Burchell v Johncom Media Investments Ltd (unreported, (EC) Case No 1092/2004
— 42.9(a)
- Bushbuck Ridge Border Committee v Government of the Northern Province 1999 (2) BCLR 193 (T)
— 14.3(c)(i), 17.8(a)
- Bushula and Others v Permanent Secretary, Department of Welfare, Eastern Cape Provincial Government 2000 (2) SA 849 (E), 2000 (7) BCLR 728 (E)
— 56D.4(a)
- Business South Africa v Congress of South African Trade Unions and Another (1997) 18 ILJ 474 (LAC)
— 53.6
- Buthelezi v Labour for Africa (1991) 12 ILJ 588 (IC)
— 53.2(b), 53.5
- Buthelezi v Poorter 1974 (4) SA 831 (W)
— 38.2(c)(i)
- Buthelezi v SABC 1997 (12) BCLR 1733 (D), [1998] 1 All SA 147 (D)
— 38.2(c)(i), 38.3(a)(i), 42.9(a)
- Buthulezi v Poorter and Others 1975 (4) SA 608 (W)
— 38.2(b)(i)
- Bux v Officer Commanding, Pietermaritzburg Prison, and Others 1994 (4) SA 562 (N), 1994 (4) BCLR 10 (N)
— 51.3(g)

C

- C & Others v Department of Health and Social Development, Gauteng & Others [2012] ZACC 1
— 56D.5(c)(iv)
- CCII Systems (Pty) Ltd v Fakie NNO and Others 2003 (2) SA 325 (T)
— 24A.4(b)(ii), 24B.3(b)
- CC Maynard et alii v the Field Cornet of Pretoria (1894) 1 SAR 214
— 32.5(c)
- CDA Boerdery (Edms) Bpk and n' ander v Nelson Mandela Metropolitaanse Munisipaliteit en Andere [2006] 4 All SA 56 (SE)
— 22.5(c)
- CDA Boerdery (Edms) Bpk and Others v The Nelson Mandela Metropolitan Municipality and Others 2007 (4) SA 276 (SCA)
— 22.1(a), 22.1(f), 22.3(b)(vi), 22.5(d), 22.5(e)
- Cabinet for the Territory of South West Africa v Chikane and Another 1989 (1) SA 349 (A)
— 31.3(a)(i), 32.1(a), 41.1(a), 66.1(a)(iii)
- Cabinet of the Transitional Government for the Territory of South West Africa v Eins 1988 (3) SA 369 (A)
— 7.2(b), 7.3(b), 7.5, 32.1(a)

- Campus Law Clinic, University of KZN Durban v Standard Bank of SA Ltd and Another 2006 (6) SA 103 (CC), 2006 (6) BCLR 669 (CC)
— 34.6
- Cape Explosives Works Ltd v South African Oil and Fat Industries Ltd 1921 CPD 244
— 4.3(h)(ii)(bb)
- Cape Killarney Property Investments v Mahamba and Others 2000 (2) SA 67 (C)
— 32.4(a), 33.11(c), 55.6(b)(ii)
- Cape Metropolitan Council v Metro Inspection Services (Western Cape) CC and Others 2001 (3) SA 1013 (SCA), 2001 (10) BCLR 1026 (SCA)
— 18.3(f)(i), 25.2(c)(iii), 31.4(f), 62.7, 63.3(b)
- Cape Metropolitan Council v Minister for Provincial Affairs and Constitutional Development and Others 1999 (11) BCLR 1229 (T)
— 14.3(b)(i), 14.3(c)(i), 14.3(c)(ii)
- Cape Town Municipality v Abdulla 1976 (2) SA 370 (C)
— 26.6(d)(iii)
- Cape Town Municipality v Butters 1996 (1) SA 473 (C)
— 40.5(b)(ii)
- Capital Motors CC v Shell SA Marketing (Pty) Ltd Unreported decision (T), Case No. 3016/05 (18 March 2005)
— 50.4(b)
- Carephone (Pty) Ltd v Marcus NO and Others 1999 (3) SA 304 (LAC), 1998 (10) BCLR 1326 (LAC)
— 23A.4, 31.4(f), 59.4(c)(ii), 63.6(a), 63.6(b)
- Carmichele v Minister of Safety and Security 2003 (2) SA 656 (C), 2002 (10) BCLR 1100 (C)
— 9.5(a)(i), 31.4(e)(ii), 36.4(c)(i), 40.5
- Carmichele v Minister of Safety and Security and Another (Centre for Applied Legal Studies Intervening) 2001 (4) SA 938 (CC), 2002 (1) SACR 79 (CC), 2001 (10) BCLR 995 (CC)
— 1.3, 3.3(e), 4.2(a), 4.3(c)(ii), 4.3(d)(i), 4.3(d)(l)(aa), 4.3(h)(i)(aa), 9.2(f)(ii), 9.5(a)(i), 11.2(a), 11.2(b)(i), 11.2(b)(iii), 11.4(c), 12.3(d)(ii)(aa), 13.3, 23B.3(c)(iii), 24D.5(e), 25.9(e), 31 Appendix(3)(a), 31 Appendix(3)(b), 31.2(a)(ii), 31.2(d)(vi), 31.4(b)(iii), 31.4(c)(ii), 31.4(e)(ii), 31.4(e)(iv), 31.4(e)(v), 31.4(e)(viii), 31.6(a), 32.1(c), 32.4(c), 32.5(b), 34.7(c)(i), 35.5(g)(ii), 36.3(d), 36.4(c)(i), 38.3(b)(i), 38.3(b)(v), 39.6, 40.5, 40.5(b)(i), 49.1
- Carr v Jockey Club of South Africa 1976 (2) SA 717 (W)
— 44.1(c)(vi)
- Cary v Cary 1999 (3) SA 615 (C), 1999 (8) BCLR 877 (C)
— 35.3(c)
- Case and Another v Minister of Safety and Security and Others; Curtis v Minister of Safety and Security 1996 (3) SA 617 (CC), 1996 (1) SACR 587 (CC), 1996 (5) BCLR 609 (CC)
— 9.4(c), 9.4(d)(i), 10.4, 31 Appendix (3)(a), 34.1(b), 34.2(c), 34.7(c)(ii), 34.8(c)(i), 34(c)(iii), 36.4(e), 36.4(h)(i), 38.1, 38.2(c)(i), 38.3, 38.3(a)(i), 38.5(a), 39.5(b), 42.4, 42.5(a), 42.5(c), 42.7(b), 42.9(e), 43.3(a)(i), 44.1(b)(i)
- Cash Paymaster Services (Pty) Ltd v Eastern Cape Province and Others 1999 (1) SA 324 (CkH), [1997] 4 All SA 363 (CkH)
— 18.3(f)(i), 25.1, 25.3(a), 25.3(d), 25.5(b), 25.9(b)
- Castell v De Greeff 1994 (4) SA 408 (C)
— 37.6, 39.4, 40.11(b)

- Catholic Commission for Justice and Peace in Zimbabwe v Attorney-General, Zimbabwe and Others 1993 (4) SA 239 (ZS), 1993 (2) SACR 432 (ZS)
— 49.3
- Cekeshe v Premier, Eastern Cape 1998 (4) SA 935 (Tk)
— 31.4(f)
- Cele v South African Social Security Agency 2009 (5) SA 105 (D)
— 56D.1, 56D.4(b)
- Centre for Child Law and Others v MEC for Education, Gauteng, and Others 2008 (1) SA 223 (T)
— 47.1, 47.4(e), 56D.5(c)(iii)(aa)
- Centre for Child Law v MEC for Education, unreported (TPD), Case No 19559/06 (30 June 2006)
— 9.6(c)(i), 9.6(c)(v)
- Centre for Child Law v Minister of Home Affairs 2005 (6) SA 50 (T) ('Lindela')
— 47.4(e), 47.8, 56D.4(d), 56D.5(c)(iii)(aa)
- Centre for Child Law v Minister of Justice and Other 98/08 [2009] ZACC 18
— 47.7(a)
- Cerebos Food Corporation Ltd v Diverse Foods SA (Pty) Ltd 1984 (4) SA 149 (T)
— 59.4(b)(v)
- Chairman: Board on Tariff and Trade and Others v Brenco Inc and Others 2001 (4) SA 511 (SCA)
— 63.5(e)
- Chairman of the Public Service Commission v Zimbabwe Teachers Association 1997 (1) SA 209 (ZS), 1996 (9) BCLR 1189 (ZS)
— 46.3(c)
- Chairperson of the Constitutional Assembly, Ex Parte: In re Certification of the Amended Text of the Constitution of the Republic of South Africa, 1996 1997 (2) SA 97 (CC), 1997 (1) BCLR 1 (CC), [1996] ZACC 26
— 15.3(a)(i), 15.3(b), 16.4(a)(iii), 16.4(b)(ii), 17.2(b)(ii), 17.3(a), 20.4(b)(ii), 23A.6, 23B.2, 24A.3(a), 24B.2, 26.4, 26.5(c), 42.9(g), 45.2(b), 54.2, 58.2(b), 58.4(a)(vii), 61.3(a)
- Chairperson of the Constitutional Assembly, Ex Parte: In re Certification of the Constitution of the Republic of South Africa, 1996 1996 (4) SA 744 (CC), 1996 (10) BCLR 1253 (CC), [1996] ZACC 26
— 10.3(b), 13.1, 14.3(a), 14.3(c)(i), 14.5(d)(ii)(aa), 15.2(b), 15.2(c), 15.2(d), 15.3(a)(i), 15.3(b), 15.3(c)(vi), 16.4(a)(iii), 16.4(b)(ii), 16.5, 16.7, 17.2(b), 17.2(b)(i) & (ii), 17.2(c), 17.7(b)(i), 19.3(a)(i), 20.3(g), 20.4(a)(ii), 20.4(a)(iv), 20.4(b), 20.4(b)(ii), 21.2(a), 21.2(b), 21.4(a), 21.5, 23A.8, 23B.2, 23B.6(b)(ii) & (iii), 24A.1, 24A.3(a), 24B.1, 24B.2, 24C.4(b), 24C.4(f), 24E.2(b), 26.4, 26.5(d), 26.6(c)(i), 27.3(f), 27.6(a), 29.3(f), 31 Appendix (4)(c), 31.3, 31.3(d), 31.5, 33.2(b), 33.4(a), 34.8(e)(i), 41.1(b), 45.2(b), 46.3(b), 46.3(c), 47.3(b), 50.3(a), 51.1(a)(ii), 51.1(b)(i), 51.1(b)(iv), 51.4(d), 53.5, 53.6, 53.6(a), 55.3(b), 56A.4(f)(ii), 56D.3(a), 58.8(b)(iii), 62.1, 62.2(a), 65.2(a), 65.3(b)
- Chawanda v Zimnat Insurance Co Ltd 1990 (1) SA 1019 (ZHC)
— 41.6
- Chetty v Naidoo 1974 (3) SA 13 (A)
— 55.6(a)
- Chevron Engineering (Pty) Ltd v Nkombule and Others 2004 (3) SA 495 (SCA)
— 31.4(f)
- Chief Family Advocate and Another v G 2003 (2) SA 599 (W)
— 34.7(a)

- Chief Lesapo v North West Agricultural Bank and Another 2000 (1) SA 409 (CC), 1999 (12) BCLR 1420 (CC)
 — 3.3(b), 3.7(b)(ii), 9.4(d)(i), 17.5(b), 40.1(b)(i), 59.3(a)(v), 59.4(a)(i), 59.5
- Chirwa v Transnet Limited and Others 2008 (4) SA 367 (CC), 2008 (3) BCLR 251 (CC)
 — 4.2(b), 9.7, 18.3(f)(i), 63.3(a), 63.3(c)
- Christian Education South Africa v Minister of Education 1999 (2) SA 83 (CC), 1998 (12) BCLR 1449 (CC)
 — 3.4(e), 4.3(b), 32.5(b)
- Christian Education South Africa v Minister of Education 2000 (4) SA 757 (CC), 2000 (10) BCLR 1051 (CC)
 — 31 Appendix (3)(b), 31.3(c), 34.1(b), 34.3(b), 34.8(c)(i), 34.8(e)(ii), 36.4(c)(iii), 36.4(d)(i), 36.5(c), 40.5(b)(i), 40.7(a)(ii), 41.1(c)(iii), 41.2(a), 41.2(c), 41.3(a), 41.3(b), 41.4, 41.4(b), 41.4(c), 43.3(a), 44.2(d), 44.3(a)(i), 44.3(c)(ii), 44.3(c)(viii), 47.5(b), 52.11, 57.2(a)(ii)(aa)(y)(ccc), 58.1(b), 58.4(a)(i), 58.4(a)(v), 58.4(a)(vii), 58.5(a), 58.6, 58.7(a), 59.3(a)(v), 64.6(h)
- Christian Education South Africa v Minister of Education 2000 (4) SA 757 (CC), 2000 (10) BCLR 1051 (CC)
 — 32.4(c), 36.3(d)
- Christian Education South Africa v Minister of Education of the Government of the Republic of South Africa 1999 (4) SA 1092 (SE), 1999 (9) BCLR 951 (SE)
 — 5.3(d), 35.5(g)(viii), 41.3(a), 41.3(b), 47.5(b), 49.2(d)(ii), 58.1(a), 59.4(b)(i)
- Christian Lawyers Association of SA and Others v Minister of Health and Others 1998 (4) SA 1113 (T), 1998 (11) BCLR 1434 (T)
 — 24D.5(e), 31.3(a)(iii), 36.4(c)(ii) 37.2, 39.3, 40.9(a), 47.1, 47.11(a)
- Christian Lawyers Association v Minister of Health and Others (Reproductive Health Alliance as Amicus Curiae) 2005 (1) SA 509 (T), 2004 (10) BCLR 1086 (T)
 — 31.3(a)(iii), 35.5(g)(vi), 36.4(c)(ii), 37.5, 37.6, 39.3, 40.9(a), 40.11(b), 47.1
- Christian League of Southern Africa v Rall 1981 (2) SA 821 (O)
 — 37.2, 7.2(b), 39.3
- Church of Scientology in SA Incorporated Association Not for Gain v Readers' Digest Association SA (Pty) Limited 1980 (4) SA 313 (C)
 — 41.3(a)
- Church of the Province of Southern Africa, Diocese of Cape Town v Commission for Conciliation, Mediation and Arbitration 2002 (3) SA 385 (LC), [2001] 11 BLLR 1213 (LC)
 — 41.4(c)
- Ciki v Commissioner of Correctional Services and Another; Jansen v Commissioner of Correctional Services and Another 1992 (2) SA 269 (E)
 — 63.5(g)
- City Council of Pretoria v Walker 1998 (2) SA 363 (CC), 1998 (3) BCLR 257 (CC)
 — 6.2(a), 22.1(a), 27.2(d), 35.1(b), 35.1(d)(i), 35.1(d)(ii), 35.2, 35.3(a)(ii), 35.4(a), 35.4(e), 35.5(b), 35.5(c), 35.5(g)(i), 35.5(h), 35.5(h)(i), 35.5(h)(ii), 35.5(j), 45.10(b)(i), 50.3(b)(ii)(aa)(u), 56B.4(g)
- City Deep Ltd v Silicosis Board 1950 (1) SA 696 (A)
 — 32.3(a), 32.5(c)
- City of Cape Town v Premier, Western Cape and Others 2008 (6) SA 345 (C)
 — 14.5(c)(iii), 56B.4(a)
- City of Cape Town and Another v Robertson and Another 2005 (2) SA 323 (CC), 2005 (3) BCLR 199 (CC)
 — 4.3(d)(ii), 5.3(c), 11.1(b), 22.3(b)(ii), 22.5(c), 22.5(d), 22.3(b)(ii)

- City of Cape Town v AD Outpost (Pty) Ltd and Others 2000 (2) SA 733 (C), 2000 (2) BCLR 130 (C)
— 42.4, 42.9(f), 54.2(a)
- City of Cape Town v Rudolph and Others 2004 (5) SA 39 (C), 2003 (11) BCLR 1236 (C)
— 9.6(c)(ii)(bb), 33.12, 55.4(b)(iv), 56C.3(b)(i), 56C.3(b)(ii), 55.4(b)(iv)
- City of Cape Town v Unlawful Occupiers, Erf 1800, Capricorn (Vrygrond Development) and Others 2003 (6) SA 140 (C), 2003 (8) BCLR 878 (C)
— 7.2(c)(iii)
- City of Johannesburg & Others v Mazibuko & Others 2009 (3) SA 592 (SCA), 2009 (8) BCLR 791 (SCA)
— 56B.3(b)(iii)(aa), 56B.4(f)(ii)
- City of Johannesburg Metropolitan Municipality v Blue Moonlight Properties 39 (Pty) Ltd and Another [2011] ZACC 33
— 56D.5(c)(i)
- City of Johannesburg Metropolitan Municipality v Gauteng Development Tribunal and Others 2010 (6) SA 182 (CC) , 2010 (9) BCLR 859 (CC), [2010] ZACC 11
— 50.3(b)(iii)
- City of Johannesburg v Rand Properties (Pty) Ltd and Others 2007 (6) BCLR 643 (SCA)
— 9.6(c)(ii)(bb)
- City of Pretoria v Walker 1998 (2) SA 363 (CC), 1998 (3) BCLR 257 (CC)
— 22.4(e)(iv)
- Clause v Transnet 1999 (3) SA 1012 (T)
— 31.4(f)
- Clarke v Hurst NO and Others 1992 (4) SA 630 (D)
— 39.2, 39.4, 40.10(b)
- Claude Neon Limited v Germiston City Council and Another 1995 (3) SA 710 (W), 1995 (5) BCLR 554 (W)
— 25.8, 38.3(b)(v)
- Clinton-Parker v Administrator, Transvaal; Dawkins v Administrator, Transvaal 1996 (2) SA 37 (W)
— 40.8(b)
- Coetzee and Others v Attorney-General, KwaZulu-Natal, and Others 1997 (1) SACR 546 (D), 1997 (8) BCLR 989 (D)
— 51.1(b)(ii), 51.5(b), 51.5(f)
- Coetzee v Comitis and Others 2001 (1) SA 1254 (C), 2001 (4) BCLR 323 (C)
— 7.2(c), 34.8(c)(iii), 36.3(d), 36.4(f), 36.5(b), 44.3(c)(iv), 54.4, 63.3(b), 66.1(c)
- Coetzee v Government of the Republic of South Africa and Others 1997 (3) SA 527 (CC), 1997 (4) BCLR 437 (CC)
— 9.4(e)(i)(bb)
- Coetzee v Government of the Republic of South Africa; Matiso and Others v Commanding Officer, Port Elizabeth Prison, and Others 1995 (4) SA 631 (CC), 1995 (10) BCLR 1382 (CC)
— 1.3, 3.3(c), 4.3(c)(ii), 9.4(c), 9.4(d)(i), 9.4(e)(i)(bb), 10.3(c), 30.3, 32.3(b), 32.3(c), 34.3(b), 34.8(c)(iii), 36.4(c)(iii), 40.1(b)(i), 40.3(c)(ii), 40.3(d), 43.3(a)(i), 52.2(b), 52.4(a)(ii), 64.4(b)
- Coetzee v National Commissioner of Police & Minister of Safety and Security 2011 (2) SA 227 (GNP)
— 23B.3(c)(iii)(cc)
- Coetzee v Nel 1972 (1) SA 353 (A)
— 38.2(c)(i)

- Coin Security Group (Pty) Ltd v SA National Union for Security Officers and Other Workers and Others 1998 (1) SA 685 (C)
— 9.7, 32.3(a)
- Collet v Priest 1931 AD 290
— 32.5(b)
- Collins v Minister of Interior 1957 (1) SA 552 (A)
— 2.2(h), 2.3(g), 32.1(a)
- Colonial Development (Pty) Limited v Outer West Local Council 2002 (2) SA 262 (N)
— 63.3(b)
- Combrink and Another v Minister of Correctional Services and Another 2001 (3) SA 338 (D)
— 49.3(b)(ii)
- Commercial Farmers Union v Minister of Lands, Agriculture and Resettlement, Zimbabwe and Others 2001 (2) SA 925 (ZS), 2001 (3) BCLR 197 (ZS)
— 44.1(d)
- Commissioner, Competition Commission v General Council of the Bar of South Africa and Others 2002 (6) SA 606 (SCA)
— 63.9
- Commissioner for Customs and Excise v Container Logistics (Pty) Ltd; Commissioner for Customs and Excise v Rennie's Group Ltd t/a Renfreight 1999 (3) SA 771 (SCA), 1999 (8) BCLR 833 (SCA)
— 4.3(d)(ii), 11.3(b), 32.3(c), 32.5(b), 63.2(c)
- Commissioner, South African Police Service and Others v Maimela and Another 2003 (5) SA 480 (T)
— 63.7(d)
- Commissioner, South African Revenue Service v Executor, Frith's Estate 2001 (2) SA 261 (SCA)
— 32.3(a)
- Commissioner, South African Revenue Service v Hawker Air Services (Pty) Ltd; Commissioner, South African Revenue Service v Hawker Aviation Partnership and Others 2006 (4) SA 292 (SCA)
— 23A.4
- Compass Motors Industries (Pty) Ltd v Callguard (Pty) Ltd 1990 (2) SA 520 (W)
— 40.5(b)(ii)
- Compass Waste Services (Pty) Ltd v The Head of Department, Department Agriculture and Environmental Affairs of the Province Kwa-Zulu Natal & Others unreported case (N) Case No: 2280/2003
— 50.3(b)(ii)(bb)(y), 50.4(h)(ii)(aa)
- Concerned Land Claimants Organisation of PE v PE Land and Community Restoration Association and Others 2007 (2) SA 531 (CC), 2007 (2) BCLR 111 (CC)
— 4.2(b)
- Congress of Traditional Leaders of South Africa v Minister for Local Government, Eastern Cape, and Others 1996 (2) SA 898 (Tk)
— 7.2(d)
- Conjwayo v Minister of Justice, Legal and Parliamentary Affairs and Others 1992 (2) SA 56 (ZS)
— 49.3(a)
- Connock's (SA) Motor Co Ltd v Pretorius 1939 TPD
— 8.1(b)
- Conradie v Hanekom and Another 1999 (4) SA 491 (LCC), [1999] 2 All SA 525 (LCC)
— 48.7(b)(iv)

- Contract Forwarding (Pty) Ltd v Chesterfin (Pty) Ltd 2003 (2) SA 253 (SCA)
— 31.4(e)(x)
- Corium (Pty) Ltd v Myburgh Park Langebaan (Pty) Ltd 1995 (3) SA 51 (C)
— 50.3(c)(ii)
- Crawford v Albu 1917 AD 102
— 38.2(c)(i)
- Cronje v United Cricket Board of South Africa 2001 (4) SA 1361 (T)
— 44.1(c)(iii), 44.1(c)(vi), 44.3(c)(ix), 57.4(c)(ii)(cc)(i)(bb), 58.5(a), 58.7(a), 63.3(b)
- Crooks and Company v Agricultural Co-operative Union Ltd 1922 AD 423
— 30.2(a)
- C v Minister of Correctional Services 1996 (4) SA 292 (T)
— 38.2(a)(ii), 38.2(a)(iii), 38.3(a)(i), 40.11(b), 49.3(a)

D

- D v K 1997 (2) BCLR 209 (N)
— 38.2(a)(iii)
- DVB Behuising (Pty) Ltd v North West Provincial Government and Another, Bophuthatswana High Court, Case No 308/99 (27 May 1999)
— 15.3(a)(i), 15.3(a)(iii)
- Dabalorivhuwa Patriotic Front and Another v Government Employees Pension Fund and Another (unreported, SCA Case No 553/04, 30 November 2005)
— 24A.4(a)(iii)
- Dabalorivhuwa Patriotic Front and Another v Government of the Republic of South Africa and Others (Unreported, Transvaal High Court Case Number 25439 / 02, 10 August 2004)
— 24A.4(a)(iii), 24A.6
- Dabelstein and Others v Hildebrandt and Others 1996 (3) SA 42 (C)
— 51.4(b)(i), 51.4(b)(iii)
- Dadoo Ltd and Others v Krugersdorp Municipal Council 1920 AD 530
— 32.3(a)
- Dalrymple and Others v Colonial Treasurer 1910 TS 372
— 7.2(b)
- Daniels v Campbell NO and Others 2003 (9) BCLR 969 (C), [2003] 3 All SA 139 (C)
— 4.3(c)(i), 4.2(b), 4.3(d)(i)(bb), 11.2(b)(i), 32.3(c), 41.6
- Daniels v Campbell NO and Others 2004 (5) SA 331 (CC), 2004 (7) BCLR 735 (CC)
— 4.3(h)(ii)(aa), 9.4(b)(ii), 9.4(e)(ii)(aa), 11.2(b)(i), 13.2(a), 31.4(a)(v), 32.5(b), 34.8(e)(ii), 35.5(g)(iii), 35.5(g)(viii), 36.1(c), 36.3(a), 63.2(a)
- Davis v Additional Magistrate, Johannesburg 1989 (4) SA 299 (W)
— 52.9
- Davis v Tip NO and Others 1996 (1) SA 1152 (W), 1996 (6) BCLR 807 (W)
— 51.1(b)(iii), 51.4(b)(iii)
- Dawnlaan Beleggings (Edms) Bpk v Johannesburg Stock Exchange and Others 1983 (3) SA 344 (W)
— 12.3(d)(iii), 63.3(b)
- Dawood and Another v Minister of Home Affairs and Others; Shalabi and Another v Minister of Home Affairs and Others; Thomas and Another v Minister of Home Affairs and Others 2000 (3) SA 936 (CC), 2000 (8) BCLR 837 (CC), [2000] ZACC 8
— 3.3(d), 4.3(c)(i), 7.2(c), 9.2(c)(iii)(cc), 9.2(d)(i)(aa), 9.2(e)(iv)(cc), 9.4(d)(ii), 9.4(d)(iii), 9.4(e)(i)(bb), 9.4(e)(i)(cc), 12.3(d)(ii)(cc), 12.3(d)(iii), 13.2(a), 17.5(b), 17.5(e)(i), 32.4(c), 47.3(b), 50.3(b)(ii)(aa)(w), 56B.4(c)(i), 63.4, 66.1(d)(i)

- Dawood v Minister of Home Affairs 2000 (1) SA 997 (C), 2000 (3) BCLR 331 (C)
— 7.2(c), 13.2(a), 36.4(b), 60.5(a)
- De Beer NO v North Central Local Council and South Central Local Council and Others (Umhlatuzana Civic Association Intervening) 2002 (1) SA 429 (CC), 2001 (11) BCLR 1109 (CC)
— 8.2, 59.4(b)(iv)
- De Beer v Die Raad vir Gesondheidsberoepe van Suid-Afrika 2004 (3) BCLR 284 (T)
— 3.3(b), 31.4(b)(iii)
- De Beer v Keyser 2002 (1) SA 827 (SCA)
— 31.4(c)(ii)
- De Beer v Sergeant 1976 (1) SA 246 (T)
— 40.5(b)(ii)
- De Fourd v Council of Cape Town (1898) 15 SC 399
— 38.2(a)(iii), 38.3(a)(i)
- De Freitas and Another v Society of Advocates of Natal 2001 (3) SA 750 (SCA), 2001 (6) BCLR 531 (SCA)
— 11.2(a), 44.1(d), 44.3(c)(iv)
- De Freitas and Another v Society of Advocates of Natal (Natal Law Society Intervening) 1998 (11) BCLR 1345 (CC)
— 31.4(e)(ii), 44.1(d), 44.3(c)(iv)
- De Gree and Another v Webb and Others (Centre for Child Law as Amicus Curiae) 2007 (5) SA 184 (SCA)
— 47.10(b)
- De Gree and Another v Webb and Others (Centre for Child Law, University of Pretoria, Amicus Curiae) (2006) (6) SA 51 (W)
— 47.10(b)
- De Klerk and Another v Du Plessis and Others 1995 (2) SA 40 (T), 1994 (6) BCLR 124 (T)
— 31.2(a)(i), 31.2(c), 32.3(b), 32.4(a), 42.2
- De Kock and Others v Van Rooyen 2005 (1) SA 1 (SCA)
— 31.4(f)
- De Kock en 'n Ander v Prokureur-Generaal van Transvaal 1994 (2) SACR 113 (T)
— 51.3(g)
- De Kock v Minister of Water Affairs and Forestry 2005 (12) BCLR 1183 (CC)
— 5.2, 9.2(b)(iv)
- De Kock v Struik Publishing (Pty) Ltd (unreported, (TPD) Case No 54066 /2007, 9 January 2008)
— 42.9(h)
- De Lange v Commissioner of Correctional Services, Eastern Cape 2002 (3) SA 683 (SE), 2002 (2) SACR 185 (SE)
— 49.3(b)(ii)
- De Lange v Costa 1989 (2) SA 857 (A)
— 38.2(a)(i)
- De Lange v Smuts NO and Others 1998 (3) SA 785 (CC), 1998 (7) BCLR 779 (CC)
— 9.4(d)(ii), 9.4(e)(i)(bb), 9.4(e)(ii)(bb), 12.2(b), 12.3(b)(ii), 12.3(c)(i), 12.3(c)(ii), 12.3(d)(i)(aa), 12.3(d)(iv), 24B.2, 26.6(c)(i), 32.3(a), 32.4(c), 32.5(b), 34.2(c), 34.8(c)(v), 40.2(a), 40.2(b), 40.3(c)(i), 40.3(c)(ii), 40.4, 40.4(a), 40.11(b), 42.7(d), 51.1(a)(ii), 51.1(a)(iii), 51.1(a)(iv), 51.2, 51.4(c), 51.5(e)(i), 52.2(b), 59.3(b), 59.4(b)(iii), 63.3(b), 63.5(b)

- De Lille and Another v Speaker of the National Assembly 1998 (3) SA 430 (C), 1998 (7) BCLR 916 (C)
 — 4.3(c)(i), 4.3(c)(ii), 10.3(d)(i), 17.7(a), 17.7(c), 18.3(j), 19.7(c), 24C.4(f), 31.4(b)(iii), 31.4(b)(iv), 31.5, 34.7(c)(i), 34.7(c)(ii), 34.9, 42.10, 44.3(c)(i), 51.1(a)(iv), 59.4(c)(iii), 63.3(b), 63.5(g)
- Democratc Alliance v Masondo 2003 (2) SA 413 (CC), 2003 (2) BCLR 128 (CC), [2002] ZACC 28
 — 10.3(a), 10.3(d)(ii), 10.5(c), 17.2(a), 17.2(b)(ii), 17.7(b)(i), 22.2(c)(ii), 22.2(c)(iii), 34.8(e)(ii), 22.2(c)(ii), 22.2(c)(iii)
- Democratic Alliance v ANC and Others 2003 (1) BCLR 25 (C)
 — 10.3(b), 10.3(d)(ii), 10.5(c), 22.2(c)(i)
- Democratic Alliance Western Cape v Western Cape Minister of Local Government and Another [2006] 1 All SA 384 (C)
 — 23A.3
- Democratic Party and Others v Brakpan Transitional Local Council and Others 1999 (4) SA 339 (W), (1999) (6) BCLR 657 (W)
 — 10.3(d)(ii)
- Democratic Party v Government of RSA and Others 1999 (3) SA 254 (CC), 1999 (6) BCLR 607 (CC)
 — 2.1
- Democratic Party v Minister of Home Affairs 1999 (3) SA 254 (CC), 1999 (6) BCLR 607 (CC)
 — 29.2(a)
- Dendy v University of the Witwatersrand 2005 (5) SA 357 (W)
 — 36.3, 42.9(a)
- Denleigh Farms and Another v Mhlanzi and Others 2000 (1) SA 225 (LCC)
 — 48.7(b)(iv)
- Deo Volente Rusoord BK v Shongwe and Others 2006 (2) SA 5 (LCC)
 — 48.6(b)(i)
- Department of Land Affairs and Others v Goedgelegen Tropical Fruit (Pty) Ltd 2007 (6) SA 199 (CC), 2007 (10) BCLR 1027 (CC)
 — 4.3(d)(iii)
- Department of Land Affairs v Witz: In re Various Portions of Grassy Park 2006 (1) SA 86 (LCC)
 — 48.8(b)(ii), 48.8(c)(ii)
- De Reuck v Director of Public Prosecutions, Witwatersrand Local Division and Others 2002 (6) SA 370 (W)
 — 7.2(c)(i), 34.6
- De Reuck v Director of Public Prosecutions, Witwatersrand Local Division and Others 2003 (3) SA 389 (W), 2002 (12) BCLR 1285 (W), [2003] 1 All SA 449 (W)
 — 43.3(a)(iii), 47.10(b), 47.10(c)
- De Reuck v Director of Public Prosecutions, Witwatersrand Local Division, and Others 2004 (1) SA 406 (CC), 2003 (2) SACR 445 (CC), 2003 (12) BCLR 1333 (CC)
 — 3.7(b)(i), 4.4, 5.3(e)(i), 9.4(d), 10.4(a), 13.1, 31.1(c), 31.4(a)(v), 34.1(a), 34.7(a), 34.8(c)(ii), 34.8(c)(iii), 34.8(e)(ii), 35.3(a)(ii), 36.2(d), 36.3(d), 36.4(e), 36.4(h)(i), 40.7(c)(ii), 42.3, 42.4, 42.5, 42.7(a), 42.7(b), 42.7(c), 42.7(e), 42.9(e), 42.9(h), 44.2(b), 47.10(b), 47.5(d)
- Deutschmann NO and Others v Commissioner for the South African Revenue Service; Shelton v Commissioner for the South African Revenue Service 2000 (2) SA 106 (E)
 — 34.7(a)

- De Waal v Ziervogel 1938 AD 112
— 38.2(c)(i)
- De Wit v May (unreported Land Claims Court No LCC 45R / 03, 12 June 2003)
— 48.7(b)(iv)
- Dews and Another v Simon's Town Municipality 1991 (4) SA 479 (C)
— 50.4(h)(ii)(ff)
- Dhladhla and Others v Erasmus 1999 (1) SA 1065 (LCC)
— 56B.4(a)(iv)
- Die Minister van Justisie, Ex Parte, In re S v Van Wyk 1967 (1) SA 488 (A)
— 39.5(a)
- Diepsloot Residents' and Landowners' Association v Administrator, Transvaal 1994 (3) SA 336 (A)
— 46.3(b)
- Die Spoorbond and Another v South African Railways; Van Heerden and Others v South African Railways 1946 AD 999
— 42.9(a)
- Dikoko v Mokhatla 2006 (6) SA 235 (CC), 2007 (1) BCLR 1 (CC), [2006] ZACC 10
— 3.2, 3.6, 4.3(d)(iv), 4.3(g)(ii), 4.3(h)(i)(aa), 4.3(h)(ii)(aa), 4.3(h)(ii)(dd), 9.2(d)(i)(aa), 9.5(a)(ii)(cc), 9.5(a)(iii), 17.7(c), 22.2(c)(ii), 42.5, 42.9(a), 42.10
- Diko v Nobonogoza 2006 (3) SA 126 (C)
— 22.2(b)(iii)
- Dilokong Chrome Mines (Edms) Bpk v Direkteur-Generaal, Department van Handel en Nywerheid 1992 (4) SA 1 (A)
— 63.3(b), 63.3(a)(iv)
- Dilworth v Reichard [2002] 4 All SA 677 (W), 2003 (4) BCLR 388 (W)
— 40.7(a)(i)
- Director, Mineral Development, Gauteng Region and Sasol Mining (Pty) Ltd v Save the Vaal Environment and Others 1999 (2) SA 709 (SCA), 1999 (8) BCLR 845 (SCA)
— 50.3(b)(i)(cc), 50.3(b)(i)(dd)(x)(2), 50.3(b)(i)(dd)(y), 50.3(b)(ii)(bb), 50.3(b)(ii)(bb)(y), 50.4(c), 63.3(c)
- Director of Education v McCagie and Others 1918 AD 616
— 7.2(b)
- Director of Public Prosecutions and Another v Lebona 1998 (5) BCLR 618 (LesCA)
— 51.5(f)
- Director of Public Prosecutions, Cape of Good Hope v Bathgate 2000 (2) SA 535 (C), 2000 (1) SACR 105 (C), 2000 (2) BCLR 103 (C)
— 10.3(a), 31.4(f), 36.4(e), 38.5(b), 46.5(b), 46.6
- Director of Public Prosecutions, Cape of Good Hope v Robinson 2005 (4) SA 1 (CC), 2005 (1) SACR 1, 2005 (2) BCLR 103 (CC)
— 4.4, 5.3(e), 5.3(e)(iv), 66.1(b)(v)
- Director of Public Prosecutions, KZN v P 2006 (1) SACR 243 (SCA), 2006 (3) SA 515 (SCA), [2006] 1 All SA 446 (SCA)
— 47.7(a)
- Director of Public Prosecutions, KZN v Regional Magistrate, Durban and Another 2001 (2) SACR 463 (N)
— 51.5(f)
- Director of Public Prosecutions, Natal v Magidela 2000 (1) SACR 458 (SCA), [2000] 2 All SA 337 (A)
— 52.4(b)(ii)

- Director of Public Prosecutions, Transvaal v Minister of Justice and Constitutional Development and Others 2009 (4) SA 222 (CC)
— 47.5(d)
- Director of Public Prosecutions, Transvaal v Viljoen 2005 (1) SACR 505 (SCA), [2005] 2 All SA 355 (SCA)
— 52.4(b)(ii), 52.10(e)
- Director of Public Prosecutions (Western Cape) v Midi Television (Pty) Ltd t/a e-TV 2006 (1) SACR 574 (C), [2006] 2 All SA 286 (C)
— 42.9(c)
- Directory Advertising Cost Cutters v Minister for Posts, Telecommunications and Broadcasting 1996 (3) SA 800 (T), [1996] 2 All SA 83 (T)
— 12.3(d)(iii), 31.4(f)(i), 31.4(f)(ii), 62.6, 62.7, 63.3(b)
- Dispersion Technology (SA) (Pty) Ltd t/a Pelp Healthcare v State Tender Board and Another [2007] ZAGPHC 175
— 9.5(a)(i)
- Ditedu v Tayob 2006 (2) SA 176 (W)
— 59.4(a)(ii)
- Divisional Commissioner of SA Police Witwatersrand v SA Associated Newspapers Ltd 1966 (2) SA 503 (A)
— 38.3(a)(iv)
- Dladla v Administrator, Natal 1995 (3) SA 769 (N)
— 63.5(e)
- Dlamini and Another v Joosten and Others 2006 (3) SA 342 (SCA)
— 48.7(b)(iv)
- Dlomo v Dlomo 4 NAC 181 (1922)
— 26.6(d)(i)
- Doctors for Life International v Speaker of the National Assembly and Others 2006 (6) SA 416 (CC), 2006 (12) BCLR 1399 (CC)
— 2.1, 4.2(a), 4.3(b), 4.3(b)(ii)(aa), 4.3(b)(ii)(bb), 4.3(b)(iii), 4.3(b)(v), 9.4(e)(i)(bb), 9.4(e)(i)(cc), 10.3(d)(iii), 12.3(c)(ii), 12.3(d)(i)(aa), 12.3(d)(ii)(aa), 12.3(d)(ii)(bb), 12.3(d)(ii)(cc), 17.2(b)(ii), 17.2(d), 17.4, 17.4(a) & (b), 17.5(d), 17.6(a) & (a)(i), 17.6(a)(ii)(aa), (bb) & (cc)(1), 17.6(a)(iii), 17.6(b)(ii), 18.3(e), 22.7(d), 23C.2, 32.2(d), 32.3(c), 32.4(c), 32.5(c), 42.5(b), 63.5(b)
- Dodd v Multilateral Motor Vehicle Accidents Fund 1997 (2) SA 763 (A)
— 32.3(a)
- Donono v Minister of Prisons 1973 (4) SA 259 (C)
— 38.3(a)(iv)
- Doornfontein Gold Mining Co Ltd v National Union of Mineworkers and Others (1994) 15 ILJ 527 (LAC)
— 53.5
- Dormehl v Minister of Justice and Others 2000 (2) SA 987 (CC), 2000 (5) BCLR 471 (CC)
— 4.3(b), 5.3(d), 32.5(b), 59.4(a)(iv)
- Dotcom Trading 121 (Pty) Ltd t/a Live Africa Network News v King NO and Others 2000 (4) SA 973 (C)
— 24A.4(b)(ii), 42.9(c), 62.2(a)
- Drumearn (Pty) Ltd v Wagner and Others 2002 (6) SA 500 (LCC)
— 48.7(b)(iv)
- Du Bois v Stompdrift-Kamanassie Besproeiingsraad 2002 (5) SA 186 (C)
— 25.8, 63.5(e)

- Dudley v City of Cape Town and Another 2005 (5) SA 429 (CC), (2004) 25 ILJ 991 (CC), 2004 (8) BCLR 805 (CC)
— 5.3(e)(i), 5.3(e)(ii)
- Dulabh and Another v Department of Land Affairs 1997 (4) SA 1108 (LCC), [1997] 3 All SA 635 (LCC)
— 32.3(a), 32.4(a), 48.8(c)(ii)
- Duncan v Minister of Law and Order 1986 (2) SA 805 (A)
— 51.2
- Dunlop South Africa Ltd v Metal and Allied Workers Union and Another 1985 (1) SA 177 (D)
— 42.8(b)
- Duncombe v Willies 1982 (3) SA 311 (D)
— 41.4(c)
- Du Plessis and Others v De Klerk and Another 1996 (3) SA 850 (CC), 1996 (5) BCLR 658 (CC)
— 4.3(d)(i)(aa), 4.3(h)(i)(aa), 7.4(c), 9.4(e)(ii)(aa), 11.3(b), 11.4(c), 13.3, 26.1, 31 Appendix, 31 Appendix(1), 31 Appendix(2), 31 Appendix(4)(a), 31 Appendix(4)(b), 31 Appendix(4)(c), 31.1(a), 31.1(b), 31.1(c), 31.2(a), 31.2(a)(i), 31.2(a)(ii), 31.2(b)(i), 31.2(b)(ii), 31.2(c), 31.2(d), 31.2(d)(i), 31.2(d)(iii), 31.2(d)(iv), 31.2(d)(v), 31.2(d)(vi), 31.4(a)(iii), 31.4(a)(v), 31.4(b)(ii), 31.4(c)(ii), 31.4(c)(iii), 31.4(e)(ii), 31.4(f)(i), 31.7(b), 31.8(a), 32.1(c), 32.3(a), 32.3(b), 32.3(c), 32.4(a), 33.1, 32.4(b), 32.4(c), 32.5(c), 34.7(a), 40.1(b)(i), 42.2, 42.6(b), 50.4(c), 51.3(f)
- Du Plessis v Road Accident Fund 2004 (1) SA 359 (SCA), 2003 (11) BCLR 1220 (SCA)
— 31.2(d)(vi), 31.4(d)(i), 31.4(e)(iii), 31.4(e)(iv), 32.5(b), 35.5(g)(v), 36.4(a)
- Du Plooy v Minister of Correctional Services and Others [2004] 3 All SA 613 (T)
— 32.3(c)
- Du Preez and Another v Truth and Reconciliation Commission 1997 (3) SA 204 (A), 1997 (4) BCLR 531 (A)
— 63.3(b), 63.5(e)
- Du Preez v Attorney-General of the Eastern Cape 1997 (2) SACR 375 (E), 1997 (3) BCLR 329 (E)
— 51.2, 51.5(f)
- Du Preez v Minister of Justice and Constitutional Development and Others 2006 (5) SA 592 (EqC)
— 35.4(d), 35.8
- Durban Add-Ventures v Premier KwaZulu-Natal (No 2) 2001 (1) SA 389 (N)
— 63.10
- Durban City Council v Association of Building Societies 1942 AD 27
— 9.5(b)(ii)
- Du Toit and Another v Minister of Welfare and Population Development and Others (Lesbian and Gay Equality Project as Amicus Curiae) 2003 (2) SA 198 (CC), 2002 (10) BCLR 1006 (CC)
— 3.7(b)(i), 9.4(d)(iii), 9.4(e)(i)(bb), 9.4(e)(ii)(bb), 34.6, 35.5(g)(iii), 35.5(g)(v), 36.4(b), 47.1, 47.3(a), 47.8, 47.10(b), 47.10(c)
- Du Toit en Andere v Direkteur van Openbare Vervolging, Transvaal: In re S v Du Toit en Andere 2004 (2) SACR 584 (T)
— 51.5(c)
- Du Toit v Kruger (1905) 22 SC 234
— 30.2(a)
- Du Toit v Minister of Transport 2003 (1) SA 586 (C)
— 31.4(e)(vi), 46.2(a), 46.3(a), 46.8(b)(i)

- Du Toit v Minister of Transport 2006 (1) SA 297 (CC), 2005 (11) BCLR 1053 (CC)
— 4.2(b), 4.3(g)(ii), 4.4, 9.2(e)(i), 18.2(b), 32.5(b), 34.7(a)
- Du Toit v Minister of Welfare and Population Development 2003 (2) SA 198 (CC)
— 44.3(c)(ii)

E

- EN and Others v Government of RSA and Others 2007 (1) BCLR 84 (D)
— 9.6(c)(ii)(bb), 50.4(h)(ii)(bb)(z), 57.2(a)(i)(bb)(y)
- Eagles Landing Body Corporate v Molewa NO and Others 2003 (1) SA 412 (T)
— 50.3(b)(i)(bb)(y), 50.3(b)(i)(ee)(z), 50.4(h)(ii)(hh)
- Earthlife Africa (Cape Town) v Director-General: Department of Environmental Affairs and Tourism and Another 2005 (3) SA 156 (C)
— 50.3(b)(i)(z), 50.3(b)(ii)(bb)(y), 50.4(h)(ii)(aa), 63.5(e)
- Eastern Cape Provincial Government and Others v Contractprops 25 (Pty) Ltd 2001 (4) SA 142 (SCA)
— 25.5(d), 25.9(b)
- Eastern Metropolitan Substructure v Peter Klein Investments (Pty) Ltd 2001 (4) SA 661 (W)
— 23A.4, 31.4(e)(ii), 31.4(e)(iv), 63.3(c)
- East Rand Gold and Uranium Co Ltd v NUM (1989) 10 ILJ 683 (LAC)
— 53.2(b)
- Eastwood v Shepstone 1902 TS 294
— 4.3(d)(i)(aa)
- East Zulu Motors (Pty) Ltd v Empangeni/Ngwelezane Transitional Local Council and Others 1998 (2) SA 61 (CC), 1998 (1) BCLR 1 (CC)
— 3.3(d), 9.2(c)(iii)(ff), 12.3(d)(ii)(cc), 31.3(d), 35.3(a)(ii)
- Ebrahim v Minister of the Interior 1977 (1) SA 665 (A)
— 32.3(a)
- Eggersgluz and Another v Trayishile Kethese and Others (unreported, LCC Case No 13R/99, 6 April 1999)
— 48.7(b)(iv)
- Ehrlich v CEO, Legal Aid Board 2006 (1) SACR 346 (E)
— 52.4(c)(i)
- Eikenbosch Farm (Pty) Ltd v Matthews 2003 (4) SA 283 (LCC)
— 48.7(b)(iv)
- Eisenberg and Associates v Minister of Home Affairs 2003 (5) SA 281 (CC), 2003 (8) BCLR 838 (CC)
— 7.2(c)(i)
- Eke v Sugden 2001 (2) SA 216 (E)
— 59.4(a)(iv)
- Elliot v Commissioner of Police and Another 1997 (2) SACR 315 (ZS), 1998 (1) SA 21 (ZS)
— 51.2, 66.1(b)(ii)
- Ellish en Andere v Prokureur-Generaal, Witwatersrandse Plaaslike Afdeling 1994 (4) SA 835 (W), 1994 (2) SACR 579 (W), 1994 (5) BCLR 1 (W)
— 51.1(b)(iv), 51.4(d)
- Ellis v Viljoen 2001 (4) SA 795 (C), 2001 (5) BCLR 487 (C)
— 33.11(c), 56C.3(b)(ii)
- Els E v Bruce; Els J v Bruce 1923 EDL 295
— 40.8(b)

- Els v Media 24 (Pty) Ltd [2008] ZAGPHC 39
— 42.9(a)
- Els v Minister of Safety and Security 1998 (2) SACR 93 (NC), 1998 (4) BCLR 434 (NC)
— 51.5(c), 52.6(d)
- End Conscription Campaign v Minister of Defence 1993 (1) SA 589 (T)
— 64.6(h)
- Engelbrecht v Road Accident Fund and Another 2007 (6) SA 96 (CC), 2007 (5) BCLR 457 (CC)
— 9.2(b)(i), 9.2(b)(ii)(bb), 9.2(d)(i)(aa), 9.4(b)(ii), 9.4(e)(i)(bb), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 59.4(a)(ii)
- Epstein v Epstein 1906 TH 87
— 38.2(a)(iii), 38.2(b)(ii)
- Equiseq (Pty) Ltd v Rodrigues and Another 1999 (3) SA 113 (W)
— 52.2(b)
- Ernst and Young v Beinash and Others 1999(1) SA 1114 (W)
— 54.5
- Esack No and Another v Commission on Gender Equality 2001 (1) SA 1299 (W), 2000 (7) BCLR 737 (W)
— 24B.1, 24C.2(b)
- Eskom v Hiemstra NO 1999 (11) BCLR 1320 (LC)
— 35.4(c)
- Esop v Union Government (Minister of Interior) 1913 CPD 133
— 41.1(a)
- Esselen v Argus Printing and Publishing Co Ltd and Others 1992 (3) SA 764 (T)
— 42.9(a)
- Estate Geekie v Union Government and Another 1948 (2) SA 494 (N)
— 63.4
- Evans v Llandudno Houtbay Transitional Metropolitan Substructure 2001 (2) SA 342 (C)
— 50.3(b)(ii)(bb)(y), 50.4(h)(ii)(aa)
- Executive Council of the Province of the Western Cape v Minister for Provincial Affairs and Constitutional Development and Another; Executive Council, KwaZulu-Natal v President of the Republic of South Africa and Others 2000 (1) SA 661 (CC), 1999 (12) BCLR 1360 (CC), [1999] ZACC 13
— 4.3(b)(i), 6.2(a), 9.4(e)(i)(bb), 10.3(b), 10.3(d)(i), 12.3(b)(iii), 12.3(c)(ii), 12.3(d)(ii)(cc), 12.3(d)(iii), 14.3(b)(ii), 14.3(c)(i), 14.3(c)(ii), 17.5, 17.5(g), 17.5(e)(i), 17.7(b)(i), 18.2(b), 19.3(a)(i), 19.4(b), 22.2(a), 22.2(a)(iii), 22.2(c)(iii), 22.2(b)(i), 22.2(c)(i), 22.3(b)(iv), 29.6, 32.3(b), 32.4(a), 32.4(c), 32.5(c)
- Executive Council, Western Cape Legislature and Others v President of the Republic of South Africa and Others 1995 (4) SA 877 (CC); 1995 (10) BCLR 1289 (CC)
— 3.3(d), 9.4(e), 9.4(e)(i)(ee), 9.4(e)(ii)(bb), 12.3(b)(i), 12.3(c)(ii), 12.3(d)(ii)(cc), 12.3(d)(iii), 15.3(c)(ii), 16.4(b)(ii), 17.5(e)(i), 18.3(l), 19.4(a), 19.4(b), 21.2(b), 22.1(c), 23C.5, 24E.3(f), 25.4(c)(i), 28.2(a), 28.2(a)(i), 28.2(a)(ii), 28.3, 32.1(c), 32.3(a), 32.3(b), 32.3(c), 32.4(c), 34.7(c)(ii), 40.1(b)(i), 64.4
- Ex Parte Cabinet for the Interim Government of South West Africa: In Re Advisory Opinion in terms of s 19(2) of Procl R101 of 1985 (RSA) 1988 (2) SA 832 (SWA)
— 32.1(a)
- Ex Parte Chairperson of the Constitutional Assembly: In re Certification of the Amended Text of the Constitution of the Republic of South Africa, 1996 1997 (2) SA 97 (CC), 1997 (1) BCLR 1 (CC)

- 2.5(a), 2.5(b), 22.1(c), 22.2(a)(ii), 22.2(a)(iii), 22.2(c)(i), 22.3(b)(i), 22.6(d), 32.1(c), 32.2(a)
- Ex Parte Chairperson of the Constitutional Assembly: In re Certification of the Constitution of the Republic of South Africa, 1996 1996 (4) SA 744 (CC), 1996 (10) BCLR 1253 (CC)
 - 2.5(c), 4.2(a), 12.2(b), 12.3, 12.3(a)–(b)(iii), 12.3(c)(i)–(ii), 12.3(d)(i)(bb), 12.3(d)(ii)(aa), 12.3(d)(ii)(bb), 14.3(a), 14.3(c)(i), 14.5(b), 14.5(d), 17.2(b), (b)(i) & (ii), 17.2(c), 17.7(b)(i), 18.2(b), 22.1(c), 22.2(a)(ii), 22.2(c)(i), 22.3(b)(i), 22.3(b)(vi), 22.3(d), 22.4(e), 22.4(e)(ii), 22.5(d), 22.6(a), 32.1(c), 32.2(a), 32.3(b), 32.4(c), 32.5(c), 42.6(a), 63.2(a)
- Ex Parte Gauteng Provincial Legislature. In re: Dispute Concerning the Constitutionality of Certain Provisions of the Gauteng School Education Bill of 1995 1996 (3) SA 165 (CC), 1996 (4) BCLR 537 (CC)
 - 32.4(c), 32.5(c)
- Ex Parte Minister of Safety and Security and Others: In re S v Walters and Another 2002 (4) SA 613 (CC), 2002 (7) BCLR 663 (CC)
 - 9.2(b)(ii)(bb), 9.2(b)(iii), 9.2(c)(iii)(aa), 9.2(e)(iv)(bb), 9.2(f)(ii), 9.4(e)(i)(bb), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 14.5(d)(ii)(cc), 23B.3(c)(i), 32.2(b), 32.5(b)
- Ex Parte: Minister of Social Development and Others 2006 (4) SA 309 (CC), 2006 (5) BCLR 604 (CC), [2006] ZACC 3
 - 4.3(h)(ii)(aa), 9.2(c)(iii)(aa), 9.4(e), 9.4(e)(i)(aa), 9.4(e)(i)(bb), 9.4(e)(i)(ee), 56D.3(f)(i)
- Ex Parte Speaker of the KwaZulu-Natal Provincial Legislature: In re Certification of the Constitution of the Province of KwaZulu-Natal 1996, 1996 (11) BCLR 1419 (CC), 1996 (4) SA 1098 (CC)
 - 32.5(c)
- Ex Parte Speaker of the National Assembly: In Re Dispute Concerning the Constitutionality of Certain Provisions of the National Education Policy Bill 83 of 1995 1996 (3) SA 289 (CC)
 - 14.1, 14.3(a)
- Ex Parte the President of the Republic of South Africa: In re Constitutionality of the Liquor Bill 2000 (1) SA 732 (CC), 2000 (1) BCLR 1 (CC)
 - 4.3(b)(ii)(aa), 4.3(b)(ii)(bb), 14.3(a), 14.3(c)(i)(cc), 17.3(f)(i), 17.6(b)(i) & (ii), 18.2(b), 32.4(a), 32.5(b), 32.5(c)
- Ex Parte the President of the Republic of South Africa: In re Pharmaceutical Manufacturers Association of South Africa 2000 (2) SA 674 (CC), 2000 (3) BCLR 241 (CC)
 - 1.3, 2.1
- Ex parte Van Niekerk and Another: In re Van Niekerk v Van Niekerk (Unreported Transvaal High Court Case No 34054 / 03, 20880 / 02, 13 July 2004)
 - 47.1, 47.8
- Ex Parte: Western Cape Provincial Government and Others: In re DVB Behuising (Pty) Limited v North West Provincial Government and Another 2001 (1) SA 500 (CC), 2000 (4) BCLR 347 (CC)
 - 14.3(a), 22.3(b)(iii)
- Ex Parte Women's Legal Centre: In re Moise v Greater Germiston Transitional Local Council 2001 (4) SA 1288(CC), 2001 (8) BCLR 765 (CC)
 - 9.4(e)(ii)(bb)

F

- Farjas (Pty) Ltd and Another v Regional Land Claims Commissioner, KwaZulu-Natal 1998 (2) SA 900 (CC), 1998 (5) BCLR 579 (LCC)

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- Farrar's Estate v Commissioner for Inland Revenue 1926 TPD 510
— 32.3(a)
- Farr v Mutual & Federal Insurance Co Ltd 2000 (3) SA 684 (C)
— 35.5(g)(v)
- FAWU v Sam's Foods (Grabouw) (1991) 12 ILJ 1324 (IC)
— 53.5
- FAWU v Spekenham Supreme (2) (1988) 9 ILJ 628 (IC)
— 53.2(b), 53.5
- Federal Convention of Namibia v Speaker of the National Assembly of Namibia 1994 (1) SA 177 (NmHC)
— 17.6(d)
- Federal Mogul Aftermarket Southern Africa (Pty) Limited v Competition Commission & Another 2005 (6) BCLR 613 (CAC)
— 3.3(a)
- Fedics Group (Pty) Ltd and Another v Matus and Another 1998 (2) SA 617 (C), 1997 (9) BCLR 1199 (C)
— 38.3(a)(ii), 38.3(a)(iii), 38.3(b)(iv), 52.10(f)
- Fedsure Life Assurance Ltd and Others v Greater Johannesburg Transitional Metropolitan Council and Others 1998 (2) SA 1115 (SCA), 1998 (6) BCLR 671 (SCA)
— 4.3(d)(ii), 11.3(b), 31.8(b), 7.2(b)
- Fedsure Life Assurance Ltd and Others v Greater Johannesburg Transitional Metropolitan Council and Others 1999 (1) SA 374 (CC), 1998 (12) BCLR 1458 (CC), [1999] ZACC 21
— 1.3, 2.1, 3.3(d), 4.3(a)(i), 4.3(b)(i), 4.3(d)(ii), 6.2(a), 10.5(a), 11.1(b), 11.1(c), 11.2(b), 11.2(b)(i), 11.2(b)(ii), 11.2(b)(iii), 11.3(b), 11.3(c), 11.3(c)(ii), 11.3(c)(iii), 11.4, 12.3(c)(ii), 12.3(d)(i)(bb), 14.3(a), 14.3(b)(i), 17.5(f), 18.2(b), 22.1(a), 22.1(c), 22.2(c)(iv), 22.1(f), 22.5(c), 22.5(e), 22.6(a)–(b), 22.6(e), 23B.6(b)(iii), 24A.4(a)(iii), 25.9(b), 26.6(c)(iii), 27.2(d), 27.4(a), 27.6(b), 27.6(c), 31.1(c), 31 Appendix (4)(c), 31.2(a)(ii), 31.4(a)(v), 31.4(b)(iv), 31.4(e)(iv), 31.8(b), 32.3(c), 32.4(c), 32.5(c), 40.1(b)(i), 46.5(c), 56B.4(g), 63.1, 63.3(a), 63.3(b), 63.3(c), 63.4
- Fedsure Life Assurance Ltd v Wolfaardt 2002 (1) SA 49 SCA
— 9.2(a), 9.7, 14.5(d)(ii)(aa)
- Feedmill Developments (Pty) Ltd and Another v Attorney-General, KwaZulu-Natal 1998 (9) BCLR 1072 (N)
— 51.5(f)
- Fei Lui and Others v Commanding Officer, Kempton Park and Others 1999 (3) SA 996 (W)
— 32.3(a)
- Feni v Head of the Western Tembuland Regional Authority and Another 2001 (1) SA 574 (Tk)
— 34.7(c)(ii)
- Ferreira v Levin NO 1996 (2) SA 621 (CC), 1996 (4) BCLR 441 (CC)
— 6.2(a), 6.2(b)(i)
- Ferreira v Levin NO and Others 1996 (1) SA 984 (CC), 1996 (1) BCLR 1 (CC)
— 3.1, 3.7(a)
- Ferreira v Levin NO and Others; Vryenhoek and Others v Powell NO and Others 1996 (1) SA 984 (CC), 1996 (1) BCLR 1 (CC)
— 3.4(a), 5.3(a)(i), 6.2(a), 6.2(b)(i), 7.1, 7.2(c), 7.2(c)(i), 7.2(c)(iii), 7.2(c)(iv), 7.3(c)(i), 8.1(b), 9.4(c), 9.4(d)(ii), 9.4(e)(ii)(aa), 10.3(c), 12.3(d)(i)(aa), 12.3(d)(ii)(aa), 12.3(d)(ii)(bb), 31.2(d)(v), 31.4(a)(v), 32.3(a), 32.3(b), 32.3(c), 32.4(c), 32.5(c), 34.1(b), 34.3(b), 34.5(b)(ii), 34.6, 34.7(c)(ii), 34.8(c)(ii), 36.2(c), 36.3(c), 36.5(a)(ii), 37.5, 38.5(b), 40.1(b)(i), 42.5, 43.3(a), 44.3(a)(i), 45.2(f), 45.5(b),

- 49.2(c)(i), 51.1(a)(ii), 51.1(a)(iv), 51.1(b)(ii), 51.1(b)(iv), 51.2, 51.3(e), 51.4(b)(i), 51.4(b)(iii), 51.5(b), 51.5(l), 52.2(b), 52.8, 52.11, 54.3, 63.8, 64.4(a)
- Fidelity Guards Holdings (Pty) Ltd t/a Fidelity Guards v Pearmain 2001 (2) SA 853 (SE), 1997 (10) BCLR 1443 (SE)
— 34.7(a), 34.7(c)(i), 36.4(f), 54.4, Appendix (1)
- Fihla v Pest Control Tvl Pty (Ltd) (1984) 5 ILJ 165 (IC)
— 53.2(b)
- Financial Mail (Pty) Ltd and Others v Sage Holdings Ltd and Another 1993 (2) SA 451 (A)
— 4.3(d)(i)(aa), 38.2(a)(i), 38.2(a)(iii), 38.2(c)(i), 38.3(a)(i), 38.4, 38.2(b)(ii), 42.2, 42.9(b)
- Financial Mail (Pty) Ltd v Registrar of Insurance 1966 (2) SA 219 (W)
— 42.9(c)
- Financial Services Board and Another v Pepkor Pension Fund and Another 1999 (1) SA 167 (C)
— 63.5(d)
- Findevco (Pty) Ltd v Faceformat SA (Pty) Ltd 2001 (1) SA 251 (E)
— 59.4(a)(i)
- First National Bank of SA Ltd t/a Wesbank v Commissioner, South African Revenue Service and Another 2001 (3) SA 310 (C)
— 63.4
- First National Bank of SA Ltd t/a Wesbank v Commissioner, South African Revenue Service and Another, First National Bank of SA Ltd t/a Wesbank v Minister of Finance 2002 (4) SA 768 (CC), 2002 (7) BCLR 702 (CC)
— 4.3(d)(i), 4.3(d)(i)(aa), 50.3(b)(ii)(aa)(z)
- First National Bank of South Africa Ltd v Land and Agricultural Bank of South Africa and Others: Sheard v Land and Agricultural Bank of South Africa and Another 2000 (3) SA 626 (CC), 2000 (8) BCLR 876 (CC)
— 9.4(d)(i), 9.4(e)(i)(bb), 12.3(d)(ii)(cc), 34.8(c)(i), 59.4(a)(i)
- First National Bank of South Africa Ltd v Myburgh 2002 (4) SA 176 (C)
— 9.2(a), 14.5(d)(ii)
- Foodcorp (Pty) Ltd v Deputy Director General Department of Environmental Affairs and Tourism: Branch Marine and Coastal Management and Others 2006 (2) SA 191 (SCA)
— 63.6(d)
- Former Highland Residents, Ex Parte; In re: Ash v Department of Land Affairs [2000] 2 All SA 26 (LCC)
— 46.8(b)(i)
- Fose v Minister of Safety and Security 1997 (3) SA 786 (CC), 1997 (7) BCLR 851 (CC), [1997] ZACC 6
— 5.3(a)(ii), 9.2(b)(i), 9.2(b)(ii)(aa), 9.2(c)(i)(bb), 9.2(c)(i)(dd), 9.2(c)(iv), 9.2(d)(i)(aa), 9.2(e)(i), 9.2(e)(iii)(bb), 9.2(e)(iv)(aa), 9.2(e)(iv)(cc), 9.2(e)(iv)(dd), 9.2(f)(i), 9.3, 9.4(c), 9.5(a), 9.5(a)(ii), 9.5(a)(ii)(bb), 9.5(c)(iii), 12.3(d)(ii)(cc), 24C.3(c)(ii), 31 Appendix(3)(b), 31 Appendix(4)(b), 31.4(c)(ii), 32.4(c), 32.5(c), 33.12, 38.2, 38.2(b)(l), 38.3(b)(i), 40.6(a), 42.9(a), 50.4(h)(ii)(gg), 57.2(a)(i)(bb)(y), 59.4(b)(i), 59.4(d)
- Foulds v Minister of Home Affairs and Others 1996 (4) SA 137 (W)
— 63.5(d)
- Fourie v Minister of Home Affairs 2005 (3) SA 429 (SCA), 2005 (3) BCLR 241 (SCA)
— 8.4(c), 8.5, 36.4(d)(i), 57.3(b), 58.1(a), 58.4(a)(i)

- Fourways Mall (Pty) Ltd v South African Commercial Catering 1999 (3) SA 752 (W)
 — 43.1, 43.3(a)(i)
- Fraser v ABSA Bank Limited 2007 (3) SA 484 (CC), 2007 BCLR 219 (CC)
 — 4.2(b), 4.3(a), 4.3(a)(ii) 4.3(d)(i)(bb), 4.3(g)(ii), 4.3(h)(i)(aa)
- Fraser v Children's Court, Pretoria North, and Others 1997 (2) SA 261 (CC), 1997 (2) BCLR 153 (CC)
 — 3.7(b)(ii), 9.2(b)(ii)(bb), 9.2(b)(iii), 9.2(e)(iv)(aa), 9.4(d)(i), 9.4(d)(ii), 9.4(e)(i)(bb), 9.4(e)(i)(cc), 9.4(e)(ii)(bb), 12.3(d)(ii)(cc), 13.5(a), 31.3(c), 32.3(c), 32.4(c), 36.4(b), 44.3(c)(ii), 47.3(a), 35.5(g)(ii), 35.5(g)(iii), 35.5(g)(viii)
- Fraser v Naude and Others 1999 (1) SA 1 (CC), 1998 (11) BCLR 1357 (CC)
 — 5.3(e)(i), 5.3(e)(iii)
- Fredericks v MEC for Education and Training, Eastern Cape and Others 2002 (2) SA 693 (CC), 2002 (2) BCLR 113, (2002) 23 ILJ 81 (CC)
 — 4.2(b), 31.4(b)(v), 53.1(a)(ii), 59.2(b), 63.3(b)
- Freedom Front v South African Human Rights Commission 2003 (11) BCLR 1283 (SAHRC)
 — 24C.3(c)(ii), 36.4(h)(ii), 42.4, 42.8, 42.8(c)
- Freedom of Expression Institute and Others v President, Ordinary Court Martial, and Others 1999 (2) SA 471 (C), 1999 (3) BCLR 261 (C)
 — 24A.3(b), 24B.2, 40.4(a), 51.5(e)(i)
- Friedman v Glicksman 1996 (1) SA 1134 (W)
 — 39.2
- Fripp v Gibbon and Co 1913 AD 354
 — 6.2(k)
- Fuel Retailers Association of Southern Africa v Director General Environmental Management, Department of Agriculture, Conservation and Environment Mpumalanga Province and Others 2007 (6) SA 4 (CC), 2007 (10) BCLR 1059 (CC), [2007] ZACC 13
 — 4.3(a)(i), 4.3(d)(iii), 50.1, 50.3(b)(i), 50.3(b)(i)(aa), 50.3(b)(i)(dd), 50.3(b)(i)(ee)(z), 50.3(b)(ii)(aa)(v), 50.4(b), 50.4(f)
- Fullimput 221 CC t/a Hawk Molaba Luxury Tours v Sono and Another: In Combination with Fullimput 221 CC t/a Hawk Molaba Tours v Minsiter of Safety and Security and Others 2006 (10) BCLR 1202 (T)
 — 9.5(c)(iii)
- Fundstrust (Pty) Ltd (in liquidation) v Van Deventer 1997 (1) SA 710 (A)
 — 32.3(a)
- F v F 2006 (3) SA 42 (SCA)
 — 47.3(a), 47.8

G

- G v Superintendent, Groote Schuur Hospital, and Others 1993 (2) SA 255 (C)
 — 37.2, 39.3
- Gaboetloeloe v Tsikwe 1945 NAC (C and O) 2
 — 26.6(d)(i), 26.6(d)(iii)
- Galago Publishers (Pty) Ltd Erasmus 1989 (1) SA 276 (A)
 — 42.7(c)
- Gamevest (Pty) Limited v Regional Land Claims Commissioner, Northern Province and Mpumalanga, and Others 2003 (1) SA 373 (SCA)
 — 63.3(a)
- Garces v Fouche and Others 1998 (9) BCLR 1098 (Nm)
 — 51.4(c), 51.4(d)

- Garden Cities Incorporated Association Not for Gain v Northpine Islamic Society 1999 (2) SA 268 (C)
— 31.7(a), 41.3(b), 41.4(d)
- Gardener v Whitaker 1995 (2) SA 672 (E), 1994 (5) BCLR 19 (E) 32.3(b), 34.6, 38.2,
— 38.2(a)(i), 38.2(c)(i), 38.5(b), 42.5(a), 42.5(c), 42.9(a)
- Gardener v Whitaker 1996 (4) SA 337 (CC), 1996 (6) BCLR 775 (CC)
— 11.2(a), 31.8(a)
- Gasa v Regional Magistrate for the Regional Division of Natal 1979 (4) SA 729 (N)
— 51.5(o)
- Gauteng Gambling Board v Silverstar Development Ltd and Others 2005 (4) SA 67 (SCA)
— 63.9
- Gauteng Provincial Legislature, Ex Parte: In re Dispute Concerning the Constitutionality of Certain Provisions of the Gauteng School Education Bill of 1995 1996 (3) SA 165 (CC), 1996 (4) BCLR 537 (CC)
— 4.3(b)(ii)(aa), 4.3(b)(ii)(bb), 4.3(b)(iii), 6.2(a), 6.2(g), 24F.2, 33.8, 34.5, 35.5(g)(viii), 36.4(d)(ii), 36.5(c), 44.3(c)(iii), 57.2(a)(i)(bb), 57.3(b), 57.3(c)(i), 57.3(c)(vi), 57.3(c)(vii), 58.1(c), 58.3(a), 58.4(a)(i), 58.4(a)(iii), 58.7(a), 65.1, 65.3(b)
- Gauteng Provincial Legislature v Kilian 2001 (2) SA 68 (SCA), 2001 (3) BCLR 253 (SCA)
— 4.3(b)(iii), 17.2(a), 17.3(f)(ii)
- Geekie v Union Government and Another 1948 (2) SA 494 (N)
— 63.4
- Geidel v Bosman NO 1963 (4) SA 253 (T)
— 65.6
- Geldenhuys v Minister of Safety and Security 2002 (4) SA 719 (C)
— 1.3, 13.3, 31.4(e)(viii), 40.5(b)(i)
- General Council of the Bar South Africa v Van der Spuy 1999 (1) SA 577 (T)
— 44.1(d), 44.3(c)(iv)
- George and Others v Minister of Environmental Affairs and Tourism 2005 (6) SA 297 (EqC)
— 35.8
- Gerber and Others v Member of the Executive Council for Development Planning and Local Government, Gauteng, and Another 2003 (2) SA 344 (SCA), [2002] 4 All SA 518 (SCA)
— 22.5(d), 27.2(d)
- Gerber v Voorsitter: Komitee oor Amnestie van die Kommissie vir Waarheid en Versoening 1998 (2) SA 599 (T)
— 7.2(c)
- Gerhardt v State President 1989 (2) SA 499 (T)
— 49.3(b)(ii)
- Gero v Linder 1995 (2) SA 132 (O)
— 44.3(c)(iv)
- Geuking v President of the Republic of South Africa and Others 2003 (3) SA 34 (CC), 2003 (1) SACR 404 (CC), 2004 (9) BCLR 895 (CC)
— 12.3(d)(i)(aa), 40.2(a), 66.1(b)(v), 52.2(b), 59.3(a)(iii), 59.4(c)(i), 63.3(b)
- Geuking v President of the RSA 2002 (1) SA 204 (C), 2001 (11) BCLR 1208 (C)
— 60.6

- Geyser and Another v Msunduzi Municipality and Others 2003 (5) SA 18 (N), 2003 (3) BCLR 235 (N)
— 22.4(e)(v), 46.1, 46.3(b), 46.4, 46.5(b)
- Geyser en 'n Ander v Pont 1968 (4) SA 67 (W)
— 38.2(c)(i), 38.2(c)(ii)
- Gibson v Berkowitz and Another 1996 (4) SA 1029 (W)
— 40.8(b)
- Giddey NO v JC Barnard and Partners 2007 (5) SA 525 (CC), 2007 (2) BCLR 125 (CC)
— 3.1, 4.3(d)(iv), 9.4(b)(i), 59.4(a)(iv), 59.4(a)(viii)
- Gili Greenworld Holdings (Pty) Ltd v Shisonge (unreported, Land Claims Court Case No LCC 19 / 02, 11 June 2002)
— 48.7(b)(iv)
- Glen Anil Development Corp Ltd v Secretary for Inland Revenue 1975 (4) SA 715 (A)
— 32.3(a)
- Glenister v President of the Republic of South Africa and Others [2008] ZAGPHC 143
— 23B.6(b)(iv)
- Glenister v President of the Republic of South Africa & Others 2009 (1) SA 287 (CC), 2009 (2) BCLR 136 (CC), [2008] ZACC 19
— 17.4(a), 17.8(b), 23B.1, 23B.6(b)(ii), 23B.6(b)(iii)
- Glenister v President of the Republic of South Africa & Others 2011 (3) SA 347 (CC), [2011] ZACC 6
— 17.4(a), 17.5(b), 17.6(b)(i), (ii)(cc)(5), 17.8(b), 23B.1, 23B.6(b)(ii), 23B.6(b)(iii), 23B.6(b)(iv)
- Glenister v Speaker of the National Assembly & Others [2009] ZAWCHC 1
— 23B.6(b)(iii)
- Goldberg and Others v Minister of Prisons 1979 (1) SA 14 (A)
— 49.3(a)
- Goldberg NO v PJ Joubert Ltd 1960 (1) SA 521 (T)
— 32.3(a)
- Gold Circle (Pty) Ltd and Another v Premier, Kwazulu-Natal 2005 (4) SA 402 (D)
— 35.5(g)(viii)
- Goodman Brothers (Pty) Ltd v Transnet Ltd 1998 (4) SA 989 (W), 1998 (8) BCLR 1024 (W), [1998] All SA 336 (W)
— 25.2(c)(i), 25.3(c), 31.4(f), 50.3(b)(ii)(aa)(u), 62.6, 62.7
- Goodman v Von Moltke 1938 CPD 153
— 38.2(a)(iii)
- Gool v Minister of Justice 1955 (2) SA 682 (C)
— 7.3(b)
- Gooprushad v R 1914 35 NLR 87
— 52.4(c)(ii)
- Gory v Kolver NO and Others (Starke and Others intervening) 2007 (4) SA 97 (CC); 2007 (3) BCLR 249 (CC)
— 3.7(a), 4.3(e), 6.2(b)(vi), 6.2(b)(vii), 9.2(a), 9.2(b)(ii)(bb), 9.2(d)(i)(aa), 9.2(e)(ii), 9.2(e)(iv)(aa), 9.4(d)(iii), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 14.5(d)(ii)(aa), 35.5(g)(v)
- Gosschalk v Rossouw 1966 (2) SA 476 (C)
— 38.2(a)(iii)
- Gouda Boedery v Transnet Limited [2004] ZASCA 85
— 50.3(b)(i)(ee)(y)

- Govender v Minister of Safety and Security* 2000 (1) SA 959 (D), 1999 (5) BCLR 580 (D)
— 23B.3(c)(i)(aa)
- Govender v Minister of Safety and Security* 2001 (4) SA 273 (SCA), 2001 (11) BCLR 1197 (SCA), 2001 (2) SACR 197 (SCA)
— 9.4(e)(ii)(bb), 23B.3(c)(i)(aa), 23B.3(c)(i)(cc), 31.4(e)(vi), 32.3(b), 32.5(b), 36.4(c)(iii), 39.5(a), 40.5(c), 43.2(b)(ii)
- Governing Body of Mikro Primary School v Western Cape Minister of Education* [2005] 2 All SA 37 (C)
— 58.4(a)(vii)
- Government of the Province of KwaZulu-Natal v Ngwane* 1996 (4) SA 943 (A)
— 26.6(a)
- Government of the Province of the Eastern Cape v Frontier Safaris (Pty) Ltd* 1998 (2) SA 19 (SCA)
— 50.4(h)(ii)(ee)
- Government of the Republic of Bophuthatswana v Segale* 1990 (1) SA 434 (BA)
— 32.1(a), 32.1(c)
- Government of the Republic of South Africa and Another v Government of Kwazulu and Another* 1983 (1) SA 164 (A)
— 14.5(d)(ii)(cc)
- Government of the Republic of South Africa and Others v Grootboom and Others* 2001 (1) SA 46 (CC), 2000 (11) BCLR 1169 (CC), [2000] ZACC 19
— 3.3(c), 4.2(a), 4.3(c)(ii), 4.3(h)(ii)(bb), 8.2, 9.2(c)(iii)(bb), 9.2(c)(iii)(ee), 9.2(d)(i)(aa), 9.2(e)(iv)(cc), 9.6(a), 9.6(c), 10.3(a), 10.4(b), 10.4(c), 11.3(c)(iii), 12.3(d)(ii)(bb), 14.3(a), 14.3(b)(i), 16.4(b)(ii), 17.5(b), 19.3(c), 22.4(b), 22.4(c), 24C.3(c)(ii), 24C.3(d)(ii), 30.3, 31.2(d)(ii), 32.3(b), 32.3(c), 32.4(c), 32.5(c), 33.1, 33.10(a), 33.10(b), 33.11(a), 33.11(b), 33.11(c), 33.12, 33.13, 33.2(c)(ii), 33.3, 33.4(a), 33.4(b), 33.4(c), 33.5(a), 33.5(b), 33.5(c), 33.5(d), 33.5(e)(i), 33.5(e)(ii), 33.5(e)(iii), 33.5(e)(iv), 33.5(f)(ii), 33.5(f)(iii), 33.5(f)(iv), 33.5(g), 33.5(g)(i), 33.5(g)(ii), 33.5(h), 33.6, 33.7, 33.9, 34.1(b), 34.5(a), 34.5(b)(ii), 34.6, 34.8(e)(ii), 35.1(b), 35.1(d)(i), 35.4(f), 36.2(e), 36.4(i), 44.3(c)(ii), 47.3(b), 47.4(a), 47.4(b), 47.4(c), 47.4(e), 48.1, 48.3, 48.4, 48.6(a), 48.6(c), 50.3(b)(i)(ee)(w), 55.1, 55.3(a), 55.3(b), 55.3(c), 55.4(a), 55.4(b)(i), 55.4(b)(ii), 55.4(b)(iii), 55.4(b)(iv), 55.4(b)(v), 55.5(a), 55.5(b), 55.5(d), 56A.2(a), 56A.2(b)(v), 56A.2(b)(vi), 56A.2(b)(vii), 56A.2(c), 56A.3(f), 56A.4(d), 56B.1, 56B.3(a), 56B.3(b)(i), 56B.3(b)(v), 56B.4(b), 56B.4(c)(ii), 56B.4(g), 56C.3(a), 56C.3(b)(ii), 56C.3(b)(iii), 56D.1, 56D.3(b)-(d), 56D.5(b), 56D.6, 56D.6(b), 64.4(a), 57.2(a)(i)(bb)(y), 59.2(c), 64.4(c), 64.4(e)
- Government of the Republic of South Africa v Malevu* 1995 (8) BCLR 995 (D)
— 28.3
- Government of the Republic of South Africa v Sunday Times Newspaper and Another* 1995 (2) SA 221 (T), 1995 (2) BCLR 182 (T)
— 31.3(d), 42.5(b), 42.7(c), 42.7(d), 42.9(h)
- Graham v Ker* (1892) 9 SC 185
— 42.9(a)
- Graham v Ridley* 1931 TPD 476
— 33.11(c), 55.6(a), 56C.3(b)(ii)
- Grand Mines (Pty) Ltd v Giddey NO* 1999 (1) SA 960 (SCA)
— 50.4(h)(ii)(ee)
- Grand Slam Entertainment Centre v Minister van Veiligheid en Sekuriteit* 1996 (2) BCLR 213 (O)
— 54.3

- Grand Valley (Edms) Bpk v Nkosi (unreported, LCC Case No 73/99, 25 June 1999)
— 48.7(b)(iv)
- Greeff v Protection 4 You (Pty) Ltd (unreported TPD 9 March 2007)
— 42.9(b)
- Greenfield Manufacturers (Temba) (Pty) Ltd v Royton Electrical Engineering (Pty) Ltd
1976 (2) SA 565 (A)
— 59.4(b)(iii)
- Greys Marine Hout Bay (Pty) Ltd and Others v Minister of Public Works and Others
2005 (6) SA 313 (SCA), [2005] 3 All SA 33 (SCA), 2005 (10) BCLR 931 (SCA)
— 18.2(b), 23A.1, 63.2(a), 63.3(a), 63.3(b), 63.3(c), 63.5(d)
- Grinaker LTA Limited and Another v Tender Board (Mpumalanga) and Others [2002] 3
All SA 336 (T)
— 25.3(d), 25.4(c)(v), 25.5(b), 25.8, 25.9(b), 25.9(d)
- Groenewald v Minister van Justisie 1973 (3) SA 877 (A)
— 38.3(a)(iv)
- Grootboom v Oostenberg Municipality and Others 2000 (3) BCLR 277 (C)
— 9.6(c)(ii)(bb), 33.12, 33.3, 33.5(f)(ii), 33.5(f)(iv), 33.7, 44.3(c)(ii), 47.4(a),
47.4(b), 47.4(c), 50.4(i)(bb), 55.7, 57.2(a)(i)(bb)(y)

H

- Hack v Venterspost Municipality and Others 1950 (1) SA 172 (W)
— 63.3(c), 63.5(g)
- Hadebe v Minister of Home Affairs (Unreported Durban and Coast Local Division Case
No 15715 / 05, 14 December 2006)
— 47.2(a)
- Hallowes v The Yacht 'Sweet Waters' 1995 (2) SA 270 (D)
— 59.3(a)(i)
- Hall v Weltz and Others 1996 (4) SA 1070 (C)
— 42.9(a)
- Hamata and Another v Chairperson, Peninsula Technikon Internal Disciplinary
Committee 2002 (5) SA 449 (SCA), 2002 (7) BCLR 756 (SCA)
— 51.1(a)(iv), 52.4(c)(i), 63.5(e)
- Hamata and Another v Chairperson, Peninsula Technikon Internal Disciplinary
Committee and Others 2000 (4) SA 621 (C)
— 51.1(a)(iv), 51.5(e)(i), 51.5(h)
- Hansen v Regional Magistrate, Cape Town and Another 1999 (2) SACR 430 (C)
— 51.1(a)(v)
- Hardaker v Phillips 2005 (4) SA 515 (SCA)
— 36.4(h)(iii)
- Hardy Ventures CC v Tshwane Metropolitan Municipality 2004 (1) SA 199 (T)
— 14.3(c)(i), 31.4(b)(iv)
- Harksen v Attorney General Cape 1999 (1) SA 718 (C)
— 52.6(a)(i)
- Harksen v Lane NO and Others 1998 (1) SA 300 (CC), 1997 (11) BCLR 1489 (CC)
— 3.3(d), 9.2(c)(iii)(bb), 11.3(c)(ii), 32.3(a), 32.3(c), 32.4(c), 32.5(b), 33.5(e)(iii),
33.5(f)(i), 34.1(b), 34.5(b)(ii), 35.1(d)(i), 35.2, 35.3(a), 35.3(a)(ii), 35.5(a), 35.5(b),
35.5(e), 35.5(g), 35.5(g)(i), 35.5(g)(ii), 35.5(g)(iii), 35.5(h), 35.5(h)(i), 35.5(h)(ii),
35.5(h)(iii), 35.5(i), 35.5(j), 36.4(a), 37.4, 38.3(a)(i), 40.3(c)(ii), 42.7(d), 44.2(b),
46.7, 50.3(b)(ii)(aa)(u), 56B.4(g), 56D.5(c)(ii), 57.4(c)(ii)(aa)

Harksen v President of the Republic of South Africa and Others 2000 (2) SA 825 (CC),
2000 (5) BCLR 478 (CC)
— 6.2(e), 30.2(b), 30.4(e), 36.3(b), 66.1(b)(v)

Harper v Morgan Guarantee Trust Co of New York, Johannesburg 2004 (3) SA 253 (W)
— 31.4(e)(x)

Harris and Others v Minister of the Interior and Another 1952 (2) SA 428 (A)
— 32.1(a), 32.3(a), 45.2(a), 59.2(a), 65.1

Harris v Dönges NO and Another 1951 (4) SA 707 (C)
— 32.1(a)

Harris v Minister of Education 2001 (8) BCLR 796 (T)
— 2.2(h), 2.3(g), 31.3(c), 35.5(g)(vi), 47.10(c), 57.2(a)(ii)(aa)(y)(bbb)(xx), 57.4(b)

Hartman v Chairman, Board of Religious Objection 1987 (1) SA 922 (O)
— 41.2(b)(i), 41.3(a)

Hartzenberg v Nelson Mandela Metropolitan Municipal (Despatch Administrative Unit)
2003 (3) SA 633 (SE)
— 36.4(i)

Hayes and Another v Minister of Finance and Development Planning, Western Cape
2003 (4) SA 598 (C)
— 63.3(b)

Hayes and Another v Minister of Housing, Planning and Administration, Western Cape
and Others 1999 (4) SA 1229 (C)
— 22.7(d)

Haynes v Commissioner for Inland Revenue 2000 (6) BCLR 596 (Tk)
— 38.1

Hay v B and Others 2003 (3) SA 492 (W)
— 39.4, 39.8, 40.10(b), 47.10(b)

Hazis v Transvaal and Delagoa Bay Investment Co Ltd 1939 AD 372
— 27.5(c)

Head of Department: Mpumalanga Department of Education and Another v Hoërskool
Ermelo & Another 2010 (2) SA 415 (CC), 2010 (3) BCLR 177 (CC), [2009] ZACC 32
— 50.4(h)(ii)(bb)(z)

Heatherdale Farms (Pty) Ltd v Deputy Minister of Agriculture and Another 1980 (3) SA
476 (T)
— 63.5(e)

Heffron International Society for Krishna Consciousness 452 US 640 (1981)
— 43.3(b)(i)

Hekpoort Environmental Preservation Society and Another v Minister of Land Affairs
and Others 1998 (1) SA 349 (CC), 1997 (11) BCLR 1537 (CC)
— 5.3(d), 59.4(a)(iv)

Henri du Plessis Trust v Kammies (unreported, LCC Case No 77R/01, 3 September
2001)
— 48.7(b)(iv)

Hermansberg Mission Society v Commissioner for Native Affairs and Another 1906 TS
135
— 26.6(c)(iii)

Heynes v Venter 2004 (3) SA 200 (T)
— 42.9(a)

Heystek v Heystek 2002 (2) SA 754 (T), [2002] 2 All SA 401 (T)
— 47.3(a), 47.3(b)

Hichange Investments (Pty) Ltd v Cape Produce (Pty) Ltd t/a Pelt
— Products and Others 2004 (2) SA 393 (E)
— 50.3(b)(i)(bb)(x)(3)

High School Ermelo and Another v Head of Department Mpumalanga Department of Education and Others [2007] ZAGPHC 232 (17 October 2007)
— 57.3(c)(ii), 57.3(c)(vi)

Highveldridge Residents Concerned Party v Highveldridge Transitional Local Council and Others 2002 (6) SA 66 (T), 2003 (1) BCLR 72 (T)
— 7.2(c)(ii), 7.2(c)(v), 7.2(d), 34.6, 56B.4(c)(i)

Hindry v Nedcor Bank Ltd and Another 1999 (2) SA 757 (W)
— 63.5(e)

Hira and Another v Booysen and Another 1992 (4) SA 69 (A)
— 63.4, 59.4(c)(ii)

Hix Networking Technologies v System Publishers (Pty) Ltd 1997 (1) SA 391 (A), [1996] 4 All SA 675 (A)
— 9.5(c)(i), 38.2(b)(ii), 42.9(a)

Hlantlalala v Dyanti NO 1999 (2) SACR 541 (SCA)
— 52.4(c)(i)

Hlatshwayo and Another v Hein 1999 (2) SA 834 (LCC), 1998 (1) BCLR 123 (LCC)
— 59.4(a)(vii)

Hleka v Johannesburg City Council 1949 (1) SA 842 (A)
— 32.3(a), 32.5(c)

HL&H Timber Products (Pty) Ltd v Sappi Manufacturing (Pty) Ltd 2001 (4) SA 814 (SCA)
— 50.4(h)(ii)(ff)

Hlophe v Constitutional Court of South Africa and Others 2009 (2) BCLR 161 (W)
— 9.2(c)(iii)(ff), 9.5(b)(i), 9.5(b)(ii), 63.2(a)

HMBMP Properties (Pty) Ltd v King 1981 (1) SA 906 (N)
— 59.4(a)(ii), 32.5(c)

Hoërskool Ermelo en 'n Ander v Departementshoof van die Mpumalanga Onderwysdepartement (unreported, TPD Case No 3062/07, [2007] ZAGPHC 4 (2 February 2007)
— 58.7(b), 57.3(c)(vi)

Hoërskool Victoria-Wes en Andere v Die Departementshoof, Departement van Onderwys, Noord-Kaapse Provinsiale Regering (unreported, Northern Cape Division Case No 357/2004)
— 57.3(c)(vi)

Hoffmann v South African Airways 2001 (1) SA 1 (CC), 2000 (11) BCLR 1211 (CC)
— 2.2(a), 5.3(a), 8.1(b), 8.1(c), 8.2, 25.2(c)(i), 9.2(e)(i), 9.2(e)(ii), 9.2(e)(iii)(bb), 9.5(c)(iii), 31.4(f), 31.4(f)(i), 31.4(f)(ii), 34.7(c)(i), 35.1(b), 35.1(d), 35.5(e), 35.5(g)(vii), 35.5(h)(i), 35.5(h)(iii), 35.5(i), 35.7, 36.4(a), 40.8(a), 48.4, 52.8, 53.2(c), 56D.5(c)(ii), 56D.6(f), 62.6, 63.3(b)

Hofmeyr v Minister of Justice 1992 (3) SA 108 (C)
— 18.2(b)

Hoho v The State [2008] ZASCA 98
— 42.9(a)

Holi v Tyantyaza (1923) 5 NAC 206
— 26.6(a)

Holomisa v Argus Newspapers Ltd 1996 (2) SA 588 (W), [1996] 1 All SA 478 (W), 1996 (6) BCLR 836 (W)

- 31.2(d)(vi), 31.4(e)(x), 32.4(c), 34.8(c)(i), 38.2(c)(i), 38.3(a)(i), 42.4, 42.5(b), 42.5(c), 42.7(d), 42.9(a), 43.1
 - Holomisa v Khumalo and Others 2002 (3) SA 38 (T)
 - 31.4(a)(i), 31.4(a)(v), 31.4(d)(i), 36.4(h)(iii), 42.5(c), 42.9(a)
 - Holtzhausen v Roodt 1997 (4) SA 766 (W)
 - 52.7(b)
 - Howells v S [1999] 2 All SA 233 (C)
 - 47.3(b)
 - Howe v Mabuya 1961 (2) SA 635 (N)
 - 52.9
 - Howick District Landowners Association v uMgeni Municipality (Unreported Natal High Court Case No 7366 / 04, 7 December 2004)
 - 22.5(e)
 - HTF Developers (Pty) Ltd v the Minister & Others 2006 (5) SA 512 (T)
 - 50.3(b)(i)(bb)(y), 50.4(e)
 - HTF Developers (Pty) Ltd v the Minister of Environmental Affairs 2007 (5) SA 438 (SCA)
 - 50.3(b)(i)(bb)(y), 50.4(e)
 - Hugo v President of the Republic of South Africa and Another 1996 (4) SA 1012 (D), 1996 BCLR 876 (D), [1996] 1 All SA 454 (D)
 - 49.3(b)(ii)
 - Hugo v President of the Republic of South Africa and Another 1997 (4) SA 1 (CC), 1997 (6) BCLR 708 (CC)
 - 9.5(b)(i)
 - Human and Rousseau Uitgewers (Edms) Bpk v Snyman NO 1978 (3) SA 836 (T)
 - 41.1(a)
 - Human Rights Commission of South Africa v SABC 2003 (1) BCLR 92 (BCCSA)
 - 42.8(c), 42.9(h)
 - Hyundai Motor Distributors (Pty) Ltd v Smith NO 2000 (1) SACR 503 (T), 2000 (2) SA 934 (T), [2000] 1 All SA 259 (T)
 - 38.5(b)
- I
- IMATU v MEC Local Government, Mpumalanga 2002 (1) SA 76 (SCA)
 - 22.6(b)
 - Independent Electoral Commission v Langeberg Municipality 2001 (3) SA 925 (CC), 2001 (9) BCLR 883 (CC)
 - 12.3(b)(iii), 14.3(b)(i), 14.3(b)(ii), 14.3(c)(i), 14.3(c)(iii), 22.2(a), 22.3(b)(vi), 24B.2, 24C.4(a), 24C.4(b), 24E.2(b), 24F.4(c), 25.2(c)(i), 29.7(c), 31.4(f), 32.4(c), 62.6, 7.2(c), 7.4(c)
 - Independent Municipal & Allied Trade Workers Union & another v City of Cape Town (2005) 26 ILJ 1404 (LC), [2005] 11 BLLR 1084 (LC)
 - 35.5(g)(vii)
 - Independent Newspapers Holdings Ltd and Others v Suliman [2004] 3 All SA 137 SCA
 - 42.9(a)
 - Independent Newspapers (Pty) Ltd v Minister for Intelligence Services; Freedom of Expression Institute In re: Masetlha v President of the Republic of South Africa and Another 2008 (5) SA 31 (CC), 2008 (8) BCLR 771 (CC), [2008] ZACC 6
 - 23B.1, 23B.5(c)(ii)(bb), 23B.5(3)(b)(iv), 42.4, 42.9(c), 42.9(g), 59.4(b)(v), 63.2(b), 63.3(c)

Ingledeu v Financial Services Board: In re Financial Services Board v Van der Merwe and Another 2003 (4) SA 584 (CC), 2003 (8) BCLR 825 (CC)
— 4.2(b), 4.3(d)(iii), 4.4, 5.3(e), 18.2(b), 31.1(c), 31.4(a)(v), 34.7(a), 40.7(c)(ii), 43.2(b)(ii)

Ingram v Minister of Justice 1962 (3) SA 225 (W)
— 38.3(a)(iv)

Inhoek Varkboerdery (Edms) Bpk v Kok (unreported, LCC Case No 03R/05, 4 February 2005)
— 48.7(b)(iv)

Inkatha Freedom Party v Truth and Reconciliation Commission 2000 (3) SA 119 (C), 2000 (5) BCLR 534 (C)
— 31.2(d)(ii), 31.4(f), 31.4(f)(i), 62.5(a), 62.6, 62.7

In re Certain Amicus Curiae Applications: Minister of Health and Others v Treatment Action Campaign and Others 2002 (5) SA 713 (CC), 2002 (10) BCLR 1023 (CC), [2002] ZACC 15
— 5.3(a)(ii), 8.3(c), 8.3(g)

In re Chikweche 1995 (4) SA 284 (ZS), 1995 (4) BCLR 533 (ZS)
— 41.2(b)(i), 41.3(a), 47.5(b)

In re Chinamasa 2001 (2) SA 902 (ZS), 2001 (1) SACR 278, 2000 (12) BCLR 1294 (Z)
— 42.7(c), 42.9(c), 51.1(a)(iii), 51.5(e)(i), 52.4(a)(ii)

In re Constitutionality of the Mpumalanga Petitions Bill, 2000 2002 (1) SA 447 (CC), 2001 (11) BCLR 1126 (CC)
— 4.3(b)(ii)(aa), 4.3(b)(ii)(bb), 5.3(b)(i), 10.3(d)(i), 19.2(c), 19.6, 20.2(b)

In re Former Highlands Residents: Sonny v Department of Land Affairs 2000 (2) SA 351 (LCC)
— 32.3(a), 32.3(b)

In re Kranspoort Community 2000 (2) SA 124 (LCC)
— 48.8(c)(ii), 56C.3(b)(i), 56C.3(b)(ii)

In re Mlambo 1992 (4) SA 144 (ZS), 1992 (2) SACR 245 (ZS)
— 51.2, 51.5(f)

In re Munhumeso and Others 1995 (1) SA 551 (ZS), 1994 (1) ZLR 49 (SC), 1995 (2) BCLR 125 (ZS)
— 43.1, 43.2(b)(ii), 43.3(b)(ii), 43.3(b)(iv)

In re Muskwe 1993 (2) SA 514 (ZH)
— 51.5(e)(i)

Institute for Democracy in South Africa and Others v African National Congress and Others 2005 (5) SA 39 (C), 2005 (10) BCLR 995 (C), [2005] ZAWCHC 30
— 6.3(a), 17.8(a), 23A.4, 24A.4(a)(i), 31.4(e)(vii), Appendix(4)(a), 45.3, 45.4, 45.8, 63.3(b)

Institute for Security Studies: In re S v Basson 2006 (6) SA 195 (CC), 2006 (2) SACR 350 (CC)
— 8.3(c), 8.3(d), 8.3(e), 59.4(b)(ii)

Inter-Science Research and Development Services (Pty) Ltd v Republica Popular de Mocambique 1980 (2) SA 111 (T)
— 30.4(c)

Intertrade Two (Pty) Limited v MEC for Roads and Public Works, Eastern Cape and Another 2007 (6) SA 442 (CKHC)
— 63.9

Investigating Directorate: Serious Economic Offences and Others v Hyundai Motor Distributors (Pty) Ltd and Others: In re Hyundai Motor Distributors (Pty) Ltd and Others v Smit NO and Others 2001 (1) SA 545 (CC), 2000 (2) SACR 349 (CC), 2000

- (10) BCLR 1079 (CC)
— 3.3(e), 4.3(d)(i), 6.2(e), 9.4(b)(i), 9.4(b)(ii), 24A.4(b)(iii), 24B.3(b), 31.3, 31.3(d), 31.4(b)(v), 31.4(e)(v), 32.3(b), 32.5(b), 34.8(c)(ii), 34.8(c)(iii), 36.4(e), 38.1, 38.3(a)(i), 38.3(a)(ii), 38.4, 46.2(a), 46.2(b), 59.3(a)(i), 63.2(a)
- Investments (Pty) Ltd v Micro Finance Regulatory Council and Another 2007 (1) SA 343 (CC), 2006 (11) BCLR 1255 (CC)
— 32.4(c)
- Isaacs v Independent Newspaper Group (Pty) Ltd (unreported WLD 3 November 2000)
— 42.9(a)
- Islamic Unity Convention v Independent Broadcasting Authority 2002 (4) SA 294 (CC), 2002 (5) BCLR 433 (CC)
— 4.4, 5.3(e)(i), 5.3(e)(ii), 9.4(d)(ii), 9.4(e)(ii)(bb), 10.3(a), 10.4(a), 34.7(a), 34.8(c)(i), 36.4(h)(ii), 42.3, 42.4, 42.7(c), 42.7(d), 42.7(e), 42.7(g), 42.8, 42.8(c), 43.3(b)(iii), 57.4(c)(ii)(aa)
- Islamic Unity Convention v Minister of Telecommunications and Others (Unreported WLD Case No 3431/06, 26 April 2007)
— 12.3(d)(iv), 59.4(c)(vi)
- Ismail v Ismail 1983 (1) SA 1006 (A)
— 11.3(b), 41.1(a), 41.6, 64.4(b)(ii)
- J**
- J v M Ltd (1989) 10 ILJ 755 (IC)
— 40.8(b)
- J and Another v Director General, Department of Home Affairs and Others 2003 (5) SA 605 (D)
— 47.3(a)
- J and Another v Director General, Department of Home Affairs and Others 2003 (5) SA 621 (CC), 2003 (5) BCLR 463 (CC), [2003] ZACC 3
— 3.7(b)(i), 9.4(a), 9.4(d), 9.4(d)(iii), 9.4(e)(i)(bb), 9.4(e)(i)(cc), 9.4(e)(ii)(bb), 12.3(d)(ii)(cc), 17.5(b), 34.6, 35.5(g)(iii), 35.5(g)(v), 36.4(a), 36.4(b), 47.10(c), 47.3(a)
- JD van Niekerk en Genote Ing v Administrateur, Transvaal 1994 (1) SA 595 (A)
— 6.2(l)(ii)
- JR 1013 Investments CC and Others v Minister of Safety and Security and Others 1997 (7) BCLR 950 (E)
— 54.2(a)
- JT Publishing (Pty) Ltd and Another v Minister of Safety and Security and Others 1997 (3) SA 514 (CC), 1996 (12) BCLR 1599 (CC)
— 3.4(a), 38.3(b)(v), 7.4(c)
- Jacobs en 'n Ander v Waks en Andere 1992 (1) SA 521 (A)
— 7.2(b)
- Jacobs v Department of Land Affairs (unreported, LCC Case No 3/98, 28 February 2000)
— 48.8(c)(ii)
- Jaco Hough Boerdery Trust v Smith (unreported, LCC Case No 15R/04, 3 March 2004)
— 48.7(b)(iv)
- Jacot-Guillarmod v Provincial Government, Gauteng, and Another 1999 (3) SA 594 (T)
— 43.3(a)(iv)
- Jaftha v Schoeman and Others; Van Rooyen v Stoltz and Others 2005 (2) SA 140 (CC), 2005 (1) BCLR 78 (CC), [2004] ZACC 25
— 6.2(a), 9.2(c)(iii)(cc), 9.4(d)(iii), 10.3(c), 34.5(b)(ii), 34.8(c)(i), 34.8(e)(ii), 55.5,

- 55.6, 56B.4(c)(i), 56C.3(a), 56C.3(b)(ii), 56D.3(a), 56D.6, 57.2(a)(i)(bb), 57.2(b)(ii)(bb), 59.3(a)(v), 59.4(a)(iv)
- Jaga v Dönges NO and Another; Bhana v Dönges NO and Another 1950 (4) SA 653 (A)
— 32.3(a), 32.5(c)
- Jaipal v S 2005 (4) SA 581 (CC), 2005 (5) BCLR 423 (CC)
— 9.6(c)(ii)(bb)
- Jajbhay v Cassim 1939 AD 537
— 4.3(d)(i)(aa)
- Jamalodien v Ajimudien 1917 CPD 293
— 51.1(b)(iii), 51.4(b)(iii), 55.6, 55.6(d)
- Jamiat-UI-Ulama of Transvaal v Johncom Media Investment Ltd and Others [2006] ZAGPHC 12
— 9.2(b)(iv), 42.9(h)
- Janit v Motor Industry Fund Administrators (Pty) Ltd 1995 (4) SA 293 (A)
— 38.3(a)(iii)
- Jansen van Vuuren and Another NNO v Kruger 1993 (4) SA 842 (A)
— 34.8(e)(ii), 36.1(b), 38.2(a)(ii), 38.2(a)(iii), 38.2(c)(i), 38.3(c), 42.9(b)
- Jansen van Vuuren en Andere v Van der Merwe en Andere 1992 (1) SA 124 (A)
— 50.4(a)
- Janse van Rensburg NO and Another v Minister of Trade and Industry NNO and Another 2001 (1) SA 29 (CC), 2000 (11) BCLR 1235 (CC)
— 5.3(a)(ii), 5.3(c), 7.4(c), 9.2(d)(i)(aa), 9.4(d)(ii), 9.4(e)(i)(cc), 9.5(c)(ii), 12.3(d)(ii)(cc), 24A.4(b)(iii), 34.7(c)(ii), 34.8(c)(iii), 54.3, 56B.4(c)(i), 63.4, 63.5(b), 63.5(c)
- Janse van Rensburg NO v Minister van Handel en Nywerheid en 'n Ander 1999 (2) BCLR 204 (T)
— 17.5(e)(i), 24B.3(b), 38.3(a)(ii), 38.3(b)(iii), 38.5(b), 46.5(b), 46.6, 54.3
- Jayiya v MEC for Welfare, Eastern Cape, and Another 2004 (2) SA 611 (SCA), 2004 (8) BCLR 821 (SCA)
— 56D.3(f)(ii), 59.4(d)
- Jeeva and Others v Receiver of Revenue, Port Elizabeth and Others 1995 (2) SA 433 (SE)
— 34.7(a)
- Jeftha v Williams 1981 (3) SA 678 (C)
— 38.2(c)(ii)
- Jerpis Trading (Pty) Ltd v Westsun Hotel (Pty) Ltd and Others 1984 (2) SA 431 (D)
— 63.3(b)(vii)
- Johannesburg City Council v Administrator, Transvaal, and Another 1969 (2) SA 72 (T)
— 63.9
- Johannesburg City Council v Television and Electrical Distributors ((Pty) Ltd 1997 (1) SA 157 (A)
— 50.4(h)(ii)(ff)
- Johannesburg Consolidated Investment Company Ltd v Johannesburg Town Council 1903 TS 111
— 6.2(l)(ii), 63.1
- Johannesburg Country Club v Stott and Another 2004 (5) SA 511 (SCA)
— 39.5(a)
- Johannesburg Municipal Pension Fund and Others v City of Johannesburg and Others 2005 (6) SA 273 (W)
— 23A.3, 23A.4

Johannesburg Stock Exchange and Another v Witwatersrand Nigel Ltd and Another
1988 (3) SA 132 (A)
— 63.3(b)

Johnson v Beckett 1992 (1) SA 762 (A)
— 38.2(c)(i)

Johnson v Jockey Club of South Africa 1910 W.L.D. 136
— 44.1(c)(vi)

Johnson v Minister of Home Affairs 1997 (2) SA 432 (C)
— 36.4(c)(iii)

Johnson v Rand Daily Mails 1928 AD 190
— 38.2(c)(i)

Jooste v Botha 2000 (2) SA 199 (T), 2000 (2) BCLR 187 (T)
— 47.3(a), 47.3(b)

Jooste v Score Supermarket Trading 1999 (2) SA 1 (CC), 1999 (2) BCLR 139 (CC)
— 3.3(d), 5.2, 35.2(a)(ii), 59.3(a)(v), 59.4(d)

Joseph & Others v The City of Johannesburg & Others 2010 (4) SA 55 (CC), 2010 (3)
BCLR 212 (CC), [2009] ZACC 30
— 56B.4(c), 56B.5(b)

Joubert and Others v Van Rensburg and Others 2001 (1) SA 753 (W)
— 34.7(c)(ii), 48.3, 48.6(a), 48.7(b)(iv), 48.7(c)

Joubert v Venter 1985 (1) SA 654 (A)
— 38.2(c)(i)

Juglal NO and Another v Shoprite Checkers (Pty) Ltd t/a OK Franchise Division 2004
(5) SA 248 (SCA)
— 31.4(e)(iii), 59.4(a)(i)

Julies and Others v Speaker of the National Assembly and Others 2006 (4) SA 13 (C),
[2006] 4 All 457 (C)
— 22.2(b)(iii)

K

K v Minister of Safety and Security 2005 (6) SA 419 (CC), 2005 (9) BCLR 835 (CC)
— 4.3(a)(i), 4.3(d)(i)(aa), 4.3(h)(i)(aa), 9.2(f)(ii), 9.5(a)(i), 9.5(a)(iii), 23B.3(c)(iii),
31.4(e)(x), 34.1(c), 32.5(b), 32.5(c), 34.7(c)(i), 40.5(b)(i)

K v The Regional Court Magistrate NO and Others 1996 (1) SACR 434 (E)
— 51.5(g), 52.6(a)(ii)

Kaffraria Property Co (Pty) Ltd v Government of the Republic of Zambia 1980 (2) SA
709 (E)
— 30.2(a)

Kahn v Louw NO and Another 1951 (2) SA 194 (C)
— 41.1(a)

Kalamazoo Division (Pty) Ltd v Gay 1978 (2) SA 184 (C)
— 42.7(c)

Kalla and Another v The Master and Others 1995 (1) SA 261 (T), 1994 (4) BCLR 79 (T)
— 32.1(c), 41.1(a), 41.6, 44.3(c)(iii)

Kanhym Bpk v Oudtshoorn Munisipaliteit 1990 (3) SA 252 (C)
— 32.3(a)

Katekwe v Muchabaiwa 1984 (2) ZLR 112 (SC)
— 41.6

- Kate v MEC for Welfare, Eastern Cape 2005 (1) SA 141 (SE), [2005] 1 All SA 745 (SE)
— 9.5(a)(ii), 23A.4, 56D.3(f)(ii)
- Kauesa v Minister of Home Affairs 1995 (1) SA 51 (Nm)
— 34.1(c), 36.4(h)(iii)
- Kaunda and Others v President of the Republic of South Africa and Others 2005 (4) SA 235 (CC), 2005 (1) SACR 111 (CC), 2004 (10) BCLR 1009 (CC)
— 3.7(c), 5.3(a)(ii), 9.2(b)(i), 9.2(c)(iii)(bb), 9.2(e)(iv)(cc), 9.5(c)(iii), 10.3(a), 11.4, 12.3(d)(ii)(bb), 13.2(a), 13.3, 13.5(a), 13.7(b), 18.3(j), 18.3(k), 23C.1, 23C.3(c), 23C.4, 30.2(a), 30.4(d), 31.3(a)(i), 31.6, 31.6(a), 31.6(b), 32.4(c), 32.5(c), 39.5(a), 39.7, 40.7(c)(ii), 47.2(b), 59.4(d), 60.2, 60.3, 60.6, 61.3(a), 63.3(c), 66.1(a)(ii)
- Kekane v Mokgoko 1953 NAC 93 (NE)
— 26.6(c)(iii), 26.6(d)(iii)
- Kergeulen Sealing and Whaling Com Ltd v Commissioner of Inland Revenue 1939 AAD 487
— 4.3(h)(ii)(bb)
- Kerzner v Jonathan Ball Publishers (Pty) Ltd (unreported WLD Case No 97/29966 10 December 1997)
— 42.9(c)
- Key v Attorney General, Cape Provincial Division, and Another 1996 (4) SA 187 (CC), 1996 (2) SACR 113 (CC), 1996 (6) BCLR 788 (CC)
— 31.8(a), 32.4(c), 38.3(a)(ii), 51.1(b)(ii), 51.1(b)(iv), 51.3(f), 51.4(b)(ii), 51.4(b)(iii), 51.5(b), 51.5(j)(ii), 51.5(m), 52.2(a), 52.2(b), 52.10(b), 52.10(g)
- Khala v Minister of Safety and Security 1994 (4) SA 218 (W), 1994 (2) BCLR 89 (W)
— 32.3(b), 32.3(c), 32.4(c), 34.7(a), 51.5(c), 62.1, 52.6(d)
- Khosa and Others v Minister of Social Development and Others; Mahlaule and Others v Minister of Social Development and Others 2004 (6) SA 505 (CC), 2004 (6) BCLR 569 (CC), [2004] ZACC 11
— 3.7(a), 3.7(b)(i), 4.3(b)(iii), 5.3(c), 9.4(d)(iii), 10.4(c), 12.3(d)(ii)(cc), 13.5(a), 17.4(c), 17.6(a)(ii)(aa), 34.1(b), 34.5(b)(ii), 34.6, 34.8(e)(ii), 35.1(d)(i), 35.1(d)(iii), 35.4(f), 35.5(e), 35.5(g)(iv), 35.5(g)(ix), 35.5(h)(i), 35.5(h)(iii), 35.5(i), 35.7, 36.2(e), 36.3(d), 36.4(g), 36.4(i), 36.5(a)(ii), 36.5(b), 39.8, 42.6(a), 47.1, 47.4(b), 47.10(b), 55.2(b), 55.3(b), 55.3(c), 56A.2(a), 56A.2(b)(vi), 56A.2(b)(vii), 56A.2(c), 56B.3(b)(i), 56C.3(a), 56C.3(b), 56C.3(b)(iii), 56D.3(e), 56D.3(f)(i), 57.2(a)(ii)(aa)(y)(bbb)(xx), 60.3, 64.6(a), 66.1(a)(iii), 66.1(d)(ii)
- Khosa and Others v Minister of Social Development and others (unreported, TPD Case No 25455/02)
— 56D.3(f)(i)
- Khumalo and Others v Holomisa 2002 (5) SA 401 (CC), 2002 (8) BCLR 771 (CC)
— 3.3(a), 3.6, 5.3(e), 5.3(e)(i), 9.2(f)(iil), 9.5(a)(i), 10.4(a), 11.2(a), 11.2(b)(i), 13.6, 31.1(a), 31, Appendix, 31 Appendix(1), 31 Appendix(2), 31 Appendix(3)(a), 31 Appendix(3)(b), 31 Appendix(4)(a), 31.1(b), 31.1(c), 31.2(b)(ii), 31.2(d)(v), 31.3, 31.3(d), 31.4(a), 31.4(a)(ii), 31.4(a)(iii), 31.4(a)(iv), 31.4(a)(v), 31.4(b)(i), 31.4(b)(ii), 31.4(b)(iii), 31.4(b)(iv), 31.4(b)(v), 31.4(c)(i), 31.4(c)(ii), 31.4(c)(iii), 31.4(d)(i), 31.4(d)(ii), 31.4(e)(i), 31.4(e)(ii), 31.4(e)(iii), 31.4(e)(x), 31.4(f)(i), 32.3(c), 32.4(c), 34.1(a), 34.5(b)(ii), 34.8(c)(ii), 36.3(d), 36.4(h)(iii), 38.2(a)(ii), 38.2(a)(iii), 38.2(c)(i), 38.3(c), 42.3, 42.4, 42.5, 42.5(b), 42.6(b), 42.7(d), 42.9(a), 43.3(a)(iv), 44.3(a)(i), 46.2(a), 52.4(a)(ii), 53.1(a)(i)
- Khumalo NO v Minister of Land Affairs and Another 2005 (2) SA 618 (LCC)
— 48.8(c)(iii)
- Khumalo v Potgieter [2000] 2 B All SA 456 (LCC)
— 46.8(b)(i)
- Kidson v SA Associated Newspapers Ltd 1957 (3) SA 461 (W)
— 38.2(a)(ii), 38.2(a)(iii), 38.2(b)(i), 38.2(c)(i), 38.2(c)(ii)

Kilian v Gauteng Provincial Legislature 1999 (2) BCLR 225 (T)
— 19.1(d)(ii)

Kilian v Geregsbode, Uitenhage 1980 (1) SA 808 (A)
— 6.1

Kiliko and Others v Minister of Home Affairs and Others 2007 (4) BCLR 416 (C)
— 9.6(c)(ii)(bb), 9.6(c)(v), 50.4(h)(ii)(bb)(z)

King and Others v Attorneys Fidelity Fund Board of Control and Another 2006 (1) SA 474 (SCA), 2006 (4) BCLR 442 (SCA)
— 4.3(b)(v), 10.3(d), 10.3(d)(ii), 32.3(c), 32.5(b)

King v Dykes 1971 (3) SA 540 (RA)
— 50.4(f)

King William's Town Transitional Local Council v Border Alliance Taxi Association (BATA) 2000 (3) BCLR 295 (E)
— 63.3(b)

Kirkpatrick v Bezuidenhout 1934 TPD 155
— 38.2(c)(ii)

Kiva v Minister of Correctional Services (2007) 28 ILJ 597 (E)
— 63.3(c), 63.7(b)

Kleingeld v Heunis and Another 2007 (5) SA 559 (T)
— 47.3(a)

Klein v Attorney-General, WLD 1995 (3) SA 848 (W), 1995 (2) SACR 210 (W)
— 38.3(a)(i), 51.1(b)(iii)

Klein v Dainfern College and Another 2006 (3) SA 73 (T)
— 63.2(c)

Klink v Government of Republic of South Africa and Others 1997 (10) BCLR 1453 (E)
— 9.5(c)(iii)

Klink v Regional Court Magistrate NO and Others 1996 (3) BCLR 402 (E)
— 51.1(b)(iv), 51.5(e)(ii), 51.5(g), 51.5(i), 51.5(k)

Kloppenbergh v Minister of Justice 1964 (4) SA 31 (N)
— 51.3(b)

Knox D'Arcy Ltd and Another v Shaw and Another 1996 (2) SA 651 (W), 1995 (12) BCLR 1702 (W)
— 36.4(f), 41.4(d), 44.3(c)(iv), 54.4

Kohlhaas v Chief Immigration Officer and Another 1998 (3) SA 1142 (ZS), 1997 (2) ZLR 441 (ZS), 1998 (6) BCLR 751 (ZS)
— 66.1(d)(i)

Kolbatschenko v King NO and Another 2001 (4) SA 336 (C), 2003 (3) BCLR 288 (C)
— 63.3(b)

Komani v Bantu Affairs Administration Board, Peninsular Area 1980 (4) SA (A)
— 2.3(g)

Kommissaris van Korrektiewe Dienste v Malaza 1996 (1) SA 1143 (W)
— 49.3(b)(ii)

Konyn and Others v Special Investigating Unit 1999 (1) SA 1001 (Tk)
— 32.3(a)

Koortzen and Others v Prosecutor-General and Others 1997 (10) BCLR 1478 (Nm)
— 51.5(c)

Korf v Health Professions Council of South Africa 2000 (1) SA 1171 (T), 2000 (3) BCLR 309 (T)
— 31.2(d)(ii), 31.4(f)(i), 31.4(f)(ii), 62.6

- Kotze, Ex parte 2004 (3) SA 74 (B)
— 47.11(b)
- Kotze v Genis (Edms) Bpk en 'n Ander v Potgieter en Andere 1995 (3) SA 783 (C),
1995 (3) BCLR 349 (C)
— 36.4(f), 44.3(c)(iv), 54.4
- Kotze v Kotze 2003 (3) SA 628 (T)
— 41.4(c), 41.4(d), 47.10(b)
- Kotze v Minister of Health and Another 1996 (3) BCLR 417 (T)
— 63.6(a)
- Kritzinger v Perskorporasie van Suid-Afrika (Edms) Bpk 1981 (2) SA 373 (O)
— 38.2(b)(iii), 38.3(b)(v)
- Kruger v Johnnic Publishing (Pty) Ltd and Another 2004 (4) SA 306 (T)
— 24B.3(a)
- Kruger v Le Roux 1987 (1) SA 866 (A)
— 50.4(a)
- Kruger v President of the Republic of South Africa 2009 (1) SA 417 (CC), 2009 BCLR
268 (CC), [2008] ZACC 17
— 17.3(e), 63.3(b)
- Kruger v The Minister of Correctional Services and Others 1995 (2) SA 803 (T), 1995
(1) SACR 375 (T)
— 49.3(b)(ii)
- Kuena v Minister of Native Affairs 1955 (4) SA 281 (T)
— 26.6(d)(iii)
- Kutumela v Member of the Executive Committee for Social Services, Culture, Arts and
Sport in the North West Province (unreported, BPD Case No 671/ 2003, 23 October
2003)
— 56C.3(b)(iii)
- L**
- LS v AT and Another 2001 (2) BCLR 152 (CC)
— 6.2(f), 34.8(c)(ii), 34.8(c)(iii)
- Lady Agasim-Pereira v Johnni Publishing Eastern Cape (Pty) Ltd and Orhwea [2003] 2
All SA 416(SE)
— 42.9(a)
- Laerskool Middelburg en 'n Ander v Departementshoof, Mpumalanga Departement
van Onderwys, en Andere 2003 (4) SA 160 (T), [2002] 4 All SA 745 (T)
— 36.4(d)(ii), 44.3(c)(iii), 47.10(c), 57.3(c)(vi), 58.7(b)
- La Grange v Schoeman and Others 1980 (1) SA 885 (E)
— 38.2(a)(iii), 38.2(b)(ii), 38.2(c)(i)
- Landbounavorsingsraad v Klaasen 2005 (3) SA 410 (LCC)
— 48.7(b)(iv)
- Landman and Another v Ndlozi; Landman and Another v Gama 2005 (4) SA 89 (LCC)
— 48.6(b)(i)
- Lane and Fey NNO v Dabelstein and Others 2001 (2) SA 1187 (CC), 2001 (4) BCLR
312 (CC)
— 4.3(a)(i), 4.3(g)(ii), 11.2(b)(i), 59.4(b), 59.4(d)
- Langemaat v Minister of Safety and Security and Others 1998 (3) SA 312 (T), 1998 (4)
BCLR 444 (T)
— 32.4(b), 35.5(g)(v)

- Lappeman Diamond Cutting Works v MIB Group Ltd 1997 (4) SA 908 (W)
 — 31.2(d)(vi), 59.4(a)(viii)
- Larbi-Odam and Others v Member of the Executive Council for Education (North-West Province) and Another 1998 (1) SA 745 (CC), 1997 (12) BCLR 1655 (CC)
 — 6.2(a), 9.4(c), 34.7(a), 35.1(d)(i), 35.5(e)
- Lasky & Another v Showzone CC & Others 2007 (2) SA 48 (C)
 — 50.3(b)(i)(x)(1)
- Laubscher v Laubscher 2004 (4) SA 350 (T)
 — 52.4(a)(ii)
- Laubscher v Native Commissioner, Piet Retief 1958 (1) SA 546 (A)
 — 63.3(c)
- Laugh It Off Promotions CC v SAB International (Finance) BV t/a Sabmark International (Freedom of Expression Institute as Amicus Curiae) 2006 (1) SA 144 (CC), 2005 (8) BCLR 743 (CC)
 — 6.2(a), 10.4(a), 31.3(d), 32.5(b), 34.8(c)(i), 42.4, 42.7(c), 42.7(g), 42.9(c), 42.9(d), 42.9(g), 59.3(a)(i)
- Laugh It Off Promotions CC v SA Breweries International (Finance) BV t/a Sabmark International 2005 (2) SA 46 (SCA), [2004] 4 All SA 151 (SCA)
 — 42.7(g), 42.9(d)
- Law Society of South Africa v Minister for Transport and Another 2011 (1) SA 400 (C), 2011 (2) BCLR 150 (C), [2010] ZACC 25
 — 56D.2, 56D.3(f)(i)
- Law Society of the Transvaal v Machaka and Others (No 2) 1998 (4) SA 413 (T)
 — 54.5
- Law Society of the Transvaal v Tloubatla 1999 (11) BCLR 1275, [1999] 4 All SA 59 (T)
 — 44.1, 44.1(d), 44.3(c)(iv)
- Lawyers for Human Rights and Another v Minister of Home Affairs and Another 2003 (8) BCLR 891 (T)
 — 34.8(c)(iv), 40.3(c)(i), 40.3(d), 40.4(a), 52.2(b)
- Lawyers for Human Rights and Another v Minister of Home Affairs and Another 2004 (4) SA 125 (CC), 2004 (7) BCLR 775 (CC)
 — 5.3(c), 9.2(e)(iv)(aa), 9.4(b)(ii), 9.4(d)(iii), 31.3(a)(i), 40.2(a), 40.3(c)(i), 51.2, 51.3(b), 51.3(c), 51.3(e), 64.6(a), 66.1(a)(ii), 66.1(a)(iii)
- Lebowa Granite (Pty) Ltd v Lebowa Mineral Trust and Another 1999 (4) SA 375 (T), 1999 (8) BCLR 908 (T)
 —
- Lebowa Mineral Trust Beneficiaries Forum v President of the Republic of South Africa 2002 (1) BCLR 23 (T)
 — 46.3(b), 46.3(c), 46.5(a)
- Lebowa Mineral Trust v Lebowa Granite (Pty) Ltd 2002 (3) SA 30 (T)
 — 24B.1
- Lees Import and Export (Pvt) Ltd v Zimbabwe Banking Corporation Ltd 1999 (4) SA 1119 (ZS), 1999 (10) BCLR 1181 (ZS)
 — 59.3(a)(i)
- Legal Aid Board (Ex Parte) v Pretorius and Another [2007] 1 All SA 458 (SCA)
 — 59.4(b)(i)
- Legal Aid Board v Msila and Others 1997 (2) BCLR 229 (E)
 — 51.1(a)(iv), 51.5(g), 51.5(h), 59.4(b)(i)
- Legal Aid Board v R and Another 2009 (2) SA 262 (D)
 — 47.8

Leibman v Attorney-General 1950 (1) SA 607 (W)
— 51.4(d)

Lenco v Holdings Ltd and others v Eckstein and Others 1996 (2) SA 693 (N)
— 38.3(a)(iii), 52.10(f)

Le Roux v Direkteur-Generaal van Handel en Nywerheid 1997 (4) SA 174 (T), 1997 (8) BCLR 1048 (T)
— 50.3(b)(ii)(aa)(u), 62.7

Le Roux v Provincial Administration (OFS) 1943 OPD 1
— 32.3(a)

Lesapo v North-West Agricultural Bank 2000 (1) SA 409 (CC), 1999 (12) BCLR 1420 (CC)
— 17.3(b), 34.2(c), 34.8(c)(ii), 34.8(c)(iii), 34.8(c)(iv), 34.8(c)(v)

Levack v Regional Magistrate Wynberg 2003 (1) SACR 187 (SCA)
— 52.4(c)(ii)

Levak and Others v Regional Magistrate, Wynberg 2003 (1) SACR 187 (SCA)
— 51.4(b)(iii), 51.5(j)(ii)

Lewis v Minister of Internal Affairs and Another 1991 (3) SA 628 (B)
— 31.3(a)(i), 32.1(a), 66.1(a)(iii)

Lewis v The State [2007] SCA 3 RSA
— 42.9(c)

LF Boshoff Investments (Pty) Ltd v Cape Town Municipality 1969 (2) SA 256 (C)
— 50.4(i)(bb)

Lieberthal v Primedia Broadcasting (Pty) Ltd 2003 (5) SA 39 (W)
— 42.9(a)

Lifestyle Amusement Centre (Pty) Ltd and Others v The Minister of Justice and Others 1995(1) BCLR 104 (C)
— 7.2(c)(iii)

Lingwood and Anther v The unlawful occupiers of R/E pf Erf 9 Highlands 2008 (3) BCLR 325 (W)
— 9.6(c)(vi)

List v Jungers 1979 (3) SA 106 (A)
— 27.5(c)

Livestock and Meat Industries Control Board v Garda 1961 (1) SA 342 (A)
— 63.9

Lloyd Chaduka and Morgenster College v Enita Mandizvidza, Judgment No SC 114/2001, Civil Appeal No 298/2000 (Zimbabwe Supreme Court)
— 37.4

Lodi v MEC for Nature and Conservation and Tourism, Gauteng, and Others 2005 (3) SA 381 (T), 2005 (1) SACR 556 (T)
— 51.5(i), 52.4(a)(iii)

Logbro Properties CC v Bedderson NO and Others 2003 (2) SA 460 (SCA), [2003] 1 All SA 424 (SCA)
— 25.8, 63.3(b)

Loggenberg and Others v Robberts and Others 1992 (1) SA 393 (C)
— 63.5(g)

Lone Creek River Lodge & Others v Global Forest Products & Others [2007] ZAGPHC 307, Unreported decision (T), Case No. 1994/2005 (6 November 2007)
— 50.3(b)(i)(bb)(x)(1), 50.4(h)(ii)(bb)(z)

- Lonrho v Salisbury Municipality 1970 (4) SA 1 (R)
 — 32.5(c)
- Lotus River, Ottery, Grassy Park Residents Association v South Peninsula Municipality
 1999 (2) SA 817 (C), 1999 (4) BCLR 440 (C)
 — 13.6, 27.2(d), 34.6, 35.5(i)
- Louw and Others v Long 1990 (3) SA 45 (E)
 — 50.4(h)(ii)(ff)
- Louw v Transitional Local Council of Greater Germiston 1997 (8) BCLR 1062 (W)
 — 65.4(c)
- Luitingh v Minister of Defence 1996 (2) SA 909 (CC), 1996 (4) BCLR 581 (CC)
 — 4.3(c)(i), 5.3(d)
- Lyon v Steyn 1931 TPD 247
 — 38.2(c)(i)

M

- M en Andere v Streeklanddros, Middelburg, Transvaal, en Andere 1995 (2) SACR 709 (T)
 — 51.5(h)
- M v R 1989 (1) SA 416 (O)
 — 38.2(a)(iii)
- MAWU v Natal Die Casting Co (Pty) Ltd (1986) 7 ILJ 520 (IC)
 — 53.2(b), 53.5
- MEC, Department of Agriculture, Conservation and Environment and Another v HTF Developers (Pty) Ltd 2008 (2) SA 319 (CC), 2008 (4) BCLR 417 (CC), [2007] ZACC 25
 — 4.3(d)(iii), 9.4(b)(i), 9.4(b)(ii), 50.3(b)(i)(bb)(y), 50.4(e)
- MEC, Department of Welfare, Eastern Cape v Kate 2006 (4) SA 478 (SCA), [2006] ZASCA 49, [2006] All SA 455 (SCA)
 — 9.2(e)(iv)(cc), 9.2(f)(ii), 9.5(a)(ii), 9.5(a)(ii)(aa), 9.5(b)(ii), 56D.1, 56D.3(f)(ii), 59.4(d)
- MEC for Agriculture, Conservation, Environment and Land Affairs v Sasol Oil (Pty) Ltd & Another 2006 (5) SA 483 (SCA)
 — 50.3(b)(i)(dd)(y)
- MEC for Agriculture, Conservation, Environment & Land Affairs v Sasol Oil Pty Ltd & Bright Suns Development CC [2005] ZASCA 76
 — 50.3(b)(i)(z), 50.4(e), 50.4(h)(ii)(aa)
- MEC for Education, KwaZulu-Natal and Others v Pillay 2008 (1) SA 474 (CC), 2008 (2) BCLR 99 (CC), [2007] ZACC 21
 — 4.3(d)(iii), 9.2(b)(ii)(aa), 9.3, 9.5(b)(ii), 9.6(b), 9.7, 32.3(c), 32.4(a), 32.4(c), 32.5(b), 42.4, 42.5, 42.5(d), 47.1, 47.8, 50.3(b)(ii)(aa)(v), 56B.3(b)(i), 57.2(a)(i)(bb)(x), 57.2(a)(ii)(aa)(y)(bbb)(xx), 57.2(a)(ii)(aa)(y)(bbb)(yy), 57.2(a)(ii)(aa)(y)(ddd), 57.3(c)(vi), 57.4(c)(ii)(cc), 57.5
- MEC for Health, KwaZulu-Natal v Premier, KwaZulu-Natal: In re Minister of Health and Others v Treatment Action Campaign and Others 2002 (5) SA 717 (CC), 2002 (10) BCLR 1028 (CC)
 — 5.3(e)(ii), 14.3(c)(i), 14.3(c)(ii), 31.4(f), 16.1(b), 16.4(b)(ii)
- MEC for Health, Mpumalanga v M-Net 2002 (6) SA 714 (T)
 — 36.2(e), 36.4(h)(iii), 42.9(b)
- MEC for Local Government, Mpumalanga v Independent Municipal and Allied Trade Union (IMATU) 2002 (1) SA 76 (SCA)
 — 14.3(a), 14.3(b)(ii), 22.5(b)

- MV Golden North Governor and the Company of the Bank of Scotland v Fund Constituting the Proceeds of the Judicial Sale of the MV Golden North (Maritime Technical Co Ltd Intervening) 1999 (1) SA 144 (D)
— 32.3(a)
- MV Snow Delta Serva Ship Ltd v Discount Tonnage Ltd 2000 (4) SA 746 (SCA)
— 4.3(b)(ii)(aa)
- MWU v East Rand Gold and Uranium Co Ltd (1990) 11 ILJ 1070 (IC)
— 53.2(b)
- MWU v East Rand Gold and Uranium Co Ltd (1991) 12 ILJ 1221 (A)
— 53.5
- Maas Transport BK v Beukes (Unreported, Land Claims Court Case No LCC 38R / 02, 27 May 2002)
— 48.7(b)(iv)
- Mabaso v Law Society, Northern Provinces, and Another 2005 (2) SA 117 (CC), 2005 (2) BCLR 129 (CC)
— 3.4(a), 5.2, 5.3(e)(iv), 9.4(d)(iii), 35.5(g)(i), 35.5(g)(iv)
- Mabena v Letsoalo 1998 (2) SA 1068 (T)
— 64.4(b)(i)
- Mabuza v Mbatha 2003 (4) SA 218 (C), 2003 (7) BCLR 743 (C)
— 31.4(e)(ix), 36.4(d)(ii), 36.5(c), 41.6, 58.1(b), 57.3(b), 64.4(b)(i)
- Macadamia Finance Ltd en 'n Ander v De Wet en Andere 1991 (4) SA 273 (T)
— 40.5(b)(ii)
- Mackessack v Assistant Magistrate, Empangeni 1963 (1) SA 892 (N)
— 65.6
- Macsteel (Pty) Ltd v NUMSA (1990) 11 ILJ 995 (LAC)
— 53.2(b), 53.5
- Madikizela v State President, Republic of Transkei 1986 (2) SA 180 (Tk)
— 65.2(b)
- Magajane v The Chairperson, North West Gambling Board 2006 (5) SA 250 (CC), 2006 (2) SACR 447 (CC), 2006 (10) BCLR 1243 (CC)
— 9.4(c), 9.4(d)(i), 9.4(e)(i)(bb), 9.4(e)(ii)(bb), 40.3(b)
- Magano and Another v District Magistrate, Johannesburg, and Others (1) 1994 (4) SA 169 (W), 1994 (2) BCLR 125 (W)
— 32.4(c), 51.4(d)
- Magidimisi and Others v MEC and Others (Unreported, SECLC Case No 2180/04, 13 April 2006)
— 18.3(c), 59.4(d)
- Magidimisi NO v Premier of the Eastern Cape (unreported, ECD Case No 2180/04, 25 April 2006)
— 8.3(g), 20.2(b), 20.3(b), 20.3(c), 20.3(d), 56D.3(f)(ii)
- Magna Alloys and Research (SA) (Pty) Ltd v Ellis 1984 (4) SA 874 (A)
— 4.3(d)(i)(aa), 36.4(f), 54.4
- Magodi and Others v Van Rensburg [2001] 4 All SA 485 (LCC)
— 48.7(b)(iv)
- Mahambehlala v MEC for Welfare, Eastern Cape, and Another 2002 (1) SA 342 (SE), 2001 (9) BCLR 890 (SE)
— 31.4(c)(ii), 38.3(b)(v), 56D.3(f)(ii), 56D.4(b)
- Maharaj and Others v Rampersad 1964 (4) SA 638 (A)
— 53.6

Mahlangu v S 2004 (2) All SA 652 (NC)
— 51.5(o)

Mahomed v National Director of Public Prosecutions 2006 (1) SACR 495 (W)
— 52.4(c)(i)

Maisel v van Naeren 1960 (4) SA 836, 840 (C)
— 38.2(c)(ii)

Majiet v Santam Ltd [1997] 4 All SA 555 (C)
— 40.8(b)

Makambi v The Member of the Executive Council, the Department of Education, Eastern Cape Province (unreported, SCA Case No 638/06, 29 May 2008)
— 63.3(b)

Makhathini v Road Accident Fund 2002 (1) SA 511 (SCA), [2002] 1 All SA 413 (A)
— 52.6(a)(i)

Makinana and Others v Minister of Home Affairs and Another; Keelty and Another v Minister of Home Affairs and Another 2001 (6) BCLR 581 (C)
— 34.8(c)(ii), 34(c)(iii)

Maluleke v MEC, Health and Welfare, Northern Province 1999 (4) SA 367 (T)
— 7.2(c)(ii), 7.2(c)(iii), 56D.4(b)

Maluleke v Minister of Internal Affairs 1981 (1) SA 707(B)
— 30.1(b)(i)

Mandel and Another v Johncom Media Limited; Johncom Media Limited v Mandel and Others [2008] ZAGPHC 36
— 9.2(e)(iv)(bb), 42.9(c)

Mandela v Falati 1995 (1) SA 251 (W), 1994 (4) BCLR 1 (W)
— 36.4(h)(iii), 38.2(b)(ii), 42.5, 42.9(h)

Mangope v Asmal and Another 1997 (4) SA 277 (T)
— 42.9(a)

Mankatshu v Old Apostolic Church of Africa and Others 1994 (2) SA 458 (TkA)
— 41.3(a)

Manqele v Durban Transitional Metropolitan Council 2002 (6) SA 423 (D)
— 56B.3(b)(iv), 56B.4(c)(i)

Mans v Mans (born Maddock) [1999] 3 All SA 506 (C)
— 66.1(c)

Manusamy v Hefer NO 2004 (5) SA 112 (O)
— 52.9

Manyasha v Minister of Law and Order 1999 (2) SA 179 (SCA)
— 32.3(a)

Manyatshe v Mail & Guardian Ltd (unreported WLD, 21 September 2006)
— 42.9(a)

Mapochsgronde Action Group v Eagles Quarries (Pty) Ltd and Others (unreported, TPD Case, 2002)
— 50.3(b)(i)(aa)

Maqoma v Sebe NO and Another 1987 (1) SA 483 (Ck)
— 22.7(d)

Marais v Democratic Alliance 2002 (2) BCLR 171 (C)
— 17.8(a), 63.3(c)

Marais v Groenewald en 'n Ander 2001 (1) SA 634 (T), [2001] 2 All SA 578 (T)
— 36.4(h)(iii), 38.2(a)(ii), 38.2(c)(ii), 42.9(a)

- Marais v Richard 1981 (1) SA 1157 (A)
— 38.2(c)(i)
- Marievale Consolidated Mines Ltd v President of the Industrial Court and Others 1986 (2) SA 485 (T)
— 7.2(b)
- Marlin v Durban Turf Club and Others 1942 AD 112
— 63.2(c)
- Marlin v Jockey Club of South Africa 1951 (4) SA 638 (T)
— 44.1(c)(vi)
- Masamba v Chairperson, Western Cape Regional Committee, Immigrants Selection Board and Others 2001 (12) BCLR 1239 (C)
— 34.5(b)(ii)
- Masenya v Seleka Tribal Authority and Another 1981 (1) SA 522 (T)
— 26.6(d)(iii)
- Masetlha v President of the Republic of South Africa and Another 2008 (1) SA 566 (CC), 2008 (1) BCLR 1 (CC), [2007] ZACC 20
— 4.3(d)(ii), 9.2(c)(iii)(aa), 18.2(c)(i), 18.3(a), 23B.5(b)(iv), 42.9(c), 63.2(b), 63.3(a), 63.3(b), 63.3(c), 63.5(b), 63.5(c)
- Masetlha v The President of the Republic of South Africa and Another [2006] ZAGPHC 107
— 23B.5(b)(iv)
- Mashavha v The President of the Republic of South Africa and Others 2005 (2) SA 476 (CC), 2004 (12) BCLR 1243 (CC), [2004] ZACC 6
— 9.4, 9.4(e), 9.4(e)(i)(ee), 16.4(a)(i), 16.4(a)(iii), 16.4(b)(ii), 19.3(a)(ii), 23A.8, 32.1(c), 56C.3(b)(i), 56D.3(e), 56D.3(f)(i), 56D.5
- Masiya v Director of Public Prosecutions, Pretoria and Others (Centre for Applied Legal Studies and Another as Amici Curiae) 2007 (5) SA 30 (CC), 2007 (8) BCLR 827
— 4.3, 9.2(b)(ii)(bb), 9.2(c)(iii)(aa), 9.2(c)(iii)(bb), 9.2(e)(iv)(aa), 9.4(b)(i), 9.4(d)(iii), 9.4(e)(i)(bb), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 32.1(c), 32.3(c), 32.4(c), 32.5(b), 35.5(g)(ii), 47.5
- Masuku and Another v State President and Others 1994 (4) SA 374 (T)
— 7.4(b)
- Matatiele Municipality and Others v President of the Republic of South Africa and Others (No 1) 2006 (5) SA 47 (CC), 2006 (5) BCLR 622 (CC), [2006] ZACC 2
— 3.7(a), 4.3(a)(ii), 4.3(b)(i), 4.3(b)(iv), 10.3(b), 10.3(d), 10.3(d)(iii), 10.5(c), 12.3(b)(iii), 14.3(b)(ii), 14.5(d)(i), 17.3(a), 17.5(g), 22.2(a), 42.10
- Matatiele Municipality and Others v The President of the Republic of South Africa and Others (No 2) 2007(6) SA 477 (CC), 2007 (1) BCLR 47 (CC)
— 2.1, 4.3(b)(iv), 5.2, 9.2(c)(iii)(aa), 9.2(c)(i)(dd), 9.4(e), 9.4(e)(i)(bb), 9.4(e)(i)(cc), 12.3(d)(ii)(aa), 12.3(d)(ii)(cc), 17.5(g), 17.6(a)(i), 17.6(a)(ii)(bb), 17.6(a)(ii)(cc)(2), 17.6(a)(iii), 22.1(e), 22.7(d), 23C.2, 32.3(c), 32.4(c), 32.5(c), 34.9, 42.5(b), 45.1, 45.5(b), 45.6, 45.7, 63.5(b)
- Mateis v Plaaslike Munisipaliteit Ngwathe and Andere 2003 (4) SA 361 (SCA)
— 22.5(b)
- Mathebe v Regering van die RSA en Andere 1988 (3) SA 667 (A)
— 26.2
- Mathee en 'n Ander v Lerm 1980 (3) SA 742 (C)
— 50.4(a)
- Mathew Shunmugam and Others v Newcastle Local Municipality and Others [2007] ZAKZHC 1 (4 December 2007)
— 22.2(b)(iii)

Mathews v Young 1922 AD 492
— 38.2(b)(i)

Mathiba v Du Toit 1926 TPD 126
— 26.2

Mathibe v Tsoke 1925 AD 105
— 26.6(c)(iii)

Matinkinca v Council of State, Ciskei 1994 (4) SA 472 (Ck), 1994 (1) BCLR 17 (Ck)
— 34.1(b)

Matiso and Others v Commanding Officer, Port Elizabeth Prison, and Another 1994 (3) SA 899 (E), 1994 (3) BCLR 80 (E)
— 7.2(c)(iii), 32.1(b), 32.3(b), 51.3(g)

Matlou v Makhubedu 1978 (1) SA 946 (A)
— 23B.3(c)(i)

Matukane and Others v Laerskool Potgietersrus 1996 (3) SA 223 (T), [1996] 1 All SA 468 (T)
— 35.5(g)(viii), 36.4(d)(ii), 44.3(c)(iii), 57.2(a)(i)(bb)(x), 57.2(a)(ii)(aa)(y)(bbb)(xx), 57.3(c)(vi), 58.7(b)

Mayfair South Townships v Jhina 1980 (1) SA 869 (T)
— 32.5(c)

May v Udwin 1981 (1) SA 1 (A)
— 38.2(c)(i), 59.4(b)(iii)

May v Union Government 1954 (3) SA 120 (N)
— 38.3(a)(iv)

Mazibuko and Others v City of Johannesburg and Others 2010 (4) SA 1 (CC), 2010 (3) BCLR 239 (CC), [2009] ZACC 28
— 50.3(b)(ii)(aa)(y), 56B.1, 56B.3(a), 56B.3(b)(i), 56B.3(b)(ii), 56B.3(b)(iii), 56B.3(b)(iv), 56B.4(c)(i), 56B.4(c)(ii), 56B.4(g), 56B.5(b), 56D.3(d), 56D.3(f)(i), 56D.6(b)

Mazibuko and Others v The City of Johannesburg and Others [2008] 4 All SA 471, [2008] ZAGPHC 128 (30 April 2008)
— 22.4(b), 56D.3(b)(iii)(aa)

Mbambo v Minister of Defence 2005 (2) SA 226 (T)
— 51.1(b)(iii)

Mbanga v MEC for Welfare, Eastern Cape and Another 2002 (1) SA 359 (SE)
— 38.3(b)(v), 56D.3(f)(ii)

Mbatha v Vleissentraal Co-operative Ltd (1985) 6 ILJ 333 (IC)
— 53.2(b)

Mbebe and Others v Chairman, White Commission and Others 2000 (7) BCLR 754 (Tk)
— 59.4(c)(v)

Mbelu and Others v MEC for Health and Welfare Eastern Cape and Others 1997 (2) SA 823 (Tk)
— 53.6

Mbuli v Mehloimakulu 1961 NAC 68
— 59.2(a)

McBride v The Citizen 1978 (Pty) Ltd (unreported WLD Case No 03/15780, 6 February 2008)
— 42.9(a)

McCall v McCall 1994 (3) SA 201 (C)
— 47.8(b)

- McCarthy and Others v Constantia Property Owners' Association and Others 1999 (4) SA 847 (C)
— 7.2(c)
- McCarthy v Additional Magistrate, Johannesburg 2000 (2) SACR 542 (SCA)
— 51.5(f)
- McDonald and Others v Minister of Minerals and Energy and Others 2007 (5) SA 642 (C)
— 18.2(b)
- McDonald's Corp v Joburgers Drive-Inn Restaurant (Pty) Ltd; McDonald's Corp v Dax Prop CC; McDonald's Corp v Joburgers Drive-Inn Restaurant (Pty) Ltd & Dax Prop CC 1997 (1) SA 1 (A)
— 52.6(a)(i)
- McIntyre and Others v Pietersen NO and Another 1998 (1) BCLR 18 (T)
— 51.1(b)(iii)
- McKay v Editor City Press and Another [2002] 1 All SA 538 (SE)
— 42.9(a)
- McKenzie NO and Another v Lukas and Others (unreported, LCC Case No 11R/04, 22 April 2004)
— 48.7(b)(iv)
- Mc Nally v M&G Media Limited and Others 1997 (4) SA 267 (W), 1997 (6) BCLR 818 (W)
— 42.9(a)
- Media 24 Ltd and Another v Grobler 2005 (6) SA 328 (SCA)
— 40.5(b)(ii), 40.8(b)
- Member of the Executive Committee for Development Planning and Local Government, Gauteng v Democratic Party 1998 (4) SA 1157 (CC), 1998 (7) BCLR 855 (CC)
— 5.3(e), 5.3(e)(i), 5.3(e)(ii), 10.5(c), 18.2(b), 19.6, 31.4(a)(v), 32.3(a), 32.4(a), 34.1(b), 34.6
- Member of the Executive Council for Local Government, Mpumalanga v Independent Municipal and Allied Trade Unions and Others 2002 (1) SA 76 (SCA)
— 14.3(a), 14.3(b)(i), 14.3(c)(ii)
- Mendes and Another v Kitching NO and Another 1996 (1) SA 259 (E), 1995 (2) SACR 634 (E)
— 51.4(b)(ii), 52.10(d)
- Merafong Demarcation Forum and Others v President of the Republic of South Africa and Others 2008 (5) SA 171 (CC), 2008 (10) BCLR 969 (CC), [2008] ZACC 10
— 17.2(b)(ii), 17.3(a), 17.5(g), 17.6(a)(ii)(cc), 17.6(a)(iii), 17.7(b)(i), 17.8(b), 22.7(d), 23C.2, 32.3(b), 42.5(b)
- Mercer and Another, Ex parte: 2003 (1) SA 203 (CC)
— 50.3(b)(i), 50.3(b)(ii)(aa)(u)
- Metal and Allied Workers Union v State President 1986 (4) SA 358 (N)
— 17.3(f)
- Metcash Trading Ltd v Commissioner for the SA Revenue Service and Another 2000 (2) SA 232 (W), 2000 (3) BCLR 318 (W)
— 59.4(a)(i)
- Metcash Trading Ltd v Commissioner, South African Revenue Service, and Another 2001 (1) SA 1109 (CC), 2001 (1) BCLR 1 (CC)
— 4.3(d)(ii), 4.3(g)(ii), 12.3(d)(iv), 31.2(d)(vi), 31.4(b)(iii), 31.4(e)(iv), 34.8(c)(ii), 34.8(c)(iii), 59.2(b), 59.4(a)(i), 59.4(c)

- Metlika Trading v South African Revenue Service 2005 (3) SA 1 (SCA)
— 31.6(a), 31.6(b)
- Metro Projects CC and Another v Klerksdorp Local Municipality and Others, 2004 (1) SA 16 (SCA)
— 25.2(c)(i), 25.3(b), 25.8, 25.9(b)
- Meyer v Iscor Pension Fund 2003 (2) SA 715 (SCA)
— 63.10
- Mfingwa and Others v S (unreported Transkei High Court Case No A 58 / 2001, 10 August 2001)
— 66.1(c)
- Mfolo and Others v Minister of Education, Bophuthatswana 1992 (3) SA 181 (B), 1994 (1) BCLR 136 (B)
— 37.4
- Mgcina v Regional Magistrate, Lenasia, and Another 1997 (2) SACR 711 (W)
— 51.3(f), 51.5(h), 52.4(c)(i)
- Mgijima v Eastern Cape Appropriate Technology Unit 2000 (2) SA 291 (TkH)
— 9.7, 31.4(f)
- Mhlekwana v Head of the Western Transkei Regional Authority; Feni v Head of the Western Transkei Regional Authority and Another 2001 (1) SA 574 (Tk), 2000 (2) SACR 596 (Tk), 2000 (9) BCLR 979 (Tk)
— 26.6(c)(i), 26.7, 34.7(c)(ii), 51.1(a)(iv), 64.4(b)(i), 51.5(e)(i), 52.4(c)(i), 58.5(a), 60.4
- Mhlongo v Bailey and Another 1958 (1) SA 370 (W)
— 38.2(a)(ii), 38.2(a)(iii), 38.2(b)(i)
- Micro Finance Regulatory Council v AAA Investments (Pty) Limited and Another 2006 (1) SA 27 (SCA)
— 17.5(e)(iii), 63.3(b)
- Midi Television (Pty) Ltd t/a E-TV v Director of Public Prosecutions (Western Cape) 2007 (5) SA 540 (SCA)
— 42.4, 42.7(a), 42.7(d), 42.9(a), 42.9(c), 42.9(g), 42.9(h)
- Midi Television (Pty) Ltd t/a e-TV v Downer (D&CLD Case No 15927/04, 12 October 2004)
— 42.9(c)
- Milani and Another v South African Medical and Dental Council and Another 1990 (1) SA 899 (T)
— 7.2(b)
- Mineworkers Investment Co (Pty) Ltd v Modibane 2002 (6) SA 512 (W)
— 38.2(b)(iii), 38.3(b)(v), 42.9(a), 43.2(b)(ii)
- Minister for Provincial and Local Government v Unrecognised Traditional Leaders, Limpopo Province (Sekhukhuneland) 2005 (2) SA 110 (SCA), [2005] 1 All SA 559 (SCA)
— 26.6(a)
- Minister of Correctional Services and Others v Kwakwa and Another 2002 (4) SA 455 (SCA), 2002 (1) SACR 705 (SCA), [2002] 3 All SA 242 (A)
— 36.4(c)(iii), 49.3(a), 49.3(b)(i), 51.3(c)
- Minister of Correctional Services v Ngubo 2000 (2) SA 668 (N)
— 43.3(a)(iv)
- Minister of Defence and Others v Dunn 2007 (6) SA 52 (SCA)
— 63.3(c)

- Minister of Defence and Others v South African National Defence Union; Minister of Defence and Others v South African National Defence Union and Another 2007 (1) SA 422 (SCA)
— 23B.3(d), 23B.4(d)
- Minister of Defence, Namibia v Mwandighi 1992 (2) SA 355 (NmS)
— 32.1(b)
- Minister of Defence v Potsane and Another; Legal Soldier (Pty) Ltd and Others v Minister of Defence and Others 2002 (1) SA 1 (CC), 2002 (11) BCLR 1137 (CC)
— 5.3(a)(ii), 23B.4(c), 32.5(c)
- Minister of Education and Another v Syfrets Trust Ltd NO and Another 2006 (4) SA 205 (C), 2006 (10) BCLR 1214 (C)
— 35.5(g)(viii), 35.6
- Minister of Education v Harris 2001 (4) SA 1297 (CC), 2001 (11) BCLR 1157 (CC)
— 31.3(c), 32.5(b), 57.2(a)(ii)(aa)(y)(bbb)(xx), 57.4(b)
- Minister of Education, Western Cape, and Others v Governing Body, Mikro Primary School, and Another 2006 (1) SA 1 (SCA), 2005 (10) BCLR 973 (SCA)
— 35.5(g)(viii), 57.3(c)(vi), 58.1(c), 58.4(a)(i), 58.4(a)(vii), 58.7(b)
- Minister of Environmental Affairs and Tourism and Another v Scenematic Fourteen (Pty) Ltd 2005 (6) SA 182 (SCA)
— 18.2(b)
- Minister of Environmental Affairs and Tourism and Others v Phambili Fisheries (Pty) Ltd; Minister of Environmental Affairs and Tourism and Others v Bato Star Fishing (Pty) Ltd 2003 (6) SA 407 (SCA)
— 63.7(d)
- Minister of Environmental Affairs and Tourism v George [2006] SCA 57 (RSA)
— 35.8
- Minister of Finance and Another v Van Heerden 2004 (6) SA 121 (CC), 2004 (11) BCLR 1125 (CC)
— 32.4(c), 34.7(a), 35.1(a), 35.1(d)(ii), 35.1(d)(iii), 35.2, 35.4(a), 35.4(b), 35.4(c), 35.4(c)(i), 35.4(c)(ii), 35.4(c)(iii), 35.4(d), 35.4(d)(i), 35.4(d)(ii), 35.4(d)(iii), 35.4(e), 35.4(f), 35.5(h), 35.5(h)(ii), 36.4(a), 51.1(b)(iv), 57.2(b)(ii)(bb), 58.7(b)
- Minister of Finance and Others v Gore NO 2007 (1) SA 111 (SCA)
— 9.5(a)(i)
- Minister of Finance v Van Heerden and Another (unreported, CPD Case No 7067/01, 12 June 2003)
— 35.4(c)
- Minister of Forestry v Quathambla (Pty) Ltd 1973 (3) SA 69 (A)
— 40.5(b)(ii)
- Minister of Health and Another NO v New Clicks South Africa (Pty) Ltd and Others (Treatment Action Campaign and Another as Amici Curiae) 2006 (2) SA 311 (CC), 2006 (1) BCLR 1 (CC)
— 3.3(c), 4.3(d)(iv), 6.2(b)(ii), 6.2(h), 17.5(e)(i), (iii) & (iv), 18.2(b), 23A.1, 27.4(b), 32.3(c), 32.4(a), 32.4(c), 32.5(b), 48.4, 56A.3(b), 56A.4(e), 63.1, 63.2(a), 63.3(a), 63.3(c), 63.5(c), 63.5(e), 63.6(b)
- Minister of Health and Others v Treatment Action Campaign and Others
— (No 1) 2002 (5) SA 703 (CC)
— 5.3(e)(i), 5.3(e)(v)
- Minister of Health and Others v Treatment Action Campaign and Others (No 2) 2002 (5) SA 721 (CC), 2002 (10) BCLR 1033 (CC), [2002] ZACC 15
— 4.2(a), 4.3(c)(ii), 4.3(h)(ii)(bb), 9.2(c)(iii)(bb), 9.2(c)(iii)(ee), 9.2(d)(i)(aa), 9.2(e)(iv)(cc), 9.5(c)(i), 9.6(a), 9.6(c)(ii), 10.4(c), 12.3(d)(ii)(aa), 12.3(d)(ii)(bb), 14.1, 16.1(b), 22.4(b), 30.3, 31.4(b)(v), 32.3(b), 33.1, 33.11(b), 33.12, 33.3, 33.4(a),

- 33.4(b), 33.5(b), 33.5(e)(ii), 33.5(e)(iii), 33.5(e)(iv), 33.5(f)(iii), 33.5(f)(iv), 33.5(g)(i), 33.5(h), 33.7, 34.6, 36.4(i), 39.8, 40.1(b)(i), 45.5(a), 47.4(b), 47.4(c), 48.3, 48.6(a), 50.3(b)(i)(ee)(x), 55.3(b), 56A.2(a), 56A.2(b)(v), 56A.2(b)(vii), 56A.2(c), 56A.3(a), 56A.3(d), , 56B.3(b)(i), 56B.3(b)(iii)(bb), 56B.4(g), 56C.3(a), 56C.3(b)(iii), 56D.3(d), 56D.6, 56D.6(b), 57.2(a)(i)(bb)(y)
- Minister of Health and Welfare v Woodcarb (Pty) Ltd and Another 1996 (3) SA 155 (N)
— 7.2(c)(iii), 31.3, 50.3(b)(i)(bb)(x)(1), 50.3(b)(i)(ee)(y)(8), 50.4(h)(ii)(bb)(x)
- Minister of Home Affairs and Another v American Ninja IV Partnership and Another 1993 (1) SA 257 (A)
— 18.3(f)(i)
- Minister of Home Affairs v Eisenberg and Associates: In re Eisenberg and Associates v Minister of Home Affairs and Others 2003 (5) SA 281 (CC), 2003 (8) BCLR 838 (CC)
— 6.2(a), 31.4(a)(v), 34.6, 63.3(b), 63.3(c)
- Minister of Home Affairs v Fourie (Doctors for Life International and Others, Amici Curiae); Lesbian and Gay Equality Project and Others v Minister of Home Affairs 2006 (1) SA 524 (CC), 2006 (3) BCLR 355 (CC)
— 2.1, 3.7(b)(ii), 4.3(h)(ii)(bb), 5.3(a)(ii), 5.3(d), 9.2(b)(ii)(bb), 9.2(c)(iii)(bb), 9.2(c)(iii)(dd), 9.2(d)(ii), 9.2(e)(i), 9.2(e)(iii)(bb), 9.2(e)(iv)(bb), 9.2(e)(iv)(cc), 9.4(b)(ii), 9.4(c), 9.4(d)(iii), 9.4(e), 9.4(e)(i)(bb), 9.4(e)(i)(cc), 10.2(c), 12.3(d)(ii)(aa), 12.3(d)(ii)(cc), 32.3(c), 34.8(c)(i), 34.8(d)(i), 34.8(e)(ii), 35.1(d)(i), 35.5(g)(iii), 35.5(g)(v), 35.5(g)(viii), 35.5(h)(i), 36.2(d), 36.4(a), 36.4(b), 36.4(d)(i), 36.5(a)(i), 42.5(d), 57.3(b), 57.3(c)(vi), 57.4(c)(ii)(cc), 57.5, 58.1(a), 58.1(c), 58.4(a)(i), 58.4(a)(iii), 58.4(a)(v), 58.4(a)(vii), 58.7(a)
- Minister of Home Affairs v Liebenberg 2002 (1) SA 33 (CC), 2001 (11) BCLR 1168 (CC)
— 4.3(c)(i), 5.3(c), 18.3(c)
- Minister of Home Affairs v National Institute for Crime Prevention and the Reintegration of Offenders (NICRO) and Others 2005 (3) SA 280 (CC), 2004 (5) BCLR 445 (CC), [2004] ZACC 10
— 1.3, 3.3(b), 9.2(e)(i), 9.2(e)(iv)(aa), 9.4(d)(i), 9.5(a)(i), 9.6(c)(ii)(bb), 10.3(c), 10.4(a), 10.5(a), 10.5(c), 11.1(c), 11.4, 12.3(d)(ii)(bb), 13.4, 13.6, 17.5(b), 23A.4, 23B.6(b)(iii), 29.2(b), 31 Appendix (3)(a), 31.1(b), 31.4(e)(iii), 34.8(c)(i), 35.1(a), 36.2(d), 36.3(d), 45.4, 45.5(b), 45.10(b)(iii), 52.11, 59.4(a)(iv), 64.6(f)
- Minister of Home Affairs v Watchenuka 2004 (4) SA 326 (SCA), 2004 (2) BCLR 120 (SCA)
— 31.3(a)(i), 57.2(a)(ii)(aa)(y)(bbb)(xx), 57.2(b)(ii)(bb), 60.3, 64.6(a), 66.1(d)(i)
- Minister of Justice, Ex parte: In re Pillay 1945 AD 653
— 52.6(d)
- Minister of Justice, Ex parte: In re R v Matemba 1941 AD 75
— 52.4(c)(ii)
- Minister of Justice, Transkei v Gemi 1994 (3) SA 28 (TkA)
— 63.5(d)
- Minister of Justice v Hofmeyr 1993 (3) SA 131 (A)
— 38.2(a)(ii), 38.2(a)(iii), 38.3(a)(iv), 49.3(a), 64.6(f)
- Minister of Justice v Language (unreported, DCLD Case No 14181/2005, 20 March 2006)
— 35.8
- Minister of Justice v Ntuli 1997 (3) SA 772 (CC), 1997 (6) BCLR 677 (CC)
— 3.7(b)(ii), 6.2(j), 9.4(e)(i)(bb), 9.4(e)(i)(ee), 24.3(c)(ii), 32.4(c)
- Minister of Land Affairs v Slamdien 1999 (4) BCLR 413 (LCC)
— 32.3(b), 32.4(a), 48.8(c)(ii), 48.8(c)(iii)

- Minister of Law and Order, KwaNdebele, and Others v Mathebe and Another 1990 (1) SA 114 (A)
— 51.2, 51.3(c)
- Minister of Law and Order v Hurley 1986 (3) SA 568 (A)
— 38.3(a)(iv), 59.2(a)
- Minister of Law and Order v Kader 1991 (1) SA 41 (A)
— 51.3(b)
- Minister of Law and Order v Parker 1989 (2) SA 633 (A)
— 51.3(b)
- Minister of Local Government and Land Tenure and Another v Sizwe Development and Others: In re Sizwe Development v Flagstaff Municipality 1991 (1) SA 677 (Tk)
—
- Minister of Local Government and Land Tenure v Inkosinathi Property Developers (Pty) Ltd 1992 (2) SA 234 (TkA)
— 63.10
- Minister of Native Affairs and Another v Buthelezi 1961 (1) SA 766 (D)
— 26.6(a)
- Minister of Public Works and Others v Kyalami Ridge Environmental Association and Another (Mukhwevho Intervening) 2001 (3) SA 1151 (CC), 2001 (7) BCLR 652 (CC), [2001] ZACC 19
— 4.3(a)(i), 4.3(d)(ii), 5.3(a)(i), 5.3(e)(ii), 8.1(c), 11.2(b)(ii), 11.3(c)(ii), 11.3(c)(iii), 23B.5(b)(iv), 25.8, 31.2(d)(ii), 32.3(b), 33.6, 40.1(b)(i), 50.3(b)(i)(dd)(x)(2), 50.3(b)(ii)(aa)(x), 55.4(b)(i), 56B.4(c)(ii), 56C.3(b)(ii), 62.1, 63.1, 63.3(c), 63.5(c), 63.5(d), 63.5(e)
- Minister of Safety and Security v F [2011] ZASCA 3
— 23B.3(c)(iii)(bb)
- Minister of Safety and Security and Another v Gaqa 2002 (1) SACR 654 (C)
— 23B.3(c)(ii), 40.10(a), 51.4(b)(iii), 51.5(j)(iii), 52.4(c)(ii)
- Minister of Safety and Security and Another v Hamilton 2004 (2) SA 216 (SCA)
— 9.5(a)(i), 23B.3(c)(iii)(bb), 40.5(b)(i)
- Minister of Safety and Security v Venter [2011] ZASCA 42
— 23B.3(e)(ii)
- Minister of Safety and Security and Another v Xaba 2003 (2) SA 703 (D), 2004 (1) SACR 149 (D)
— 23B.3(c)(ii), 34.7(c)(i), 40.5(c), 40.10(a), 51.4(b)(iii), 52.4(c)(ii)
- Minister of Safety and Security and Others, Ex Parte: In re S v Walters and Another 2002 (4) SA 613 (CC), 2002 (2) SACR 105 (CC), 2002 (7) BCLR 663 (CC), [2002] ZACC 6
— 3.7(b)(ii), 9.2(e)(iv)(cc), 23B.3(c)(i), 10.3(c), 11.2(a), 17.3(e), 23B.3(c)(i), 31.1(c), 31.4(a)(v), 31.4(e)(x), 34.8(c)(i), 34.8(c)(iii), 36.4(c)(iii), 39.5(a), 40.5(c), 43.2(b)(ii), 51.1(b)(iv), 51.2
- Minister of Safety and Security v Carmichele 2004 (3) SA 305 (SCA), 2004 (2) BCLR 133 (SCA)
— 9.5(a)(i), 36.4(c)(i), 39.6, 40.5
- Minister of Safety and Security v Hamilton 2001 (3) SA 50 (SCA)
— 3.3(a), 3.5(b)
- Minister of Safety and Security v Luiters 2006 (4) SA 160 (SCA)
— 9.5(a)(i), 23B.3(c)(iii)
- Minister of Safety and Security v Luiters 2007 (2) SA 106 (CC), 2007 (3) BCLR 287 (CC)

- 4.2(b), 4.3(d)(i)(aa), 4.3(g)(i), 4.3(g)(ii), 4.3(h)(ii)(cc), 9.5(a)(i), 23B.3(c)(iii), 32.5(b)
- Minister of Safety and Security v Van Duivenboden 2002 (6) SA 431 (SCA), [2002] 3 All SA 741 (SCA)
 - 4.3(d)(i)(aa), 13.3, 13.5(a), 23B.3(c)(iii)(bb), 32.5(b), 36.4(c)(i), 39.6, 40.5(b)(i), 42.5(b)
- Minister of Safety and Security v Van Duivenboden 2003 (1) SA 389 (SCA)
 - 9.5(a)(i)
- Minister of Safety and Security v Van Niekerk 2007 (10) BCLR 1102 (CC)
 - 4.3(g)(i), 4.3(h)(i)(aa)
- Minister of Social Development and Others, Ex Parte 2006 (4) SA 309 (CC), 2006 (5) BCLR 604 (CC), [2006] ZACC 3
 - 3.7(b)(ii), 16.4(b)(ii), 56D.3(f)(i)
- Minister of the Interior and Another v Harris and Others 1952 (4) SA 769 (A)
 - 2.2(h), 2.3(g), 9.2(b), 21.2(a), 32.1(a), 45.2(a), 59.2(b)
- Minister of the Interior v Lockhat and Others 1961 (2) SA 587 (A)
 - 32.3(b)
- Minister of the Interior v Machadadorp Investments (Pty) Ltd and Another (1957) (2) SA 395 (A)
 - 32.5(c)
- Minister of Welfare and Population Development v Fitzpatrick and Others 2000 (3) SA 422 (CC), 2000 (3) BCLR 713 (CC)
 - 9.4(e)(i)(bb), 34.6, 36.4(b), 44.3(c)(ii), 47.10(a), 47.10(b)
- Minister van Justisie, Ex Parte: In re S v Grotjohn 1970 (2) SA 355 (A)
 - 39.4
- Minister van Polisie v Ewels 1975 (3) SA 590 (A)
 - 40.5(b)(ii)
- Minister Van Wet en Orde v Matshoba 1990 (1) SA 280 (A)
 - 3.4(d)
- Mistry v Interim National Medical and Dental Council of South Africa and Others 1998 (4) SA 1127 (CC), 1998 (7) BCLR 880 (CC)
 - 9.4(b)(i), 9.4(b)(ii), 9.4(e)(i)(bb), 9.4(e)(i)(dd), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 12.3(d)(ii)(cc), 24A.4(b)(iii), 24B.3(b), 34.8(c)(iii), 38.3(a)(i), 38.3(a)(ii), 38.3(b)(iii)
- Mitchell and Another v Hodes and Others NNO 2003 (3) SA 176 (C), 2003 (1) SACR 524 (C)
 - 51.4(b)(iii), 52.2(b)
- Mitchell's Plain Town Centre Merchants Association v McLeod and Another 1996 (4) SA 159 (A)
 - 57.4(c)(ii)(cc)(ii), 58.4(a)(v), 58.7(a)
- Mittalsteel South Africa Ltd v Hlatshwayo 2007 (1) SA 66 (SCA)
 - 63.3(b)
- Mkangeli and Others v Joubert and Others 2001 (2) SA 1191 (CC), 2001 (4) BCLR 316 (CC)
 - 5.3(e)(ii), 34.7(c)(ii), 48.3, 48.7(b)(iv), 48.7(c)
- Mkangeli v Joubert 2002 (4) SA 36 (SCA)
 - 48.7(c)
- Mketsu and Others v African National Congress and Others 2003 (2) SA 1 (SCA), 2002 (4) All SA 205 (SCA)
 - 29.1, 29.8

- Mkhatshwa v Mkhatshwa and Another 2002 (3) SA 441 (T)
— 63.3(b)
- Mkhize v Commission for Conciliation, Mediation and Arbitration 2001 (1) SA 338 (LC)
— 31.4(f), 31.4(f)(ii)
- Mkontwana v Nelson Mandela Metropolitan Municipality and Another; Bissett and Others v Buffalo City Municipality and Others; Transfer Rights Action Campaign and Others v MEC, Local Government and Housing, Gauteng and Others (Kwazulu-Natal Law Society and Msunduzi Municipality as Amici Curiae) 2005 (1) SA 530 (CC), 2005 (2) BCLR 150 (CC), [2004] ZACC 9
— 4.3(b), 5.3(d), 11.3(c)(i), 11.3(c)(ii), 22.4(b), 22.4(e)(v), 32.3(c), 34.7(a), 56B.5(b)
- Mkontwana v Nelson Mandela Metropolitan Municipality; Bisset v Buffalo City Municipality ('Mkontwana') (unreported, SECLD Case Nos 1238/02 and 903/02 (Judgment of Kroon and Leach JJ)
— 46.5(b), 46.6
- Mlokoti v Amathole District Municipality & Another 2009 (6) SA 354 (E)
— 17.6(a)(iii)
- Mnguni v Minister of Correctional Services 2005 (12) BCLR 1187 (CC)
— 5.2, 9.2(b)(iv)
- Moafrika Newspaper re: rule nisi (R v Mokhantso and Others) 2003 (5) BCLR 534 (LesH)
— 42.9(c)
- Mobunram and Another v National Director of Public Prosecutions and Another (Law Review Project as Amicus Curiae) 2007 (4) SA 222 (CC), 2007 (6) BCLR 575 (CC)
— 4.3(g)(ii), 4.3(h)(ii)(dd)
- Mocumi v S (Unreported Northern Cape Division Case No CA&R 2 / 05, 30 May 2006)
— 47.7
- Modderfontein Squatters, Greater Benoni City Council v Modderklip Boerdery (Pty) Ltd (AgriSA and Legal Resources Centre, Amici Curiae); President of the Republic of South Africa and Others v Modderklip Boerdery (Pty) Ltd (AgriSA and Legal Resources Centre, Amici Curiae) 2004 (6) SA 40 (SCA), 2004 (8) BCLR 821 (SCA)
— 8.5, 9.2(d)(i)(aa), 11.1(c), 11.2(b)(iii), 31 Appendix (3)(b), 31.4(c)(ii), 31.6(a), 32.4(c), 40.1(b)(i), 55.6(b)(ii)
- Modderklip Boerdery (Edms) Bpk v President van die Republiek van Suid-Afrika [2003] 1 All SA 465 (T), 2003 (6) BCLR 638 (T)
— 8.4(c), 9.5(a)(ii)(aa), 46.2(a)
- Modderklip Boerdery (Pty) Ltd v Modder East Squatters and Another 2001 (4) SA 385 (W)
— 40.1(b)(i)
- Modise v Steve's Spar, Blackheath 2001 (2) SA 406 (LAC)
— 43.3(a)(iv)
- Moeketsi v Attorney-General, Bophuthatswana, and Another 1996 (1) SACR 675 (B), 1996 (7) BCLR 947 (B)
— 51.1(b)(iii), 51.1(b)(iv), 51.2, 51.5(f)
- Mogale and Others v Seima 2008 (5) SA 637 (SCA)
— 42.9(a)
- Mogale v Engelbrecht and Others 1907 TS 836
— 26.6(c)(iii)
- Mohamed and Another v Jassiem 1996 (1) SA 673 (A)
— 58.4(a)(i)

Mohamed and Another v President of the Republic of South Africa (Society for the Abolition of the Death Penalty in South Africa and Another Intervening) 2001 (3) SA 893 (CC), 2001 (7) BCLR 685 (CC)
— 6.2(a), 6.2(d), 9.2(b)(ii)(aa), 9.2(e)(iv)(bb), 9.5(b)(ii), 12.3(d)(ii)(cc), 13.5(a), 18.2(a), 18.2(b), 18.3(k), 30.4(e), 31.3(a)(i), 31.4(b)(v), 31.6, 31.6(a), 31.6(b), 31.7(a), 32.5(c), 34.8(c)(i), 39.3, 39.5(a), 39.7, 40.6(b)(ii), 40.7(a)(i), 49.2(d)(i), 66.1(b)(v)

Mohamed NO and Others v National Director of Public Prosecutions and Another 2002 (4) SA 366 (W), 2002 (2) SACR 93 (W)
— 59.4(b)(iv)

Mohamed NO and Others v National Director of Public Prosecutions and Another 2003 (1) SACR 286 (W)
— 52.2(b)

Mohlomi v Minister of Defence 1997 (1) SA 124 (CC), 1996 (12) BCLR 1559 (CC)
— 9.2(b)(ii)(bb), 9.2(d)(i)(aa), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 34.8(c)(iii), 34.8(c)(v), 51.5(n)(ii), 51.5(o), 59.4(a)(ii)

Moise v Greater Germiston Transitional Local Council: Minister of Justice and Constitutional Development Intervening (Women's Legal Centre as Amicus Curiae) 2001 (4) SA 491 (CC), 2001 (8) BCLR 765 (CC)
— 3.7(a), 3.7(b)(i), 5.3(a)(ii), 5.3(c), 8.2, 9.4(c), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 10.3(c), 34.6, 52.11

Mokhatle and Others v Union Government 1926 AD 71
— 26.6(d)(iii)

Moldenhauer v Du Plessis and Others 2002 (5) SA 781 (T)
— 31.4(f)

Moletsane v Premier of the Free State and Another 1996 (2) SA 95 (O), 1995 (9) BCLR 1285 (O)
— 63.7(d)

Mondi Paper v Paper Printing Wood and Allied Workers Union and Others (1997) 18 ILJ 84 (D)
— 43.3(a)(iv)

Monete v Setshuba 1948 NAC (C&O) 22
— 26.6(b)

Monnakale and Others v Republic of Bophythatswana and Others 1991 (1) SA 598 (B)
— 32.1(a)

Mönnig and Others v Council of Review and Others 1989 (4) SA 866 (C)
— 63.5(g)

More v Minister of Co-operation and Development and Another 1986 (1) SA 102 (A)
— 17.5(d)

Mort NO v Henry Shields-Chiat 2001 (1) SA 464 (C), [2002] 2 All SA 515 (C)
— 4.3(d)(i)(aa), 36.4(f)

Mosehla v Sancor CC 1999 (1) SA 614 (T)
— 48.6(b)(i)

Moseneke and Others v The Master and Another 2001 (2) SA 18 (CC), 2001 (2) BCLR 103 (CC)
— 5.3(c), 9.4(e)(i)(bb), 9.4(e)(i)(cc), 12.3(d)(ii)(cc), 26.3, 32.3(b), 34.8(c)(i), 34.8(c)(ii), 34.8(c)(iii), 35.1(b), 35.3(g)(i), 35.3(g)(iv), 36.1(c), 36.3(a)

Moses v Minister of Safety and Security 2000 (3) SA 106 (C)
— 40.5(b)(i)

Mosetlhanyane & Matsipane v The Attorney General Case No CACLB-074-10 (27 January 2011)
— 56B.2(d)(iii)

Motala and Another v University of Natal 1995 (3) BCLR 374 (D)
— 31.2(b)(ii), 35.4(c), 35.4(d), 35.4(d)(i), 57.2(b)(ii)(bb)

Motan and Another v Joosub 1930 AD 61
— 31.4(e)(iii), 31.4(e)(x)

Mothibeli v Western Vaal Metropolitan Substructure (2000) 5 LLD 114 (LC)
— 24A.6

Mothlasedi v New Africa Investments Ltd (unreported, WLD 29 March 2007)
— 42.9(a)

Motor Industry Fund Administrators Pty Ltd v Janit 1994 (3) SA 56 (W)
— 52.10(f)

Motsepe v Commissioner for Inland Revenue 1997 (2) SA 898 (CC), 1997 (6) BCLR 692 (CC)
— 3.6, 6.2(a), 6.2(b)(v), 32.5(b), 43.2(b)(ii)

Mpande Foodliner CC v Commissioner for the South African Revenue Service and Others 2000 (4) SA 1048 (T)
— 63.5(d)

Mpanga v MEC for Welfare 2002 (1) SA 359 (SE)
— 56D.4(b)

Mpange and Others v Sithole [2007] ZAGPHC 202
— 9.5(d)

Mpedi and Others v Swanevelder and Another 2004 (4) SA 344 (SCA)
— 48.7(b)(iv)

Mphahlele v First National Bank of SA Ltd 1999 (2) SA 667 (CC), 1999 (3) BCLR 253 (CC)
— 3.3(d), 4.2(b), 4.3(d)(ii), 4.3(d)(iv), 31.4(b)(iii), 35.3(e)(i), 59.4(a)(v), 62.7

Mphela and Others v Haakdoornbult Boerdery CC and Others 2008 (4) SA 488 (CC), 2008 (7) BCLR 675 (CC)
— 4.3(d)(iii)

Mphele v Government of Republic of South Africa 1996 (7) BCLR 921 (Ck)
— 18.2(a), 18.3(a)

Mpongwana v Minister of Safety and Security 1999 (2) SA 794 (C)
— 40.5(b)(i), 43.2(b)(ii)

Msila v Government of the Republic of South Africa and Others 1996 (3) BCLR 362 (C)
— 51.1(b)(ii), 52.4(c)(i)

Msiza and Others v Uys and Others 2005 (2) SA 456 (LCC)
— 48.6(b)(i)

Msomi v Attorney-General, Natal, and Others 1996 (8) BCLR 1109 (N)
— 51.1(a)(ii), 51.1(b)(iii), 51.1(b)(iv), 51.3(f), 51.4(b)(iii), 52.4(c)(iii)

Mtati v Minister of Justice 1958 (1) SA 221 (A)
— 40.5(b)(ii)

Mthembi-Mahanyele v Mail and Guardian Ltd and Another 2004 (6) SA 329 (SCA), 2004 (11) BCLR 1182 (SCA)
— 24B.3(a), 36.4(h)(iii), 42.4, 42.5(b), 42.9(a)

Mthembu v Letsela 2000 (3) SA 867 (SCA)
— 31.8(a)

Mthethwa v De Bruin NO 1998 BCLR (3) 336 (N)
 — 51.5(*l*), 65.6

Mthetwa and Others v Diedericks and Others 1996 (4) SA 381 (N), 1996 (7) BCLR 1012 (N)
 — 59.4(*a*)(viii)

Mtshamba & Others v Boland Houtnywerhede (1986) 7 ILJ 563 (IC)
 — 53.2(*b*)

Muller v President of the Republic of Namibia 2000 (6) BCLR 655 (NmS)
 — 38.2(*a*)(iii)

Muller v SA Associated Newspapers Ltd 1972 (2) SA 589 (C)
 — 38.2(*c*)(ii)

Mulundika v The People (1996) 1 BHRC 199 (SC Zambia)
 — 42.9(*h*)

Munusamy v Hefer NO and Others 2004 (5) SA 112 (O)
 — 42.7(*d*)

Murray v SA Tatters'II's Subscription Rooms 1910 TH 35
 — 58.4(*a*)(v), 58.7(*a*)

Mutasa v Makombe NO 1998 (1) SA 397 (ZS), 1997 (6) BCLR 841 (ZS)
 — 17.6(*c*), 17.6(*d*)

Mwelase and Others v Hiltonian Society 2001 (4) SA 100 (LCC)
 — 48.6(*b*)(i)

Myburgh Park Langebaan (Pty) Ltd v Langebaan Municipality and Others, 2001 (4) SA 1144 (C)
 — 50.4(*h*)(ii)(*bb*)(*y*), 50.4(*h*)(ii)(*dd*), 51.1(*a*)(iv)

N

NK v Minister of Safety and Security 2005 (6) SA 419 (CC), 2005 (9) BCLR 835 (CC)
 — 13.2(*a*), 36.3(*d*), 36.4(*c*)(i), 39.6

NM and Others v Smith and Others [2005] 3 All SA 457 (W)
 — 36.4(*h*)(iii), 40.8(*b*)

NM and Others v Smith and Others (Freedom of Expression Institute as Amicus Curiae) 2007 (5) SA 250 (CC), 2007 (7) BCLR 751 (CC)
 — 4.3(*g*)(i), 4.3(*g*)(ii), 4.3(*h*)(i)(*aa*), 9.2(*c*)(iii)(*bb*), 9.2(*e*)(iv)(*aa*), 9.5(*a*)(i), 9.5(*a*)(iii), 32.1(*c*), 32.3(*c*), 32.4(*c*), 42.5(*c*), 42.9(*a*), 42.9(*b*), 59.4(*a*)(vii)

NUMSA and Others v Bader Bop (Pty) Ltd and Another 2003 (3) SA 513 (CC), (2003) 24 ILJ 305 (CC), 2003 (2) BCLR 182 (CC)
 — 3.3(*e*), 17.5(*b*), 43.1, 53.1(*a*)(ii), 53.2(*b*), 53.4, 53.5, 53.6

NUMSA v Vetsak Co-operative Ltd and Others 1996 (4) SA 577 (A)
 — 53.2(*c*)

NUM v Goldfields of SA Ltd & Others (1989) 10 ILJ 86 (IC)
 — 53.5

Naboomspruit Munisipaliteit v Malati Park (Edms) Bpk 1982 (2) SA 127 (T)
 — 32.3(*a*)

Naidenov v Minister of Home Affairs 1995 (7) BCLR 891 (T)
 — 31.3(*a*)(i), 51.2, 51.3(*a*)

Naidoo and Others v National Director of Public Prosecutions and Others [2003] 4 All SA 380 (C)
 — 51.5(*f*)

- Namibian National Students' Organisation and Others v Speaker of the National Assembly for South West Africa and Others 1990 (1) SA 617 (SWA)
— 32.1(a)
- Namunjepo and Others v Commanding Officer Windhoek Prison and Another 2000 (6) BCLR 671 (NmS)
— 49.3(a)
- Napier v Barkhuizen 2006 (4) SA 1 (SCA), 2006 (9) BCLR 1011 (SCA), [2006] 2 All SA 469 (SCA)
— 59.4(c)(ii)
- NAPTOSA and Others v Minister of Education, Western Cape, and Others 2001 (2) SA 112 (C), 2001 (4) BCLR 388 (C)
— 31.4(f), 32.4(a), 32.5(b)
- Nasionale Suiwelkoöperasie Bpk v FAWU (1989) 10 ILJ 712 (IC)
— 53.5
- Natal Fresh Produce Growers' Association and Others v Agroserve (Pty) Ltd and Others 1990 (4) SA 749 (N)
— 7.2(b), 7.2(c)(v)
- Natal Indian Congress v State President and Others 1989 (3) SA 588 (D)
— 63.4, 63.1, 63.4
- Natal Newspapers (Pty) Ltd v State President of the Republic of South Africa 1986 (4) SA 1109 (N)
— 2.2(i)(iii), 43.2(a)
- Natal Provincial Administration v South African Railways and Harbours 1936 NPD 643
— 14.5(d)(ii)(cc)
- National and Overseas Modular Construction (Pty) Ltd v Tender Board, Free State Provincial Government and Another 1999 (1) SA 701 (O)
— 7.2(c)(i), 34.6, 59.3(a)(v)
- National Coalition for Gay and Lesbian Equality and Another v Minister of Justice and Others 1998 (2) SACR 102 (W), 1998 (6) BCLR 726 (W), [1998] 3 All SA 26 (W)
— 24C.3(c)(ii), 40.10(b)
- National Coalition for Gay and Lesbian Equality and Another v Minister of Justice and Others 1999 (1) SA 6 (CC), 1998 (12) BCLR 1517 (CC), 1998 (2) SACR 556 (CC)
— 2.1, 4.3(c)(i), 9.2(c)(iii)(bb), 9.2(c)(iii)(ee), 9.2(e)(i), 9.3, 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 10.3(c), 24C.3(c)(ii), 24F.4(a), 31 Appendix(1), 31 Appendix(3)(a), 31 Appendix(3)(b), 31.1(c), 31.4(a)(iv), 31.4(a)(v), 31.4(e)(ii), 31.4(e)(iii), 31.4(e)(viii), 32.3(b), 32.3(c), 34.6, 34.8(b), 35.1(d)(i), 35.1(d)(ii), 35.1(d)(iii), 35.2, 35.3(a)(i), 35.3(a)(ii), 35.3(e)(i), 35.4(a), 35.4(b), 35.4(e), 35.5(a), 35.5(f), 35.5(g)(v), 35.4(h)(iii), 36.2(c), 36.3(c), 36.4(a), 36.4(b), 36.4(f), 36.5(a)(ii), 36.5(b), 37.4, 38.2(a)(iii), 38.3(a)(i), 38.3(a)(ii), 38.5(a), 40.8(a), 42.9(g), 44.1(a), 44.1(b)(i), 44.3(a)(i), 44.3(c)(ii), 44.3(c)(x), 50.3(c)(ii), 56D.5(c)(ii), 58.1, 64.4(a)
- National Coalition for Gay and Lesbian Equality and Others v Minister of Home Affairs and Others 1999 (3) SA 173 (C), 1999 (3) BCLR 280 (C)
— 13.5(a), 13.6, 66.1(d)(ii)
- National Coalition for Gay and Lesbian Equality and Others v Minister of Home Affairs and Others 2000 (2) SA 1 (CC), 2000 (1) BCLR 39 (CC)
— 6.2(h), 7.2(c)(i), 7.3(c)(i), 7.3(c)(iii), 7.4(a), 9.2(e)(iv)(aa), 9.2(e)(iv)(cc), 9.4(b)(i), 9.4(b)(ii), 9.4(d), 9.4(d)(i), 9.4(d)(ii), 9.4(d)(iii), 9.4(e)(ii)(bb), 11.2(b)(i), 12.3(d)(ii)(cc), 17.5(b), 24D.5(e), 31 Appendix(4)(a), 31.4(a)(v), 31.4(e)(iii), 31.4(e)(v), 31.4(e)(vi), 31.4(e)(vii), 32.3(c), 32.5(b), 34.1(b), 34.6, 34.8(c)(i), 34.8(e)(i), 35.1(d)(i), 35.5(b), 35.5(f), 35.5(g)(iii), 35.5(g)(v), 35.5(h)(iii), 36.4(a), 36.4(b), 36.4(f), 36.4(g), 40.1(b)(i), 44.1(b)(i), 44.3(c)(ii), 44.3(c)(x), 52.8, 57.2(a)(i)(bb)(y), 63.2(a), 64.4(a), 66.1(b)(i), 66.1(d)(ii)

- National Director for Public Prosecutions v Mohamed 2008(1) SACR 309 (SCA), [2008] 1 All SA 181 (SCA)
— 9.2(b)(ii)(aa), 9.2(c)(iii)(bb), 9.2(c)(iii)(dd)
- National Director of Public Prosecutions v Mohamed NO 2003 (4) SA 1 (CC), 2003 (5) BCLR 476 (CC)
— 4.3(g)(ii), 9.4(b)(i), 9.4(d), 9.4(d)(ii), 5.3(a)(i), 31.4(e)(x), 34.2(c), 34.8(c)(iii), 51.1(a)(v), 59.4(b)(iv)
- National Director of Public Prosecutions v Phillips and Others 2002 (4) SA 60 (W), 2002 (1) BCLR 41 (W)
— 3.3(b), 52.4(a)(ii), 63.5(d)
- National Director of Public Prosecutions v Phillips and Others 2005 (5) SA 265 (SCA)
— 4.3(g)(ii)
- National Director of Public Prosecutions v Rebutzi 2002 (2) SA 1 (SCA) 2002 (1) SACR 128 (SCA)
— 52.2(b)
- National Education Crisis Committee v State President of the Republic of South Africa Case No 16736/86 (unreported, 9 September 1986, WLD)
— 7.2(b)
- National Education Health and Allied Workers Union v University of Cape Town and Others 2003 (3) SA 1 (CC), (2003) 24 ILJ 95 (CC), 2003 (2) BCLR 154 (CC), [2002] ZACC 27
— 3.3(c), 4.2(b), 4.3(c)(i), 4.3(d)(i)(bb), 4.3(d)(iii), 4.3(h)(i)(aa), 4.3(h)(ii)(dd), 5.3(e), 5.3(e)(i), 5.3(e)(vi), 11.2(b)(i), 17.5(b), 31.4(d)(iii), 31.4(e)(vii), 34.1(c), 34.8(e)(i), 43.1, 48.4, 53.1(a)(ii), 53.2(c), 53.5
- National Entitled Workers Union v CCMA (2003) 24 ILJ 2335 (LC)
— 53.2(c)
- Nationale Vervoerkommissie van Suid-Afrika v Salz Gossow Transport 1983 (4) SA 344 (A)
— 32.3(a)
- National Fresh Produce Growers Association v Agroserve (Pty) Ltd 1990 (4) SA 749 (N)
— 50.4(h)(i)
- National Gambling Board v Premier of KwaZulu-Natal and Others 2002 (2) SA 715 (CC), 2002 (2) BCLR 156 (CC)
— 4.3(b)(i), 4.3(b)(vii), 5.3(d), 9.2(f)(i), 14.3(b)(ii), 14.3(c)(i), 14.3(c)(ii), 14.3(c)(iii), 14.5(b), 14.5(d)(ii)(aa), 16.1(b), 31.4(f)
- National Media Ltd and Another v Jooste 1996 (3) SA 262 (A)
— 34.8(e)(ii), 36.1(b), 38.1, 38.2(a)(i), 38.2(a)(iii), 38.2(c)(i)
- National Media Ltd and Others v Bogoshi 2004 (1) SA 58 (C)
— 4.3(d)(i)(aa), 31.4(e)(x)
- National Media Ltd v Bogoshi 1998 (4) SA 1196 (SCA), 1999 (1) BCLR 1 (SCA), [1998] 4 All SA 347 (A)
— 31.1(c), 31.4(a)(i), 31.4(a)(ii), 31.4(a)(v), 32.5(b), 36.4(h)(iii), 38.2(a)(ii), 38.2(c)(i), 38.2(c)(ii), 38.3(c), 42.9(a), 43.2(b)(ii), 62.9
- National Police Service Union and Others v Minister of Safety and Security and Others 2000 (4) SA 1110 (CC), 2001 (1) BCLR 775 (CC)
— 3.7(a)
- National Transport Commission and Another v Chetty's Motor Transport (Pty) Limited 1972 (3) SA 726 (A)
— 63.6(a), 63.6(a)

National Union of Metalworkers of South Africa and Others v Bader Bop (Pty) Ltd and Another 2003 (3) SA 513 (CC), 2003 (2) BCLR 182 (CC)
— 4.3(d)(iii), 5.3(e)(i), 48.4

National Union of Metalworkers of South Africa and Others v Gearmax (Pty) Ltd 1991 (3) SA 20 (A)
— 42.8(b)

National Union of Metalworkers of South Africa v Fry's Metals (Pty) Ltd 2005 (5) SA 433 (SCA), 2005 26 ILJ (SCA)
— 3.5(b), 4.3(c)(i), 59.3(a)(iv)

National Union of Mineworkers v East Rand Gold and Uranium Co Ltd 1992 (1) SA 700 (A); (1991) 12 ILJ 221 (A)
— 53.2(b)

National Union of Mineworkers v Free State Consolidated Gold Mines (Operations) Ltd (1988) 9 ILJ 804 (IC)
— 53.2(b)

National Union of Mineworkers v Free State Consolidated Gold Mines (Operations) Ltd 1989 (1) SA 409 (O)
— 7.2(b)

National Union of Mineworkers v Henry Gould (Pty) Ltd (1988) 9 ILJ 1149 (IC)
— 53.2(b)

National Union of Mineworkers v Marievale Consolidated Mines Ltd (1986) 7 ILJ 123 (IC)
— 53.2(b)

Naude en Andere v Heatlie en Andere; Naude en Andere v Worcester-Oos Hoofbesproeiingsraad en Andere 2001 (2) SA 815 (SCA)
— 50.4(a)

Ndebele-Ndzundza Community v Farm Kafferskraal No 181 JS 2003 (5) SA 375 (LCC), [2003] 1 All SA 608
— 48.8(c)(ii)

Ndlovu v Ngcobo; Bekker v Jika 2003 (1) SA 113 (SCA)
— 55.6(b)(ii), 56C.3(b)(ii)

Ndlwana v Hofmeyr NO 1937 AD 229
— 2.2(g)

Nduli v Minister of Justice 1978 (1) SA 893 (A)
— 30.2(a)

Nedbank Ltd v Mortinson 2005 (6) SA 462 (W)
— 55.6(a)

Nedcor Bank Limited v BeharIn 2000 (1) SA 307 (C)
— 51.4(b)(iii)

Nederduitse Gereformeerde Kerk in Afrika (OVS) en 'n Ander v Verenigende Gereformeerde Kerk in Suider-Afrika 1999 (2) SA 156 (SCA)
— 57.4(c)(ii)(cc), 58.4(a)(v), 58.7(a)

Neethling v du Preez, Neethling v The Weekly Mail 1994 (1) SA 708 (A)
— 38.2(c)(i), 38.2(c)(ii), 42.2, 42.7(d), 42.9(a)

Nell, Ex Parte 1963 (1) SA 754 (A)
— 7.4(b)

Nell v Nell 1990 (3) SA 889 (T)
— 38.2(a)(iii)

- Nelson Mandela Metropolitan Municipality and Others v Greyvenouw CC and Others
2004 (2) SA 81 (SE)
— 5.3(a)(i)
- Nel v Le Roux NO and Others 1996 (3) SA 562 (CC), 1996 (4) BCLR 592 (CC), 1996 (1) SACR 572 (CC)
— 6.2(b)(ii), 38.3(a)(i), 40.2(a), 40.3(c)(ii), 40.3(d), 40.4(a), 42.7(d), 51.1(a)(ii), 51.1(a)(iv), 51.1(b)(i), 51.1(b)(ii), 51.1(b)(iii), 51.2, 51.3(e), 51.4(b)(iii), 51.5(b), 51.5(e)(i), 51.5(e)(ii), 51.5(n)(ii), 52.2(b), 52.9, 59.4(c)(v), 63.3(a), 63.3(b), 63.3(c)
- Nephawe v Premier, Limpopo 2003 (5) SA 245 (T), 2003 (7) BCLR 784 (T)
— 63.3(b)
- Neugebauer and Co Ltd v Hermann 1923 AD 564
— 6.1
- New Clicks South Africa (Pty) Ltd v Tshabalala-Msimang and Another NNO; Pharmaceutical Society of South Africa and Others v Minister of Health 2005 (2) SA 530 (C), [2005] 1 All SA 196
— 11.3(c)(iii), 56A.4(e), 63.3(b)
- New Mines Ltd v Commissioner for Land Revue 1938 AD 455
— 32.5(c)
- New National Party of South Africa v Government of the Republic of South Africa and Others 1999 (3) SA 191 (CC), 1999 (5) BCLR 489 (CC), [1999] ZACC 5
— 2.1, 3.3(d), 4.3(d)(ii), 9.2(c)(iii)(bb), 10.4(b), 10.5(c), 11.3(c)(ii), 12.3(b)(iii), 16.4(b)(ii), 17.5(b), 17.5(d), 17.5(f)(i), 18.2(b), 24A.3(b), 24B.1, 24B.2, 24C.4(a), 24C.4(b), 24C.4(c), 24E.2(b), 24E.3(b), 24F.3, 24F.4(e)(ii), 27.2(d), 29.2(a), 29.7(a), 29.7(c), 32.4(c), 35.3(e)(i), 35.4(d)(i), 36.2(d), 38.3(b)(ii), 42.4, 45.4, 45.5(b), 45.5(c), 45.7, 45.9, 64.4(c)
- New Union Goldfields v CIR 1950 (3) SA 392 (A)
— 65.4(b)(ii)
- Nextcom (Pty) Limited v Funde NO and Others 2000 (4) SA 491 (T)
— 23A.4, 24B.3(b), 25.2(c)(i), 62.1, 62.6, 63.3(c)
- Ngcobo and Others v Salimba 1999 (2) SA 1057 (SCA), 1999 (8) BCLR 855 (SCA)
— 17.5(b)
- Ngcobo v Van Rensburg 1999 (2) SA 525 (LCC), [1997] All SA 537 (LCC)
— 48.6(a), 48.6(b)(i)
- Ngqumba v Staatspresident en Andere; Damons v Staatspresident en Andere; Jooste v Staatspresident en Andere 1988 (4) SA 224 (A)
— 51.3(b)
- Ngwenya v Gungubele 1950 NAC 198 (S)
— 26.6(a)
- Ngxuza and Others v Permanent Secretary, Department of Welfare, Eastern Cape and Another 2001 (2) SA 609 (E), 2000 (12) BCLR 1322 (E)
— 7.1, 7.2(c)(iii), 24A.6, 24C.3(c)(ii), 32.3(a), 32.3(b), 32.5(b), 56D.4(c), 63.8
- Nhlabathi v Fick [2003] 2 All SA 323 (LCC)
— 34.6, 46.1, 46.2(a), 46.3(b), 46.4, 46.6, 46.7, 46.9, 48.7(b)(iv), 48.7(c)
- Nieuwoudt en Andere v Prokureur-Generaal van die Oos-Kaap 1996 (3) BCLR 340 (SE)
— 51.4(d), 51.5(c)
- NISEC (Edms) Bpk v Western Cape Provincial Tender Board and Others 1998 (3) SA 228 (C), 1997 (3) BCLR 367 (C)
— 62.7
- Njongi v Member of the Executive Council, Department of Welfare, Eastern Cape 2005 JDR 0718 (SE)
— 56D.4(a)

Njongi v Member of the Executive Council, Department of Welfare, Eastern Cape 2008 (4) SA 237 (CC), 2008 (6) BCLR 571 (CC), [2008] ZACC 4
— 56D.3(f)(i), 56D.3(f)(ii)

Nkonkobe Municipality v Water Services South Africa (PTY) Ltd & Others [2001] ZAECHC 3
— 56B.4(d)(i)

Nkosi and Another v Bührmann 2002 (1) SA 372 (SCA), 2002 (6) BCLR 574 (SCA)
— 41.1(b), 41.3(b), 48.7(b)(iv)

Nkuzi Development Association v Government of the Republic of South Africa and Another 2002 (2) SA 733 (LCC)
— 48.6(b)(i), 48.7(b)(iv), 59.4(b)(i)

Nokotyana & Others v Ekurhuleni Metropolitan Municipality 2010 (4) BCLR 312 (CC), [2009] ZACC 33
— 56B.1, 56B.3(b)(iii)(bb), 56B.3(b)(iv), 56B.4(c)(i), 56B.4(g), 56B.5(b), 56D.3(f)(i)

Nomala v Permanent Secretary, Department of Welfare and Another 2001 (8) BCLR 844 (E)
— 63.7(d)

Nomthandazo Chagi v Singisi Forest Products (LCC 13/05)
— 48.7(b)(iv)

Nontembiso Norah Kate v Member of the Executive Council for the Department of Welfare, Eastern Cape 2005 (1) SA 141 (SE), [2005] All SA 745 (SE)
— 11.2(a), 11.3(c)(i), 11.3(c)(ii), 56D.3(f)(ii)

North Central Local Council and South Central Local Council v Roundabout Outdoor (Pty) Ltd and Others 2002 (2) SA 625 (D)
— 42.4, 42.9(f)

Northern Province Development Corporation v Attorneys Fidelity Fund Board of Control 2003 (2) SA 284 (T)
— 31.8(a)

Nortje and Another v Attorney-General (CI) and Another 1995 (2) SA 460 (C)
— 34.6, 34.7(a), 62.7

Nortje en 'n Andere v Minister van Korrektiewe Dienste 2001 (1) SACR 514 (HHA), 2001 (3) SA 472 (SCA), [2001] 2 All SA 623 (A)
— 49.3(b)(i), 63.5(d)

Norton v Ginsberg 1953 (4) SA 537 (A)
— 38.2(b)(iii)

Norvartis SA (Pty) Limited and Others v Competition Commission and Others (CT 22/CR/B/Jun 01, 2.7.2001)
— 63.3(c)

Noupoort Christian Care Centre v Minister of National Department of Social Development and Another 2005 (10) BCLR 1034 (T)
— 9.5(c)(iii)

Nourse v Van Heerden NO and Others 1999 (2) SACR 198 (W)
— 40.9(a)

Ntamo and Others v Minister of Safety and Security 2001 (1) SA 830 (Tk)
— 39.5(a)

Ntentseni v Chairman, Ciskei Council of State and Another 1993 (4) SA 546 (Ck), 1994 (1) BCLR 168, 182 (Ck)
— 59.4(a)

Ntsabo v Real Security CC (2003) 24 ILJ 2341 (LC)
— 37.7

- Ntshangase v The Trustees of the Terblanche Gesin Familie Trust (Unreported Land Claims Court Case No LCC 27 / 02, 26 September 2002)
— 56C.3(b)(ii)
- Nwamitwa v Phillia and Others 2005 (3) SA 536 (T)
— 9.5(b)(ii), 34.7(a)
- Nxele v Chief Deputy Commissioner, Corporate Services, Department of Correctional Services [2006] 10 BLLR 960 (LC)
— 63.3(b)
- Nyamakazi v President of Bophuthatswana 1992(4) SA 540 (B)
— 42.2, 42.6(a)
- Nyathi v MEC for Department of Health, Gauteng and Another (Unreported, TPD Case No 26014/2005, 30 March 2007)
— 3.7(a), 9.2(d)(i)(aa), 9.6(c)(iv), 37(c), 57.2(a)(i)(bb)(y), 59.4(d)
- Nyathi v MEC for Health, Gauteng and Others 2008 (5) SA 94 (CC), 2008 (9) BCLR 865 (CC), [2008] ZACC 8
— 9.2(b)(iv), 9.2(e)(iv)(aa), 9.2(e)(iv)(cc), 9.3, 9.4(d)(ii), 9.6(c)(iv), 22.5(b), 56D.3(f)(ii)
- Nyembezi v Laloceity Ntal 1981 (2) SA 752 (A)
— 32.5(c)
- Nzama v Nzama 1942 NAC (N&T) 8
— 26.6(d)(i)
- Nzimande v Nzimande and Another 2005 (1) SA 83 (W), [2005] 1 All SA 608 (T)
— 55.4(b)(iv)
-
- O v O 1995 (4) SA 482 (W)
— 38.2(c)(i)
- Occupiers of 51 Olivia Road Berea Township and 197 Main Street, Johannesburg v City of Johannesburg and Others 2008 (3) SA 208 (CC), 2008 (5) BCLR 475 (CC)
— 4.2(b), 4.3(d)(iii), 9.6(c)(i), 9.6(c)(vi), 22.4(b), 57.2(a)(i)(bb)(y)
- Ocean Commodities Inc and Others v Standard Bank of SA Ltd and Others 1984 (3) SA 15 (A)
— 6.2(l)(ii)
- Oelofse and Others v Sutherland and Others 2001 (4) SA 748 (T)
— 22.2(c)(ii)
- Oertel v Direkteur van Plaaslike Bestuur 1983 (1) SA 354 (A)
— 32.3(a)
- Ohanessian v Koen 1964 (1) SA 663 (T)
— 65.6
- O'Keeffe v Argus Printing and Plishing Co Ltd and Another 1954 (3) SA 244 (C)
— 38.2, 38.2(a)(i), 38.2(a)(ii), 38.2(a)(iii), 38.2(b)(i), 38.2(c)(i)
- Olitzki Property Holdings v State Tender Board and Another 2001 (3) SA 1247 (SCA), 2001 (8) BCLR 779 (SCA)
— 9.2(f)(ii), 9.5(a)(i), 25.2(a), 25.8, 25.9(e), 32.5(c), 40.5(b)(i)
- Olivier v AECl Plofstowwe and Chemikalieë, Bethal (1988) 9 ILJ 1052 (IC)
— 53.2(b)
- Omar, Ex Parte 2006 (2) SA 284 (CC), 2003 (10) BCLR 1087 (CC)
— 5.3(d)

- Omar v Government of the Republic of South Africa and Others (Commission for Gender Equality, Amicus Curiae) 2006 (2) SA 289 (CC), 2006 (2) BCLR 253 (CC)
— 6.2(a), 35.5(g)(ii), 40.2(a), 40.3(c)(i), 40.3(d), 40.5(b)(i), 52.2(b), 59.4(b)(iv)
- Omar v Minister of Law and Order and Others; Fani v Minister of Law and Order and Others; State President and Others v Bill 1987 (3) SA 859 (A)
— 51.3(b)
- Oostelike Gauteng Diensteraad v Transvaal Munisipale Pensioenfonds en 'n Ander 1997 (8) BCLR 1066 (T)
— 12.3(d)(iii), 31.3, 44.3(c)(iv), 62.6
- Oosthuizen Transport (Pty) Limited and Others v MEC, Road Traffic Matters, Mpumalanga, and Others 2008 (2) SA 570 (T)
— 63.3(c)
- Oosthuizen v Homegas (Pty) Ltd 1992 (3) SA 463 (O)
— 40.5(b)(ii)
- Optimal Property Solutions CC, Ex Parte 2003 (2) SA 136 (C)
— 34.7(a)
- Oranje Vrystaatse, Vereniging vir Staatsondersteunde Skole en 'n Ander v Premier Provinsie Vrystaat en Andere 1998 (3) SA 692 (CC), 1998 (6) BCLR 653 (CC)
— 6.2(a)
- Osman and Another v Attorney-General of Transvaal 1998 (1) SACR 28 (T), 1998 (2) BCLR 165 (T)
— 51.5(j)(ii)
- Osman v Attorney-General, Transvaal 1998 (4) SA 1224 (CC), 1998 (11) BCLR 1362 (CC), 1998 (2) SACR 493 (CC)
— 31.2(d)(v), 51.1(a)(iii), 51.4(a), 51.4(b)(i), 51.4(b)(iii), 51.5(j)(ii), 52.4(a)(iii), 52.4(b)(i)
- Oudekraal Estates (Pty) Ltd v City of Cape Town and Others 2004 (6) SA 222 (SCA)
— 3.4(a), 11.1(a)

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- PSA v Minister of Justice and Constitutional Development and Others (2001) 22 ILJ 2303 (LC)
— 53.6
- Pakendorf and Andere v De Flamingh 1982 (3) SA 146 (A)
— 42,2, 42.9(a)
- Paltex Dyehouse (Pty) Ltd v Union Spinning Mills (Pty) Ltd 2000 (4) SA 837 (BHC)
— 32.3(a)
- Pan American World Airways Incorporated v SA Fire and Accident Insurance Co Ltd 1965 (3) SA 150 (A)
— 30.1(b)(i)
- Paola v Jeeva NO 2002 (2) SA 391 (D)
— 31.4(e)(v), 31.4(e)(vi), 50.3(b)(i)(bb)(y), 50.3(b)(ii)(aa)(u)
- Paola v Jeeva NO and Others 2004 (1) SA 396 (SCA)
— 50.3(c)(i), 50.3(c)(ii)
- Paper Printing Wood and Allied Workers Union v Pienaar and Others 1993 (4) SA 621 (A), (1991) 12 ILJ 308 (A)
— 53.5
- Paper Printing Wood and Allied Workers Union v SA Printing and Allied Industries Federation (1990) 11 ILJ 345 (IC)
— 53.5

- Parbhoo and Others v Getz NO and Another 1997 (4) SA 1095 (CC), 1997 (10) BCLR 1337 (CC)
— 3.4(b), 52.2(b), 52.8
- Parekh v Minister of Home Affairs 1996 (2) SA 710 (D)
— 31.3(a)(i)
- Pareto Ltd and Others v Mythos Leather Manufacturing (Pty) Ltd 2000 (3) SA 999 (W)
— 55.6
- Park-Ross and Another v Director:Office for Serious Economic Offences 1995 (2) SA 148 (C), 1995 (2) BCLR 198 (C)
— 24A.4(b)(iii), 31.2(d)(v), 32.4(a), 34.6, 38.3(a)(ii), 38.3(b)(iii), 38.5(b), 51.2, 51.4(a), 51.4(b)(i), 51.4(b)(iii), 52.5
- Park-Ross v Director:Office for Serious Economic Offences 1998 (1) SA 108 (C)
— 63.3(c)
- Patcor Quarries CC v Issroff and Others 1998 (4) SA 1069 (SE), 1998 (4) BCLR 467 (SE)
— 63.3(a)(v), 59.4(c)(ii)
- Patel and Another v Minister of Home Affairs and Another 2000 (2) SA 343 (D), [2000] 4 All SA 256 (D)
— 31.3(a)(i), 47.3(b), 56D.3(f)(i), 66.1(b)(ii)
- Patz v Greene and Co 1907 TS 427
— 7.2(b)
- Peck v Katz 1957 (2) SA 567 (T)
— 38.2(c)(ii)
- Pedro v Greater George Transitional Council 2001 (2) SA 131 (C)
— 31.4(f)
- Pennington v The Minister of Justice 1995 (3) BCLR 270 (C)
— 52.4(c)(i), 52.6(b)
- Penny v Walker 1936 AD 241
— 6.1
- Penrice v Dickinson 1945 AD 6
— 59.4(b)(iii)
- Pepcor Retirement Fund and Another v Financial Services Board and Another 2003 (6) SA 38 (SCA)
— 63.2(b)
- Permanent Secretary, Department of Welfare, Eastern Cape Provincial Government and Another v Ngxuzza and Others 2001 (4) SA 1184 (SCA), 2001 (10) BCLR 1039 (SCA)
— 7.2(c)(iii), 7.3(c)(i), 14.3(c)(i), 23A.4, 31.4(f), 32.5(b), 34.6, 56D.3(f)(ii), 56D.4(c), 63.8, 64.4(e)
- Permanent Secretary of the Department of Education and Welfare, Eastern Cape and Another v Ed-U-College (PE) (Section 21) Inc 2001 (2) SA 1 (CC), 2001 (2) BCLR 118 (CC)
— 24A.4(a)(iii), 63.3(b), 63.5(c), 63.5(d)
- Petersen v Maintenance Officer, Simon's Town Maintenance Co Ltd and Others 2004 (2) SA 56 (C), 2004 (2) BCLR 205 (C), [2004] 1 All SA 117 (C)
— 9.5(b)(ii), 31.3(c), 31.4(d)(i), 31.4(e)(iii), 31.4(e)(x), 34.8(b), 34.8(c)(iii), 35.5(g)(ix), 36.3(a), 47.1, 47.10(b), 47.3(a)
- Petho v Minister of Home Affairs, Zimbabwe, and Another 2003 (3) SA 131 (ZS)
— 7.2(c)(iii)

- Petro Props (Pty) Ltd v Barlow and Another 2006 (5) SA 160 (W)
— 42.9(a), 50.3(b)(ii)(bb)(x)
- Pharboo and Others v Getz NO and Another 1997 (4) SA 1095 (CC), 1997 (10) BCLR 1337 (CC)
— 5.2
- Pharmaceutical Manufacturers Association of SA and Another: In re Ex Parte Application of the President of the Republic of South Africa and Others 1999 (4) SA (T)
— 17.3(e)
- Pharmaceutical Manufacturers Association of SA and Another: In re Ex Parte Application of the President of the Republic of South Africa and Others 2000 (2) SA 674 (CC), 2000 (3) BCLR 241 (CC), [2000] ZACC 1
— 1.3, 3.2, 3.3(d), 4.2(a), 4.3(b)(i), 4.3(c)(i), 4.3(d)(ii), 4.3(d)(iii), 4.3(h)(i)(aa), 5.3(c), 10.5(a), 12.3(b)(ii), 12.3(c)(ii), 12.3(d)(ii)(aa), 17.3(e), 17.5(f)(i), 18.2, 18.2(b), 23A.4, 23B.6(b)(iii), 24A.4(a)(iii), 24C.4(f), 25.9(b), 26.6(c)(iii), 31 Appendix(4)(c), 31.1(c), 31.2(a)(ii), 31.4(a)(v), 31.4(b)(iii), 31.4(e)(iv), 32.3(b), 32.3(c), 32.4(c), 32.5(b), 34.1(c), 34.7(a), 35.3(e)(i), 40.1(b)(i), 9.2(a), 49.3(b)(i), 50.4(h)(ii)(aa), 63.1, 63.2(c), 63.3(b), 63.4, 63.6(b), 64.4(b)(i)
- Pharmaceutical Society of South Africa v Tshabalala-Msimang and Another; New Clicks South Africa (Pty) Ltd v Minister of Health 2005 (3) SA 238 (SCA), 2005 (6) BCLR 576 (SCA)
— 4.3(d)(ii), 11.3(c)(iii), 56A.4(e), 59.3(a)(iv), 63.3(b)
- Pharo's Properties CC and Others v Kuilders and Others 2001 (2) SA 1180 (LCC), [2001] 2 All SA 309 (LCC)
— 48.7(b)(iv)
- Phato v Attorney-General, Eastern Cape, and Another; Commissioner of the South African Police Services v Attorney General, Eastern Cape, and Others 1995 (1) SA 799 (E), 1994 (5) BCLR 99 (E)
— 32.3(c), 34.7(a)
- Phillips and Another v Director of Public Prosecutions, Witwatersrand Local Division, and Others 2003 (3) SA 345 (CC), 2003 (4) BCLR 357 (CC)
— 3.7(b)(i), 9.4(e)(ii)(bb), 10.3(c), 10.4(a), 17.3(f), 34.2(c), 34.6, 34.8(c)(ii), 34.8(c)(iii), 36.4(h), 42.3, 42.4, 42.5, 42.7(e), 42.9(e), 51.5(c), 52.11
- Phillips and Others v National Director of Public Prosecutions 2003 (4) All SA 16 (SCA)
— 51.5(o)
- Phillips and Others v National Director of Public Prosecutions 2006 (1) SA 505 (CC), 2006 (1) SACR 78 (CC), 2006 (2) BCLR 274 (CC)
— 4.3(g)(ii), 4.4, 5.3(e), 5.3(e)(i)
- Phoebus Apollo Aviation CC v Minister of Safety and Security 2003 (2) SA 34 (CC), 2003 (1) BCLR 14 (CC)
— 1.2(b)(i), 4.2(b), 4.3(a)(i), 4.3(d)(i)(aa), 4.3(g)(ii), 4.3(h)(ii)(cc), 9.5(a)(iii), 11.2(b)(ii), 11.2(b)(iii), 11.4(c), 32.5(b), 46.2(a)
- Phumela Gaming and Leisure Ltd v Gründlingh and Others 2007(6) SA 350 (CC), 2006 (8) BCLR 833 (CC)
— 1.3, 4.3(d)(i)(aa), 32.5(b)
- Pillay and Others v S 2004 (2) BCLR 158 (SCA)
— 51.5(b), 52.10(a)
- Pillay, Ex parte (unreported, LCC Case No 1/99, 13 September 2004)
— 48.8(c)(ii)
- Pillay v KwaZulu-Natal MEC of Education and Others 2006 (6) SA 363 (EqC), 2006 (10) BCLR 1237 (N)
— 35.5(g)(viii), 35.8

- Pinchin and Another NO v Santam Insurance Co Ltd 1963 (2) SA 254 (W)
— 37.2
- Pitout v Mbolane [2000] 2 All SA 377 (LCC)
— 55.6(b)(ii)
- Pizani v Minister of Defence 1987 (4) SA 592 (A)
— 59.4(a)(ii)
- Podlas v Cohen and Bryden NO and Others 1994 (4) SA 662 (T), 1994 (3) BCLR 137 (T)
— 38.5(b), 63.3(c)
- Pogrud v Yutar 1967 (2) SA 564 (A)
— 38.2(c)(i)
- Police and Prisons Civil Rights Union and Others v Minister of Correctional Services and Others No 1 2008 (3) SA 91 (E), [2006] 2 All SA 175 (E)
— 63.3(b), 63.5(b), 63.5(c), 63.5(e)
- Police and Prisons Civil Rights Union v Minister of Correctional Services and Others (2006) 27 ILJ 555 (E), 2006 (8) BCLR 971 (E)
— 9.5(c)(iii), 63.3(b)
- Police and Prison Unions v Minister of Correctional Services [2006] 2 All SA 175 (E)
— 23A.1, 23A.4
- Poovalingham v Rajbansi 1992 (1) SA 283 (A)
— 42.10
- Port Elizabeth Municipality v Peoples Dialogue on Land and Shelter 2001 (4) SA 759 (E)
— 31.4(f)
- Port Elizabeth Municipality v Peoples Dialogue on Land and Shelter and Others 2000 (2) SA 1074 (SE)
— 32.3(a), 55.6(b)(ii)
- Port Elizabeth Municipality v Various Occupiers 2005 (1) SA 217 (CC), 2004 (12) BCLR 1268 (CC)
— 4.2(b), 4.3(d)(iii), 9.2(e)(i), 11.4(b), 32.4(c), 36.2(e), 36.4(l), 40.6(b), 48.4, 48.7(b)(iv), 55.6, 55.6(b)(ii)
- Port Elizabeth Municipality v Prut NO and Another 1996 (4) SA 318 (E), 1996 (9) BCLR1240 (E)
— 7.1, 7.2(c)(i), 7.2(c)(iv), 34.6
- Portion 608 New Belgium CC v Monyiki and Another (Unreported Land Claims Court, Case No LCC 62 / 98, 3 September 2002)
— 66.1(c)
- Poverty Alleviation Network & Others v President of the Republic of South Africa & Others 2010 (6) BCLR 520 (CC), [2010] ZACC 5
— 17.5(g), 17.6(a)(ii)(cc), 17.6(a)(iii), 17.8(b)
- Posts and Telecommunications Corporation v Modus Publications (Pty) Ltd 1998 (3) SA 1114 (ZS)
— 42.9(a), 42.9(c)
- Poswa v Member of the Executive Council for Economic Affairs, Environment and Tourism, Eastern Cape 2001 (3) SA 582 (SCA), 2001 (6) BCLR 545 (SCA)
— 32.3(a), 34.1(b), 54.5
- Potgieter and Another v Kilian 1996 (2) SA 276 (N), 1995 (11) BCLR 1498 (N)
— 32.3(a), 42.9(a)

- Potgieter v Lid van die Uitvoerende Raad: Gesondheid, Provinsiale Regering, Gauteng 2001 (11) BCLR 1175 (CC)
 — 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 34.6, 52.11, 59.4(a)(ii)
- Premier, Eastern Cape v Cekeshe 1999 (3) SA 56 (Tk)
 — 24B.1, 46.2(a)
- Premier, Free State and Others v Firechem Free State (Pty) Limited 2000 (4) SA 413 (SCA), [2000] 3 All SA 247 (SCA)
 — 25.3(b), 25.5(d)
- Premier, KwaZulu-Natal, and Others v President of the Republic of South Africa and Others 1996 (1) SA 769 (CC), 1995 (12) BCLR 1561 (CC), [1995] ZACC 10
 — 13.4, 17.3(a), 17.5(g), 31.5, 64.4
- Premier, Mpumalanga and Another v Executive Committee, Association of State-Aided Schools, Eastern Transvaal 1999 (2) SA 91 (CC), 1999 (2) BCLR 151 (CC)
 — 63.2(b), 63.2(c), 63.3(c), 63.5(c), 63.5(d), 63.5(e), 63.10
- Premier of the Province of the Western Cape v The Electoral Commission 1999 (11) BCLR 1209 (CC)
 — 29.3(b)
- Premier, Provinsie Mpumalanga en 'n Ander v Groblerdalse Stadsraad 1998 (2) SA 1136 (SCA)
 — 7.4(c)
- Premier, Western Cape v Faircape Property Developers (Pty) Ltd 2002 (6) SA 180 (C)
 — 13.5(a), 40.5(b)(i)
- Premier, Western Cape v Faircape Property Developers (Pty) Ltd 2003 (6) SA 13 (SCA)
 — 9.5(a)(i), 13.5(a)
- Premier, Western Cape v President of the Republic of South Africa 1999 (3) SA 657 (CC), 1999 (4) BCLR 382 (CC)
 — 4.3(a)(ii), 4.3(b)(i), 14.3(a), 14.3(b)(i), 14.3(b)(ii), 14.3(c)(i), 14.3(c)(ii), 14.5(a), 19.3(c), 20.3(d), 22.3(b)(vi), 23A.1, 23A.2, 23A.4, 23A.6, 23A.8, 31.4(f)
- President of the Ordinary Court Martial and Others v Freedom of Expression Institute 1999 (4) SA 682 (CC), 1999 (11) BCLR 1219 (CC)
 — 4.3(c)(i), 7.4(c)
- President of the Republic of Bophuthatswana and Another v Milsell Chrome Mines (Pty) Ltd and Others 1995 (3) BCLR 354 (B)
 — 28.2(a)(ii)
- President of the Republic of South Africa and Another v Hugo 1997 (4) SA 1 (CC), 1997 (6) BCLR 708 (CC)
 — 4.3(d)(ii), 9.2(c)(iii)(bb), 11.1(b), 11.2(b)(i), 11.3(c)(ii), 11.4, 13.6, 12.3(b)(i), 12.3(d)(ii)(bb), 17.6(d), 18.2, 18.2(b), 18.2(d) 24F.4(a), 26.1, 31 Appendix(4)(c), 32.3(c), 32.4(c), 33.5(e)(iii), 34.5(b)(ii), 34.7(a), 34.7(c)(ii), 34.8(e)(ii), 35.1(b), 35.1(d)(i), 35.2, 35.5(b), 35.5(f), 35.5(g)(ii), 35.5(h), 35.5(h)(i), 35.5(h)(ii), 35.5(h)(iii), 35.5(i), 36.2(b), 36.2(c), 36.3(c), 36.4(a), 36.4(f), 36.5(a)(ii), 37.4, 44.2(b), 44.3(a)(i), 49.3(b)(ii), 51.1(b)(iv), 56A.5(a), , 56B.4(g), 58.1, 63.3(b), 63.3(a)(iv), 64.4(a)
- President of the Republic of South Africa and Others v Gauteng Lions Rugby Union and Another 2002 (2) SA 64 (CC), 2002 (1) BCLR 1 (CC)
 — 3.6, 6.1, 6.2(l), 6.2(l)(i), 6.2(l)(ii), 6.2(l)(iii)
- President of the Republic of South Africa and Others v Modderklip Boerdery (Pty) Ltd 2004 (6) SA 40 (SCA), 2004 (8) BCLR 821 SCA
 — 9.2(d)(i)(aa), 9.2(e)(iv)(bb), 9.2(e)(iv)(cc), 9.6(c)(ii)(aa)
- President of the Republic of South Africa & Others v Quagliani 2009 (4) BCLR 345 (CC), [2009] ZACC 1
 — 17.2(b)(ii)

- President of the Republic of South Africa and Others v South African Rugby Football Union and Others 1999 (2) SA 14 (CC), 1999 (2) BCLR 175 (CC) (SARFU I)
— 4.2(b), 4.3(b), 4.3(b)(v), 5.3(c), 17.5(f), 59.4(b)(iii)
- President of the Republic of South Africa and Others v South African Rugby Football Union and Others 1999 (4) SA 147 (CC), 1999 (7) BCLR 725 (CC) (SARFU II)
— 4.3(b), 4.3(d)(iv), 11.3(c)(i), 12.3(b)(ii), 12.3(d)(ii)(aa), 31.4(b)(ii), 31.4(b)(iii), 32.3(b), 59.4(b)(iii), 63.5(g), 63.5(d)
- President of the Republic of South Africa and Others v South African Rugby Football Union and Others 2000 (1) SA 1 (CC), 1999 (10) BCLR 1059 (CC), [1999] ZACC 11 (SARFU III)
— 3.3(d), 4.3(b), 4.3(d)(ii), 6.2(h), 6.2(k), 11.3(c)(ii), 12.3(b)(ii), 18.2, 18.2(b), 18.2(d), 18.2(f), 18.3(d)(i), 18.3(j), 23B.5(b)(iv), 24A.4(a)(iii), 24B.1, 24C.4(d), 26.6(d), 26.6(d)(iii), 31.4(b)(v), 63.10, 63.3(a)(iv), 63.5(a), 63.5(b)(i), 63.6(a), 11.4, 23A.1, 23A.3, 23A.4, 23B.5(b)(iv), 31.4(b)(v), 63.2(b), 63.3(a), 63.3(b), 63.5(d)
- President of the Republic of South Africa, Ex Parte: In re Pharmaceutical Manufacturers Association of South Africa 2000 (2) SA 674 (CC), 2000 (3) BCLR 241 (CC)
— 11.1(a), 11.1(b), 11.1(c), 11.2(b), 11.2(b)(i), 11.2(b)(ii), 11.2(b)(iii), 11.3(a), 11.3(b), 11.3(c), 11.3(c)(i), 11.3(c)(ii), 11.3(c)(iii), 11.4, 11.4(b), 11.4(c), 11.4(d), 11.4(e), 17.3(f), 57.3(b)
- President of the Republic of South Africa, Ex Parte: In re Constitutionality of the Liquor Bill 2000 (1) SA 732 (CC); 2000 (1) BCLR 1 (CC), [1999] ZACC 15
— 3.3(d), 14.3(a), 14.3(c)(i), 15.1, 15.2(b), 15.3(a), 15.3(a)(ii), 15.3(a)(iv), 15.3(b), 15.3(c)(i), 15.3(c)(vi), 17.3(f)(i), 17.6(b)(i), (ii) & (iii), 19.3(a)(i), 19.3(c), 21.2(a)
- President of the Republic of South Africa v Eisenberg and Associates (Minister of Home Affairs Intervening) 2005 (1) SA 247 (C)
— 18.3(d)(ii)
- President of the Republic of South Africa v Modderklip Boerdery (Pty) Ltd (AgriSA and Others, Amici Curiae) 2005 (5) SA 3 (CC), 2005 (8) BCLR 786 (CC)
— 1.3, 3.7(c), 4.2(b), 5.3(a)(ii), 8.5, 9.2(d)(i)(aa), 9.2(e)(i), 9.2(e)(iv)(aa), 9.2(e)(iv)(bb), 9.5(a)(ii)(aa), 9.6(c)(ii)(aa), 13.7(a), 34.3(b), 34.5(b)(ii), 34.7(c)(i), 40.1(b)(i), 45.5(c), 48.4, 48.7(b)(iv), 59.2(b), 55.6(b)(ii), 55.6(c), 59.3(a)(v), 59.3(b), 59.4(d)
- President of the Republic of South Africa v United Democratic Movement (African Christian Democratic Party and Others Intervening; Institute for Democracy in South Africa and Another as Amici Curiae) 2003 (1) SA 472 (CC), 2002 (11) BCLR 1164 (CC)
— 4.3(b), 4.3(b)(ii)(aa), 4.3(b)(vii), 4.3(h)(ii)(aa), 9.5(c)(ii), 17.4, 24C.4(a), 29.3(f)
- President, Ordinary Court Martial, and Others v Freedom of Expression Institute and Others 1999 (4) SA 682 (CC), 1999 (11) BCLR 1219 (CC)
— 5.3(c)
- Pretoria City Council v Modimola 1966 (3) SA 250 (A)
— 46.2(a)
- Pretoria City Council v Walker 1998 (2) SA 363 (CC), 1998 (3) BCLR 257 (CC)
— 9.2(b)(ii)(aa), 9.2(e)(iv)(cc), 9.6(c)(ii), 11.3(c)(iii), 13.5(a), 24D.4, 32.3(b), 32.4(c), 33.12, 34.5, 34.7(a), 36.4(a), 36.5(c), 38.3(b)(ii), 44.2(b), 44.3(c)(iii), 56B.3(c)(v)
- Pretoria Portland Cement and Another v Competition Commission and Others 2003 (2) SA 385 (SCA)
— 36.4(e), 63.3(b)
- Pretorius and Others v Minister of Correctional Services and Others 2004 (2) SA 658 (T)
— 51.5(g), 51.5(h)

- Pretorius v Beginsel (unreported Land Claims Court, Case No LCC 94R / 01, 13 December 2001)
— 48.7(b)(iv)
- Price Waterhouse Coopers Inc and Others v National Potato Co-operative Ltd 2004 (9) BCLR 930 (SCA)
— 59.4(a)(ix)
- Prince v President, Cape Law Society 2002 (2) SA 794 (CC), 2002 (3) BCLR 231 (CC)
— 3.7(b)(i), 41.1(b), 41.2(c), 41.3(a), 41.3(b), 41.4, 41.4(b), 44.1(b)(i), 44.3(c)(viii), 9.4(d)(ii), 9.4(e)(i)(bb), 12.3(d)(ii)(aa), 35.5(g)(viii), 41.1(b), 41.2(c), 41.3(a), 41.3(b), 41.4, 41.4(b), 44.1(b)(i), 44.3(c)(viii), 52.8, 52.11, 58.4(a)(i), 58.4(a)(iii), 58.4(a)(iv), 58.4(a)(v), 58.6, 59.3(a)(v)
- Prince v President, Cape Law Society and Others 2000 (3) SA 845 (SCA), 2000 (7) BCLR 823 (SCA)
— 41.2(c)
- Prince v President, Cape Law Society and Others 2001 (2) SA 388 (CC), 2001 (2) BCLR 133 (CC)
— 34.1(c), 34.3(b), 34.5(b)(i), 34.8(d)(ii), 35.5(g)(viii), 41.2(a), 41.2(c), 52.8, 58.4(a)(vii)
- Principal Immigration Officer v Bhula 1931 AD 323
— 32.3(a)
- Principal Immigration Officer v Hawabu and Another 1936 AD 26
— 32.3(a), 32.5(c)
- Prinsloo and Another v Ndebele-Ndzundza Community and Others 2005 (6) SA 144 (SCA)
— 48.8(c)(i), 48.8(c)(ii)
- Prinsloo v Bramley Children's Home 2005 (2) SACR 2 (T)
— 52.5, 52.7(d)
- Prinsloo v Development Bank of Southern Africa Pension Fund and Another [1999] 12 BPLR 439 (PFA)
— 24A.6
- Prinsloo v Nasionale Vervolgingsgesag En Andere 2011 (2) SA 214 (GNP)
— 23B.3(c)(iii)(cc)
- Prinsloo v Newman 1975 (1) SA 481 (A)
— 38.3(a)(iv)
- Prinsloo v RCP Media Ltd t/a Rapport 2003 (4) SA 456 (T)
— 42.9(b), 42.9(c), 42.9(d), 42.9(h)
- Prinsloo v Van der Linde and Another 1997 (3) SA 1012 (CC), 1997 (6) BCLR 759 (CC)
— 1.3, 3.3(d), 3.7(a), 11.1(c), 11.2(b)(i), 11.3(c)(ii), 31.3(d), 32.3(c), 32.4(c), 34.3(b), 34.7(a), 35.1(d)(i), 35.2, 35.3, 35.3(a), 35.3(a)(ii), 35.3(e)(i), 35.5(b), 35.5(g)(viii), 36.2(c), 36.3(c), 36.4(a), 36.4(f), 37.4, 40.3(c)(i), 44.3(a)(i), 52.2(b), 52.4(a)(ii), 56B.4(g), 56D.5(c)(ii), 63.2(b), 64.4(a)
- Prison Care and Support Network and Another v Government of the Republic of South Africa (unreported, CPD Case No 9188/05)
— 55.8
- Prize Trade 44 (Pty) Ltd v Isaac Tefo Memane (unreported, LCC Case No 35/01, 21 August 2003)
— 48.7(b)(iv)
- Prokureur-Generaal van die Witwatersrandse Plaaslike Afdeling v Van Heerden en Andere 1994 (2) SACR 469 (W)
— 51.1(b)(iv), 51.4(d)

Prokureur-Generaal, Vrystaat v Ramokhosi 1996 (11) BCLR 1514 (O), 1997 (1) SACR 127 (O)
— 51.1(a)(ii), 51.1(b)(iii), 51.2, 51.4(d)

Prophet v National Director of Public Prosecutions 2006 (1) SA 38 (SCA)
— 4.3(g)(ii)

Prophet v National Director of Public Prosecutions 2007 (2) BCLR (CC)
— 4.3(a)(i), 4.3(g)(ii)

Protea Assurance Co Ltd v Matinise 1978 (1) SA 963 (A)
— 6.1

Protea Technology Ltd and Another v Wainer and Others 1997 (9) BCLR 1225 (W)
— 31.4(b)(iii), 38.3(a)(i), 38.3(a)(iii), 52.10(f)

Publications Control Board v Gallo (Africa) Ltd 1975 (3) SA 665 (A)
— 41.1(a), 41.2(b)(i)

Public Carriers Association and Others v Toll Road Concessionaries (Pty) Ltd and Others 1990 (1) SA 925 (A)
— 32.3(a), 32.3(c), 32.5(c)

Public Prosecutor v Mail & Guardian [2011] ZASCA 108
— 23B.6(b)(iv)

Public Servants Association of South Africa and Others v Minister of Justice and Another 1997 (3) SA 925 (T), 1997 (5) BCLR 577 (T)
— 35.4(c), 35.4(d)(ii), 51.1(b)(iv)

Putco Ltd v Minister of Transport for the Republic of South Africa 2003 JDR 0408 (W)
— 63.10

Q

Qozeleni v Minister of Law and Order and Another 1994 (3) SA 625 (E); 1994 (1) BCLR 75(E)
— 13.5(a), 32.3(a), 32.3(b), 32.3(c), 32.4(c), 32.5(c), 34.2(c), 35.3(c), 51.5(c), 62.1, 62.7

R

R v Adamstein 1937 CPD 331
— 52.7(d)

R v B 1933 OPD 139
— 52.4(c)(ii)

R v B 1960 (2) SA 424 (T)
— 51.4(b)(i)

R v Barlin 1926 AD 459
— 52.4(c)(ii)

R v Blom 1939 AD 188
— 51.5(i)

R v Camane 1925 AD 570
— 52.4(c)(ii)

R v Daniels 1938 TPD 312
— 38.2(a)(iii)

R v Duetsimi 1950 (3) SA 674 (A)
— 52.4(c)(ii)

R v du Preez 1943 AD 562
— 32.5(b)

R v Grigoriou 1953 (1) SA 479 (T)
— 51.4(d)

R v Holliday 1927 CPD 395
— 38.2(a)(iii)

R v Ismail 1952 (1) SA 204 (A)
— 52.4(b)(ii)

R v Jopp and another 1949 (4) SA 11 (N)
— 17.3(f), 63.6(a)

R v Kerr (1907) 21 E.D.C 324
— 51.5(n)(iii)

R v Kritzinger 1952 (2) SA 401 (W)
— 52.4(b)(iii)

R v Kuzwayo 1949 (3) SA 761 (A)
— 52.2(b)

R v Lionda 1944 AD 348
— 30.2(a)

R v Machinini and Others (2) 1944 W.L.D. 91
— 51.5(j)(ii)

R v Maharaj 1960 (4) SA 256 (N)
— 42.9(c)

R v Maharaj 1950 (3) SA 187 (A)
— 12.3(d)(iii)

R v Maleke 1925 TPD 491
— 52.4(c)(ii)

R v Mashele 1944 AD 571
— 52.4(b)(ii)

R v Moyage and Others 1958 (3) SA 400 (A)
— 51.5(c)

R v Muzorori 1967 (2) SA 177 (RA)
— 59.4(b)(v)

R v Ndawo 1961 (1) SA 16 (N)
— 52.6(a), 52.6(a)(ii)

R v Patel 1946 AD 903
— 51.4(b)(ii)

R v R 1954 (2) SA 134 (N)
— 38.2(a)(iii)

R v Ranikolo 1954 (3) SA 255 (O)
— 52.7(b)

R v Sachs 1953 (1) SA 392 (A)
— 41.1(a)

R v Schaper 1945 AD 716
— 65.3(a)

R v Schoonberg 1926 OPD 247
— 38.2(a)(iii)

R v Shapiro 1935 NPD 155
— 17.3(f)

R v Smith 1922 TPD 199
— 47.7(a)

- R v Tebetha 1959 (2) SA 337 (A)
— 32.5(c)
- R v Webb 1934 AD 493
— 41.1(a)
- R v Xulu 1956 (2) SA 288 (A)
— 52.4(c)(ii)
- RTEAWU v Tedalex (Pty) Ltd (1990) 11 ILJ 1272 (IC)
— 53.5
- Raats Röntgen and Vermeulen (Pty) Ltd v Administrator Cape and Others 1991 (1) SA 827 (C)
— 32.3(a)
- Radio Pretoria v Chairperson, Independent Communications Authority of South Africa, and Another 2005 (4) SA 319 (CC), 2005 (3) BCLR 231 (CC)
— 4.3(d)(iii), 4.4, 5.3(e), 5.3(e)(i)
- Radio Pretoria v Chairperson of the Independent Communications Authority of South Africa and Another 2003 (5) SA 451 (T), 2003 (4) BCLR 421 (T)
— 4.3(a)(ii), 11.2(b)(i), 35.6
- Raik v Raik 1993 (2) SA 617 (W)
— 41.3(b)
- Rail Commuters Action Group and Others v Transnet Ltd t/a Metrorail and Others 2003 (6) SA 349 (SCA), 2003 (12) BCLR 1363 (SCA)
— 13.5(a)
- Rail Commuters Action Group and Others v Transnet Ltd t/a Metrorail and Others 2005 (2) SA 359 (CC), 2005 (4) BCLR 301 (CC)
— 1.3, 4.3(e), 4.3(g)(i), 4.3(h)(i)(aa), 4.3(h)(ii)(bb), 6.2(d), 9.2(e)(iv)(aa), 9.2(f)(i), 9.5(b)(i), 9.5(b)(ii), 9.5(c)(i), 9.6(a), 9.6(c)(ii), 10.3(d)(iii), 13.5(a), 24A.4(b)(ii), 24B.1, 32.4(c), 34.7(c)(i), 36.3(d), 39.6, 40.5(b)(i), 42.5(b), 55.5(c), 59.4(a)(iv), 63.6(d)
- Rail Commuters Action Group and Others v Transnet Ltd t/a Metrorail and Others (No 1) 2003 (5) SA 518 (C), 2003 (3) BCLR 288 (C)
— 1.3, 7.2(c)(v), 7.2(d), 9.2(b)(ii)(aa), 9.6(c)(ii)(aa), 13.5(a), 31.4(e)(viii), 37.5, 39.6, 43.2(b)(ii)
- Raloso v Wilson and Others 1998 (4) SA 369 (NC)
— 39.5(a), 51.2
- Rammoko v Director of Public Prosecutions 2003 (1) SACR 200 (SCA), [2001] 4 All SA 731 (SCA)
— 49.2(c)(i)
- Ramothatha v Makhothe 1934 NAC (N&T) 74
— 59.2(a)
- Ramsay v Minister van Polisie 1981 (4) SA 802 (A)
— 38.3(a)(iv)
- Randall v Minister of Land Affairs; Knott v Minister of Land Affairs 2006 (3) SA 216 (LCC)
— 48.8(c)(ii)
- Randburg Town Council v Kerksay Investments (Pty) Ltd 1998 (1) SA 98
— 32.3(a)
- Rangani v Superintendent-General, Department of Health and Welfare, Northern Province 1999 (4) SA 385 (T)
— 56D.4(a), 56D.4(b)

Rashavha v Van Rensburg 2004 (2) SA 421 (SCA)
— 48.7(b)(iv)

Rates Action Group v City of Cape Town 2004 (5) SA 545 (C), 2004 (12) BCLR 1328 (C)
— 3.4(c), 8.4(c), 13.5(a), 22.4(e), 22.4(e)(iii), 22.5(c), 22.5(e), 27.2(d)

Rates Action Group v City of Cape Town 2006 (1) SA 496 (SCA)
— 27.2(d)

Rathibe v Reid and Another 1927 AD 74
— 26.2, 26.6(c)(iii)

Rattigan and Others v Chief Immigration Officer and Others 1995 (2) SA 182 (ZS),
1994 (2) ZLR 54 (ZS), 1995 (1) BCLR 1 (ZS)
— 66.1(d)(i)

Reeves v Marfield Insurance Brokers 1996 (3) SA 766 (A)
— 44.3(c)(iv)

Registrar of Banks v Regal Treasury Private Bank (under curatorship) and another
(Regal Treasury Bank Holdings Ltd Intervening) 2004 (3) SA 560 (W)
— 63.3(c)

Reid-Daly v Hickman and others 1981 (2) SA 315 (ZA)
— 38.2(a)(iii)

Reitzer Pharmaceuticals (Pty) Ltd v Registrar of Medicines and Another 1998 (4) SA
660 (T)
— 43.3(a)(i)

Remhoogte Boerdery Edms (Bpk) v Mentoor (Unreported Land Claims Court Case No
LCC 73R / 01, 11 October 2001)
— 48.7(b)(iv)

Residents of Bon Vista Mansions v Southern Metropolitan Local Council 2002 (6) BCLR
625 (W)
— 22.4(e)(v), 33.5(b), 33.9, 34.5(b)(ii), 56B.4(c)(i)

Residents of the Joe Slovo Community, Western Cape v Thubelisha Homes and others
2010 (3) SA 454 (CC), 2009 (9) BCLR 847 (CC), [2009] ZACC 16
— 56B.1, 56B.4(c)(ii)

Retrofit (Pty) Ltd v Posts & Telecommunications Corp (Attorney-General of Zimbabwe
Intervening) 1996 (1) SA 847 (ZS), 1995 (9) BCLR 1262 (Z), 1995 (2) ZLR 199
— 42.7(g)

Reuters Group PLC and Others v Viljoen NO and Others 2001 (12) BCLR 1265 (C)
— 23A.4

Reynolds Brothers Ltd v Chairman, Local Transportation Board, Johannesburg, and
Another 1985 (2) SA 790 (W)
— 32.3(a), 63.9

Rhodesian Printing and Publishing Co Ltd v Duggan and Another 1975 (1) SA 590 (RA)
— 38.2, 38.2(a)(i), 38.2(a)(iii), 38.2(b)(ii)

Rhodes University College v Field 1947 (3) SA 437 (A)
— 38.2(c)(i)

Ricardo v Jockey Club of South Africa 1953 (3) SA 351 (W)
— 44.1(c)(vi)

Richardson and Others v South Peninsula Municipality and Others 2001 (3) BCLR 265
(C)
— 63.3(b)

Richtersveld Community and Others v Alexkor Ltd and Another 2001 (3) SA 1293
(LCC)
— 32.3(b), 32.3(c), 32.5(c), 48.7(b)(v)

Richtersveld Community and Others v Alexkor Ltd and Another 2003 (6) SA 104 (SCA), 2003 (6) BCLR 583 (SCA)
— 4.3(e), 32.3(c), 36.5(c), 48.8(c)(iii), 58.1(b), 64.4(b)(i)

Rikhoto v East Rand Administration 1983 (4) SA 278 (W)
— 2.2(g)

Ritamor Investments (Pty) Ltd and Others v The Unlawful Occupiers of Erf 62, Wynberg and Others (unreported, WLD case, 27 January 2006)
— 55.6(b)(ii)

Ritchie and Another v Government of the Northern Cape Province and Others 2004 (2) SA 584 (NC)
— 24B.3(a), 31.4(e)(x), 42.9(a)

Rivett-Carnac v Wiggins 1997 (3) SA 80 (C)
— 42.9(a)

Road Accident Fund v Makwetlane 2005 (4) SA 51 (SCA)
— 59.4(a)(ii)

Road Accident Fund v Van der Merwe (unreported, CCT case 48/05, 30 March 2006)
— 40.3(c)(i), 40.5(b)(i)

Roberts and Others v Minister of Social Development and Others (unreported, TPD Case No 32838/05)
— 56D.5(c)(i), 56D.5(c)(ii)

Robertson v Boss (unreported LCC Case No 6R/98, 30 September 1998)
— 55.6(b)(2)

Robertson v City of Cape Town and Another; Truman-Baker v City of Cape Town, 2004 (5) SA 412 (C), 2004 (9) BCLR 950 (C)
— 11.3(c)(ii), 11.3(c)(iii), 22.5(d), 22.5(h), 22.7(d)

Roberts v Johncom Media Investments Ltd (Unreported Cape High Court Case No 8677 / 04, 8 January 2007)
— 42.9(a)

Robin Consolidated Industries Ltd v Commissioner for Inland Revenue 1997 (3) SA 654 (SCA)
— 32.5(b)

Roman v Williams NO 1998 (1) SA 270 (C), [1997] 4 All SA 210 (C), 1997 (9) BCLR 1267 (C)
— 49.3(b)(ii), 50.3(b)(i)(ee)(x), 63.6(b)

Romero v Gauteng Newspapers Ltd 2002 (2) SA 431 (W)
— 42.9(h)

Roodepoort-Maraisburg Town Council v Eastern Properties (Pty) Ltd 1933 AD 87
— 7.2(b)

Rootman v President of the Republic of South Africa 2006 JDR 0457 (SCA)
— 3.7(c), 18.3(j), 18.3(k), 59.4(d)

Rossouw v Minister of Mines and Minister of Justice 1928 TPD 741
— 7.3(b)

Rossouw v Sachs 1964 (2) SA SA 551 (A)
— 32.3(b)

Ross v South Peninsula Municipality 2000 (1) SA 589 (C)
— 31.4(c)(ii), 32.4(a), 33.11(c), 55.6(a), 55.6(b)(ii), 56C.3(b)(ii)

Rudolph and Another v Commissioner for Inland Revenue and Others 1996 (4) SA 552 (CC), 1996 (7) BCLR 889 (CC)
— 6.2(a), 38.3(a)(ii)

- Rustenburg Platinum Mines Limited (Rustenburg Section) v Commission for Conciliation, Mediation and Arbitration 2007 (1) SA 576 (SCA)
— 63.3(b)
- Ruyobeza and Another v Minister of Home Affairs and Others 2003 (5) SA 51 (C)
— 31.4(f), 63.9
- Ryland v Edros 1997 (2) SA 690 (C), [1996] 413 All SA 557 (C), 1997 (1) BCLR 77 (C)
— 11.3(b), 41.1(a), 41.3(c), 41.4(a), 41.6, 64.4(b)(ii)

S

- S v A and Another 1971 (2) SA 293 (T)
— 38.2, 38.2(a)(i), 38.2(a)(ii), 38.3(a)(iii)
- S v Abrahams 1997 (2) SACR 47 (C)
— 51.5(l)
- S v Abrahams 2002 (1) SACR 116 (SCA)
— 49.2(c)(i)
- S v Acheson 1991 (2) SA 805 (NmHC)
— 13.3, 51.4(d)
- S v Adams 1979 (4) SA 793 (T)
— 32.3(b)
- S v Agnew 1996 (2) SACR 535 (C)
— 52.2(b), 52.4(c)(ii)
- S v Aimes 1998 (1) SACR 343 (C)
— 51.5(j)(ii), 52.6(b)
- S v A Juvenile 1990 (4) SA 151 (ZS)
— 49.2(d), 49.2(d)(ii)
- S v Ambros 2005 (2) SACR 211 (C)
— 52.4(c)(i)
- S v Angula and Others; S v Lucas 1997 (9) BCLR 1314 (Nm)
— 51.5(c)
- S v B 1980 (2) SA 946 (A)
— 52.9
- S v B 2006 (1) SACR 311 (SCA), [2005] 2 All SA 1 (SCA)
— 47.7(a)
- S v Baloyi (Minister of Justice and Another Intervening) 2000 (2) SA 425 (CC), 2000 (1) SACR 81 (CC), 2000 (1) BCLR 86 (CC)
— 17.5(b), 24D.5(e), 32.3(b), 32.4(c), 32.5(c), 35.5(g)(ii), 36.4(c)(i), 37.5, 40.5(b)(i), 51.1(a)(iv), 51.5(i), 52.4(a)(ii), 52.9
- S v Basson 2005 (1) SA 171 (CC), 2004 (6), BCLR 620 (CC), 2004 (1) SACR 285 (CC)
— 4.3(d)(i)(bb), 4.3(d)(iii), 4.3(d)(iv), 4.3(e), 4.3(g)(ii), 5.3(e), 5.3(e)(iv), 51.1(b)(iii), 51.5(n)(i)
- S v Basson 2007 (3) SA 582 (CC), 2007 (1) SACR 566 (CC), 2005 (12) BCLR 1192 (CC)
— 4.3(h)(i)(aa), 4.4, 52.10(b), 59.4(b)(iii)
- S v Bequinot 1997 (2) SA 887 (CC), 1996 (12) BCLR 1588 (CC)
— 7.3(c)(iii), 32.5(b)
- S v Bhengu 1995 (3) BCLR 394 (D)
— 51.5(e)(i), 51.5(o)
- S v Bhoolia 1970 (4) SA 692 (A)
— 26.2

- S v Bhulwana; S v Gwadiso 1996 (1) SA 388 (CC), 1995 (2) SACR 748 (CC), 1995 (12) BCLR 1579 (CC)
— 3.7(b)(ii), 9.2(b)(ii)(bb), 9.2(d)(i)(aa), 9.2(e)(iv)(aa), 9.2(e)(iv)(cc), 9.4(b)(i), 9.4(b)(ii), 9.4(e)(i)(bb), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 12.3(d)(ii)(cc), 31.4(e)(vi), 32.5(b), 34.2(c), 34.8(b), 34.8(c)(ii), 34.8(c)(iii), 42.4, 49.2(c)(i), 51.5(i), 52.4(a)(ii), 52.4(a)(iii)
- S v Bierman 2002 (5) SA 243 (CC), 2002 (10) BCLR 1078 (CC)
— 4.2(b), 4.3(d)(i)(aa), 4.3(d)(iii), 31.4(e)(ii), 31.4(e)(iv), 32.5(b)
- S v Binta 1993 (2) SACR 553 (C)
— 52.4(c)(ii)
- S v Blaauw 2001 (2) SACR 255 (C), [2001] 3 All SA 588 (C)
— 49.2(c)(i)
- S v Boesak 2001 (1) SA 912 (CC), 2001 (1) SACR 1 (CC), 2001 (1) BCLR 36 (CC)
— 4.2(b), 4.3(a), 4.3(a)(ii), 4.3(d)(i)(aa), 4.3(g)(i), 4.3(h)(i)(aa), 4.3(h)(ii)(cc), 5.3(e), 5.3(e)(i), 9.5(a)(iii), 11.2(a), 11.2(b)(i), 31.4(b)(iii), 31.4(e)(ii), 31.4(e)(x), 40.3(c)(ii), 52.4(a)(ii), 52.4(b)(ii), 52.5, 53.1(a)(ii)
- S v Boshoff and others 1981 (1) SA 393 (T)
— 38.2(a)(iii)
- S v Botha en Andere (2) 1995 (2) SACR 605 (W)
— 51.5(i), 51.5(j)(ii)
- S v Botha en Andere 1994 (4) SA 799 (W), 1994 (3) BCLR 93 (W)
— 51.5(c)
- S v Bresler and Another 2002 (4) SA 524 (T)
— 42.9(c)
- S v Brown en 'n Ander 1996 (2) SACR 49 (NC), 1996 (11) BCLR 1480 (NC)
— 51.1(b)(iii), 51.3(f), 51.5(j)(ii), 52.4(b)(ii)
- S v Budlender and Another 1973 (1) SA 264 (C)
— 2.2(i)(iii), 43.2(a)
- S v Bull and Another; S v Chavulla and Others 2002 (1) SA 535 (SCA), 2001 (2) SACR 681 (SCA), 2002 (6) BCLR 551 (SCA)
— 31.4(e)(vi), 40.7(c)(i), 49.2(c)(ii), 49.2(d)(iv)
- S v C 1998 (2) SACR 721 (C)
— 51.4(d)
- S v Campbell 1991 (1) SACR 435 (Nm)
— 52.4(b)(iii)
- S v Chabalala 2002 (1) SACR 5 (T)
— 51.1(b)(iii)
- S v Chabedi 2004 (1) SACR 477 (W)
— 51.1(b)(iii)
- S v Chapman 1997 (3) SA 341 (SCA), 1997 (2) SACR 3 (SCA)
— 36.4(c)(i), 36.4(c)(iii)
- S v Charles 2002 (2) SACR 492 (E)
— 52.4(c)(i)
- S v Chauke and Another 1998 (1) SACR 354 (V)
— 51.5(c), 51.5(l)
- S v Chavulla 1999 (1) SACR 39 (C)
— 51.5(b)
- S v Chikunga and Another 1997 (2) SACR 470 (Nms), 1997 (9) BCLR 1321 (NmS)
— 51.5(c)

- S v Cloete and Another 1999 (2) SACR 137 (C)
— 51.5(j)(ii)
- S v Coetzee and Others 1997 (3) SA 527 (CC), 1997 (4) BCLR 437 (CC)
— 9.4(e)(ii)(aa), 37.5, 40.1(b)(i), 40.3(c)(ii), 51.1(a)(iii), 51.5(i), 52.4(a)(ii), 52.4(a)(iii)
- S v Collett 1990 (1) SACR 465 (A)
— 49.2(c)(iii)
- S v Collier 1995 (2) SACR 648 (C), 1995 (8) BCLR 975 (C)
— 51.5(e)(i), 51.5(l)
- S v Conifer (Pty) Ltd 1974 (1) SA 651 (A)
— 32.3(a)
- S v Cooper and Others 1976 (2) SA 875 (T)
— 51.5(c)
- S v Cornelissen; Cornelissen v Zeelie NO 1994 (2) SACR 41 (W)
— 42.7(d), 52.9
- S v Damons and Others 1997 (2) SACR 218 (W)
— 51.5(j)(ii)
- S v Damoyi 2004 (2) SA 564 (C)
— 13.7(b), 65.6
- S v Dangatye 1994 (2) SACR 1 (A)
— 51.5(g)
- S v Danster; S v Nqido 2002 (4) SA 749 (C)
— 51.5(o)
- S v De Bellocq 1975 (3) SA 538 (T)
— 39.4
- S v De Kock 1997 (2) SACR 171 (T)
— 40.7(c)(i), 49.2(d)(iv)
- S v De Villiers 1999 (1) SACR 297 (O)
— 52.7(c)
- S v De Vries 1989 (1) SA 228 (A)
— 51.5(j)(ii)
- S v Dlamini 1973 (1) SA 144 (A)
— 52.2(b)
- S v Dlamini; S v Dladla; S v Joubert; S v Schietekat 1999 (4) SA 623 (CC), 1999 (2) SACR 51 (CC), 1999 (7) BCLR 771 (CC)
— 4.3(d)(iv), 7.3(c)(iii), 7.4(c), 17.5(d), 31.2(d)(v), 32.3(a), 32.4(a), 32.5(c), 34.6, 34.8(c)(i), 34.8(c)(iii), 40.4(b), 51.1(b)(iv), 51.3(f), 51.4(d), 51.5(c), 51.5(i), 52.2(b), 52.4(a)(i), 52.5
- S v Dodo 2001 (1) SACR 301 (E)
— 51.5(e)(i), 51.5(k), 52.6(a)(i)
- S v Dodo 2001 (3) SA 382 (CC), 2001 (1) SACR 594 (CC), 2001 (5) BCLR 423 (CC)
— 12.2(b), 12.3(b), 12.3(c)(i), 12.3(d)(i)(bb), 17.5(d), 31 Appendix(4)(c), 32.4(c), 34.2(c), 36.4(c)(iii), 40.7, 40.7(a)(ii), 40.7(c)(ii), 47.7(a), 49.2(c), 49.2(c)(i), 51.5(e)(i)
- S v Domingo 2005 (1) SACR 193 (C)
— 52.6(a)(ii)
- S v Dougherty 2003 (2) SACR 36 (W)
— 39.5(a)

S v Dube 2000 (2) SA 583 (N), 2000 (1) SACR 53 (N), 2000 (6) BCLR 685 (N)
— 36.2(e), 36.4(c)(iii), 36.4(e), 38.3(a)(iii), 38.3(c), 51.1(b)(ii), 51.1(b)(iii),
52.10(a), 52.10(d)

S v Du Plessis 1981 (3) SA 382 (A)
— 32.5(c)

S v Du Preez 1975 (4) SA 606 (C)
— 47.5(a)

S v Du Toit and Others 2005 (2) SACR 411 (T)
— 52.4(c)(i)

S v Du Toit en Andere 2005 (1) SACR 47 (T)
— 52.6(d)

S v Dyani 2004 (2) SACR 365 (E)
— 52.4(c)(i), 52.6(b)

S v Dzukuda and Others; S Tshilo 2000 (4) SA 1078 (CC), 2000 (2) SACR 443 (CC),
2000 (11) BCLR 1252 (CC)
— 9.2(a), 14.5(d)(ii)(aa), 32.4(c), 49.2, 51.5(b), 51.5(f), 52.2(a), 52.4(a)(ii),
52.10(b)

S v Ebrahim 1991 (2) SA 553 (A)
— 31.6(a)

S v Erasmus 1973 (4) SA 481 (T)
— 47.5(c)

S v F 1999 (1) SACR 571 (C)
— 51.5(k), 52.6(a)(ii)

S v Fani and Others 1994 (3) SA 619 (E), 1994 (1) BCLR 43 (E)
— 51.5(c)

S v Fazzie and Others 1964 (4) SA 673 (A)
— 17.5(c), 32.5(c)

S v Ffrench-Beytagh (1) 1971 (4) SA 333 (T)
— 32.5(c)

S v Gabriel 1971 (1) SA 646 (RA)
— 51.5(n)(iii)

S v Gasa 1998 (1) SACR 446 (D)
— 52.4(c)(i)

S v Gasa and Others 1998 (1) SACR 446 (D)
— 51.3(f)

S v Geiges [2007] ZAGPHC 46
— 42.9(c)

S v Geiges and Others (M&G Media Ltd and Others Intervening) 2007 (2) SACR 507
(T)
— 42.9(g)

S v Geldenhuys 2009 (1) SACR 1 (SCA)
— 47.5(d)

S v Gentle 2005 (1) SACR 420 (SCA)
— 52.7(a)(i), 52.7(c)

S v Gibson 1974 (4) SA 478 (A)
— 49.2(c)(i)

S v Gordon 1962 (4) SA 727 (N)
— 39.4

S v Gouwe 1995 (8) BCLR 968 (B)
— 51.5(h)

S v Gumede and Others 1998 (5) BCLR 530 (D)
— 32.1(b), 32.4(c), 38.3(a)(i), 51.3(f), 52.4(c)(i)

S v Gwala 1989 (4) SA 937 (N)
— 52.6(b)

S v H 1995 (1) SA 120 (C)
— 36.4(b), 44.3(c)(ii)

S v Halgryn 2002 (2) SACR 211 (SCA)
— 52.4(c)(i)

S v Hammer and Others 1994 (2) SACR 496 (C)
— 38.2(a)(iii), 52.10(a)

S v H and Another 1978 (4) SA 385 (E)
— 47.7(a)

S v Harber and Another 1988 (3) SA 396 (A)
— 42.4, 42.9(c)

S v Hartmann 1975 (3) SA 532 (C)
— 39.4

S v Hartmann and Another 1984 (1) SA 305 (ZS)
— 42.9(c)

S v Hassen and Another 1997 (2) SA 253 (T), 1997 (3) BCLR 377 (T)
— 51.1(b)(iii), 51.5(b), 52.10(d)

S v Hayes 1998 (1) SACR 625 (O)
— 52.10(d)

S v Hena 2006 (2) SACR 33 (SE)
— 52.4(b)(ii), 52.10(a), 52.10(b), 52.10(e)

S v Henckert 1981 (3) SA 445 (A)
— 32.5(c)

S v Hlalikaya and Others 1997 (1) SACR 613 (SE)
— 51.2, 51.3(f), 51.4(b)(iii), 51.5(j)(ii), 52.4(c)(ii)

S v Hlongwa 1979 (4) SA 112 (D)
— 51.4(d)

S v Hlongwa 2002 (2) SACR 37 (T)
— 52.4(b)(ii)

S v Hoosen 1999 (9) BCLR 987 (N)
— 51.5(i)

S v Huma and Another 1996 (1) SA 232 (W), 1995 (2) SACR 411 (W)
— 36.4(e), 38.3(a)(ii), 40.3(b), 40.7(a)(i), 40.10(a), 51.1(a)(ii), 51.1(b)(iii), 51.4(b)(lii), 52.4(c)(ii)

S v I and Another 1976 (1) SA 781 (RA)
— 38.2(a)(iii), 38.2(c)(i)

S v Ismail 2006 (1) SACR 593 (C)
— 52.6

S v J 1998 (2) SA 984 (SCA), 1998 (1) SACR 470 (SCA), 1998 (4) BCLR 424 (SCA)
— 51.5(i)

S v Jaars; S v Williams; S v Jantjies 2002 (1) SACR 546 (C)
— 51.5(o)

- S v Jackson 1998 (1) SACR 470
— 32.5(b), 52.7(a)(i)
- S v Jafta; S Ndondo; S v Mcontana 2004 (2) SACR 103 (E)
— 51.5(o)
- S v Jaipal 2005 (4) SA 581 (CC), 2005 (5) BCLR 423 (CC), 2005 (1) SACR 215 (CC)
— 51.5(b), 52.2(a), 63.5(g)
- S v Jama and Another 1998 (4) BCLR 485 (N)
— 51.5(i)
- S v James 1994 (3) SA 881 (E), 1994 (1) BCLR 57 (E)
— 51.5(c)
- S v J and Others 2000 (2) SACR 310 (C)
— 47.7(a)
- S v Jansen 1975 (1) SA 425 (A)
— 47.7(a)
- S v January; Prokureur-Generaal, Natal v Khumalo 1994 (2) SACR 801 (A)
— 52.4(c)(ii)
- S v Jeniker (2) 1993 (2) SACR 464 (C)
— 52.6(b)
- S v Johardien 1990 (1) SA 1026 (C)
— 41.1(a), 41.6
- S v John 2003 (2) SACR 499 (C)
— 51.1(b)(iii)
- S v Jonathan en Andere 1987 (1) SA 633 (A)
— 51.4(b)(ii)
- S v Joors 2004 (1) SACR 494 (C), [2003] 4 All SA 628 (C)
— 51.1(b)(iii), 51.5(b)
- S v Jordan and Others (Sex Workers Education and Advocacy Task Force and Others as Amici Curiae) 2002 (6) SA 642 (CC), 2002 (2) SACR 499 (CC), 2002 (11) BCLR 1117 (CC)
— 3.7(b)(i), 9.4(e)(i)(bb), 13.3, 17.5(b), 24C.3(c)(ii), 24D.4, 24F.4(e)(i), 31.4(e)(viii), 34.8(c)(i), 35.1(d)(i), 35.2, 35.3(a)(i), 35.5(b), 35.5(c), 35.5(g), 35.5(g)(ii), 35.5(h), 35.5(j), 36.2(d), 36.3(c), 36.4(b), 36.4(f), 36.4(g), 38.3(a)(i), 38.5(a), 40.3(c)(ii), 40.10(b), 44.1(b)(i), 44.2(d), 44.3(c)(ii), 44.3(c)(x), 58.1(a), 64.6(a)
- S v Julies 1996 (4) SA 313 (CC), 1996 (7) BCLR 899 (CC), 1996 (2) SACR 108 (CC)
— 3.7(b)(ii), 9.4(e)(ii)(bb)
- S v Kampher 1997 (4) SA 460 (C), 1997 (9) BCLR 1283 (C)
— 36.4(b), 44.3(c)(ii)
- S v Kandvasu 1998 (9) BCLR 1148 (NmS)
— 51.5(c)
- S v Kanyile 1988 (3) SA 795 (N)
— 51.5(g)
- S v Katamba 2000 (1) SACR 162 (NmS)
— 52.8
- S v Katoo 2005 (1) SACR 522 (SCA)
— 52.7(b), 52.7(d)
- S v Kellerman 1996 (1) SACR 89 (T)
— 51.5(e)(i)
- S v Kester 1996 (1) SACR 461 (B)
— 51.1(b)(iii), 51.5(b), 51.5(c)

- S v Kgafela 2003 (5) SA 339 (SCA)
— 31.4(e)(x)
- S v Kgampe and Others 1998 (2) SACR 617 (W)
— 51.5(n)(ii), 51.5(o)
- S v Khan 1997 (2) SACR 611 (SCA)
— 51.3(f), 51.4(b)(ii), 51.5(b), 51.5(j)(ii)
- S v Khanyapa 1979 (1) SA 824 (A)
— 32.5(c)
- S v Khanyile 1988 (3) SA 795 (N)
— 51.5(h), 52.4(c)(i)
- S v Khomunala and Another 1998 (1) SACR 362 (V)
— 51.5(j)(ii)
- S v Khoza en Andere 1994 (2) SACR 611 (W)
— 51.5(c)
- S v Khulu 1975 (2) SA 518 (N)
— 49.2(c)(iii)
- S v Khumalo 2006 (1) SACR 447 (N)
— 52.2(a)
- S v Khumbisa and Others 1984 (2) SA 670 (N)
— 49.2(c)(i)
- S v Kidson 1999 (1) SACR 338 (W)
— 38.3(a)(iii), 52.10(a), 52.10(e)
- S v Kika 1998 (2) SACR 428 (W)
— 47.3(b)
- S v Kok 2005 (2) SACR 240 (NC)
— 52.4(c)(i), 52.6(a)
- S v Kumalo and Others 1965 (4) SA 565 (N)
— 49.2(d)(ii)
- S v Kwalase 2000 (2) SACR 135 (C), [2001] 3 All SA 588 (C)
— 47.7(a), 49.2(c)(i)
- S v Langa 1996 (2) SACR 153 (N)
— 51.5(g)
- S v Langa and Others 1998 (1) SACR 21 (T)
— 51.1(a)(iv), 51.2, 51.4(b)(ii), 52.2(b)
- S v Lavhengwa 1996 (2) SACR 453 (W)
— 35.3(c), 35.3(d), 51.1(a)(iii), 51.1(b)(iii), 51.1(b)(iv), 51.4(b)(ii), 51.5(c), 51.5(d),
51.5(e)(i), 51.5(h), 51.5(j)(ii), 52.4(b)(ii)
- S v Lawrence; S v Negal; S v Solberg 1997 (4) SA 1176 (CC), 1997 (10) BCLR 1348
(CC)
— 3.3(d), 8.3(g), 32.3(a), 32.4(c), 34.8(c)(ii), 35.5(g)(viii), 41.1(a), 41.1(b), 41.1(c)
(iii), 41.2(b)(ii), 41.2(b)(iv), 41.2(c), 41.2(d), 41.2(e), 41.4(a), 41.5, 44.3(c)(iv),
46.5(b), 52.8, 54.1, 54.5, 58.4(a)(v), 58.6, 64.6(h)
- S v Legoa 2003 (1) SACR 13 (SCA)
— 49.2, 51.1(b)(iii)
- S v Legote 2001 (2) SACR 179 (SCA)
— 52.4(b)(iii)
- S v Lehnberg 1975 (4) SA 553 (A)
— 47.7(a)

- S v Leholoane 2001 (2) SACR 297 (T)
— 49.3(b)(ii)
- S v Lekhetho 2002 (2) SACR 13 (O)
— 52.4(c)(i)
- S v Letaoana 1997 (11) BCLR 1581 (W)
— 51.1(b)(iii), 51.4(d)
- S v Letsin 1963 (1) SA 60 (O)
— 51.1(a)(ii)
- S v Letsoko 1964 (4) SA 768 (A)
— 52.4(b)(ii)
- S v Likuwa 1999 (2) SACR 44 (Nm), 1999 (5) BCLR 599 (Nm)
— 49.2(c)(i)
- S v Lombard en 'n Ander 1994 (3) SA 776 (T), 1994 (3) BCLR 126 (T)
— 51.5(g)
- S v Looij 1975 (4) SA SA 703
— 32.3(a), 32.5(c)
- S v Lottering 1999 (12) BCLR 1478 (N)
— 52.4(c)(i), 52.10(a), 52.10(b), 52.10(c)
- S v Lubaxa 2001 (4) SA 1251 (SCA), 2001 (2) SACR 703 (SCA)
— 40.3(c)(ii), 51.5(j)(ii), 52.4(b)(iii)
- S v Lubisi: In Re S v Lubisi and Others 2004 (3) SA 520 (T), 2003 (9) BCLR 1041 (T)
— 31.4(b)(iii), 31.4(e)(iii), 31.4(e)(iv), 51.1(b)(iii)
- S v Lukhandile 1999 (1) SACR 568 (C)
— 51.5(o)
- S v Lungile and Another 1999 (2) SACR 597 (SCA)
— 51.5(k)
- S v Lusu 2005 (2) SACR 538 (E)
— 52.4(c)(i)
- S v Lwane 1966 (2) SA 433 (A)
— 52.2(b)
- S v M 1999 (1) SACR 664 (C)
— 51.5(j)(ii), 51.5(k), 52.7(b)
- S v M 2000 (1) SACR 484 (W)
— 51.5(i)
- S v M 2002 (2) SACR 411 (SCA)
— 52.7(d), 52.10(a), 52.10(b)
- S v M 2003 (1) SA 341 (SCA)
— 51.1(b)(ii), 51.1(b)(iii), 51.5(b)
- S v M [2004] 2 All SA 74 (D)
— 51.5(g)
- S v M 2004 (3) SA 680 (O)
— 31.4(e)(viii), 40.10(b)
- S v M 2006 (1) SACR 135 (SCA)
— 47.5(d), 52.7(a)(i)
- S v M and Another 2005 (1) SACR 481 (E)
— 47.7(a)

- S v M (Centre for Child Law as Amicus Curiae) 2008 (3) SA 232 (CC), 2007 (2) SACR 539 (CC), 2007 (12) BCLR 1312 (CC)
— 47.1
- S v Maake 2001 (2) SACR 288 (W)
— 52.10(e)
- S v Mabaso and Another 1990 (3) SA 185 (A)
— 51.5(g), 51.5(j)(ii)
- S v Machasa 1991 (2) SACR 308 (A)
— 47.7(a)
- S v Madiba 1998 (1) BCLR 38 (D)
— 38.3(a)(i), 51.1(b)(ii), 52.10(a), 52.10(b), 52.10(c)
- S v Maduna en 'n Andere 1997 (1) SACR 646 (T)
— 51.1(b)(ii), 51.1(b)(iii), 51.5(g)
- S v Mafu 1978 (1) SA 454 (C)
— 51.5(l)
- S v Maghuwazuma 1997 (2) SACR 675 (C)
— 51.5(e)(i)
- S v Mahlangu 2000 (1) SACR 565 (W)
— 51.1(a)(iv), 51.2, 52.2(b), 52.9
- S v Mahomotsa 2002 (2) SACR 435 (SCA), [2002] 3 All SA 534 (SCA)
— 49.2(c)(i)
- S v Majavu 1994 (4) SA 268 (Ck), 1994 (2) SACR 265 (Ck), 1994 (2) BCLR 56 (Ck)
— 34.2(c), 51.5(b), 51.5(c)
- S v Makiti [1997] 1 All SA 291 (B)
— 52.5
- S v Makoena 2005 (1) SACR 594 (T)
— 52.4(c)(i)
- S v Makofane 1998 (1) SACR 603 (T)
— 51.1(b)(ii), 52.4(b)(iii)
- S v Makofane 1998 (1) SACR 603 (T)
— 51.5(i), 51.5(j)(ii)
- S v Makwanyane and Another 1995 (3) SA 391 (CC), 1995 (2) SACR 1 (CC), 1995 (6) BCLR 665 (CC)
— 1.3, 2.2(a), 4.2(a), 3.3(c), 3.7(a), 3.7(b)(i), 8.1(b), 8.1(c), 9.2(b)(iv), 9.2(c)(iv), 9.4(c), 9.5(c)(iii), 9.6(c)(iii), 10.3(c), 11.3(c)(i), 12.3(d)(ii)(bb), 13.2(a), 23A.4, 24E.3(b), 30.3, 30.4(a), 31.2(d)(v), 31.7(a), 32.2(a), 32.3(a), 32.3(b), 32.3(c), 32.4(c), 32.5(c), 33.3(c), 33.9, 34.1(a), 34.1(b), 34.2(c), 34.3(b), 34.6, 34.7(a), 34.7(c)(ii), 34.8(b), 34.8(c)(i), 34.8(e)(ii), 36.1(b), 36.2(e), 36.4(c)(iii), 37.2, 37.4, 37.8, 38.3(a)(i), 38.5(b), 39.2, 39.5(a), 39.7, 39.8, 40.3(d), 40.5(c), 40.6(a), 40.6(b), 40.7, 40.7(a)(ii), 42.4, 43.3(a), 47.7(a), 48.4, 49.1, 49.2(b), 49.2(c), 49.2(c)(ii), 49.2(d), 49.2(d)(i), 49.2(d)(iv), 49.3(a), 50.3(c)(ii), 51.1(b)(iv), 51.4(d), 52.8, 52.11, 59.2(c), 53.6, 55.2(b)
- S v Malatji and Another 1998 (2) SACR 622 (W)
— 51.5(b), 51.5(o), 52.6(a)
- S v Malefo en Andere 1998 (1) SACR 127 (W), 1998 (2) BCLR 187 (W)
— 51.1(b)(iii), 51.3(f), 52.4(c)(i)
- S v Malgas 2001 (2) SA 1222 (SCA), 2001 (1) SACR 469 (SCA)
— 12.3(d)(i)(bb), 31.4(e)(x), 49.2(c)(i)
- S v Mamabolo (E TV and Others Intervening) 2001 (3) SA 409 (CC), 2001 (1) SACR 686 (CC), 2001 (5) BCLR 449 (CC)

- 10.3(a), 10.4, 10.4(a), 12.3(d)(ii)(aa), 13.6, 31.2(d)(v), 31.4(b)(iii), 32.3(b), 32.4(c), 32.5(c), 34.1(a), 34.1(b), 34.7(a), 34.8(c)(ii), 34.8(c)(iii), 36.4(h), 36.4(h)(iii), 36.5(a)(ii), 42.4, 42.5(a), 42.7(a), 42.9(c), 42.9(g), 43.1, 43.2(b)(ii), 51.1(a)(iii), 51.1(b)(iii), 51.1(b)(iv), 51.5(e)(i), 52.4(a)(ii)
- S v Manale 2000 (2) SACR 666 (NC)
 - 51.5(g), 52.4(c)(i)
- S v Manamela and Another (DG of Justice Intervening) 2000 (3) SA 1 (CC), 2000 (1) SACR 414 (CC), 2000 (5) BCLR 491 (CC)
 - 7.4(c), 9.2(c)(iii)(aa), 9.4(d)(iii), 10.3(c), 17.5(b), 34.1(a), 34.2(c), 34.8(b), 34.8(c)(ii), 34.8(c)(iii), 42.9(g), 51.1(b)(iv), 51.5(i), 51.5(j)(ii), 52.4(a)(i), 52.4(b)(i), 52.11
- S v Manguanyana 1996 (2) SACR 283 (E)
 - 51.5(g), 52.4(c)(i)
- S v Manqaba 2005 (2) SACR 489 (W)
 - 52.6(a), 52.6(a)(ii)
- S v Mansoor 2002 (1) SACR 629 (W)
 - 52.10(a)
- S v Manuel 1997 (11) BCLR 1597 (C)
 - 51.5(b)
- S v Manuel 2001 (4) SA 1351 (W)
 - 52.4(c)(i)
- S v Manyonyo 1996 (11) BCLR 1463 (E)
 - 51.1(a)(ii), 51.5(f), 51.5(i)
- S v Maphumulo and Another 1996 (2) SACR 84 (N), 1996 (2) BCLR 167 (N)
 - 51.3(f), 52.4(c)(ii)
- S v Maputle and Another 2003 (2) SACR 15 (SCA)
 - 51.5(b), 52.10(e)
- S v Maredi 2000 (1) SACR 611 (T)
 - 51.5(f)
- S v Maritz 1974 (1) SA 266 (NC)
 - 51.4(b)(ii)
- S v Mark 2001 (1) SACR 572 (C)
 - 52.10(a), 52.10(c)
- S v Marwane 1982 (3) SA 717 (A)
 - 32.1(a), 32.1(b)
- S v Marx and Another 1996 (2) SACR 140 (W)
 - 51.3(f), 52.4(c)(i)
- S v Maseko 1982 (1) SA 99 (A)
 - 49.2(c)(iii)
- S v Maseko 1996 (2) SACR 91 (W), 1996 (9) BCLR 1137 (W)
 - 51.1(b)(iii), 51.5(j)(ii)
- S v Masina 1990 (4) SA 709
 - 32.3(a)
- S v Masiya (unreported, SHG Case No 94/04, 11 July 2005) (unreported, SHG case no 94/04, 11 July 2005)
 - 3.7(b)(ii)
- S v Mataboge and Others 1991 (1) SACR 539 (B)
 - 51.4(d)

- S v Mathebula 1997 (1) SACR 10 (W), 1997 (1) BCLR 123 (W)
— 34.7(c)(i), 34.7(c)(ii), 51.1(a)(ii), 51.1(b)(ii), 51.1(b)(iv), 51.3(f), 51.4(b)(iii),
51.5(i), 51.5(j)(ii), 52.2(b), 52.4(b)(iii), 52.4(c)(i)
- S v Mathole 2002 (2) SACR 484 (T)
— 52.4(c)(i)
- S v Matladi 2002 (2) SACR 447 (T)
— 52.4(c)(i), 52.6
- S v Matlawe 1989 (2) SA 883 (BG)
— 51.4(a)
- S v Matoma 1981 (3) SA 838 (A)
— 49.2(c)(iii)
- S v Matomela 1998 (3) BCLR 339 (Ck), [1998] 2 All SA 1 (Ck)
— 13.7(b), 51.5(l), 65.6
- S v Mavuso 1987 (3) SA 499 (A)
— 51.5(n)(iii)
- S v May 2005 (2) SACR 331 (SCA)
— 52.4(c)(i)
- S v Mayekiso 1996 (2) SACR 298 (C)
— 52.10(a), 52.10(e)
- S v Mazingane 2002 (6) BCLR 634 (W)
— 51.5(b)
- S v Mbaba 2002 (1) SACR 43 (E)
— 51.1(a)(iii)
- S v Mbambo 1999 (2) SACR 421 (W)
— 51.3(f), 51.5(g), 52.4(c)(i)
- S v Mbatha; S v Prinsloo 1996 (2) SA 464 (CC), 1996 (1) SACR 371, 1996 (3) BCLR 293
(CC)
— 3.7(b)(ii), 5.3(d), 9.4(e)(i)(bb), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 10.3(c), 34.1(a),
34.8(c)(i), 34.8(c)(iv), 51.4(a), 51.5(i), 52.4(a)(iii)
- S v Mbeje 1996 (2) SACR 252 (N)
— 51.5(b), 51.5(k)
- S v Mbele and Another 1996 (1) SACR 212 (W)
— 51.4(d)
- S v Mbolombo 1995 (5) BCLR 614 (C)
— 51.4(b)(iii), 51.5(i), 51.5(j)(ii)
- S v Mcasa 2005 (1) SACR 388 (SCA)
— 52.4(b)(i)
- S v M (Centre for Child Law as Amicus Curiae) 2008 (3) SA 232 (CC), 2007 (2) SACR
539, 2007 (12) BCLR 1312 (CC)
— 47.1, 47.3(b), 47.4(a), 47.10(c)
- S v McIntyre en Andere 1997 (2) SACR 333 (T)
— 51.5(n)(iii)
- S v McKenna 1998 (1) SACR 106 (C)
— 51.3(f), 51.5(b), 51.5(g), 51.5(h), 51.5(k), 52.4(b)(iii)
- S v Mdau 1991 (1) SA 169 (A)
— 49.2(d)(iv)
- S v Meaker 1998 (2) SACR 73 (W), 1998 (8) BCLR 1038 (W)
— 31.8(b), 51.1(a)(iii), 51.1(b)(iv), 51.4(a)

- S v Meer en 'n Ander 1981 (4) SA 604 (A)
— 2.2(i)(iii), 43.2(a)
- S v Mehlape en Andere 1993 (2) SACR 180 (T)
— 49.2(d)(iv)
- S v Melani 1996 (1) SACR 335 (E)
— 52.4(c)(i), 52.10(a)
- S v Melani and Others 1995 (4) SA 412 (E), 1995 (2) SACR 141 (E), 1996 (2) BCLR 174 (E)
— 51.1(a)(iv), 51.2, 51.3(f), 51.4(b)(iii), 51.5(b), 51.5(b), 51.5(h), 52.10(a)
- S v Mello and Another 1998 (3) SA 712 (CC), 1998 (7) BCLR 908 (CC)
— 3.7(b)(ii), 9.4(e)(ii)(bb), 34.8(c)(i), 52.4(a)(iii)
- S v Mfazwe and Others (Unreported Cape Provincial Division Case No 07/06, 28 June 2007)
— 47.7(a)
- S v Mfene 1998 (9) BCLR 1157 (N)
— 51.3(f), 52.4(c)(i)
- S v Mgcina 2007 (1) SACR 82 (T)
— 52.10(g)
- S v Mhlakaza and Others 1996 (2) SACR 187 (C), 1996 (6) BCLR 814 (C)
— 32.1(c), 51.1(b)(ii), 51.3(f), 51.5(b), 51.5(j)(ii), 52.4(c)(ii), 52.10(e)
- S v Mhlungu and Others 1995 (3) SA 867 (CC), 1995 (2) SACR 277 (CC), 1995 (7) BCLR 793 (CC)
— 3.4(g), 4.3(c)(i), 4.3(h)(ii)(bb), 7.3(c)(iii), 9.2(f)(ii), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 10.3(a), 19.6, 31 Appendix(2), 32.3(a), 32.3(b), 32.4(a), 32.4(c), 32.5(b), 32.5(c), 34.1(c), 34.8(e)(i), 51.3(f), 57.3(c)(vi), 57.4(c)(ii)(aa), 59.3(a)(i), 64.6(e)
- S v Mkhize 1999 (2) SACR 632 (W)
— 52.10(b), 52.10(c)
- S v Mofokeng 2004 (1) SACR 349 (W)
— 51.5(h), 52.4(c)(i)
- S v Mogotsi and Another 1982 (1) SA 190 (B)
— 51.4(b)(ii)
- S v Mohlobane 1969 (1) SA 561 (A)
— 47.7(a)
- S v Moilwa 1997 (1) SACR 188 (NC)
— 51.1(b)(iii), 51.5(b), 51.5(h), 51.5(k)
- S v Mokoena and Others 2006 (1) SACR 29 (W)
— 52.4(b)(ii)
- S v Mokoena en Ander 1998 (2) SACR 642 (W)
— 51.3(f), 51.4(b)(ii), 51.4(b)(iii), 52.4(c)(ii)
- Sv Mokoena; S v Phaswane [2008] ZAGPHC 148
— 9.6(c)(ii)(bb)
- S v Molenbeek en Andere 1997 (12) BCLR 1779 (O)
— 51.5(g)
- S v Monyane and Others 2001 (1) SACR 115 (T)
— 51.1(b)(iii), 51.2, 51.3(a), 51.3(f), 51.4(b)(iii), 52.4(c)(i), 52.4(c)(ii)
- S v Moos 1998 (1) SACR 372 (C)
— 51.5(h), 52.4(c)(i)
- S v Mosoetsa 2005 (1) SACR 304 (T)
— 51.5(k)

S v Mosoinyane 1998 (1) SACR 583 (T)
— 51.5(e)(i)

S v Mothopeng 1978 (4) SA 874 (T)
— 59.4(b)(v)

S v Motloutsi 1996 (1) SA 584 (C), 1996 (1) SACR 78 (C), 1996 (2) (7) BCLR 220 (C)
— 38.3(a)(ii), 52.10(a), 52.10(b)

S v Motsasi 1998 (2) SACR 35 (W)
— 51.3(f), 51.5(f)

S v Motshari 2001 (1) SACR 550 (NC), 2001 (2) All SA 207 (NC)
— 32.3(a)

S v Motsoetsoana 1986 (3) SA 350 (N)
— 49.2(d)(ii)

S v Mpetha (2) 1983 (1) SA 576 (C)
— 52.2(b)

S v Mphala 1998 (1) SACR 388 (W), 1998 (4) BCLR 494 (W)
— 51.3(f), 52.10(b), 52.10(c)

S v Mphala 1998 (1) SACR 654 (W)
— 52.4(c)(ii)

S v Mpofana 1998 (1) SACR 40 (Tk)
— 51.3(d), 51.3(e), 51.3(g)

S v Mseleku 2006 (2) SACR 574 (D)
— 52.4(b)(ii)

S v Msenti 1998 (1) SACR 401 (W), 1998 (3) BCLR 343 (W)
— 51.5(e)(i), 51.5(o)

S v Mshumpa 2008 (1) SACR 126 (E)
— 47.11(a)

S v Msithing 2006 (1) SACR 266 (N)
— 52.2(a)

S v Mthethwa 2004 (1) SACR 449 (E)
— 51.1(a)(iv), 52.2(b), 52.10(a)

S v Mthetwa 1972 (3) SA 766 (A)
— 52.4(b)(ii)

S v Mtyuda 1995 (5) BCLR 646 (E)
— 51.5(b)

S v Muchindu 1995 (2) SA 36 (W)
— 30.1(b)(i)

S v Mukwevho; S v Ramukhuba 1983 (3) SA 498 (V)
— 26.6(d)(iii)

S v Muller 2005 (2) SACR 451 (C)
— 52.2(a), 52.6

S v Mumba 1997 (1) SA 854 (W)
— 50.4(c)

S v Mungoni 1997 (2) SACR 366 (V), 1997 (8) BCLR 1083 (V)
— 51.5(b), 52.6(b)

S v Munn 1973 (3) SA 734 (NC)
— 52.7(b)

S v Mvelasi 2005 (2) SACR 266 (O)
— 52.2(a)

S v N 1998 (1) BCLR 97 (Tk)
— 51.5(b), 51.5(d)

S v N 2008 (2) SACR 135 (SCA)
— 47.7(a)

S v Naidoo 1998 (1) SACR 479 (N), 1998 (1) BCLR 46 (D)
— 31.8(b), 38.3(a)(i), 38.3(a)(iii), 38.3(b)(iii), 38.3(b)(iv), 51.1(b)(ii), 51.1(b)(iv),
52.10(b), 52.10(c), 52.10(g)

S v N and Another 2005 (1) SACR 201 (CKH)
— 47.7(a)

S v Naude 2005 (2) SACR 218 (W)
— 52.5, 52.7(b), 52.7(c)

S v Ncube; S v Tshuma; S v Ndhlovu 1988 (2) SA 702 (ZS)
— 40.7(a)(i), 40.7(a)(ii), 49.2(d), 49.2(d)(ii)

S v Ndaba and others 1987 (1) SA 237 (T)
— 49.2(d)(ii)

S v Ndala 1996 (2) SACR 218 (C)
— 51.5(l)

S v Ndhlovu 1997 (12) BCLR 1785 (N)
— 52.2(b)

S v Ndhlovu and Others 2001 (1) SACR 85 (W)
— 51.4(b)(ii)

S v Ndhlovu and Others 2002 (6) SA 305 (SCA), 2002 (2) SACR 325 (SCA)
— 13.3, 51.1(b)(iii), 52.6(a)(i)

S v Ndlangamandla 1999 (1) SACR 391 (W)
— 51.5(j)(ii)

S v Ndlovu 1997 (12) BCLR 1785 (N)
— 51.4(b)(i)

S v Ndlovu 2001 (1) SACR 85 (W)
— 51.5(k)

S v Ndlovu 2001 (1) SACR 204 (W)
— 52.4(c)(i)

S v Ndlovu 2003 (1) SACR 331 (SCA)
— 49.2

S v Ndlovu; S v Sibisi 2005 (2) SACR 645 (W)
— 52.4(c)(i)

S v Ndou 2006 (2) SACR 497 (T)
— 52.6(a)

S v Ndou and Others 1971 (1) SA 668 (A)
— 51.5(n)(i), 51.5(n)(iii)

S v Nduku 2000 (2) SACR 382 (TKHC)
— 52.4(a)(iii)

S v Nehemia Tjijo (unreported Namibia High Court, 4 September 1991)
— 49.2(d)(iv)

S v Nel 1987 (4) SA 276 (O)
— 32.3(a)

S v Nel 1987 (4) SA 950 (W)
— 49.2(c)(i)

- S v Ngcobo 1998 (10) BCLR 1248 (N)
— 51.3(f), 52.4(c)(i), 52.10(b), 52.10(c), 52.10(e)
- S v Ngcobo 1999 (3) BCLR 298 (N)
— 51.5(e)(i)
- S v Ngubane 1995 (1) BCLR 121 (T)
— 51.5(k)
- S v Ngwani 1990 (1) SACR 449 (N)
— 52.6(a)(i)
- S v Ngwenya and Others 1998 (2) SACR 503 (W), 1999 (3) BCLR 308 (W)
— 51.2, 51.3(f), 51.4(b)(ii), 51.4(b)(iii), 52.2(b), 52.4(c)(ii)
- S v Nichas and Another 1977 (1) SA 257 (C)
— 51.4(d)
- S v Niemand 2002 (1) SA 21 (CC), 2001 (2) SACR 654 (CC), 2001 (11) BCCR 1181 (CC)
— 9.4(d)(ii), 9.4(d)(iii), 9.4(e)(ii)(bb), 34.6, 40.7, 40.7(c)(i), 49.2(c)(ii)
- S v Njikaza 2002 (2) SACR 481 (C)
— 52.4(c)(i)
- S v Nkabinde 1998 (8) BCLR 996 (N)
— 38.3(a)(iii), 51.5(d), 51.5(e)(i), 51.5(j)(ii)
- S v Nkondo 2000 (1) SACR 358 (W)
— 52.4(c)(i)
- S v Nkosi 2002 (1) SA 494 (W), 2002 (1) SACR 135 (W), [2002] 4 All SA 745 (W)
— 47.7(a), 49.2(c)(i)
- S v Nkosi and Another 2003 (1) SACR 91 (SCA)
— 40.7(c)(i), 49.2(d)(iii), 49.2(d)(iv)
- S v Nkosi en 'n Andere 1984 (3) SA 345 (A)
— 51.5(j)(ii)
- S v Nkosiyana and Another 1966 (4) SA 655 (A)
— 42.8(b)
- S v Nocuse and Others 1995 (3) SA 240 (Tk)
— 34.7(a)
- S v Nombewu 1996 (2) SACR 396 (E), 1996 (12) BCLR 1635 (E)
— 51.1(b)(ii), 51.1(b)(iii), 51.3(f), 51.4(b)(i), 51.5(b), 52.4(c)(i), 52.10(g)
- S v Nortjé 1997 (1) SA 90 (C)
— 51.1(b)(ii), 51.5(b)
- S v Ntsele 1997 (2) SACR 740 (CC), 1997 (11) BCLR 1543 (CC)
— 3.7(b)(ii), 9.2(b)(ii)(bb), 9.2(d)(i)(aa), 9.4(e)(ii)(aa), 9.4(e)(ii)(bb), 34.8(c)(i), 52.4(a)(iii)
- S v Ntshwence 2004 (1) SACR 506 (Tk), [2004] 1 All SA 328 (Tk)
— 51.1(a)(iii), 51.5(e)(i)
- S v Ntuli 1993 (2) SACR 599 (W)
— 52.10(e)
- S v Ntuli 1996 (1) SA 1207 (CC), 1996 (1) SACR 94 (CC), 1996 (1) BCLR 141 (CC)
— 3.7(b)(ii), 9.2(c)(iii)(aa), 9.2(e)(iv)(cc), 9.4(e)(i)(bb), 12.3(d)(ii)(cc), 35.3, 35.3(c), 35.3(d), 35.3(e)(i), 51.1(b)(iii), 51.5(b), 51.5(o), 52.2(a), 52.8
- S v Ntuli 2003 (4) SA 258 (W), 2003 (1) SACR 613 (W)
— 51.5(h), 52.4(c)(i)

- S v Ntzweli 2001 (2) SACR 361 (C)
— 52.10(e)
- S v Nzima 2001 (2) SACR 345 (C)
— 52.4(c)(i)
- S v Odugo 2001 (1) SACR 560 (W)
— 52.10(d)
- S v Oosthuizen 1991 (2) SACR 298 (A)
— 49.2(d)(iv)
- S v Orrie 2004 (1) SACR 162 (C)
— 51.4(b)(iii), 52.4(c)(ii)
- S v Orrie 2005 (1) SACR 63 (C)
— 51.1(a)(iv), 51.5(h), 52.2(b), 52.4(c)(i), 52.4(c)(ii)
- S v P 1985 (4) SA 105 (N)
— 49.2(c)(iv)
- S v Pennington and Another 1997 (4) SA 1076 (CC), 1999 (2) SACR 329 (CC), 1997 (10) BCLR 1413 (CC)
— 4.2(b), 11.2(a), 19.6, 31.4(e)(ii), 31.4(e)(iv), 31.8(a), 31.8(b), 36.4(c)(iii), 51.1(a)(v), 51.5(f), 51.5(o), 59.3(a)(iii)
- S v Penrose 1966 (1) SA 5 (N)
— 30.2(a)
- S v Petane 1988 (3) SA 51 (C)
— 30.1(a)
- S v Petersen en 'n Ander 2001 (1) SACR 16 (SCA)
— 47.7(a)
- S v Petrus and Another [1985] LRC (Const) 699 (Botswana CA)
— 40.7(c)(i), 49.2(d)(ii)
- S v Phallo and Others 1998 (3) BCLR 352 (B)
— 51.1(a)(iii), 51.4(a), 51.4(b)(i), 51.5(e)(i)
- S v Philemon 1997 (2) SACR 651 (W)
— 51.5(b), 51.5(g)
- S v Pienaar 2000 (2) SACR 143 (NC), 2000 (7) BCLR 800 (NC)
— 13.7(b), 65.6, 51.5(h), 51.5(l)
- S v Pillay 2004 (2) SACR 419 (SCA)
— 52.10(b), 52.10(c), 52.10(d)
- S v Pitso 2002 (2) SACR 586 (C)
— 52.4(c)(i)
- S v Poggrund 1961 (3) SA 868 (T)
— 42.7(d), 52.9
- S v Potgieter 1994 (1) SACR 61 (A)
— 49.2(c)(iii)
- S v Quandu en Andere 1989 (1) SA 517 (A)
— 47.7
- S v R 1993 (1) SA 476 (A), 1993 (1) SACR 209 (A)
— 49.2(a)(i)
- S v R 2000 (1) SACR 33 (W)
— 38.3(a)(i), 52.10(b)
- S v Radebe 1968 (4) SA 410 (A)
— 52.4(c)(ii)

S v Radebe 1988 (1) SA 772 (A)
— 32.3(a)

S v Radebe, S v Mbonani 1988 (1) SA 191 (T)
— 52.4(c)(i)

S v Ralukukwe 2006 (2) SACR 394 (SCA)
— 52.4(c)(ii), 52.6(a)(i)

S v Ramadzanga 1988 (2) SA 816 (V)
— 47.7(a)

S v Ramavhale 1996 (1) SACR 639 (A)
— 51.5(b), 51.5(j)(ii), 51.5(k), 52.6(a)(i)

S v Ramuongiwa 1997 (2) BCLR 268 (V)
— 51.1(a)(ii), 51.5(b), 51.5(h)

S v Reay 1987 (1) SA 873 (A)
— 49.2(c)(iii)

S v Reeding 2005 (2) SACR 631 (C)
— 52.10(d)

S v Rens 1996 (1) SA 1218 (CC), 1996 (1) SACR 105 (CC), 1996 (2) BCLR 155 (CC)
— 32.3(a), 35.3(c), 35.3(e)(i), 51.5(b), 51.5(e)(i), 51.5(o), 59.3(a)(iv), 59.4(a)(v)

S v Roberts 1999 (4) SA 915 (SCA)
— 63.5(g)

S v Rudman and Another 1992 (1) SA 343 (A)
— 51.5(b)

S v Rudman and Another; S v Mthwana 1992 (1) SA 343 (A), 1992 (1) SACR 70 100
— 52.2(a), 52.4(c)(i)

S v S 1999 (1) SACR 608 (W)
— 51.5(o)

S v S 2001 (1) SACR 79 (W)
— 47.7(a)

S v S 2001 (2) SACR 321 (T)
— 47.7(a)

S v Schietekat 1999 (2) BCLR 240 (C)
— 51.4(d)

S v Scholtz 1996 (2) SACR 40 (NC), 1996 (11) BCLR 1504 (NC)
— 51.1(b)(iii), 51.5(j)(ii), 52.4(b)(ii)

S v Scholtz 1997 (1) BCLR 103 (NmS)
— 51.5(c)

S v Sebejan 1997 (1) SACR 626, 1997 (8) BCLR 1086 (W)
— 51.1(b)(iv), 51.4(b)(ii), 52.2(b)

S v Sefadi 1995 (1) SA 433 (D), 1994 (2) SACR 667 (D)
— 51.5(c)

S v Sejaphale 2000 (1) SACR 603 (T)
— 51.5(j)(ii)

S v Sekete 1980 (1) SA 171 (N)
— 59.4(b)(v)

S v Sekoboane 1997 (2) SACR 32 (T)
— 49.2(a)(i)

S v Seseane 2000 (2) SACR 225 (O)
— 51.4(b)(ii), 52.10(b)

- S v Shaba en 'n Ander 1998 (1) SACR 16 (T), 1998 (2) BCLR 220 (T)
— 51.1(b)(ii), 51.3(f), 52.4(c)(i)
- S v Shackell 2001 (4) SA 1 (SCA)
— 63.5(g)
- S v Shaik [2005] 3 All SA 211 (C)
— 42.9(c)
- S v Shaik 2007 (1) SA 240 (SCA)
— 42.9(c)
- S v Shaik and Others 2008 (2) SA 208 (CC), 2007 (12) BCLR 1360 (CC)
— 4.3(d)(i)(bb), 4.3(d)(iii), 9.2(d)(i)(aa), 9.8, 42.9(c)
- S v Sheehama 1991 (2) SA 860 (A)
— 52.4(c)(ii)
- S v Shiburi 2004 (2) SACR 314 (W)
— 51.5(b), 52.4(c)(i), 52.5
- S v Shikunga 1997 (2) SACR 470 (NmS), 1997 (9) BCLR 1321 (NmS)
— 51.5(b)
- S v Shinga 2007 (2) SACR 28 (CC), 2007 (5) BCLR 474 (CC)
— 9.2(d)(i)(aa), 9.4(e)(i)(bb), 9.4(e)(i)(dd), 9.4(e)(ii)(bb), 23B.5(3)(c)(ii)(bb)
- S v Shongwe 2003 (5) SA 276 (CC), 2003 (2) SACR 103 (CC), 2003 (8) BCLR 858 (CC)
— 5.3(d)
- S v Shongwe en Andere 1998 (2) SACR 321 (T), 1998 (9) BCLR 1170 (T)
— 51.1(b)(ii), 51.2, 51.3(f), 52.4(c)(i)
- S v Shuping 1983 (2) SA 119 (B)
— 52.4(b)(iii)
- S v Sidziya and Others 1995 (12) BCLR 1626 (Tk)
— 51.5(j)(ii)
- S v Sikhapha 2006 (2) SACR 439 (SCA)
— 52.4(c)(i)
- S v Silvale 1999 (2) SACR 102 (SCA)
— 49.2(d)(iv)
- S v Simanaga 1998 (1) SACR 351 (Ck)
— 51.5(b), 51.5(g), 51.5(h)
- S v Simxadi 1997 (1) SACR 169 (C)
— 51.5(b), 52.6(b)
- S v Singo 2002 (4) SA 858 (CC), 2002 (2) SACR 160 (CC), 2002 (8) BCLR 793 (CC)
— 34.8(c)(ii), 51.1(a)(iii), 51.1(b)(iii), 51.5(d), 51.5(i), 52.4(a)(i), 52.4(a)(ii), 52.6(a)(i)
- S v Sishi [2000] 2 All SA 56 (N)
— 52.6(b)
- S v Sithebe 1992 (1) SACR 347 (A)
— 51.5(j)(ii)
- S v Sithole 2005 (2) SACR 504 (SCA)
— 52.4(b)(ii)
- S v Siwela 1981 (2) SA 56 (T)
— 51.5(l)
- S v Siyotula 2003 (1) SACR 154
— 51.5(l)

- S v Smile and Another 1998 (1) SACR 688 (SCA), 1998 (5) BCLR 519 (SCA)
— 51.5(b)
- S v Smith 1996 (1) SACR 250 (E)
— 49.2(d)(iv)
- S v Smith and Another 1994 (3) SA 887 (SE), 1994 (1) BCLR 63 (SE)
— 51.5(c)
- S v Smorenburg 1992 (2) SACR 389 (C)
— 39.4
- S v Snyman 1968 (2) SA 582 (A)
— 52.4(b)(ii)
- S v Sobandla 1992 (2) SACR 613 (A)
— 49.2(c)(iii)
- S v Soci 1998 (2) SACR 275 (E), 1998 (3) BCLR 376 (E)
— 51.3(a), 51.3(f), 51.5(h), 52.4(c)(i), 52.10(a), 52.10(b), 52.10(c), 52.10(g)
- S v Solo 1995 (5) BCLR 587 (E)
— 51.5(g)
- S v Solomons 2004 (1) SACR 137 (C)
— 51.1(a)(iii), 51.5(e)(i), 51.5(h), 52.4(b)(iii), 52.4(c)(i)
- S v Sunday and Another 1995 (1) SA 497 (C), 1994 (2) SACR 810 (C), 1994 (4) BCLR 138 (C)
— 51.1(b)(iv), 51.5(e)(i)
- S v Spies 2000 (1) SACR 312 (SCA)
— 52.10(d)
- S v Staggie 2003 (1) SACR 232 (C)
— 52.6(a)(ii)
- S v Stefaans 1999 (1) SACR 182 (C)
— 51.5(g), 51.5(k)
- S v Steyn 2001 (1) SA 1146 (CC), 2001 (1) SACR 25 (CC), 2001 (1) BCLR 52 (CC)
— 9.2(c)(iii)(aa), 9.4(e)(i)(bb), 34.1(c), 34.6, 34.8(c)(i), 51.1(b)(ii), 51.5(o)
- S v Stowitzki 1995 (2) SA 525 (NmHC)
— 52.6(b)
- S v Strauss 1995 (5) BCLR 623 (O)
— 51.5(b), 51.5(i)
- S v Tcoeib 1993 (1) SACR 274 (Nm)
— 40.7(c)(i), 49.2(d), 49.2(d)(iv), 49.3(b)(ii), 51.1(b)(iii)
- S v Tcoeib 1996 (1) SACR 390 (NmS)
— 39.5(b)
- S v Thamaha 1979 (3) SA 487 (O)
— 51.4(a)
- S v Thapedi 2002 (1) SACR 598 (T)
— 52.4(c)(ii)
- S v Thebus and Another 2003 (6) SA 505 (CC), 2003 (2) SACR 319 (CC), 2003 (10) BCLR 1100 (CC)
— 1.3, 4.3(b)(ii), 13.3, 31 Appendix (1), 31 Appendix (3)(a), 31.1(c), 31.4(a)(v), 31.4(b)(iii), 31.4(c)(ii), 31.4(d)(i), 31.4(e)(ii), 31.4(e)(iii), 31.4(e)(viii), 34.7(a), 36.4(c)(iii), 40.2(a), 51.1(a)(iii), 51.1(b)(i), 51.1(b)(ii), 51.1(b)(iii), 51.1(b)(iv), 51.2, 51.4(b)(ii), 51.5(i), 52.4(b)(i), 52.4(b)(ii)
- S v Thobaglale and Others 1998 (1) SACR 703 (W)
— 51.5(o)

S v Thomas 2001 (2) SACR 608 (W)
— 52.4(c)(i)

S v Thusi 2002 (12) BCLR 1274 (N)
— 52.4(c)(i)

S v Thusi and Others 2000 (4) BCLR 433 (N)
— 51.5(j)(ii)

S v Toms; S v Bruce 1990 (2) SA 802 (A)
— 32.3(a), 49.2(c)(i)

S v Tsanshana 1996 (2) SACR 157 (E)
— 49.2(a)(i)

S v Tshabalala 1998 (2) SACR 259 (C)
— 51.4(d)

S v Tshabalala 1999 (1) SACR 163 (T)
— 51.5(c)

S v Tshidiso 2002 (1) SACR 207 (W)
— 52.4(c)(i)

S v Tsotetsi and Others (1) 2003 (2) SACR 623 (W)
— 51.5(g), 51.5(h), 52.10(c)

S v Tsotetsi and Others (2) 2003 (2) SACR 638 (W)
— 52.4(b)(iii)

S v Tsotetsi and Others (3) 2003 (2) SACR 648 (W)
— 52.10(c), 52.10(e)

S v Tuhadeleni and Others 1969 (1) SA 153 (A)
— 30.1(b)(i)

S v Turrell and Others 1973 (1) SA 248 (C)
— 43.1, 43.2(a)

S v Tusani 2002 (2) SACR 468 (TD)
— 52.4(b)(iii)

S v Twala (South African Human Rights Commission Intervening) 2000 (1) SA 879 (CC), 1999 (2) SACR 622 (CC), 2000 (1) BCLR 106 (CC)
— 24C.3(c)(ii), 32.3(b), 51.1(b)(iii)

S v Tyebela 1989 (2) SA 22 (A)
— 52.6(a)

S v Vakalisa 1990 (2) SACR 88 (Tk)
— 49.2(d)(ii)

S v Van den Berg 1996 (1) SACR 19 (Nm), 1995 (4) BCLR 479 (Nm)
— 51.5(e)(i), 51.5(n)(iii)

S v Van der Merwe 1998 (1) SACR 194 (O), 1997 (10) BCLR 1470 (O)
— 51.1(a)(iv), 51.3(f), 51.4(b)(ii), 52.2(b)

S v Van der Ross 2002 (2) SACR 362 (C)
— 51.5(i), 52.7(a)(i), 52.7(b), 52.7(c)

S v Van der Sandt 1997 (2) SACR 116 (W)
— 51.5(k), 52.6(a)(i)

S v van Heerden en Ander Sake 2002 (1) SACR 409 (T)
— 52.4(c)(i)

S v Van Niekerk 1972 (3) SA 711 (A)
— 42.4, 42.9(c)

- S v Van Rooyen and Others 2001 (2) SACR 376 (T), 2001 (4) SA 396 (T)
— 51.5(e)(i)
- S v Van Rooyen and Others 2002 (5) SA 246 (CC), 2002 (8) BCLR 810 (CC)
— 2.6(b), 17.5(d), 17.5(e)(i)
- S v Vermaas 1996 (1) SACR 528 (T)
— 51.4(d)
- S v Vermaas; S v Du Plessis 1995 (3) SA 292 (CC), 1995 SACR 125 (CC), 1995 (7) BCLR 851 (CC)
— 51.1(b)(ii), 51.3(f), 51.5(g), 51.5(g), 51.5(h), 52.4(c)(i)
- S v Vilakazi en 'n Ander 1996 (1) SACR 425 (T)
— 51.1(a)(ii), 51.4(b)(iii), 52.10(e)
- S v Viljoen 2003 (4) BCLR 450 (T)
— 52.4(c)(i)
- S v Visser 2001 (1) SACR 401 (C)
— 52.4(c)(i)
- S v Vries 1996 (2) SACR 638 (Nm), 1996 (12) BCLR 1666 (Nm)
— 49.2(c)(i)
- S v Vumase 2000 (2) SACR 579 (W)
— 51.3(f)
- S v W 1993 (2) SACR 74 (A)
— 49.2(d)(iv)
- S v Walters and Another 2001 (2) SACR 471 (Tk), 2001 (10) BCLR 1088 (Tk)
— 23B.3(c)(i)(aa), 34.8(c)(iii)
- S v Western Areas Ltd and Others 2005 (5) SA 214 (SCA), 2005 (1) SACR 441 (SCA)
— 3.3(a), 3.5(b)
- S v Williams and Five Similar Cases 1994 (4) SA 126 (C)
— 49.2(d)
- S v Williams and Others 1995 (3) SA 632 (CC), 1995 (7) BCLR 861 (CC)
— 3.3(c), 9.4(d), 10.3(c), 30.3, 31.3(c), 34.7(c), 34.8(c)(i), 34.8(c)(iii), 36.3(d), 36.4(c)(iii), 39.4, 40.6(a), 40.7, 40.7(a)(ii), 40.7(c)(i), 47.5(a), 47.5(b), 47.7(a), 49.2(b), 49.2(d), 49.2(d)(ii)
- S v Woods 1978 (1) SA 713 (A)
— 42.7(d)
- S v Xaba 1997 (1) SACR 194 (W)
— 51.5(b), 51.5(c)
- S v Younas 1996 (2) SACR 272 (C)
— 51.5(b), 51.5(k), 52.6(b)
- S v Z and 23 similar cases 2004 (4) BCLR 410 (E)
— 9.6(c), 9.6(c)(ii)(bb), 47.7(a)
- S v Z en vier ander sake 1999 (1) SACR 427 (E)
— 47.7(a)
- S v Zimmerie 1989 (3) SA 484 (C)
— 52.4(b)(iii), 52.6(a)(i)
- S v Zingilo 1995 (9) BCLR 1186 (O)
— 51.5(b), 51.5(k)
- S v Zondo 1999 (1) SACR 54 (N), 1999 (3) BCLR 316 (N)
— 51.1(a)(iii)

- S v Zuba [2004] ZAECHC 3
— 9.6(c)(ii)(bb)
- S v Zuma 2006 (2) SACR 191 (W), 2006 (7) BCLR 790 (W)
— 52.4(b)(iii), 52.7(a)(i), 52.7(b), 52.7(d)
- S v Zuma and Others 1995 (2) SA 642 (CC), 1995 (4) BCLR 401 (CC), 1995 (1) SACR 568 (CC)
— 3.3(c), 4.3(c)(ii), 5.3(d), 9.4(e)(ii)(bb), 9.4(e)(ii)(cc), 10.3(c), 11.3(c)(iii), 12.3(d)(ii)(bb), 31.2(d)(v), 31.4(d)(ii), 31.8(a), 32.1(b), 32.3(a), 32.3(b), 32.3(c), 32.5(c), 33.9, 34.1(b), 34.2(c), 34.8(d), 43.3(a), 51.1(a)(ii), 51.1(b)(i), 51.1(b)(ii), 51.1(b)(iii), 51.4(a), 51.4(b)(iii), 51.5(b), 51.5(i), 51.5(j)(i), 52.2(a), 52.4(a)(ii), 52.4(a)(iii), 52.4(b)(iii), 52.10(b), 52.10(g), 53.6, 59.3(a)(i), 59.4(b)(i)
- S v Zwayi 1997 (2) SACR 772 (Ck), 1998 (2) BCLR 242 (Ck), [1998] 1 All SA 569 (Ck)
— 38.2(a)(iii), 51.3(f), 52.4(b)(ii), 52.4(c)(ii)
- S v Zwezwe 2006 (2) SACR 599 (N)
— 52.4(b)(iii)
- S and Others v Swanepoel 2000 (7) BCLR 818 (O)
— 51.5(g), 51.5(h)
- SAAN v Yutar 1969 (2) SA 442 (A)
— 38.2(b)(i)
- SA Baard Boerdery v Grietjie Pofadder (unreported, LCC Case No 97R/04, 26 October 2004)
— 48.7(b)(iv)
- SA Bank of Athens Ltd v Van Zyl 2005 (5) SA 93 (SCA)
— 59.4(a)(i)
- SAB International t/a Sabmark International v Laugh It Off Promotions [2003] 2 All 454 (C)
— 42.9(d)
- SACCAWU v Irvin & Johnson Ltd (Seafoods Division Fish Processing) 2000 (8) BCLR 886 (CC)
— 32.3(a)
- SACTWU v Maroc Carpets and Textile Mills (Pty) Ltd (1990) 11 ILJ 1101 (IC)
— 53.5
- SACWU v Sasol Industries (Pty) Ltd and Another (2) (1989) 10 ILJ 1031 (IC)
— 53.2(b), 53.5
- SAD Holdings Ltd and Another v SA Raisins Pty (Ltd) and Others 2000 (3) SA 766, 775 (T)
— 59.3(a)(v)
- SA Metal Machinery Co Ltd v Transnet Ltd (unreported, WLD Case, 22 March 1998)
— 62.7
- SANTAM Versekeringsmaatskappy Bpk v Roux 1978 (2) SA 856 (A)
— 32.3(a)
- SA Post Office Ltd v Van Rensburg 1998 (1) SA 796
— 42.7(g)
- SAR and H v Estate Saunders 1931 AD 276
— 40.5(b)(ii)
- SAUK v O'Malley 1977 (3) SA 394 (A)
— 38.2(c)(ii)
- SA Union of Journalists v Times Media Ltd (1993) 14 ILJ 387 (IC)
— 53.5

- SA Warehousing Services (Pty) Ltd and Others v South British Insurance Co Ltd 1971 (3) SA 10 (A)
— 27.5(c)
- SAWU v Rutherford Joinery (Pty) Ltd (1990) 11 ILJ 695 (IC)
— 53.6
- SEAWU v BRC Weldmesh (1991) 12 ILJ 1304 (IC)
— 53.6
- SW v F 1997 (1) SA 796 (O)
— 47.3(a)
- Sage Holdings and Another v Financial Mail (Pty) Ltd and Others 1991 (2) SA 117 (W)
— 38.2(a)(iii)
- Sage Holdings and Another v Financial Mail (Pty) Ltd and Others 1993 (2) SA 451 (A)
— 31.3(d), 38.2(a)(iii)
- Sager v Smith 2001 (3) SA 1004 (SCA)
— 59.4(b)(iii)
- Salem v Chief Immigration Officer and Another 1995 (4) SA 280 (ZS), 1994 (2) ZLR 287 (ZS), (ZS) 1995 (1) BCLR 78 (ZS)
— 66.1(d)(i)
- Sanderson v Attorney-General, Eastern Cape 1998 (2) SA 38 (CC), 1997 (12) BCLR 1675 (CC)
— 6.2(d), 6.2(e), 9.2(c)(i)(bb), 9.2(c)(iii)(aa), 9.2(c)(i)(dd), 9.2(d)(i)(aa), 9.2(e)(i), 9.8, 12.3(d)(ii)(cc), 31.4(c)(ii), 31.8(b), 38.3(b)(i), 32.5(c), 43.2(b)(ii), 51.1(b)(i), 51.1(b)(ii), 51.1(b)(iii), 51.5(f), 51.5(i), 52.2(a), 57.2(a)(i)(bb)(y), 59.4(b)(i)
- Sanford v Haley NO 2004 (3) SA 296 (C)
— 34.7(a)
- Santam Insurance Ltd v Taylor 1985 (1) SA 514 (A)
— 32.3(a)
- Santam Ltd v Smith 1999 (6) BCLR 714 (D)
— 42.9(h)
- Santos Prof Football Club v Igesund 2002 (5) SA 697 (C)
— 36.4(f)
- Sasfin (Pty) Ltd v Beukes 1989 (1) SA 1 (A)
— 4.3(d)(i)(aa), 31.4(c)(ii)
- Sasol Oil (Pty) Ltd and Another v Metcalfe NO 2004 (5) SA 161 (W)
— 63.3(c)
- Satchwell v President of the Republic of South Africa 2002 (6) SA 1 (CC), 2002 (9) BCLR 986 (CC)
— 5.3(c), 5.3(d), 9.2(e)(iv)(aa), 9.4(b)(ii), 9.4(d)(iii), 12.3(d)(ii)(cc), 31.4(e)(vii), 34.6, 34.8(e)(i), 36.4(a), 36.4(b), 36.4(g), 36.5(a)(ii), 37.4, 64.4(a)
- Satchwell v President of the Republic of South Africa 2003 (4) SA 266 (CC), 2004 (1) BCLR 1 (CC)
— 3.4(e), 9.4(d)(iii), 9.4(e)(ii)(bb), 12.3(d)(ii)(cc), 31.4(e)(vii), 34.6, 34.8(e)(i), 35.5(g)(v), 36.4(a), 36.4(b), 36.5(a)(ii)
- Sayed v Editor, Cape Times 2004 (1) SA 58 (C)
— 13.6, 31.3(d), 31.4(a)(v), 31.4(e)(x), 36.4(h)(iii), 42.9(a)
- Scagell v Attorney-General of the Western Cape 1997 (2) SA 368 (CC), 1996 (11) BCLR 1446 (CC), 1996 (2) SACR 579 (CC)
— 9.4(e)(ii)(bb), 31.2(d)(v), 51.1(a)(iii), 51.1(b)(iv), 51.5(b), 51.5(k), 52.4(a)(iii)

- School Governing Body of Juma Masjid Primary School & Others v Ahmed Aruff Essay & Others [2011] ZACC 13 (CC)
— 56B.3(b)(i)
- Schoonbee and Others v MEC for Education, Mpumalanga and Another 2002 (4) SA 877 (T)
— 63.6(b)
- Schoon v MEC, Department of Finance, Economic Affairs and Tourism, Northern Province [2003] 9 BLLR 963 (T)
— 63.5(e)
- Scott-Crossley and Others v National Commissioner of South African Police Service and Others NO (unreported)
— 32.3(c)
- Seapoint Computer Bureau (Pty) Ltd v McLoughlin and Others NNO 1997 (2) SA 636 (W), 1996 (8) BCLR 1071 (W)
— 51.1(b)(iii), 51.4(b)(iii)
- Sebenza Forwarding and Shipping Consultancy (Pty) Ltd v Petroleum Oil and Gas Corporation of South Africa (Pty) Limited t/s Petro SA and Another 2006 (2) SA 52 (C)
— 63.3(b), 63.3(c)
- Secretary for Inland Revenue v Brey 1980 (1) SA 472 (A)
— 32.3(a)
- Secretary for Inland Revenue v Sturrock Sugar Farm (Pty) Ltd 1965 (1) SA 897 (A)
— 32.3(a)
- Sedgefield Ratepayers' and Voters' Association and Others v Government of the Republic of South Africa and Others 1989 (2) SA 685 (C)
— 18.3(f)(i)
- Seedat's Executors v The Master (Natal) 1917 AD 302
— 41.1(a), 41.6
- Seeiso v Minister of Home Affairs and Others 1998 (6) BCLR 765 (LesCA)
— 43.1
- Seema v Lid van die Uitvoerende Raad vir Gesondheid, Gauteng 2002 (1) SA 771 (T)
— 40.5(b)(i)
- Seetal v Pravitha and Another NO 1983 (3) SA 827 (D)
— 38.2(a)(iii)
- Sefalana Employee Benefits Organisation v Haslam and Others 2000 (2) SA 415 (SCA)
— 32.3(a), 32.5(c)
- Segodi, Miya and Thembelihle Crisis Committee v City of Johannesburg and Minister of Safety and Security (High Court, Witwatersrand Local Division, 26 November 2005)
— 43.2(b)(ii), 43.3(b)(iv)
- Sehume v Attridgeville City Council and Another 1992 (1) SA 41 (A)
— 63.3(b)
- Sekretaris van Binnelandse Inkomste v Raubenheimer 1969 (4) SA 314 (A)
— 32.5(c)
- Selemela and Others v Independent Newspaper Group Ltd and Others 2001 (4) SA 987 (N)
— 38.2(c)(i), 42.9(a)
- Seluka v Suskin and Salkow 1912 TPD 258
— 32.5(c)

Sentraal-Wes (Ko-op) Bpk v FAWU (1990) 11 ILJ 977 (LAC)
— 53.5

Senwes Ltd v Muller 2002 (4) SA 142 (T)
— 59.4(a)(i)

Seodin Primary School v MEC Education, Northern Cape 2006 (1) All SA 154 (NC),
2006 (4) BCLR 542 (NC)
— 57.3(c)(vi), 58.7(b)

Serole v Pienaar 2000 (1) SA 328 (LCC), [1999] 1 All SA 562 (LCC)
— 48.7(b)(iv)

Sesana & Others v Attorney General [2006] (2) BLR 633 (HC)
— 56B.2(d)(iii)

Setlogelo v Setlogelo 1914 AD 221
— 38.2(b)(ii)

Seven Eleven Corporation of SA (Pty) Ltd v Cancun Trading NO 159 CC [2005] 2 All SA
256 (SCA)
— 32.3(b)

Shabalala and Others v Attorney General, Transvaal, and Another 1996 (1) SA 725
(CC), 1995 (2) SACR 761 (CC), 1995 (12) BCLR 1593 (CC)
— 31 Appendix(3)(b), 4.3(d)(i)(aa), 31.1(c), 31.2(a)(ii), 31.2(b)(ii), 31.4(a)(iv),
31.4(a)(v), 32.3(c), 32.4(c), 32.5(c), 34.7(a), 35.3(e)(i), 51.1(a)(ii), 51.1(b)(iii),
51.1(b)(iv), 51.4(d), 51.5(c), 51.5(d), 52.5, 52.8

Shabalala v Attorney-General, Transvaal, and Another; Gumede and Others v
Attorney-General, Transvaal 1995 (1) SA 608 (T); 1994 (6) BCLR 85 (T)
— 4.2(b), 32.2(b), 62.7

Shabalala v S 1999 (4) All SA 583 (N)
— 52.4(c)(i)

Shaik v Minister of Justice and Constitutional Development and Others 2004 (3) SA
599 (CC), 2004 (1) SACR 105 (CC), 2004 (4) BCLR 333 (CC)
— 3.4(c), 5.3(e)(i), 8.4(c), 34.6, 52.2(b)

Shell SA (Edms) Bpk v Voorsitter, Dorperaad van die OVS 1992 (1) SA 906 (O)
— 52.10(f)

Shelton v Commissioner for South African Revenue Services 2000 (2) SA 106 (E)
— 38.1

Shepherd v O'Niell and Others 1999 (11) BCLR 1304 (N)
— 59.3(a)(iv), 59.4(a)(viii)

Shepstone and Wylie and Others v Geyser NO 1998 (3) SA 1036 (SCA)
— 32.3(a), 59.4(a)(viii)

Shifidi v Administrator-General for South West Africa and Others 1989 (4) SA 631
(SWA)
— 7.2(b)

Shilubana and Others v Nwamitwa (Commission for Gender Equality as Amici Curiae)
2007 (2) SA 432 (SCA)
— 9.5(b)(ii)

Shilubana and Others v Nwamitwa (National Movement of Rural Women and
Commission for Gender Equality as Amici Curiae) 2007 (5) SA 620 (CC)
— 3.7(a), 59.4(b)(ii), 59.4(b)(ii)

Shilubana & Others v Nwamitwa 2009 (2) SA 66 (CC)
— 9.5(b)(ii), 22.2(c)(iv)

Shinga v The State (Society of Advocates, Pietermaritzburg Bar as Amicus Curiae);
O'Connell v The State 2007 (4) SA 611 (CC), 2007 (2) SACR 28 (CC), 2007 (5) BCLR

- 474 (CC)
— 9.4(d)(i), 9.4(d)(iv), 23B.5(c)(ii), 59.4(b)(v), 42.9(c)
- Shoba v Minister van Justisie* 1982 (2) SA 554 (C)
— 38.3(a)(iv)
- Sibasa v Ratsialingwa and Hartman* NO 1947 (4) SA 369 (T)
— 26.1
- Sibiya and Others v Director of Public Prosecutions and Others* [2005] 1 All SA 105 (W)
— 40.3(d), 40.4(a)
- Sibiya and Others v Director of Public Prosecutions, Johannesburg and Others* 2005 (5) SA 315 (CC), 2006 (1) SACR 220 (CC), 2005 (8) BCLR 812 (CC)
— 5.3(c), 6.2(j), 9.2(b)(iv), 9.4(e)(ii)(cc), 52.2(b), 9.6(c)(ii)(bb), 9.6(c)(iii), 50.4(h)(ii)(bb)(z)
- Sibiya and Others v DPP, Johannesburg High Court and Others* 2006 (2) BCLR 293 (CC)
— 9.6(c)(ii)(bb), 9.6(c)(iii), 50.4(h)(ii)(bb)(z)
- Sidumo and Another v Rustenburg Platinum Mines Ltd and Others* 2008 (2) SA 24 (CC), 2008 (2) BCLR 158 (CC)
— 4.3(d)(ii), 59.2(b), 59.4(c)(ii), 63.2(a), 63.3(b), 63.3(c), 63.5(g), 63.6(a)
- Sikutshwa v The Member of The Executive Council For Social Development, Eastern Cape Province* 2009 (3) SA 47 (TkH), [2005] ZAECHC 18
— 56D.4(a)
- Silva's Fishing Corporation (Pty) Ltd v Mazewa* 1957 (2) SA 256 (A)
— 40.5(b)(ii)
- Silvermine Valley Coalition v Sybrand Van der Spuy Boerdery and Others* 2002 (1) SA 478 (C)
— 50.3(b)(i)(ee)(z), 50.4(h)(ii)(hh)
- Simelane and Others NNO v Seven-Eleven Corporation SA (Pty) Limited and Another* 2003 (3) SA 64 (SCA), [2003] 1 All SA 82 (SCA)
— 63.3(c)
- Simonlanga and Another v Masinga and Another* 1976 (4) SA 373 (W)
— 41.3(a)
- Sindani v Van der Merwe and Others* 2002 (2) SA 32 (SCA)
— 42.9(a)
- Skhosana and Others v Roos t/a Roos se Oord and Others* 2000 (4) SA 561 (LCC)
— 32.5(c), 55.6(b)(ii)
- SLC Property Group (Pty) Ltd & Longlands Holdings (Pty) Ltd v Minister of Environmental Affairs and Economic Development (Western Cape) & Municipality of Stellenbosch* unreported decision (C) Case No. 5542/2007
— 50.4(h)(ii)(aa)
- Smith v Attorney-General Bophuthatswana* 1984 (1) SA 196
— 32.1(a), 32.3(c)
- Smith v Die Republikein (Edms) Bpk en 'n Ander* 1989 (3) SA 872 (SWA)
— 38.2(b)(i)
- Smith v Mutasa and Another NNO* 1990 (3) SA 756 (ZS)
— 17.6(c), 17.6(d)
- Smith v Mutual & Federal Insurance Co Ltd* 1998 (4) SA 626 (C)
— 59.4(b)(i)
- Smit v Van Niekerk* NO 1976 (4) SA 293 (A)
— 52.9

- S Moila and Another 2006 (1) SA 330 (T)
— 42.9(c)
- Smyth v Ushewokunze and Another 1998 (3) SA 1125 (ZS), 1998 (2) BCLR 170 (ZS)
— 51.5(e)(i), 51.5(f)
- Society for the Prevention of Cruelty to Animals, Standerton v Nel and Others 1988 (4) SA 42 (W)
— 50.4(b)
- Society of Advocates of Natal v De Freitas and Another 1997 (4) SA 1134 (N)
— 44.1(d), 44.3(c)(iv)
- Sojo (Pty) Ltd v Tuckers Land and Development Corp (Pty) Ltd 1981 (3) SA 314 (A)
— 32.3(a), 32.5(c)
- Sokhulu v New Africa Publications Ltd and Others 2001 (4) SA 1357 (W)
— 42.9(a)
- Soller No v G and Another 2003 (5) SA 430 (W)
— 47.1, 47.8
- Soller v President of the Republic of South Africa and Others 2005 (3) SA 567 (T)
— 59.4(a)(iv)
- Sonderup v Tondelli and Another. 2001 (1) SA 1171 (CC), 2001 (2) BCLR 152 (CC)
— 34.7(a), 37.5, 47.10(b), 47.10(c)
- Soobramoney v Minister of Health, KwaZulu-Natal 1998 (1) SA 765 (CC), 1997 (12) BCLR 1696 (CC), 1997 ZACC 17
— 4.2(a), 9.2(c)(iii)(bb), 10.3(a), 10.4(c), 12.3(d)(ii)(bb), 13.2(a), 32.3(b), 32.4(c), 33.3, 33.4(a), 33.4(b), 33.4(d), 33.5(c), 33.5(f)(i), 33.5(f)(ii), 33.5(f)(iv), 33.5(h), 33.9, 34.5(b)(ii), 36.4(i), 39.8, 50.3(b)(i)(ee)(x), 55.3(b), 55.3(c), 56A.2(a), 56A.2(b)(v), 56A.2(b)(vi), 56A.2(b)(vii), 56A.2(e)(i), 56A.2(e)(ii), 56A.3(a), 56A.3(d), 56A.4(c)(i), 56A.4(f)(i), 56A.4(f)(ii), 56A.5(a), 56B.3(a), 56B.4(e), 56B.4(g), 56C.3(a), 56D.1, 57.2(a)(i)(bb)(y)
- South African Associated Newspapers Ltd and Another v Estate Pelser 1975 (4) SA 797 (A)
— 42.9(a)
- South African Association of Personal Injury Lawyers v Heath and Others 2000 (10) BCLR 1131 (T)
— 12.3(c)(ii)
- South African Association of Personal Injury Lawyers v Heath and Others 2001 (1) SA 883 (CC), 2001 (1) BCLR 77 (CC)
— 3.3(d), 7.2(c)(v), 9.4(d)(i), 9.4(e)(i)(bb), 10.5(a), 12.2(b), 12.3(b)(ii), 12.3(c)(i)–(ii), 12.3(d)(i)(aa), 24B.1, 24B.3(b), 26.1, 31 Appendix(4)(c), 32.3(b), 32.4(c), 34.6, 38.3(a)(ii)
- South African Broadcasting Corporation and Others v The Public Protector and Others 2002 (4) BCLR 340 (T)
— 24A.4(b)(ii), 42.9(c), 62.2(a)
- South African Broadcasting Corporation Limited v National Director of Public Prosecutions [2006] ZASCA 90, [2006] SCA 89 (RSA)
— 42.9(c)
- South African Broadcasting Corporation Limited v National Director of Public Prosecutions and Others 2007 (1) SA 523 (CC), 2007 (2) BCLR 167 (CC), [2006] ZACC 15
— 23B.5(c)(ii)(bb), 42.7(b), 42.7(d), 42.9(c), 57.2(a)(i)(bb)(y), 59.4(b)(v)
- South African Broadcasting Corporation v Thatcher [2005] 4 All 353 (C)
— 42.9(c)

- South African Commercial Catering and Allied Workers Union and Others v Irvin and Johnson Ltd 2002 (3) SA 250 (LAC)
— 43.3(a)(iv)
- South African Commercial Catering and Allied Workers Union and Others v Irvin & Johnson Ltd (Seafoods Division Fish Processing) 2000 (3) SA 705 (CC), 2000 (8) BCLR 886 (CC)
— 4.3(d)(iv), 6.2(a), 63.5(d), 59.4(b)(iii), 63.5(g)
- South African Defence Union v Minister of Defence and Another 1999 (2) SA 735 (T), (1999) 20 ILJ 299 (T), 1999 (3) BCLR 321 (T)
— 43.3(a)(i)(bb), 53.3(a)
- South African Defence Union v Minister of Defence and Another 1999 (4) SA 469 (CC), 1999 (6) BCLR 615 (CC)
— 23B.3(d), 23B.4(d), 23C.1, 43.3(a)(i), 53.3(a)
- South African Defence Union v Minister of Defence and Others 2007 (5) SA 400 (CC), 2007 (8) BCLR 863 (CC)
— 9.4(e)(i)(bb), 9.7, 23B.3(d), 23C.1, 56B.3(b)(i)
- South African Heritage Resources Agency v Arniston Hotel Property (Pty) Ltd 2007 (2) SA 461 (C)
— 63.3(c)
- South African Human Rights Commission v SABC 2003 (1) BCLR 92
— 36.4(h)(ii)
- South African Liquor Traders Association and Others v Chairperson, Gauteng Liquor Board and Others 2009 (1) SA 565 (CC), 2006 (8) BCLR 901 (CC), [2006] ZACC 7
— 3.7(a), 6.2(i), 9.4(d)(i), 9.4(d)(iii), 9.4(e)(i)(cc), 12.3(d)(ii)(cc), 17.5(f)(ii)
- South African Municipal Workers Union v Jada and Others 2003 (6) SA 294 (W)
— 64.4(c)
- South African National Defence Union v Minister of Defence Unreported, TPD Case No 15790/2003 (14 July 2003)
— 23B.4(d)
- South African National Defence Union and Another v Minister of Defence and Others 2004 (4) SA 10 (T), 2003 (9) BCLR 1055 (T), 24 ILJ 2101 (T)
— 23B.3(d), 23B.4(d), 24A.3(b), 24B.2, 31.4(b)(v), 34.7(c)(ii), 43.1, 43.3(b)(iii), 53.1, 53.2(b), 53.3(b), 53.5, 66.1(b)(ii)
- South African National Defence Union v Minister of Defence and Others 2003 (3) SA 239 (T), 2003 (9) BCLR 1054 (T)
— 66.1(b)(ii)
- South African National Defence Union v Minister of Defence and Another 1999 (4) SA 469 (CC), (1999) 20 ILJ 2265 (CC), 1999 (6) BCLR 615 (CC)
— 9.4(d)(i), 9.4(d)(ii), 9.4(e)(i)(bb), 9.4(e)(ii)(bb), 10.4, 12.3(d)(ii)(cc), Appendix (3)(b), 23B.3(d), 23B.4(d), 31.4(a)(v), 32.3(b), 34.1(b), 34.3(b), 34.8(c)(ii), 34.8(c)(iii), 34.8(e)(ii), 42.5, 42.5(d), 42.9(e), 43.1, 43.3(b)(iii), 43.3(b)(iv), 44.3(a)(i), 44.3(c)(vii), 53.1(a)(ii), 53.6
- South African National Defence Union v Minister of Defence and Others 2007 (5) SA 400 (CC), 2007 (8) BCLR 863 (CC)
— 32.4(a), 32.5(b)
- South African National Defence Union v Minister of Defence and Others; Minister of Defence and Others v South African National Defence Union and others 2007 (1) SA 402 (SCA)
— 23B.3(d), 23B.4(d)
- South African Optometric Association v Frames Distributors (Pty) Ltd 1985 (3) SA 100 (O)
— 7.2(c)(v)

- South African Police Service v Public Servants Association 2007 (3) SA 521 (CC), 2007 BLLR 383 (CC)
 — 9.2(b)(ii)(aa), 9.5(b)(ii)
- South African Police Union and Another v National Commissioner of the SA Police Services and Another (2005) 26 ILJ 2403 (LC)
 — 63.3(b)
- South African Police Services v Police and Prison Civil Rights Union (2007) 28 ILJ 2611 (LC)
 — 23B.3(d)
- South African Police Services v Police and Prison Civil Rights Union & Another [2010] 12 BLLR 1263 (LAC), [2010] ZALAC 17
 — 23B.3(d)
- South African Post Office Ltd v Chairperson of Western Cape Provincial Tender Board and Others 2001 (2) SA 675 (C), 2001 (5) BCLR 500 (C)
 — 25.1, 25.3(e)
- South African Post Office Ltd v Van Rensburg and Another 1998 (1) SA 796 (E), 1997 (11) BCLR 1608 (E)
 — 54.2(b), 54.3
- South African Railways v Kemp 1916 TPD 174
 — 14.5(d)(ii)(cc)
- South African Roads Board v Johannesburg City Council 1991 (4) SA 1 (A)
 — 63.3(b), 63.5(f)
- South African Shore Angling Association and Another v Minister of Environmental Affairs 2002 (5) SA 511 (SE)
 — 50.3(b)(ii)(bb)(y)
- South African Veterinary Council and Another v Syzmanski 2003 (4) SA 42 (SCA), 2003 (4) BCLR 378 (SCA)
 — 63.5(d)
- South Durban Community Environmental Alliance v Head of Department: Department of Agricultural and Environmental Affairs, Kwazulu-Natal, & Others 2003 (6) SA 631 (D)
 — 50.4(h)(ii)(aa)
- South Peninsula Municipality v Malherbe NO 1999 (2) SA 966 (C)
 — 46.2(a)
- Sparrow v Morementsi (unreported, LCC Case No 116R/03, 25 February 2004)
 — 48.7(b)(iv)
- Speaker of the KwaZulu-Natal Provincial Legislature, Ex Parte: In re Certification of the Constitution of the Province of KwaZulu-Natal 1996 1996 (4) SA 1098 (CC), 1996 (11) BCLR 1419 (CC)
 — 3.3(e), 4.3(a)(ii), 4.3(b)(vi), 16.3(c), 19.3(b), 21.2(a), 21.2(b), 21.2(c) 21.2(d), 21.2(e), 21.3, 21.4(a), 21.5, 26.5(e), 29.3(b), 65.4(b)(iv)
- Speaker of the KwaZulu-Natal Provincial Legislature, Ex Parte: In re KwaZulu-Natal Amakhosi and Iziphakanyiswa Amendment Bill of 1995; Ex parte Speaker of the KwaZulu-Natal Provincial Legislature: In re Payment of Salaries, Allowances and Other Privileges to the Ingonyama Bill of 1995 1996 (4) SA 653 (CC), 1996 (7) BCLR 903 (CC)
 — 4.3(b)(ii)(aa), 6.2(g), 15.3(a), 15.3(a)(iii), 16.3(b), 17.6(b)(i), 26.5(c), 38.3(a)(ii)
- Speaker of the National Assembly, Ex Parte: In re Dispute Concerning The Constitutionality of Certain Provisions of the National Education Policy Bill 83 of 1995 1996 (3) SA 289 (CC); 1996 (4) BCLR 518 (CC), [1996] ZACC 3
 — 4.3(b)(ii)(aa), 14.1, 14.3(a), 15.1, 15.3(c)(iii), 16.3(a), 17.3(f)(ii), 17.5(e)(ii), 19.3(a)(ii), 19.4(a), 20.2(a), 20.3(b), 21.2(a), 21.4(a), 21.5, 38.3(b)(v), 45.10(a)(iii)

- Speaker of the National Assembly v De Lille and Another 1999 (4) SA 863 (SCA), 1999 (11) BCLR 1339 (SCA)
— 10.3(d)(ii), 10.4(a), 12.3(b)(i), 17.2(a), 17.7(a), 17.7(c), 31.5, 34.9, 42.10
- Speaker of the National Assembly v Makwetu and Others 2001 (3) BCLR 302 (C)
— 17.1(c), 19.1(c), 29.3(c)
- Speaker of the Western Cape Provincial Legislature, Ex Parte: In re Certification of the Amended Text of the Constitution of the Western Cape 1997 1998 (1) SA 655 (CC), 1997 (12) BCLR 1653 (CC)
— 4.3(a)(ii), 4.3(b)(vi), 19.3(b), 21.4(b), 29.3(b)
- Speaker of the Western Cape Provincial Legislature, Ex Parte: In re Certification of the Constitution of the Western Cape, 1997 1997 (4) SA 795 (CC), 1997 (9) BCLR 1167 (CC)
— 4.3(a)(ii), 10.3(b), 19.1(a), 19.3(b), 20.2(a), 20.3(b), 21.2(a), 21.2(b), 21.2(c), 21.4(b), 29.3(b), 41.1(c)(i), 45.10(a)(iii)
- Special Investigating Unit v Ngcinwana and Another 2001 (4) SA 774 (E), 2001 (4) BCLR 411 (E)
— 24A.2
- Spies v Mahlangu (unreported, LCC Case No 19R/00, 22 March 2000)
— 48.7(b)(iv)
- Staatspresident and 'n Ander v Lefuo 1990 (2) SA 679 (A)
— 26.2
- Staatspresident en Andere v United Democratic Front en 'n Ander 1988 (4) SA 830 (A)
— 63.4
- Standard Bank Investment Corporation Ltd v Competition Commission and Others; Liberty Life Association of Africa Ltd v Competition Commission and Others 2000 (2) SA 797
— 32.3(a)
- Standard Bank of Bophuthatswana Ltd v Reynolds NO and Others 1995 (3) BCLR 305 (B)
— 63.6(b)
- Standard Bank of South Africa Ltd v Oneanate Investments (Pty) Ltd (In Liquidation) 1998 (1) SA 811 (A)
— 9.2(a), 14.5(d)(ii)(aa)
- Stanfield v Minister of Correctional Services and Others 2004 (4) SA 43 (C), 2003 (12) BCLR 1384 (C)
— 36.4(c)(iii), 51.3(c), 51.3(g)
- Steele v South Peninsula Municipal Council 2001 (3) SA 640 (C)
— 63.3(b)
- Steenkamp NO v Provincial Tender Board of the Eastern Cape 2007 (3) SA 121 (CC), 2007 (3) BCLR 300 (CC)
— 4.3(d)(i)(aa), 9.2(b)(ii)(bb), 9.2(e)(iv)(cc), 9.2(f)(i), 9.2(f)(ii), 9.5(a)(i), 9.5(c)(iii), 23A.1, 23A.4, 63.3(a), 63.3(c)
- Steinberg v South Peninsula Municipality 2001 (4) SA 1243 (SCA)
— 46.7
- Stellenbosch Farmers' Winery Ltd v Distillers Corp (SA) Ltd and Another 1962 (1) SA 458 (A)
— 32.3(a)
- Stopforth v Minister of Justice and Others; Veenendaal v Minister of Justice and Others 2000 (1) SA 113 (SCA)
— 32.3(a)

- Strydom v Afrox Healthcare [2001] 4 All SA 618 (T)
— 31.4(c)(ii)
- Strydom v Minister of Correctional Services and Others 1999 (3) BCLR 342 (W)
— 9.6(c)(ii)(bb), 9.8, 33.12, 33.8, 49.3(a), 49.3(b)(i), 50.4(h)(ii)(bb)(z), 57.2(a)(i)(bb)(y)
- Student Representative Council of Molepolole College of Education v Attorney General [1995] (3) LRC 447 (Botswana Court of Appeal)
— 37.4
- Suid Afrikaanse Nasionale Trust en Assuransie Maatschappij Bpk, Ex Parte 1918 CPD 207
— 65.3(a)
- Suliman v Minister of Community Development 1981 (1) SA 1108 (A)
— 32.3(a)
- Swanepoel v Minister van Veiligheid en Sekuriteit 1999 (4) SA 549 (T), 1999 (2) SACR 284 (T), [1999] 3 All SA 285 (T)
— 38.2(a)(iii), 52.6(d)
- Swanevelder and Another v Mpedi and Others (Unreported Land Claims Court Case No LCC 16 / 01, 28 June 2002)
— 66.1(c)
- Swartbooi and Others v Brink and Another 2006 (1) SA 203 (CC), 2003 (5) BCLR 502 (CC), [2003] ZACC 25
— 6.2(d), 17.7(c), 22.2(c)(ii)
- Swartbooi v Brink 2003 (5) BCLR 502 (CC)
— 17.6(c)
- Swart NO and Nicol NO v De Kock and Garner 1951 (3) SA 589 (A)
— 65.1, 65.2(b)
- Swart v Minister of Law and Order and Others 1987 (4) SA 452 (C)
— 51.3(e)
- Swissborough Diamond Mines Ltd v Government of the Republic of South Africa 1999 (2) 279 (T)
— 30.4(d), 31.6(b), 52.6(c), 59.4(a)(iv)

T

- T v M 1997 (1) SA 54 (A)
— 47.3(b)
- TS Masiyiwa Honing (Pty) Limited and Another v Minister of Information Posts and Telecommunications 1998 (2) SA 755 (ZS), 1997 (2) BCLR 275 (ZS)
— 42.7(g)
- Tap Wine Trading CC v Cape Classic Wines (Western Cape) CC 1999 (4) SA 194 (C), [1998] 4 All SA 86 (C)
— 38.3(a)(iii), 52.10(e)
- Taylor v Kurtstag NO and Others 2005 (1) SA 362 (W), 2005 (7) BCLR 705 (W), [2004] 4 All SA 317 (W)
— 34.7(a), 34.7(c)(i), 36.4(a), 57.3(c)(vii), 57.4(c)(ii)(cc)(i)(aa), 57.4(c)(ii)(cc)(i)(bb), 58.4(a)(i), 58.4(a)(v), 58.5(a), 58.7(a), 59.3(a)(v), 64.6(b)(ii)
- Tecmed (Pty) Limited v Eastern Cape Provincial Tender Board and Others 2001 (3) SA 735 (SCA)
— 25.9(b)
- Telcordia Technologies Inc v Telkom SA Ltd 2007 (3) SA 266 (SCA)
— 59.4(b)(v), 63.3(b)

- Telkom SA Limited v The Competition Commission of South Africa and Another (unreported, TPD Case No 44239/04, 20 June 2008)
— 63.3(c)
- Telkom SA Limited v The Independent Communications Authority in South Africa and Others (unreported, TPD Case No 1904/2000, 2000)
— 24E.3(e)
- Terblanche NO v Flippies and Others (Unreported Land Claims Court Case No LCC 36 R / 01, 25 May 2001)
— 48.7(b)(iv)
- Tergniet and Toekoms Action Group & Thirty Four Others v Outeniqua Kreosootpale (Pty) Ltd & Others [2009] ZAWCHC
— 50.3(b)(i)(ee)(y)(8), 50.4(b)
- Terry v Botes and Another [2002] 3 All SA 798 (C)
— 63.3(b)
- Tetty and Another v Minister of Home Affairs and Another 1999 (3) SA 715 (D), 1999 (1) BCLR 68 (D)
— 56D.3(f)(i)
- Thatcher v Minister of Justice and Constitutional Development and Others 2005 (4) SA 543 (C), 2005 (1) SACR 238 (C), [2005] 1 All SA 373 (C)
— 18.3(k), 51.1(b)(iii), 51.4(b)(iii), 51.5(j)(ii), 52.2(b)
- The Attorney-General v Dow 1994 (6) BCLR 1 (Botswana)
— 66.1(b)(i)
- Thebus and Another v S 2003 (6) SA 505 (CC), 2003 (10) BCLR 1100 (CC)
— 32.1(c)
- The City of Johannesburg v Rand Properties (Pty) Ltd and Others 2007 (1) SA 78 (W), [2006] 2 All SA 240 (W)
— 55.6(b)(ii)
- Theewaterskloof Holdings (Edms) Bpk, Glaser Afdeling v Jacobs en Andere 2002 (3) SA 401 (LCC)
— 48.7(b)(iv)
- The Government of the Republic of South Africa v Thabiso Chemicals (Pty) Ltd 2009 (1) SA 163 (SCA)
— 63.3(b)
- Thembisile v Thembisile 2002 (2) SA 209 (T)
— 41.6
- The Merak S: Sea Melody Enterprises SA v Bulktrans (Europe) Corporation 2002 (4) SA 273 (SCA)
— 8.1(a)
- Thermo Radiant Oven Sales (Pty) Ltd v Nelspruit Bakeries (Pty) Ltd 1969 (2) SA 295 (AD)
— 4.3(b)(ii)(aa)
- Theron en Andere v Ring van Wellington van die NG Sendingkerk in Suid-Afrika en Andere 1976 (2) SA 1 (A)
— 63.2(c), 63.6(a)
- Thint (Pty) Ltd v National Director of Public Prosecutions and Others; Zuma and Another v National Director of Public Prosecutions and Others 2009 (1) SA 1 (CC)
— 9.2(b)(ii)(aa), 9.2(b)(iii), 9.2(c)(i)(dd), 9.2(d)(i)(aa), 9.5(b)(i), 9.8, 42.9(a)
- Thoroughbred Breeders' Association v Price Waterhouse 2001 (4) SA 551 (SCA)
— 32.3(a), 32.5(c)

- Thukwane v Minister of Correctional Services and Others 2003 (1) SA 51 (T)
— 57.2(b)(ii)(bb), 64.6(f)
- Thukwane v Minister of Correctional Services and Others (Unreported Transvaal High Court Case No 16304 / 04, 21 April 2005)
— 66.1(c)
- Times Media Ltd v Franki Africa (Pty) Ltd (unreported WLD Case No 20027/99, 2 August 2000)
— 42.9(a)
- Tirfu Raiders Rugby Club v SA Rugby Union 2006 JDR 0034 (C), [2006] 2 All SA 549 (C)
— 18.2(b), 63.3(b), 63.3(c)
- Tobacco Institute of Southern Africa v Minister of Health 1998 (4) SA 745 (C), 1999 (1) BCLR 83 (C)
— 17.4(b), 62.7
- Todt v Ipser 1993 (3) SA 577 (A)
— 38.2(a)(ii)
- Tongoane & Others v National Minister for Agriculture and Land Affairs & Others 2010 (6) SA 214 (CC), 2010 (8) BCLR 741 (CC), [2010] ZACC 10
— 17.6(b)(i), (ii) & (iii)
- Tongoane & Others v National Minister for Agriculture and Land Affairs & Others 2010 (8) BCLR 838 (GNP) [2009] ZAGPPHC 127
— 17.6(b)(i), (ii) & (iii)
- Total South Africa (Pty) Ltd v Bekker NO 1992 (1) SA 617 (A)
— 57.4(c)(ii)(cc)(ii), 58.4(a)(v), 58.7(a)
- Total Support Management (Pty) Ltd v Diversified Health Systems (SA) (Pty) Ltd 2002 (4) SA 661 (SCA)
— 59.4(b)(v), 59.4(c)(ii), 63.3(b)
- Townsend-Turner and Another v Morrow 2004 (2) SA 32 (C), [2004] 1 All SA 235 (C)
— 47.3(a)
- Transkei Public Servants Association v Government of the Republic of South Africa 1995 (9) BCLR 1235 (Tk)
— 46.3(c)
- Transnet Limited v Goodman Brothers (Pty) Limited 2001(1) SA 853 (SCA), 2001 (2) BCLR 176 (SCA)
— 18.3(f)(i), 25.2(c)(i), 25.2(c)(iii), 25.8, 31.7(a), 34.7(c)(i), 62.7, 63.3(b), 63.7(b)
- Transnet Ltd T/A Metrorail v Rail Commuters Action Group and Others 2003 (6) SA 349 (SCA), 2003 (12) BCLR 1363 (SCA)
— 1.3, 13.3, 31.4(e)(viii), 40.5(b)(i)
- Transnet Ltd v Chirwa 2007 (2) SA 198 (SCA), (2006) 27 ILJ 2294 (SCA)
— 18.3(f)(i), 23A.4
- Transvaal Agricultural Union v Minister of Agriculture and Land Affairs and Others 2005 (4) SA 212 (SCA)
— 24B.1, 48.8(b)(i)
- Transvaal Agricultural Union v Minister of Land Affairs and Another 1997 (2) SA 621 (CC), 1996 (12) BCLR 1573 (CC)
— 3.4(d), 5.3(d), 6.2(b)(iv)
- Transvaal Chronicle and Another v Roberts 1915 TPD 188
— 42.9(c)
- Transvaal Coal Owners Association v Board of Control 1921 TPD 447
— 7.3(b)

Transvaal Consolidated Land and Exploration Co Ltd v Johannesburg City Council 1972
(1) SA 88 (W)
— 32.5(c)

Traub v Administrator, Transvaal 1989 (2) SA 396 (T)
— 63.10

Treatment Action Campaign and Others v Government of Republic of South Africa and
Others [2006] ZAKZHC 9
— 9.6(c)(v)

Treatment Action Campaign and Others v Minister of Health and Others 2002 (4) BCLR
356 (T)
— 33.5(f)(iii), 33.5(h)

Treatment Action Campaign and Others v Minister of Health and Others (No 2) 2002
(5) SA 721 (CC), 2002 (10) BCLR 1033 (CC)
— 14.1, 32.3(c)

Treatment Action Campaign v Minister of Health 2005 (6) SA 363 (T)
— 23A.4

Treatment Action Campaign v Rath and Others 2007 (4) SA 563 (C)
— 42.9(h)

Trend Fashions (Pty) Ltd v Commissioner for SARS and Another 2006 (2) BCLR 304 (C)
— 23A.4

Trustees for the Time Being of the Biowatch Trust v the Registrar: Genetic Resources
& Others 2005 (4) SA 111 (T)
— 50.3(b)(ii)(bb)(x)

Trustees, Brian Lackey Trust v Annandale 2004 (3) SA 281 (C)
— 34.7(a)

Trust Sentrum (Kaaipstad) (Edms) Bpk v Zevenberg 1989 (1) SA 145 (C)
— 52.9

Tseleng v Chairman, Unemployment Insurance Board 1995 (3) SA 162 (T), 1995 (2)
BCLR 138 (T)
— 63.5(e)

Tsenoli v State President of the Republic of South Africa 1992 (3) SA 37 (D)
— 17.3(f), 30.1(b)(i)

Tshabala-Msimang v Makhanya 2008 (6) SA 102 (W)
— 42.9(b)

Tshona and Others v Regional Magistrate, Uitenhage and Another 2001 (8) BCLR 860
(E)
— 51.5(b), 52.6(a)(ii)

Tshwete v Minister of Home Affairs 1988 (4) SA 586 (A)
— 30.1(b)(i)

Tsichlas and Another v Touch Line Media (Pty) Ltd 2004 (2) SA 112 (W)
— 42.9(a)

Tsotetsi v Mutual & Federal Insurance Co Ltd 1997 (1) SA 585 (CC), 1996 (11) BCLR
1439 (CC)
— 5.3(d), 31.8(a)

Tsung and Another v Industrial Development Corporation of South Africa Limited and
Another 2006 (4) SA 177 (SCA)
— 9.2(b)(ii)(aa)

Turner v Jockey Club of South Africa 1974 (3) SA 633 (A)
— 63.2(c)

- Tussentydse Regering vir Suidwes-Afrika en 'n Ander v Katofa 1987 (1) SA 695 (A)
— 32.1(a)
- Tutu v Minister of Internal Affairs 1982 (4) SA 571 (T)
— 41.1(a)
- Tyelinzima v Sangqu NAC 375 (1920)
— 26.6(a)

U

- Uitenhage Transitional Local Council v South African Revenue Service 2004 (1) SA 292 (SCA), 2003 (4) All SA 37 (SCA)
— 51.5(o)
- Umfolozi Transport (Edms) Bpk v Minister van Vervoer en Andere [1997] 2 All SA 548 (SCA)
— 25.8, 63.5(g)
- Uncedo Taxi Service Association v Maninjwa and Others 1998 (3) SA 417 (E), 1998 (6) BCLR 683 (E), 1998 (2) SACR 166 (E)
— 51.1(a)(ii), 51.1(a)(iii), 51.1(a)(iv), 51.5(c), 51.5(i), 52.4(a)(ii)
- Union Government (Minister of Finance) v Mack 1917 AD 731
— 32.5(c)
- Union Government (Minister of Mines and Industries) v Union Steel Corporation (South Africa) Ltd 1928 AD 220
— 63.6(a)
- Union Government (Minister of Mines) v Thompson 1919 AD 404
— 32.5(c)
- Union of Refugee Women and Others v The Director: The Private Security Industry Regulatory Authority and Others 2007 (4) SA 395 (CC), 2007 (4) BCLR 339 (CC)
— 4.2(b), 4.3(a)(i), 9.2(c)(iii)(cc), 9.6(b), 32.3(c), 35.1(b), 35.1(d)(i), 35.3(a), 35.3(a)(ii), 35.3(e)(i), 35.5(e), 35.5(j), 63.3(c), 66.1(d)(ii)
- United Democratic Movement v President of the Republic of South Africa and Others (1) 2003 (1) SA 488 (CC), 2002 (11) BCLR 1179 (CC)
— 4.3(b)(iv), 17.5(f)(i)
- United Democratic Movement v President of the Republic of South Africa and Others (African Christian Democratic Party and Others Intervening; Institute for Democracy in South Africa and Another as Amici Curiae) (No 2) 2003 (1) SA 495 (CC), 2002 (11) BCLR 1213 (CC), [2002] ZACC 21
— 2.6(a), 4.2(a), 4.3(a)(ii), 10.3(b), 10.3(c)(ii), 10.4(a), 10.5(a), 12.2(c), 12.3(d)(ii)(aa), 12.3(d)(ii)(bb), 13.4, 13.5(a), 14.5(b), 17.2(b)(ii), 17.2(c), 17.3(a), 17.4, 17.5(f)(i), 17.5(g), 17.6(a)(iii), 17.8(b), 19.1(c), 21.2(c), 22.1(e), 23B.6(b)(iii), 29.3(c), 29.3(d), 29.3(f), 29.4, 29.6(b), 31.5, 34.7(a), 34.8(e)(i), 34.8(e)(ii), 34.9, 44.3(c)(i), 57.2(a)(i)(bb)(y), 57.3(c)(ii), 59.3(a)(v), 64.4(a)
- United Methodist Church of Southern Africa and Others v Methodist Church of Southern Africa and Others 1991 (2) SA 138 (TkAD)
— 41.2(c)
- United Watch and Diamond Company (Pty) Ltd v Disa Hotels Ltd 1972 (4) SA 409 (C)
— 5.3(a)(i)
- Universiteit van Pretoria v Tommie Meyer Films (Edms) Bpk 1977 (4) SA 376 (T)
— 34.8(e)(ii), 36.1(b), 38.1, 38.2(a)(iii), 38.4
- Universiteit van Pretoria v Tommie Meyers Films (Edms) Bpk 1979 (1) SA 441 (A)
— 31.3(d), 38.2(a)(iii), 38.4
- University of Cape Town v Cape Bar Council and Another 1986 (4) SA 903 (A)
— 32.3(a)

- University of Cape Town v Ministers of Education and Culture (House of Assembly and House of Representatives) 1988 (3) SA 203 (C)
— 42.7(f)
- University of Pretoria v South Africans for the Abolition of Vivisection 2007 (3) SA 395 (O)
— 42.9(a)
- University of the Western Cape and Others v Member of the Executive Committee for Health and Social Science Services and Others 1998 (3) SA 124 (C)
— 63.9
- Uthukela District Municipality and Others v President of the Republic of South Africa and Others 2002 (5) BCLR 479 (N)
— 9.5(c)(iii), 22.1(c), 22.5(g)
- Uthukela District Municipality and Others v President of the Republic of South Africa and Others 2003 (1) SA 678 (CC); 2002 (11) BCLR 1220 (CC)
— 3.4(f), 5.3(c), 14.3(b)(ii), 14.3(c)(i), 14.3(c)(ii), 14.3(c)(iii), 14.5(d)(ii)(aa), 22.5(d), 31.4(f)

V

- V v V 1998 (4) SA 169 (C)
— 47.3(a)
- VRM v Health Professions Council of South Africa and Others 2004 (3) BCLR 311 (T)
— 8.2
- Valley Packers Co-operative Ltd v Dietloff and Another [2001] 2 All SA 30 (LCC)
— 48.7(b)(iv)
- Van Biljon v Minister of Correctional Services (B and Others v Minister of Correctional Services and Others) 1997 (4) SA 441 (C), 1997 (6) BCLR 789 (C)
— 31.2(d)(ii), 33.8, 34.5(b)(ii), 49.3(a), 51.3(c), 51.3(g), 55.8, 56A.2(a), 56A.2(c), 56A.3, 57.2(a)(i)(bb)(y)
- Van der Berg v Coopers & Lybrand Trust (Pty) Ltd and Others 2001 (2) SA 242 (SCA)
— 42.9(a)
- Van der Linde v Calitz 1967 (2) SA 239 (A)
— 52.6(c)
- Van der Merwe and Another v Taylor NO and Others 2008 (1) SA 1 (CC), 2007 (11) BCLR 1167 (CC)
— 4.2(b), 4.3(g)(ii)
- Van der Merwe v Road Accident Fund and Another (Women's Legal Centre Trust as Amicus Curiae) 2006 (4) SA 230 (CC), 2006 (6) BCLR 682 (CC)
— 3.3(d), 6.2(d), 9.2(e)(iv)(aa), 9.4(e)(ii)(bb), 35.3(a)(ii), 35.3(b), 35.5(g)(ii), 35.5(g)(iii)
- Van der Merwe v The Road Accident Fund 2007 (1) SA 176 (CC), 2006 (6) BCLR 682 (CC)
— 35.3
- Van der Spuy v General Council of The Bar of South Africa (Minister of Justice and Constitutional Development, Advocates for Transformation and Law Society of South Africa Intervening) 2002 (5) SA 392 (CC), 2002 (10) BCLR 1092 (CC)
— 5.3(d)
- Van der Spuy v Minister of Correctional Services 2004 (2) SA 463 (SE)
— 40.5(b)(i)
- Van der Walt and Others v Lang and Others 1999 (1) SA 189 (LCC)
— 56B.4(a)(iv), 56C.3(b)(ii)

- Van der Walt v Metcash Trading Ltd 2002 (4) SA 317 (CC), 2002 (5) BCLR 454 (CC)
— 4.2(b), 4.3(a)(i), 11.2(a), 11.2(b)(i), 11.2(b)(iii), 11.4(c)
- Van der Westhuizen NO v United Democratic Front 1989 (2) SA 242 (A)
— 2.2(i)(iii), 2.3(f), 43.2(a)
- Van Duivenboden v Minister of Safety and Security 2001(4) All SA 127 (C)
— 13.5(a)
- Van Dyk v Maithuti Case No 4268/2002 (TPD 29 April 2003, Du Plessis J)
— 23B.3(d), 43.3(b)(iii), 44.2(c), 44.3(c)(vii)
- Van Eeden v Minister of Safety and Security (Women's Legal Centre as Amicus Curiae) 2003 (1) SA 389 (SCA), 2002 (4) All SA 346 (SCA)
— 9.5(a)(i), 23B.3(c)(iii)(bb), 32.5(b), 40.5(b)(i)
- Van Heerden and Another v Joubert NO and Others 1994 (4) SA 793 (A)
— 31.3(a)(iii), 32.3(a), 37.2
- Van Huysteen NO v Minister of Environmental Affairs and Tourism 1996 (1) SA 283 (C)
— 50.3(b)(ii)(bb)(x), 63.5(d)
- Van Loggerenberg v 94.7 Highveld Stereo 2004 (5) BCLR 561 (BCCSA)
— 42.8(c)
- Van Niekerk v City Council of Pretoria 1997 (3) SA 839 (T) [1997] All SA 305 (T)
— 50.3(b)(ii)(bb)(x), 62.7
- Van Rensburg v South African Post Office Ltd, 1998 (10) BCLR 1307 (E)
— 54.3
- Van Rooyen and Others v The State and Others 2001 (4) SA 396 (T), 2001 (9) BCLR 915 (T)
— 7.1, 7.2(c), 7.2(c)(i), 7.2(c)(iv), 31.4(f), 34.6
- Van Rooyen and Others v The State and Others (General Council of the Bar of South Africa Intervening) 2002 (5) SA 246 (CC), 2002 (2) SACR 222 (CC), 2002 (8) BCLR 810 (CC)
— 4.3(c)(i), 5.3(c), 7.2(c)(iv), 9.3, 9.4(e)(i)(bb), 9.4(e)(ii)(bb), 12.3(b), 12.3(b)(ii), 12.3(d)(i)(bb), 12.3(d)(ii)(aa), 12.3(d)(ii)(cc), 17.3(d), 17.3(e)(i), 19.4(b), 20.3(g), 24A.3(a), 24A.3(b), 24B.2, 31.4(f), 32.4(c)
- Van Straaten v President of the Republic of South Africa & Others 2009 (3) SA 457 (CC), 2009 (5) BCLR 480 (CC), [2009] ZACC 2
— 17.4(c)
- Van Vuuren v S 2005 (7) BCLR 639 (CC)
— 4.2(b)
- Van Wyk v Uys NO 2002 (5) SA 92 (C)
— 14.3(c)(i)
- Van Zijl v Hoogenhout 2005 (2) SA 93 (SCA)
— 59.4(a)(ii)
- Van Zyk v Government of the RSA 2008 (3) SA 294 (SCA)
— 18.3(k)
- Van Zyl and Another v Jonathan Ball Publishers and Others 1999 (4) SA 571 (W)
— 36.4(h)(iii), 42.9(a)
- Van Zyl and Others v Government of the Republic of South Africa and Others [2005] 4 All SA 96 (T), 2005 (11) BCLR 1106 (T)
— 9.5(c)(iii), 30.4(d), 60.6
- Van Zyl v New National Party & Others 2003 (10) BCLR 1167
— 17.8(a)

- Van Zyl NO v Maarman 2001 (1) SA 957 (LCC), [2000] 4 All SA 212 (LCC)
— 55.6(b)(ii)
- Various Occupants v Thubelisha Homes and Others (Unreported Constitutional Court Case No CCT 22/08)
— 63.10
- Vaughan and Another v Ford 1953 (4) SA 486 (R)
— 38.2(c)(ii)
- Veldman v Director of Public Prosecutions (Witwatersrand Local Division) 2007 (3) SA 210 (CC), 2007 (8) BCLR 827 (CC)
— 9.4(e)(ii)(bb), 9.8.
- Venter NO v Claasen en Andere 2001 (1) SA 720 (LCC)
— 48.6(a), 48.7(b)(iv)
- Venter v R 1907 TS 910
— 32.3(a), 32.5(c)
- Victoria and Alfred Waterfront (Pty) Ltd v Police Commissioner, Western Cape (Legal Resources Centre as Amicus Curiae) 2004 (4) SA 444 (C)
— 31.4(e)(x), 39.8, 66.1(b)(i), 66.1(b)(ii)
- Vikilahle v Zulualiteti (1904) 1 NAC 77
— 26.6(a)
- Viljoen v Smith 1997 (1) SA 309 (A)
— 50.4(h)(ii)(ff)
- Villiers v Munisipaliteit van Beaufort-Wes 1998 (9) BCLR 1060 (C)
— 22.2(b)(iii)
- Visagie v State President and Others 1989 (3) SA 859 (A)
— 51.3(c)
- Volks NO v Robinson and Others 2005 (5) BCLR 466 (CC)
— 9.4(b)(ii), 9.4(e), 12.3(d)(ii)(cc), 34.8(e)(ii), 35.5(g)(ii), 35.5(g)(iii), 35.5(g)(v), 35.5(h), 35.5(h)(i), 35.5(j), 36.2(d), 58.4(a)(iii)
- Von Molkte v Costa Areosa (Pty) Ltd 1975 (1) SA 255 (C)
— 7.2(b)
- Vooraus Beleggings (Edms) Bpk v Molefe (unreported, LCC Case No 9R/00, 7 March 2000)
— 48.7(b)(iv)
- Vulindlela Furniture Manufacturers (Pty) Ltd v MEC, Department of Education and Culture, Eastern Cape, and Others 1998 (4) SA 908 (Tk)
— 7.2(c)(i)
- Vumanzonke v Member of the Executive Council for Social Development, Eastern Cape Province; Matitibala v Member of the Executive Council for Social Development, Eastern Cape Province; Matitwane v Member of the Executive Council for Social Development, Eastern Cape Province; Plaatjies v Member of the Executive Council for Social Development, Eastern Cape Province, 2005 (6) SA 229 (SE)
— 56D.3(f)(ii)

W

- W v W 1976 (2) SA 308 (W)
— 59.4(b)(v)
- Wagener v Pharmacare Ltd; Cuttings v Pharmacare Ltd 2003 (4) SA 285 SCA, 2003 (7) BCLR 710 (SCA)
— 31.4(e)(x)

- Waks en Andere v Jacobs en 'n Ander 1990 (1) SA 913 (T)
— 7.2(b)
- Walele v The City of Cape Town and Others 2008 (6) SA 129 (CC)
— 63.2(a), 63.2(c), 63.3(c), 63.5(c), 63.5(d)
- Walker v Stadsraad van Pretoria 1997 (4) SA 189 (T)
— 3.3(a)
- Wallach v High Court of South Africa, Witwatersrand Local Division, and Others 2003 (5) SA 273 (CC), 2003 (12) BCLR 1333 (CC)
— 5.3(d)
- Waltons Stationery Co (Edms) Bpk v Fourie en 'n Ander 1994 (4) SA 507 (O), 1994 (1) BCLR 50 (O)
— 36.4(f), 44.3(c)(iv), 54.4
- Ward-Jackson v Cape Times Ltd 1910 WLD 257
— 38.2(b)(iii)
- Ward v Cape Peninsula Ice Skating Club 1998 (2) SA 487 (C)
— 44.1(c)(iii), 44.1(c)(vi), 44.3(c)(ix), 57.4(c)(ii)(cc)(i)(bb), 58.5(a), 58.7(a)
- Waring and Gillow v Sherborne 1904 (TS) 340
— 37.6, 40.11(b)
- Wary Holdings (Pty) Ltd v Stalwo (Pty) Ltd and the Registrar of Deeds, Cape Town (Trustees of the Hoogekraal Highlands Trust and SAFAMCO Enterprises (Pty) Ltd as amici Curiae; Minister of Agriculture and Land Affairs Intervening) 2009 (1) SA 337 (CC)
— 9.4(b)(i), 9.4(b)(ii), 32.5(b), 63.2(a)
- Wasserman v Union Government 1934 AD 228
— 51.5(f)
- Waste Products Utilisation (Pty) Ltd v Wilkes 2003 (2) SA 515 (W)
— 52.10(f)
- Waters v Khayalami Metropolitan Council 1997 (3) SA 476 (W)
— 23A.4, 45.10(c)
- Wehmeyer v Lane NO and Others 1994 (4) SA 441 (C), 1994 (2) BCLR 14 (C)
— 9.5(c)(ii), 51.3(g)
- Welkom Municipality v Masureik and Herman T/A Lotus Corporation and Another 1997 (3) SA 363 (SCA)
— 30.2(c)
- Wells v South African Alumenite Company 1927 AD 69
— 31.4(c)(ii)
- Wendy Orr and Others v Minister of Law and Order and Others (Unreported South Eastern Cape Case No 2507/85)
— 2.3(g)
- Wesso v Director of Public Prosecutions, Western Cape 2001 (1) SACR 674 (C)
— 52.10(d)
- Western Cape Education Department and Another v George 1998 (3) SA 77 (SCA)
— 7.4(c)
- Western Cape Minister of Education v The Governing Body of Mikro Primary School 2006 (1) SA 1 (SCA), 2005 (10) BCLR 973 (SCA)
— 32.4(c), 36.4(d)(ii), 57.3(c)(ii), 57.3(c)(iii)
- Western Cape Provincial Government and Others, Ex parte; In re DVB Behuising (Pty) Ltd v North West Provincial Government and Another 2001 (1) SA 500 (CC), 2000 (4) BCLR 347 (CC)
— 14.3(a), 15.1, 15.3(a), 15.3(a)(i), 15.3(a)(iii), 15.3(a)(iv), 15.3(c)(ii), 15.3(c)(iv),

- 17.6(b)(i), 19.3(c), 19.4(a), 21.2(a), 26.3, 28.1, 28.2(a), 28.2(a)(i), 32.1(c), 32.3(b), 32.4(c), 35.5(g)(i), 55.4(b)(v)
- Western Investments Company (Ltd) v Van Reenen (unreported, LCC Case No 05R/02, 12 February 2002)
— 48.7(b)(iv)
- Westley v Attorneys Fidelity Fund 2004 (3) SA 31 (C)
— 31.4(b)(iii)
- Westminster Produce (Pty) Ltd t/a Elgin Orchards v Simons and Another 2001 (1) SA 1017 (LCC), [2000] 3 All SA 279 (LCC)
— 48.7(b)(iv)
- West Rand Estates Ltd v New Zealand Insurance (Co) Ltd 1925 AD 245
— 32.3(a)
- Whittaker v Roos and Bateman; Morant v Roos and Bateman 1912 AD 92
— 34.8(e)(ii), 36.1(b), 38.3(a)(iv), 49.3(a)
- Wichmann NO and Another v Langa and Others 2006 (1) SA 102 (LCC)
— 48.7(b)(iv)
- Wild and Another v Hoffert NO and Others 1997 (2) SACR 233 (N), 1997 (7) BCLR 974 (N)
— 51.5(f)
- Wildlife Society of Southern Africa and Others v Minister of Environmental Affairs and Tourism of the Republic of South Africa and Others 1996 (3) SA 1095 (Tk), 1996 (9) BCLR 1221 (Tk)
— 7.2(d), 9.5(c)(iii), 50.3(b)(i)(bb)(y), 50.4(b)
- Wild v Hoffert 1998 (3) SA 695 (CC), 1998 (6) BCLR 656 (CC), 1998 (2) SACR 1 (CC)
— 31.2(d)(v), 51.5(b), 51.5(f)
- Wilhelm v Beamish (1894) 11 SC 13
— 38.2(c)(ii)
- Winckler and Others v Minister of Correctional Services and Others 2001 (2) SA 747 (C), [2001] 2 All SA 12 (C)
— 49.3(b)(ii)
- Wittmann v Deutscher Schulverein, Pretoria, and Others 1998 (4) SA 423 (T), 1999 (1) BCLR 92 (T)
— 31.4(f)(i), 31.4(f)(ii), 31.7(a), 32.4(b), 35.5(g)(viii), 36.4(a), 36.4(d)(i), 41.4(d), 41.5, 44.1(c)(iii), 44.1(c)(vi), 44.3(c)(iii), 44.3(c)(ix), 57.3(c)(vii), 57.4(c)(ii)(bb), 57.4(c)(ii)(cc), 57.4(c)(ii)(cc)(i)(aa), 57.4(c)(ii)(cc)(i)(bb), 58.4(a)(i), 58.4(a)(v), 58.5(a), 58.7
- Woerman and Schutte NNO v Masondo and Others 2002 (1) SA 811 (SCA), [2002] 2 All SA 53 (SCA)
— 48.6(b)(i)
- Women's Legal Centre, Ex Parte: In re Moise v Greater Germiston Transitional Local Council 2001 (4) SA 1288 (CC)
— 3.7(b)(ii), 9.4(e)(ii)(aa), 59.4(a)(ii), 8.2
- Wood and Others v Ondangwa Tribal Authority and Another 1975 (2) SA 294 (A)
— 7.2(b), 7.2(c)(ii)
- Woods v Minister of Justice and Others 1995 (1) SA 703 (ZSC)
— 42.2
- Woolworths (Pty) Ltd v Whitehead (Women's Legal Centre Trust Intervening) 2000 (3) SA 529 (LAC)
— 8.4(b), 8.5, 35.5(g)(ii)

Worcester Muslim Jamaa v Valley and Others 2002 (6) BCLR 591 (C)
— 41.3(c)

X

Xinwa and Others v Volkswagen of SA (Pty) Ltd 2003 (4) SA 390 (CC), 2003 (6) BCLR 575 (CC), (2003) 24 ILJ 1077 (CC)
— 4.2(b), 53.1(a)(ii)

Xu v Minister van Binnelandse Sake 1995 (1) SA 185 (T), 1995 (1) BCLR 62 (T)
— 31.3(a)(i)

Y

Ynuico Ltd v Minister of Trade and Industry and Others 1996 (3) SA 989 (CC), 1996 (6) BCLR 798 (CC)
— 17.5(e)(i), 19.4(b), 32.4(c), 32.5(c)

Young v Shaik 2004 (3) SA 46 (C)
— 42.9(a)

Yuen v Minister of Home Affairs and Another 1998 (1) SA 958 (C)
— 63.5(e)

Z

Zama v Minister of Safety and Security 1994 (4) SA 699 (D)
— 28.2(a)(ii)

Zantsi v Chairman, Council of State, Ciskei 1995 (2) SA 534 (Ck), 1995 (10) BCLR 1424 (Ck)
— 32.3(a), 34.6, 57.4(c)(ii)(aa), 63.1

Zantsi v Council of State, Ciskei and Others 1995 (4) SA 615 (CC), 1995 (10) BCLR 1424 (CC)
— 32.4(c), 32.5(b), 32.5(c), 64.6(e), 7.1, 7.3(c)(iii)

Zealand v Minister of Justice and Constitutional Development and Another 2008 (4) SA 458 (CC), 2008 (6) BCLR 601, 2008 (2) SACR 1 (CC)
— 9.2(f)(ii)

Zimbabwe Township Developers v Lou's Shoes Ltd 1984 (2) SA 778 (SCA)
— 31.4(e)(vi)

Zondi v MEC for Traditional and Local Government Affairs and Others 2005 (3) SA 589 (CC), 2005 (4) BCLR 347 (CC)
— 3.3(c), 3.4(e), 5.3(d), 9.2(e)(i), 9.4(e)(i)(cc), 9.4(e)(i)(ee), 35.1(b), 35.5(g)(i), 35.5(h)(iii), 59.2(b), 59.4(a)(i), 63.2(a), 63.5(b), 63.5(c)

Zondi v MEC for Traditional and Local Government Affairs and Others 2006 (3) SA 1 (CC), 2006 (3) BCLR 423 (CC)
— 3.7(b)(ii)

Zulu v Mbata 1937 NAC (NandT) 6
— 26.6(b)

Zulu v Van Rensburg 1996 (4) SA 1236 (LCC)
— 56C.3(b)(ii)

Zuma v National Director of Public Prosecutions [2007] ZASCA 139
— 9.2(c)(iii)(bb)

Zuma v National Director of Public Prosecutions [2008] ZAKZHC 71
— 9.4(b)(ii)

Zuma v National Director of Public Prosecutions (unreported, (NPD) Case No 8652/08, September 2008)
— 63.2(a)

Zweni v Minister of Law and Order 1993 (1) SA 523 (A)
— 3.3(a), 3.5(b)

Foreign Jurisdictions

Argentina

CEDHA v Provincial State and Municipality of Córdoba,
— 56B.3(b)(iii)(cc)

Matanza-Riachuelo File M. 1569. XL, Supreme Court of Argentina (8 July 2008)
— 56B.2(d)(ii)

Quevedo Miguel Angel y otros c/Aguas Cordobesas S.A. Amparo, Cordoba, City, Juez
Sustituta de Primera Instancia y 51 Nominacion en lo Civil y Comercial de la Ciudad
de Cordoba (Civil and Commercial First Instance Court), 8 April 2002
— 56B.2(c)

Valentina Norte Colony, Defensoría de Menores Nro 3V Poder Ejecutivo Municipal
s/acción de amparo Expte. 46-99. Acuerdo 5 del Tribunal Superior de Justicia.
Neuquen (2 March 1999)
— 56B.2(d)(ii)

Australia

A Raptis and Son v State of South Australia (1977) 138 CLR
— 16.3(b)

Adelaide Company of Jehovah's Witnesses v The Commonwealth (1943) 67 CLR 116
(HC)
— 41.2(b)(i)

Amalgamated Society of Engineers v Adelaide Steamship Company (1920) 28 CLR
129
— 21.2(a)

Ansett Transport Industries (Operations) Pty Ltd and Another v Wraith and Others
(1983) ALR 500
— 63.7(d)

Australian Broadcasting Corporation v O'Neill [2006] HCA 46
— 42.9(a)

Ballina Shire Council v Ringland (1994) 33 NSWLR 680 (New South Wales)
— 42.9(a)

Bannon v R (1995) 132 ALR 87
— 51.5(j)(ii)

Chamberlain v R (2) (1984) 153 CLR 521
— 51.5(i)

Church of the New Faith v Commissioner for Payroll Tax (Vic) (1983) 154 CLR 120
— 41.3(a), 41.4(b)

Clyde Engineering Co Ltd v Cowburn (1926) 37 CLR 466
— 16.3(b), 16.3(c), 16.3(d)(ii)

Cormack and Another v Cope and Others; The State of Queensland and Another v
Whitlam and Others [1974] HCA 28; 131 CLR 432
— 17.4(a)

Commercial Radio Coffs Harbour Limited v Fuller and Another (1986) 161 CLR
— 16.3(b)

Council of the Municipality of Botany v Federal Airports Corporation (1992) 175 CLR
— 16.3(b)

Dischem Pharmacies (Pty) Ltd v United Pharmaceutical Distributors (Pty) Ltd 2003
CLR 9
— 31.4(e)(x)

Egan v Chadwick [1999] NSWCA 176
— 18.3(d)(iii)

Egan v Willis (1998) 195 CLR 424, [1998] HCA 71
— 17.7(a), 18.3(d)(i)-(iii)

Environment Protection Authority v Caltex (1993) 178 CLR 477
— 51.4(b)(iii)

Hinch v Attorney-General (Victoria) (1987) 164 CLR 15
— 42.9(c)

Lange v Australian Broadcasting Corporation (1997) 189 CLR 520
— 42.9(a)

McLean, Ex Parte (1930) 43 CLR 472
— 16.3(b)

New South Wales v Commonwealth (1915) 20 CLR 54
— 12.3(d)(iv)

Pyneboard (Pty) Ltd v Trade Practices Commission (1983) 152 CLR 328
— 51.4(a)

R v Astill (1992) 63 A Crim R 148
— 51.5(k)

R v Daylight (1989) 41 A Crim R 354
— 51.5(k)

R v Minister for Immigration and Multicultural Affairs; ex parte Lam [2003] HCA 6,
(2003) 214 CLR 1; 195 ALR 502
— 63.10

Robinson v State of South Australia (No 2) 1931 AC 704
— 52.6(c)

Theophanous v Herald and Weekly Times Ltd and Another (1994) 124 ALR 1; (1994)
182 CLR 104
— 10.4(a), 42.5(b), 42.7(d)

Victoria Stevedoring Co v Dignan (1931) 46 CLR 73
— 17.5(e)(i)

Waterside Workers' Federation of Australia v JW Alexander Ltd (1918) 25 CLR 434
— 12.3(d)(iv)

Bahamas

Bahamas District of the Methodist Church in the Caribbean and the Americas v
Symonette; Poitier v Methodist Church of the Bahamas [2000] JCJ 31, 26 July 2000
(Privy Council)
— 17.4(a)

Belgium

Arrêt n836/98 du 1 Avril 1998, Commune de Wemmel, Moniteur Belge, 24/4/98
— 56B.2(c)

Canada

A M v Ryan [1997] 1 SCR 157
— 42.7(d)

Action Travail des Femmes v Canadian National Railway Co 40 DLR (4th) 193
— 35.4(d)(iii)

Adams Mine, Cliffs of Canada Ltd (1982) Can LRBR (NS) 384 (Ont)
— 53.4

Andrews v Law Society of British Columbia [1989] 1 SCR 143 (1989) 56 DLR (4th) 1
— 31.3(d), 34.2(c), 35.1(c), 37.4

Amendment of the Constitution of Canada, In re (1981) 125 DLR (3d) 1 (SCC)
— 17.4(a)

Association of Professional Engineers of Saskatchewan v SGEU (1992) 91 DLR (4th) 694
— 44.1(d)

Attorney-General v Lawrence [1985] LRC (Const) 921 (St Christopher and Nevis CA)
— 46.3(c)

Auton v British Columbia (Attorney General) 2004 SCC 78
— 35.5(g)(vii)

B (R) v Children's Aid Society of Metropolitan Toronto [1995] 1 SCR 315, (1995) 122 DLR (4th) 1 (SC)
— 41.4(c)

BCGEU v British Columbia (Attorney General) [1988] 2 SCR 214, 53 DLR (4th) 1
— 31.4(b)(iii), 34.2(c)

BC Securities Commission v Branch [1995] 2 SCR 3
— 51.4(b)(iii)

Baker v Canada (Minister of Citizenship and Immigration) (1999) 174 DLR (4th) (SCC)
— 63.5(g)

Benner v Canada [1997] 1 SCR 358
— 34.1(c)

Bhindi v British Columbia Projectionists Loc 348 (1986) 4 BCLR (2d) 145, 29 DLR (4th) 47
— 53.3(b)

Black v Canada (2001) 54 OR (3rd) 215, (2001) 199 DLR (4th) 228 (CA)
— 30.4(a)

Black v Law Society of Alberta [1989] 1 SCR 591, 58 DLR (4th) 3 17
— 34.2(c)

Blencoe v British Columbia [2000] 2 SCR 307
— 40.8(b)

Bliss v A-G Canada [1979] 1 SCR 183, (1979) 92 DLR (3rd) 417
— 7.4

Borowski v Attorney General of Canada (1987) 39 DLR (4th) 731 (Sask CA)
— 31.3(a)(iii)

Bureau Métropolitain des Ecoles Protestantes de Montréal v Ministre de l'Education du Québec [1976] 1 CS 430
— 65.2(b)

Burlingham v The Queen (1995) 28 CRR (2d) 244
— 52.10(b)

Caldwell v Stuart (1984) 56 NR 83
— 41.4(c)

Canada Assistance Plan (B.C.), In re [1991] 2 SCR 525
— 17.4(a)

Canada (Attorney General) v JTI-MacDonald Corp 2007 SCC 30
— 42.9(f)

- Canada (House of Commons) v Vaid [2005] 1 SCR 667 (SCC)
— 17.7(a)
- Canada (Human Rights Commission) v Taylor [1990] 3 SCR 892
— 42.8(c)
- Canada v Beaugard (1986) 30 DLR (4th) 481
— 12.3(b)(ii)
- Canada v Chiarelli [1992] 1 SCR 711
— 40.7(a)(i)
- Canada v Schmidt (1987) 39 DLR (4th) 18, [1987] 1 SCR 500
— 31.6(b), 41.5
- Canadian Broadcasting Corp v New Brunswick (Attorney General) 1996 3 SCR 480
— 42.9(c)
- Canadian Civil Liberties Association v Ontario (Min. of Education) (1990) 71 OR (2d) 341 (CA)
— 41.2(e), 41.5
- Canadian Foundation for Children v Canada [2004] 1 SCR 76
— 40.7(a)(i), 47.5(b), 47.8
- Canadian Newspapers Co v Canada (Attorney-General) [1988] 2 SCR 122, 52 DLR (4th) 690
— 34.2(c), 42.9(c)
- Central Hudson Gas v Public Services Commission 447 US 557, 100 Sct 2343 (1980)
— 42.4
- Chamberlain v Surrey School District No. 36 [2002] 4 SCR 710
— 41.4(a)
- Clark v Canadian National Railway Co [1988] 2 SCR 680
— 15.3(c)(iii)
- Committee for the Commonwealth of Canada v Canada [1991] 1 SCR 139, 77 DLR (4th) 385
— 34.2(c), 34.7(a), 34.7(c)(ii), 43.3(a)
- Compagnie Générale des Etablissements Michelin & Cie v National Automobile, Aeropsace, Transprotation and General Workers Union of Canada (CAW-Canada) (TD); Mutual of Omaha Insurance v Novak 836 F 2d 397 (1987)
— 42.7(g)
- Connell v University of British Columbia [1990] 3 SCR 451
— 31.4(f)(ii)
- Criminal Code, Reference re (1990) 48 CRR 1
— 17.3(f)
- Cusson v Quan 2007 ONCA 771
— 42.9(a)
- Dagenais v Canadian Broadcasting Corp (1994) 120 DLR (4th) 12 (SCC), [1994] 3 SCR 835
— 34.2(b), 42.7(d), 42.9(c)
- Diocese of Southwark v Coker [1998] ICR 140 (CA)
— 41.4(c)
- Doucet-Boudreau v Nova Scotia (Minister of Education) [2003] 3 SCR 3
— 9.2(e)(iii)(bb), 9.6(c)(i)
- Douglas College v Douglas/Kwantlen Faculty Association, Attorney-General of Canada et al, Interveners [1990] 77 DLR (4th) 94, 3 SCR 570
— 17.5(b)

Du Bois v R (1985) 23 DLR (4th) 503
— 51.5(j)(ii)

Dunmore v Ontario [2001] 3 SCR 1016, (2001) 207 DLR (4th) 193 (SCC)
— 34.2(c), 53.5

Edmonton Journal v Alberta (AG) [1989] 2 SCR 1326, 64 DLR (4th) 577
— 31.3(d), 31.1(c), 42.9(c)

Edwards Books and Art Ltd. v The Queen [1986] 2 SCR 713, 35 DLR (4th) 1
— 34.2(c), 41.2(c), 41.2(d), 41.2(e)

Egan v Canada [1995] 2 SCR 513, (1995) 29 CRR (2d) 79
— 35.1(d)(i), 35.5(f), 36.3(c)

Eldridge v British Columbia (Attorney General) (1997) 151 DLR. (4th) 577 (SCC)
— 31.4(f)(ii), 33.10(b), 33.4(d), 35.5(b), 35.5(g)(vii)

Ford v Attorney General of Quebec [1988] 2 SCR 712
— 42.9(f)

Gainers Inc and UFCW (Re) (1986) 14 CLRBR (NS) 191 (Alta)
— 53.4

Garrod v Rhema Christian School (1991) 18 CHRR 47
— 41.4(c)

General Motors of Canada Ltd v City National Leasing [1989] 1 SCR 641, 58 DLR (4th) 255
— 15.3(c)(iii)

Gosselin v Quebec (Attorney-General) 2002 SCC 84
— 33.4(d)

Gratz v Bollinger 539 US 244 (2003)
— 57.2(b)(ii)(bb)

Grutter v Bollinger 539 US 306 (2003)
— 57.2(b)(ii)(bb)

Haig v Canada 105 DLR (4th) 577 (SCC)
— 29.2(b)

Hodge v The Queen (1883) App Cas 117
— 17.5(e)(i)

Husky Oil Operations v Minister of National Revenue [1995] 3 SCR 453
— 16.3(c), 19.3(a)(ii)

Hy and Zel's Inc v Ontario (Attorney-General) [1993] 3 SCR 675
— 41.2(d)

International Fund for Animal Welfare Inc v R [1989] 35 CRR 359
— 62.1

Irwin Toy Ltd v Quebec (Attorney General) (1989) 39 CRR 193 (SCC), [1989] 1 SCR 927, 1989] 58 DLR (4th) 577, 612 (SCC)
— 34.1(b), 34.7(a), 42.5, 42.9(f), 43.3(a)(ii)

Jones v The Queen [1986] 2 SCR 284, 31 DLR (4th) 569
— 41.3(b)

Kassama v Magat 767 A 2d 348 (Md Spec App 2001)
— 37.3

Kearley v Pentecostal Assemblies Board of Education (1993) 19 CHRR 473
— 41.4(c)

Kindler v Canada (1991) 84 DLR (4th) 438
— 31.6(b)

Kitkatla Band v British Columbia (Minister of Small Business, Tourism and Culture)
2002 SCC, 31 [2002] 2 SCR 146
— 15.3(c)(iii)

Lavigne v OPSEU (1986) 33 DLR (4th) 174
— 44.1(d)

Lavigne v OPSEU [1991] 2 SCR 211, 81 DLR (4th) 545 (SCC)
— 31.2(d)(ii), 44.2(b), 53.3(b)

Law v Canada (Minister of Employment and Immigration) (1999) 170 DLR 4th 1 (SCC),
[1999] 1 SCR 497
— 35.5(b)

Little Sisters Book and Art Emporium v Minister of Justice and Attorney-General of
Canada [2000] 2 SCR 1120
— 9.6(a), 42.9(e), 42.9(h)

Lucier v R [1982] 1 SCR 28
— 51.5(k)

Lyons v The Queen (1988) 37 CCC (3d) 1
— 49.2(c)(ii)

MacBain v Canadian Human Rights Commission et al, MacBain v Lederman et al 22
DLR (4th) 119 (FedCA)
— 59.4(c)(vi)

Manitoba Fisheries Ltd v The Queen (1978) 88 DLR (3d) 462
— 46.3(c)

McKinney v University of Guelph [1990] 3 SCR 229, 76 DLR (4th) 545
— 31.4(f)(ii), 34.2(c), 42.7(f)

Michelin Tires (Canada) Ltd 80 CLLC 16 009 (NSLRB)
— 53.4

Minister of Justice of Canada v Borowski (1981) 130 DLR (3rd) 588, [1981] 2 SCR 575
— 7.2(c)(iv), 7.4(a)

Morin v R [1988] 2 SCR 345
— 51.5(i)

Multiple Access Ltd v McCutcheon [1982] 2 SCR 161
— 15.3(c)(iii)

Named Person v Vancouver Sun 2007 SCC 43
— 42.9(c)

Nelles v Ontario [1989] 2 SCR 170
— 9.2(b)(l)

New Brunswick Broadcasting Co v Nova Scotia 100 DLR (4th) 212 (SC), [1993] 1 SCR
319
— 17.7(a), 31.5, 34.9

New Brunswick (Minister of Health and Community Services) v G (J) [1999] 3 SCR 46,
66 CRR (2nd) 267 (1999)
— 40.8(b), 59.4(b)(i)

Northern Telecom Ltd v Communications Workers of Canada [1980] 1 SCR 115
— 15.3(c)(iii)

Ontario (Attorney-General) v Dieleman (1994) 117 DLR (4th) 449
— 41.3(b)

Ontario (Speaker of the Legislative Assembly) v Ontario (Human Rights Commission)
201 DLR (4th) 698
— 17.7(a)

Osborne v Canada (Treasury Board) [1991] 2 SCR 170
— 9.2(e)(iii)(bb)

P v S (1993) 108 DLR (4th) 287 (SC)
— 41.4(c)

Papp v Papp [1970] 1 OR 331
— 15.3(c)(iii)

Peel (Regional Municipality) v Great Atlantic (1991) 78 DLR (4th) 333 (Ont CA)
— 41.2(e)

Phillips v Nova Scotia (Commission of Inquiry into the Westray Mine Tragedy) (1993)
117 NSR (2d) 218
— 51.4(b)(iii)

Placer Development Ltd (1985) 11 CLRBR (BS) 195 (BC)
— 53.4

PSAC v Canada (1987) 38 DLR (4th) 249 (SCC)
— 53.3(a)

R v A [1990] 1 SCR 995
— 31.6(a)

R v Altseimer (1982) 38 OR (2d) 783 (CA)
— 51.4(b)(iii)

R v Amway Corporation [1989] 1 SCR 21
— 51.4(b)(iii)

R v Andres [1990] 3 SCR 870
— 42.8(c)

R v Beare; R v Higgins [1988] 2 SCR 387
— 40.3(b)

R v Beaugard (1986) 26 CRR 59 (SCC), 1987 LRC 180 (SCC)
— 51.5(e)(i)

R v Big M Drug Mart Ltd [1985] 1 SCR 295, (1985) 18 DLR (4th) 321 (SCC)
— 32.1(b), 34.8(c)(i), 41.2(b)(iii), 41.2(c), 41.2(e), 53.6, 58.4(a)(v)

R v Burlingham [1995] 2 SCR 206
— 51.5(b)

R v Butler [1992] 1 SCR 452, (1992) 89 DLR (4th) 449 (SCC)
— 42.9(e)

R v Cambridge Health Authority, Ex Parte B [1995] 2 All ER 129, 137 (CA)
— 56A.2(a)

R v Chaulk [1990] 3 SCR 1302, 62 CCC (3d) 193
— 34.2(c), 34.8(c)(iii)

R v Christie [1914] AC 545 (HL)
— 51.4(b)(ii)

R v Cohn (1984) 13 DLR (4th) 680
— 51.5(e)(i)

R v Collins (1987) 56 CR 193 (SCC), [1987] 1 SCR 265
— 51.4(b)(iii), 51.5(b), 52.10(c), 52.10(g)

R v Cook [1998] 2 SCR 597
— 31.6(a)

R v Crawford [1995] 1 SCR 858
— 51.5(j)(ii)

R v Debot [1989] 2 SCR 1140
— 51.2

R v Demers [2003] BCJ 75, 2003 BCCA 28
— 37.2

R v Dersch [1993] 3 SCR 768
— 51.4(b)(iii)

R v Director of Serious Fraud Office, ex parte Smith [1993] AC 1 (HL)
— 51.4(b)(i)

R v Duarte [1990] 1 SCR 30
— 38.3(a)(iii)

R v Duguay (1989) 1 SCR 93
— 40.3(c)(i)

R v Finta [1994] 1 SCR 701
— 51.5(f), 51.5(k), 51.5(m)

R v Genereux (1992) 88 DLR (4th) 110
— 51.5(e)(i)

R v Glad Day Bookshops Inc (2004) 239 DLR (4th)
— 42.9(h)

R v Goltz [1991] 3 SCR 485, 67 CCC (3d) 481 (1992)
— 40.7(c)(ii), 49.2(c)(i)

R v Greffe [1990] 1 SCR 755
— 51.4(b)(iii)

R v Gruenke [1991] 3 SCR 263
— 42.7(d)

R v Hall [2002] 3 SCR 309
— 51.4(d)

R v Hebert [1990] 2 SCR 151, 57 CCC (3d) 1
— 34.7(c)(i), 51.2, 51.4(a), 51.4(b)(ii)

R v Heywood [1994] 3 SCR 761
— 40.3(b)

R v Hufsky [1988] 1 SCR 621, 40 CCC (3d) 398
— 34.2(c), 40.3(c)(i), 51.2

R v Jones [1994] 2 SCR 229
— 51.4(a)

R v Kalanj (1989) 1 SCR 1594
— 51.5(f)

R v Keegstra [1990] 3 SCR 697, (1990) 3 CRR (2d) 193
— 36.4(h)(ii), 42.4, 42.8, 42.8(c)

R v Khan [1990] 2 SCR 531
— 51.5(k)

R v Kopyto (1987) 47 DLR (4th) 213 (Ont CA)
— 10.4(a), 42.9(c)

R v Ladouceur [1990] 1 SCR 1257
— 40.3(c)(i)

R v Latif and Shahzad [1996] 1 WLR 104 (HL)
— 51.5(b)

R v Latimer [2001] 1 SCR 3
— 40.7(c)(ii)

R v Levogiannis [1993] 4 SCR 475
— 51.5(k)

R v L (WK) [1991] 1 SCR 1091
— 51.4(c), 51.5(f)

R v Lyons [1987] SCR 309
— 40.3(c)(i)

R v McClure [2001] 1 SCR 445, 2001 SCC 14
— 42.7(d)

R v Mentuck [2001] 3 SCR 442
— 42.7(d)

R v Miller and Cockerell [1977] 2 SCR 680
— 40.1(a)(i)

R v Mills [1986] 1 SCR 863
— 9.2(d)(i)

R v Morales [1992] 3 SCR 711, 12 CRR (2d) 31
— 51.4(d)

R v Morgenthaler (No 2) (1988) 44 DLR (4th) 385, [1988] 1 SCR 30
— 34.2(c), 37.12, 37.5, 37.6, 37.8, 41.2(b)(i), 7.4(a), 31.3(a)(iii) 37.2, 40.9

R v Morrissey [2000] 2 SCR 90, [2000] 191 DLR (4th) 87
— 40.7(b)(ii), 49.2(c)(i)

R v National Post [2008] OJ No 744, 2008 ONCA 139
— 42.7(d)

R v Noble (1997) 1 SCR 874, 6 CR (5th) 1
— 52.4(b)(ii)

R v Nova Scotia Pharmaceutical Society (1992) 10 CRR (2d) 34
— 17.3(f), 34.7(c)(ii)

R v Oakes [1986] 1 SCR 103, 50 CR (3d), 24 CCC (3d) 321, 19 CRR 308 (SCC)
— 34.8(c)(i), 34.8(d)(ii), 52.10(g), 52.11

R v Pearson [1992] 3 SCR 665
— 51.4(d)

R v Potvin [1989] 1 SCR 525
— 51.5(k)

R v Potvin [1993] 2 SCR 880, 105 DLR (4th) 214
— 51.5(f)

R v Rahey [1987] 1 SCR 588, 39 DLR (4th) 481
— 31.2(d)(v)

R v Rahn [1985] 1 SCR 659
— 52.2(b)

R v Richards; Ex parte Fitzpatrick and Browne (1955) 92 CLR 157
— 17.7(a)

R v Salituro [1991] 3 SCR 654, (1992) 8 CRR (2d) 173, 189
— 31.2(d)(vi)

R v Sang [1980] AC 402 (HL)
— 51.5(b)

R v Schmautz [1990] 1 SCR 398
— 51.3(f)

R v Seaboyer; R v Gayme [1991] 2 SCR 577
— 51.5(k), 52.7(d)

R v Sharpe 2001 SCC 2, (2001) 194 DLR (4th) 1
— 42.9(e)

R v Simmons [1988] 2 SCR 495
— 51.2

R v Smith [1987] 1 SCR 1045, 40 DLR (4th) 435
— 34.2(c), 40.1(a)(i), 40.7(c)(ii)

R v Smith [1989] 2 SCR 368
— 51.3(f)

R v Squires (1992) 78 (3d) CCC 97
— 42.9(c)

R v S (RD) [1997] 3 SCR 484 (SCC), (1997) 118 CCC (3d) 353
— 59.4(b)(iii), 63.5(g)

R v S (RJ) [1995] 1 SCR 451, 26 CRR (2d) 1
— 51.4(b)(iii)

R v Stillman (1997) 42 CRR (2d) 189
— 52.4(c)(ii)

R v Stinchcombe [1991] 3 SCR 326, (1992) LRC (Crim) 68
— 51.5(c)

R v Swain [1991] 1 SCR 933
— 40.3(c)(i), 51.1(b)(iv)

R v Therens [1985] 1 SCR 613, 18 DLR (4th) 655
— 34.7(c)(i), 51.2, 51.4(b)(iii), 52.2(b)

R v Thomas Fuller Construction Co (1958) Ltd [1980] 1 SCR 695
— 15.3(c)(iii)

R v Thompson [1990] 2 SCR 1111
— 38.3(a)(iii)

R v Thomsen [1988] 1 SCR 640, 40 CCC (3d) 411
— 34.2(c), 51.2, 52.2(b)

R v Trask [1985] 1 SCR 655
— 52.2(b)

R v Valente (1985) 24 DLR (4th) 161 (SCC)
— 24B.2, 26.6(c)(i), 51.5(e)(i)

R v Wiggins [1990] 1 SCR 62
— 38.3(a)(iii)

R v Wong [1990] 3 SCR 36
— 38.3(a)(iii)

R v W (R) (1992) 74 CCC (3d) 134
— 52.7(a)(ii)

R v Wray [1971] SCR 272
— 51.5(b)

R v Zelensky [1978] 2 SCR 940
— 15.3(c)(iii)

Re Clark v Attorney General of Canada (1977) 81 DLR (3d) 33, 55
— 42.10

Re Ontario Film and Video Appreciation Society 45 OR (2d) 80 (CA)
— 34.7(c)(ii)

Re Provincial Electoral Boundaries (Saskatchewan) [1991] 2 SCR 158
— 10.4(a)

Re Southam and the Queen (No 2) (1986) OR (2d) 663 CA
— 42.9(c)

Re Vancouver Sun [2004] 2 SCR 332
— 42.9(c)

RJR-McDonald v Canada [1995] 3 SCR 199, (1995) 127 DLR (4th) 1 (SCC), 31 CRR (2d) 189
— 34.2(c), 42.9(e), 42.9(f)

Ramsden v Corporation of the City of Peterborough (1992) 7 CRR 288
— 42.9(f)

Reference re Act to Amend Education Act (Ont) [1987] 1 SCR 1148, (1987) 40 DLR (4th) 18
— 31.5

Reference re Manitoba Language Rights [1985] 1 SCR 721, 19 DLR (4th) 1
— 4.7(a)

Reference re Public Service Employee Relations Act (1987) 38 DLR (4th) 161, [1987] 1 SCR 313
— 53.3(a), 53.5

Regional Municipality of Peel v MacKenzie (1982) 139 DLR (3d) 14
— 15.3(c)(iii)

Remai Investment Co (1987) 18 CLRBR (NS) 75 (Sask)
— 53.3(b)

Retail Wholesale and Department Store Union, Local 580 v Dolphin Delivery Ltd (1986) 33 DLR 174, [1986] 2 SCR 573
— 31, 31.2(d)(ii), 43.3(a)(iv) Appendix(1)

Rocket v Royal College of Dental Surgeons [1990] 2 SCR 232, 71 DLR (4th) 68 (SCC)
— 34.1(c), 42.9(f)

Rodriguez v British Columbia (Attorney General) [1993] 3 SCR 519
— 40.7(a)(i)

Roman Corp Ltd v Hudson Bay Oil Co Ltd (1971) 18 DLR (3d) 134, 138
— 42.10

Ross v New Brunswick School District No 15 [1996] 1 SCR 825
— 34.2(c), 41.4(a), 57.2(a)(ii)(aa)(y)(ccc)

Russow v BC (AG) (1989) 35 BCLR (2d) 29 (SC)
— 41.5

St Elizabeth Home Society v Hamilton [2008] OJ No 983, 2008 ONC LEXIS 1179, 2008 ONCA 182
— 42.7(d)

Salvation Army, Canada East v Ontario (A-G) (1992) 88 DLR (4th)
— 41.3(b)

Saskatchewan Human Rights Commission v Kodellas (1989) 60 DLR (4th) 143; [1989] 5 WWR 1 (Sask CA)
— 9.2(e)(i)

Saskatchewan v RWDSU, Locals 544, 496, 635 and 955 (1987) 38 DLR (4th) 277 (SCC)
— 53.3(a)

Sauve v Canada (Chief Electoral Officer) 2002 SCC 68
— 49.3(a)

School District No 54 and Bulkley Valley Teachers' Assn (Re) 93 CLLC 16,070 (BCLRB)
— 53.6

Singh v and Minister of Employment and Immigration [1985] 1 SCR 177, 17 DLR (4th) 422
— 31.3(a)(i), 33.10(b), 34.8(c)(ii)

Slaight Communications Inc v Davidson [1989] 1 SCR 1038, (1989) 59 DLR (4th) 416
— 31.2(d)(ii)

Smith v The Queen 34 CCC (3d) 97 (1987)
— 49.2(c)(i), 49.2(d)(ii)

Société des Acadiens du Nouveau-Brunswick v Association of Parents for Fairness in Education (1986) 27 DLR (4th) 406 (SC)
— 65.2(b)

Solosky v The Queen (1979) 105 DLR (3d) 745
— 49.3(a)

Steele v Warden Mountain Institution (1991) 60 CCC (3d) 1
— 49.3(b)(ii)

Stelco Inc v Canada (Attorney General) [1990] 1 SCR 617
— 40.3(b)

Stoffman v Vancouver General Hospital [1990] 3 SCR 483
— 31.4(f)(ii)

Stopforth v Goyer (1978) 87 DLR (3d) 373, 381
— 17.7(c), 42.10

Strunk v Strunk 445 SW 2d 145 (1969)
— 40.10(b)

Suresh v Canada [2002] 1 SCR 72
— 31.6(b)

Switzman v Elbing [1957] SCR
— 10.4(a)

Tetreault-Gadoury v Canada (Employment and Immigration Commission) (1991) 4 CRR (2d) 12
— 34.8(c)(v)

Texada Mines v AG BC [1960] SCR 713
— 15.3(a)(iii)

Thomson Newspapers Co v Canada (Attorney General) [1998] 1 SCR 877
— 34.2(c)

Thomson Newspapers Co v Canada (Director of Investigation and Research, Restrictive Trade Practices Commission) [1990] 1 SCR 425
— 40.3(b), 51.4(a), 51.4(b)(iii)

Thwaites v Health Sciences Centre (1988) 51 Man R (2d) 196
— 40.3(c)(i)

Tremblay v Daigle (1989) 62 DLR (4th) 634, [1989] 2 SCR 530
— 7.4(a)

Turp v Chretien 111 CRR (2003) 184
— 30.4(a)

US v Jamieson [1996] 1 SCR 465
— 31.6(b)

US v Ross [1996] 1 SCR 469
— 31.6(b)

US v Whitley [1996] 1 SCR 467
— 31.6(b)

UCFW, Local 1518 v Kmart Canada [1999] 2 SCR 1083
— 34.2(c)

Union Bank Employees and Bank of Montreal (1985) 10 CLRBR (NS) 129 (Can)
— 53.4

United Rubber Workers of America v Michelin Tires (Canada) Ltd 80 CLLC 14 012
(NSSCTD)
— 53.4

United States v Burns [2001] 1 SCR 283
— 31.6(b)

Valente v The Queen (1985) 24 DLR (4th) 161
— 12.3(b)(ii)

Vriend v Alberta 132 DLR (4th) 595 (Alb CA) (1996)
— 41.4(c)

Vriend v Alberta [1998] 1 SCR 493
— 34.2(c), 40.7(c)(ii), 41.4(c)

Walter et al v Attorney-General of Alberta [1969] SCR 83, (1969) 3 DLR (3d) 1 (SCC)
— 41.2(b)(iii)

Webster v Solloway Mills and Co [1931] 1 DLR 831
— 51.4(b)(iii)

Williams v Deputy Superintendent 18 CRR (2d) 315
— 51.4(b)(iii)

Winnipeg Child and Family Services (Northwest Area) v G (DF) [1997] 3 SCR 925
— 37.2

Winnipeg Child and Family Services v K LW [2000] 2 SCR 519
— 40.8(b)

Young v Young [1993] 4 SCR 3
— 41.4(c)

Zanganeh v Canadian Security Intelligence Service (1988) 50 DLR (4th) 747
— 62.8(b)

Zylberberg v Sudbury Board of Education (1988) 65 OR (2d) 641 (CA), (1988) 52 DLR
(4th) 577
— 41.2(e), 41.5

Commonwealth

Government of Malaysia v Selangor Pilot Association [1977] 2 WLR 901 (PC)
— 46.3(c)

Hall v The Queen [1971] 1 WLR 298 (PC)
— 51.4(b)(ii)

In re Thirteenth Amendment to the Constitution and the Provincial Councils Bill [1990]
LRC (Const) 1
— 17.3(g)

Teo Soh Lung v Minister for Home Affairs and Others [1990] LRC (Const) 490
— 17.3(g)

England / UK

A v B plc [2003] QB 195 (CA)
— 42.9(b)

AT and T Istel Ltd and Another v Tully and Others [1992] 3 All ER 523 (HL)
— 51.4(b)(iii)

Abbasi and Another v Secretary of State for Foreign and Commonwealth Affairs and Another [2002] EWCA Civ 1598
— 60.3

Adarand Constructors Inc v Pena 115 SCt 2097 (1995)
— 51.1(b)(iv)

Ahnee v DPP [1999] 2 AC 294
— 42.9(c)

Airedale NHS Trust v Bland [1993] 1 All ER 821
— 40.10(b)

Ambard v Attorney-General for Trinidad and Tobago [1936] AC 322
— 42.9(c)

Ashworth Hospital Authority v MGN Ltd [2002] UKHL 29; [2002] 4 All ER 193, [2002] 1 WLR 2003, 67 BMLR 175 (HL)
— 42.9(c)

Associated Provincial Picture Houses Ltd v Wednesbury Corporation [1947] 2 All ER 680 (CA), [1948] 1 KB 223
— 55.3(c), 63.6(d)

Attorney-General v Guardian Newspapers (Ltd) and Others (No 2) [1988] 3 All ER 638
— 42.9(g)

Attorney-General v Jonathan Cape Ltd [1996] QB 752
— 62.5(b)

Attorney-General v Times Newspapers Ltd [1973] QB 710
— 42.9(c)

Attorney-General v Times Newspapers Ltd [1974] AC 273
— 42.9(c)

Badry v Director of Public Prosecutions of Mauritius [1983] 2 AC 297
— 42.9(c)

Board of Education v Rice [1911] AC 179
— 63.5(d)

Boehringer Ingelheim Ltd and Others v Vetplus Ltd [2007] FSR 29 (CA)
— 42.9(c)

Bonnard v Perryman [1891] 2 Ch 269, CA
— 42.9(a)

Bradlaugh v Gosset (1884) 12 QB 271
— 17.7(a)

British Railways Board v Pickin [1974] AC 765
— 17.7(a)

British Steel Corporation v Granada Television Ltd [1981] AC 1096 (CA)
— 51.4(b)(iii)

Buttes Gas and Oil Co v Hammer (No 3) [1982] AC 932
— 30.4(e)

Camelot Group v Centaur Ltd [1999] QB 124 (CA)
— 42.7(d)

Campbell v MGN Ltd [2004] 2 AC 457 (HL)
— 42.9(b)

Cassell and Co Ltd v Broome and Another [1972] AC 1027
— 31.4(e)(x)

Chantrey Martin v Martin 1953 (2) All ER 691
— 52.9

Chan U Seek v Alvis Vehicles [2004] EWHC 3092 (Ch)
— 42.9(c)

Christie v Leachinsky [1947] AC 567, (HL) (1947) 1 All ER 567
— 51.3(b)

Congreso del Partido [1983] 1 AC 244 (HL)
— 30.4(c)

Council of Civil Service Unions and Others v Minister of Civil Service [1984] 3 All ER 935 (HL), [1985] AC 374 (HL)
— 63.5(d)

Cream Holding Ltd and Others v Banerjee and Others [2004] WLR 918 (HL)
— 42.9(h)

Davies v Presbyterian Church of Wales [1986] 1 All ER 705 (HL)
— 41.4(c)

Derbyshire County Council v Times Newspaper [1992] 3 All 65, 80 (CA)
— 42.5(b)

Derbyshire County Council v Times Newspaper [1993] AC 534 (HL)
— 42.9(a)

Dixon v Harrison 124 All ER 958
— 9.2(b)(i)

Dood v Secretary of State for the Home Department and Other Appeals [1994] 1 AC 531 (HL)
— 63.5(e)

Douglas v Hello! Ltd (No 2) [2003] EMLR 28 (CA)
— 42.9(h)

Duncan v Cammel Laird [1942] 1 All ER 587 (HL)
— 52.6(c)

Englebert Ncgobo and Others v Thor Chemical Holdings (Pty) Ltd No 1994 N 1212 (UK) reprinted in UNEP Compendium of Judicial Decisions on Matters related to Environment: National Decisions (Volume 1, 1998) 237
— 50.4(a)

Fraser-Woodward Ltd v BBC and Another [2005] FSR 3 (Ch)
— 42.9(d)

Gillick v West Norfolk and Wisbech Area Health Authority and Another [1988] All ER 402 (HL)
— 37.6

Gillick v West Norfolk and Wisbech Area Health Authority and the DHSS [1985] 3 All ER 403
— 47.1

Goldsmith v Bhojrul [1998] QB 459
— 42.9(a)

Goodwin v The United Kingdom [1996] 22 ECHR 123
— 42.7(d)

Greene v Associated Newspapers Ltd [2005] QB 972 CA
— 42.9(a), 42.9(h)

Grey v Pearson [1843–60] All ER Rep 21 (HL) 36
— 32.3(a)

Handyside v United Kingdom (1976) 1 EHRR 737
— 42.7(c)

Hector v Attorney General of Antigua and Barbuda [1990] 2 All ER 103, 106
— 42.5(b)

Hubbard v Vosper [1972] 2 QB 84
— 42.9(d)

In re Poyser and Mills' Arbitration [1964] 2 QB 467
— 63.7

In re S (FC) (a child) [2005] 1 AC 593 (HL)
— 42.9(c)

Jameel v Wall Street Journal Europe Sprl [2007] 1 AC 359 (HL)
— 42.9(a)

James Buchanan & Co Ltd v Babco Forwarding and Shipping (UK) Ltd [1977] 1 All ER 518
—

Janaway v Salford Health Authority [1988] 3 All ER 1079 (HL)
— 37.7

Kalanke v Freie Hansestadt Bremen [1995] IRLR 660 (ECJ)
— 51.1(b)(iv)

Keary Developments Ltd v Tarmac Construction Ltd and Another [1995] 3 All ER 534 (CA)
— 59.4(a)(viii)

Kelly v Kelly 1997 SLT 896, 1997 SCLR 749 (Scotland)
— 37.2

Kielley v Carson [1842] EngR 593, [1842] 13 ER 225 (PC)
— 17.7(c)

Kruse v Johnson [1898] 2 QB 91
— 63.6(a)

Lawrie v Muir 1950 SC (J) 19
— 52.10(b), 52.10(c)

Levi Strauss v Tesco Stores [2002] EWHC 1556
— 42.9(d)

Lion Laboratories Ltd v Evans and Others [1985] QB 526 (CA)
— 42.9(d)

Loutchansky v Times Newspapers Ltd (No 2) [2002] QB 783 (CA)
— 42.9(a)

Magor and St Mellons Rural District Council v Newport Corp 1950 (2) All ER 1226 (CA)
— 32.3(a)

McKennit v Ash [2007] EMLR 113 (CA)
— 42.9(b)

McLay v HM Advocate (1994) SCCR 397
— 51.5(j)(ii)

Miss Behavin' Ltd v Belfast City Council [2007] 3 All ER 1007 (HL)
— 42.9(e)

Murray v Ireland [1985] IR 532
— 34.8(d)(i)

(On the application of British American Tobacco and Others) v Secretary of State for Health [2004] EWHC 2493 (Admin)
— 42.9(f)

Paton v British Pregnancy Advisory [1979] QB 276
— 37.4

Petition No 2 of the BBC [2000] HRLR 423
— 42.9(c)

Pro Sieben Media AG v Carlton UK Television Ltd [1999] 1 WLR 605
— 42.9(d)

R (Abdi and Nadarajab) v Secretary of State for the Home Department [2005] EWCA Civ 1363
— 63.10

R v Abdroikov; R v Green; R v Williamson [2008] 1 All ER 315
— 63.5(g)

R v Adams [1997] Crim LR 292
— 51.5(c)

R v Agar [1990] 2 All ER 442 (CA)
— 51.5(c)

R v Apicella (1985) 82 CR App Rep 295 (CA)
— 51.4(b)(iii)

R v Barton [1972] 2 All ER 1192 (Cr Ct)
— 51.5(c)

R v Beckford and Dayley [1991] Crim LR 833
— 51.5(j)(ii)

R v Board of Visitors of Hull Prisoners, Ex parte St Germain [1979] QB 425
— 49.3(a)

R v Bowden [1999] 1 WLR 823 (CA)
— 51.4(b)(i)

R v Bow Street Metropolitan Stipendiary Magistrate: Ex Parte Pinochet Ugarte (No 3) [1999] 2 All ER 97 (HL)
— 30.4(c)

R v Brophy [1982] AC 476
— 51.4(b)(i)

R v Cargill 1913 2 KB 271
— 52.7(d)

R v Chief Constable of Sussex, ex parte International Trader's Ferry Ltd [1999] 1 All ER 120 (HL)
— 63.6(d)

R v Christou and Wright (1992) 95 Cr App R 264
— 51.5(b)

R v Churchill [1993] Crim LR 285
— 51.5(i)

R v Cockcroft 1870 11 Cox CC 410
— 52.7(d)

R v Commissioner of Police, ex parte Blackburn (No 2) [1968] 2 QB 150
— 42.9(c)

R v Condon and Condon [1997] 1 Cr App R 185
— 51.4(b)(ii)

- R v Cooke [1995] 1 Cr App Rep 318
— 51.4(b)(ii)
- R v Director of Water Services, ex parte Lancashire County Council, Liverpool City Council, Manchester City Council, Oldham Metropolitan Borough Council, Tameside Metropolitan Borough Council and Birmingham City Council [1999] Env LR 114, [1998] EWHC 213 (QB)
— 56D.2(d)(iv), 56B.4(c)(ii), 56B.5(b)
- R v Disciplinary Committee of the Jockey Club: ex parte Aga Khan [1993] 2 All 853
— 63.3(b)
- R v Gilbert [1977] 66 Cr App R 237
— 51.4(b)(ii)
- R v Keane [1994] 2 All ER 478
— 51.5(c)
- R v Littleboy [1934] 2 KB 408
— 51.4(b)(ii)
- R v Maguire and Others [1992] 2 All ER 433 (CA)
— 51.5(c)
- R v Ministry of Agriculture, Fisheries and Food; ex parte Hamble (Offshore) Fisheries Limited [1995] 2 ALL ER 714 (QB)
— 63.10
- R v Myers [1996] 2 Cr App R 335
— 51.5(j)(ii)
- R v North and East Devon Health Authority, ex parte Coughlan (Secretary of State for Health intervening) [2000] 3 All ER 850 (CA)
— 63.10
- R v Offen; R v McGilliard; R v McKeown; R v Okwuegbunam; R v S [2001] 1 WLR 253
— 49.2(b)
- R v Panel on Take-overs and Mergers, ex parte Datafin plc [1987] 1 All ER 564 (CA)
— 63.3(b)
- R v R [1992] 1 AC 599
— 51.5(m)
- R v Ricketts [1991] Crim LR 915
— 51.5.(i)
- R v Riley 1987 18 QBD 481
— 52.7(d)
- R v Secretary of State for Foreign and Commonwealth Affairs, ex parte Everett [1989] 1 All ER 655 (CA)
— 30.4(a)
- R v Secretary of State for the Home Department, ex parte McQuillan [1995] 4 All ER 400
— 60.4
- R v Secretary of State for Transport, Ex Parte Richmond-upon-Thames London [1994] 1 WLR 74
— 63.10
- R v Sheffield Crown Court, Ex parte Brownlow [1980] QB 530 (CA)
— 32.3(b)
- R v Smith [1985] 81 Cr App R 286 (CA)
— 51.4(b)(ii)

R v Smurthwaite; R v Gill [1994] 1 All ER 898 (CA)
— 51.5(b)

R v Sussex Justices, ex parte McCarthy (1924) 1 KB 256
— 63.5(g)

R v Ward [1993] 2 All ER 577 (CA)
— 51.5(c)

R v Wholesale Travel Inc 1992 8 CR (4th) 145
— 52.4(a)(iii)

Re F (Minor: Abduction: Jurisdiction) [1990] 3 All ER 97 (CA)
— 47.10(b)

Rank Film Distributors Ltd and Others v Video Information Centre and Others [1981] 2 All ER 76 (HL)
— 51.4(b)(iii)

Raymond v Honey [1983] 1 AC 1, [1981] 2 All ER 1084
— 49.3(a)

Regina (Anderson) v Secretary of State for the Home Department [2002] UKHL 46, [2003] 1 AC 837
— 49.3(b)(ii)

Regina v Lichniak, Regina v Pyrah [2002] UKHL 47, [2003] 1 AC 903
— 49.3(b)(ii)

Reynolds v Times Newspapers Ltd [2001] 2 AC 127 (HC)
— 42.9(a)

Rio Tinto Zinc Corporation v Westinghouse Electric Corporation [1978] AC 547 (HL)
— 51.4(b)(iii)

Rookes v Barnard [194] AC 1129 (HL)
— 9.5(a)(ii)(bb)

Russel v Duke of Norfolk [1949] 1 All ER 109
— 63.5(e)

Russel v The Queen (1882) 7 App Cas 829
— 17.6(b)(i)

Scott v Scott [1913] AC 417
— 42.9(c)

Seaga v Harper [2008] UKPC 9
— 42.9(a)

Shaw v Director of Public Prosecutions 1961 (2) All ER 446 (HL)
— 32.3(a)

Sociedade Nacional de Combustiveis de Angola UEE v Lundqvist [1991] 2 QB 310 (CA)
— 51.4(b)(iii)

Sommersett v Steward 99 Eng Rep 499 (KB 1772)
— 64.1

Theakston v MGN Ltd [2002] EMLR 22
— 42.9(b)

The Queen on the Application of Comminos v Bedford Borough Council and Others [2003] EWHC 121
— 42.9(a)

Trendtex Trading Corporation v Central Bank of Nigeria [1977] QB 529
— 30.2(a)

Triplex Safety Glass Co Ltd v Lancegay Safety Glass Ltd [1939] 2 KB 395 (CA)
— 51.4(b)(iii)

Woolmington v DPP [1935] AC 462
— 51.5(i), 52.4(a)(i)

X Ltd and Another v Morgan-Grampian (Publishers) Ltd and Others [1991] 1 AC 1,
[1990] 1 All ER 616, 1990 2 WLR 421
— 42.7(d)

European Court of Human Rights

A v United Kingdom (1999) 27 EHRR 611, [1998] 2 FLR 959
— 47.5(b), 49.1

Adolf v Austria (1982) 4 EHRR 313
— 51.1(a)(v)

Al-Adsani v United Kingdom (2002) 34 EHRR 273
— 30.4(c)

Amuur v France (1996) 22 EHRR 533
— 40.3(b)

Autism v France (Complaint No: 13/2002 European Committee of Social Rights
(2002))
— 35.5(g)(vii)

Autronic AG v Switzerland (1990) 12 EHRR 485
— 42.7(g)

Axen v Germany (1984) 6 EHRR 195
— 51.5(o)

Barbera, Messegué and Jabardo v Spain (1988) 11 EHRR 360
— 51.1(a)(ii), 51.5(k)

Barfod v Denmark (1989) 13 EHRR 493
— 42.9(c)

Blastland v United Kingdom (1988) 10 EHRR 528
— 51.5(b)

Blume v Spain (2000) 30 EHRR 632
— 40.3(b)

Bönisch v Austria (1985) 9 EHRR 191
— 51.5(e)(i)

Bouamar v Belgium (1988) 11 EHRR 1
— 51.1(a)(ii)

Brogan et al v United Kingdom (1988) 11 EHRR 117
— 51.4(b)(iii)

Buchberger v Austria (2003) 37 EHRR 13
— 59.4(b)(ii)

Campbell and Cosans v United Kingdom (1980) 3 EHRR 531
— 40.7(a)(ii)

Casado Coca v Spain (1994) 18 EHRR 1
— 42.9(f)

Chahal v United Kingdom (1996) 23 EHRR 413
— 40.7(a)(i)

Costello-Roberts v United Kingdom (1993) 19 EHRR 112
— 40.7(a)(ii), 47.5(a)

De Haes v Belgium (1998) 25 EHRR 1
— 42.9(c)

De Weer v Belgium (1980) 2 EHRR 439
— 51.2

De Wilde, Ooms and Versyp v Belgium (1971) 4 EHRR 443
— 51.1(a)(ii), 51.3(e), 51.4(c)

Dombo Beheer v Netherlands (1994) 18 EHRR 213
— 59.4(b)(ii)

East African Asians v United Kingdom (1973) 3 EHRR 76
— 40.7(a)(i)

Eckle v Germany (Federal Republic) (1985) 5 EHRR 1
— 51.5(f)

Engel and Others v The Netherlands (No 1) (1976) 1 EHRR 647
— 40.3(b)

Findlay v United Kingdom (1997) 24 EHRR 221
— 51.5(e)(i)

Fogarty v United Kingdom (2002) 34 EHRR 302
— 30.4(c)

Foti v Italy (1982) 5 EHRR 313
— 51.2, 51.5(f)

Fox; Campbell and Hartley v UK (1990) 13 EHRR 157
— 51.3(b)

Fressoz and Roire v France (2001) 31 EHRR 2
— 42.9(d), 42.9(h)

Grandruth v Federal Republic of Germany (1967) 10 Yearbook of the European
Convention on Human Rights 626
— 64.4(c), 64.6(h)

Gussenbauer v Austria (1975) 15 Yearbook of the European Convention on Human
Rights 448
— 64.4(c), 64.6(g)

Guzzardi v Italy (1980) 3 EHRR 333
— 40.3(b)

Handyside v United Kingdom (1976) 1 EHRR 737
— 42.8(c), 42.9(e)

Hashman and Harrup v The United Kingdom (2000) 30 EHRR 241
— 34.7(c)(ii)

Ireland v The United Kingdom (1978) 2 EHRR 25
— 40.6(a), 40.7(a)(ii)

Iversen v Norway (1963) 6 European Yearbook of the European Convention of Human
Rights 327
— 64.4(c), 64.6(g)

Jacobowski v Poland (1994) 19 EHRR 64
— 42.9(f)

Jersild v Denmark 19 EHRR 1, 28 (1994)
— 42.8(c)

Kalac v Turkey (1999) 27 EHRR 552
— 34.7(c)(ii)

Kalashnikov v Russia (2003) 36 EHRR 34
— 49.3(a), 55.8

Klass v Federal Republic of Germany (1978) 2 EHRR 214
— 34.7(c)(ii)

Kostovski v Netherlands (1989) 12 EHRR 434
— 51.5(b), 51.5(k)

Krone Verlag GmbH & Co KG v Austria 2003
— 42.9(f)

Landvreugd v Netherlands (2003) 36 EHRR 56
— 66.1(b)(ii)

Lawless v Ireland (No. 3) (1961) 1 EHRR 15
— 61.3(b), 61.4(a)

Leander v Sweden 1987 (9) EHRR 433
— 62.1

Lingens v Austria (1986) 8 EHRR 407
— 42.5(b)

Litwa v Poland (2000) 33 EHRR 1267
— 40.3(b)

Marckx v Belgium 2 EHRR 330 (1980)
— 47.2(a)

Markt Intern & Berman v Germany (1990) 12 EHRR 161
— 42.9(f)

Marshall v United Kingdom Application No 41571/98 (10 July 2001)
— 61.3(b)

McElhinney v Ireland (2002) 34 EHRR 322
— 30.4(c)

McVicar v UK (2002) 35 EHRR 22
— 42.9(a)

Minelli v Switzerland (1983) 5 EHRR 554
— 51.1(a)(v)

Monnell and Morris v United Kingdom (1987) 10 EHRR 205
— 51.1(a)(v), 51.5(o)

Müller v Switzerland (1991) 13 EHRR 212
— 42.9(e)

Neumeister v Austria (1968) 1 EHRR 91
— 51.4(c)

Nielsen v Denmark (1988) 11 EHRR 175
— 40.3(b)

Observer and Guardian v UK (1992) EHRR 153
— 42.9(b)

Osman v United Kingdom (2000) 29 EHRR 245 23B.3(c)(iii), 39.6,
— 40.5(b)(i), 49.1

Peck v UK (2003) 36 EHRR 41
— 42.9(b)

Peers v Greece (2001) 33 EHRR 51
— 49.3(a)

Plattform Artzte fur das Leben v Austria (1991) 13 EHRR 204
— 40.5(c)

Poltoratskiy v Ukraine (unreported, Case No 38812/97, 29 April 2003)
— 49.2(a)

Prager and Oberschlick v Austria (1995) 21 EHRR
— 42.9(c)

Price v United Kingdom (2002) 34 EHRR 53
— 49.2(d)(iii)

Raimondo v Italy (1994) 18 EHRR 237
— 40.3(b)

Republic of Ireland v United Kingdom 2 EHRR 25 (Series A) (1978) at III (C)
— 61.3(b)

SW v United Kingdom (1995) 21 EHRR 363
— 51.5(m)

Soering v United Kingdom (1989) 11 EHRR 439
— 49.3

Stafford v United Kingdom (2002) 35 EHRR 32
— 49.3(b)(ii)

Steel & Morris v United Kingdom (2005) 41 EHRR 22
— 42.9(d)

Sunday Times v United Kingdom (No 1) (1979) 2 EHRR 245
— 34.7(a), 42.9(c), 51.1(a)(ii)

Sunday Times v United Kingdom (No 2) (1992) 14 EHRR 229
— 34.7(c)(ii)

Sutter v Switzerland (1984) 6 EHRR 272
— 51.5(o)

Thorgeirson v Iceland (1992) 14 EHRR 843
— 42.9(a)

Thynne, Wilson and Gunnell v United Kingdom (1991) 13 EHRR 666
— 49.3(b)(ii)

Tyrer v United Kingdom (1979-80) EHRR 1
— 40.6(a), 40.7(a)(i), 40.7(a)(ii)

Unterpertinger v Austria (1986) 13 EHRR 175
— 51.5(b), 51.5(k)

Van der Leer (1990) 12 EHRR 567
— 51.2

Van der Mussele v Belgium 2 (1984) 6 EHRR 163
— 64.4(c), 64.6(f), 64.6(g)

Van Droogenbroeck v Belgium (1992) 4 EHRR 443
— 64.4(c), 64.6(f)

Verlagsgruppe News Gmbh v Austria (No 2) [2007] EMLR 413
— 42.9(d)

Von Hannover v Germany (2005) 40 EHRR 1
— 42.9(b)

Weeks v United Kingdom (1987) 10 EHRR 293
— 51.3(e), 51.4(c)

Worm v Austria (1998) 25 EHRR 454
— 42.9(c)

W, X, Y and Z v The United Kingdom (1968) 11 Yearbook of the European Convention on Human Rights 562
— 64.4(b), 64.4(c), 64.6(h)

X v Austria (application no. 5591/72) (1973)
— 64.6(h)

European Court of Justice

Ahmed v United Kingdom [1998] ECHR 76
— 43.3(b)(iii)

Arrowsmith v UK No 7050/75, 19 DR 5 (1980)
— 41.3(b), 41.4(a)

Barthold v Germany (1992) 15 EHRR 244
— 42.9(f)

Chassagnou v France (2000) 29 EHRR 615 (Application Nos 25088/94)
— 44.1(d)

Christians against Racism and Fascism v The United Kingdom (1980) 21 DR 138
— 43.3(a)(i)

Cisse v France [2002] ECHR 400
— 43.3(b)(ii)

Darby v Sweden A 187 (1991) Comm. Rep
— 41.2(c)

Djavit An v Turkey [2003] ECHR
— 43.3(a)(ii), 43.3(b)(iv)

Ezelin v France [1991] EHRR 362
— 43.1

G v Germany (1989) 60 DR 256
— 43.3(a)(i)

Grandmaison and Fritz v Federal Republic of Germany 53 DR 150 (1987)
— 41.3(b), 41.4(a)

H v Austria [1989] EHRR 70
— 43.1

Handyside v United Kingdom (1976) 1 EHRR 737
— 10.4(a), 43.1

Incal v Turkey [1998] ECHR 48
— 43.3(a)(i)

Independent News and Media v Ireland (2006) 42 EHRR 46
— 42.9(a)

Kokkinakis v Greece (1994) 17 EHRR 397
— 41.2(c)

Koplinger v Austria (1966) Application No 1850/63 9 Yearbook 240
— 51.4(c)

Lingens v Austria (1986) 8 EHRR 57
— 42.9(a)

Maestri v Italy [2004] ECHR 76
— 43.3(b)(iv)

Open Door and Dublin Well Women and others v Ireland 14234/88 [1992] ECHR 68
— 37.11

Otto-Preminger-Institut v Austria (1995) 19 EHRR 34
— 41.4(c)

- Paton v United Kingdom (1981) 3 EHRR 408
— 37.4
- Plattform 'Ärzte für das Leben' v Austria [1988] ECHR 15
— 43.1
- Royal Society for the Prevention of Cruelty to Animals ['RSPCA'] v Attorney-General [2002] 1 WLR 448
— 44.1(c)(vi)
- Stankov and the United Macedonian Organisation Ilinden v Bulgaria [2001] ECHR 563
— 43.1, 43.3(a)(i), 43.3(b)(iii)
- Sürek v Turkey (No 1) [1999] ECHR 51
— 43.3(a)(i)
- Tolstoy Miloslavsky v UK (1995) 20 EHRR 442
— 42.9(a)
- VO v France [2004] 2 FCR 577
— 37.2
- Vogt v Germany (1996) 21 EHRR 205
— 44.2(c)
- Wemhoff v Germany [1968] ECHR 2, (1968) 1 EHRR 55
— 51.4(c), 51.5(f)
- Winterwerp v Netherlands (1979) 2 EHRR 387
— 51.1(a)(ii)
- X v Austria 1753/63 Yearbook VIII (1965) 174 (184)
— 41.4(a)
- X v Federal Republic of Germany 24 DR 137
— 41.3(b)
- X v UK 28 DR 5, 27, 38 (1982)
— 41.4(a)
- X v UK No. 6886/75 5 DR 100 (1976)
— 41.4(a)
- X, Y and Z v Sweden 5 EHRR 47 (1983)
— 41.4(c)
- Young, James and Webster v UK (1982) 4 EHRR 38
— 44.2(b), 53.3(b)

France

- François X & the Union Fédérale des Consommateurs d'Avignon v Société Avignonnaise des Eaux, Swiss Tribunal de Grande Instance (District Court) of Avignon, Order No. 1492/95 (12 May 1995)
— 56D.2(d)(iv)
- In CISE v Association Consommateurs Fontauliere, Tribunal de Grande Instance (District Court) of Privas, Order No. 9800223 (5 March 1998)
— 56D.2(d)(iv)
- Mme Lefevre v Ville d'Amiens, Cour de Cassation, Troisième chambre civile Supreme Court, 3rd Civil Chamber, Arrêt No 1362 (15 December 2004)
— 56D.2(d)(iii)

Germany

- BGH (1969) NJW 1770
— 43.3(a)(i)

BVerfGE A III J2 (1993)
— 37.2

BVerfGE 44 (2002)
— 42.9(c)

BVerwG 1954 NJW 1947
— 44.2(a)

BVerw NJW 1008 (1982)
— 43.3(b)(ii)

BVerwGE 39, 1
— 32.1(c)

BVerwGE 49, 89, 133
— 12.3(d)(iii)

BVerwGE 67,100
— 12.3(d)(i)(aa)

BVerwGE 68,1
— 12.3(d)(i)(aa)

BVerwGE 83,130, 152
— 12.3(d)(ii)(cc)

BVerwGE 90, 286
— 12.3(d)(i)(aa)

BVerwGE 95,1
— 12.3(d)(i)(aa)

1 BVerfGE 300
— 14.3(a)

2 BVerfGE 225 (1953)
— 43.3(a)(v)

7 BVerfGE 198 (1958) (Luth)
— 31.2(d)(ii), 31.4(e)(viii)

7 BVerfGE 377 (1958) (German Pharmacy)
— 54.2(b)(i)

12 BVerfGE 1 (1960) (Tobacco Atheist)
— 41.4(c)

12 BVerfGE 205 (1961)
— 14.3(a), 15.3(a)

16 BVerfGE 32, 36-37 (1957)
— 40.1(a)(i)

17 BVerf GE 306 (1964)
— 40.1(a)(i)

18 BVerfGE 315 (1965) 317 (Milk and Butterfat)
— 56C.2, 56C.3(b)(ii)

22 BVerfGE 180, 218-220 (1967)
— 40.1(a)(i)

24 BVerfGE 236 (1968) (Rumpelkammer)
— 41.3(b)

25 BVerfGE 269 (1969)
— 40.1(a)(i)

33 BVerfGE 1 (1972)
— 49.3(b)(i)

- 33 BVerfGE 23 (1972) (Religious Oath)
 - 41.3(b), 41.3(c)
- 33 BVerfGE 303 (1972) (Numerus Clausus)
 - 54.2(b)(i)
- 35 BVerfGE 203
 - 49.3(a)
- 39 BVerfGE 1 (1975)
 - 13.3, 31.3(a)(iii)
- 39 BVerfGE 334 (Civil Service)
 - 43.3(b)(iii)
- 40 BVerfGE 296 (1975) (Long-Haul Truck-Licensing)
 - 54.2(b)(i)
- 41 BVerfGE 29 (1975)
 - 41.2(d)
- 41 BVerfGE 29 (1976)
 - 41.2(d)
- 45 BVerfGE 187 (1977)
 - 40.1(a)(i), 40.7(c)(i), 49.2(d)(iv)
- 52 BVerfGE 223 (1979)
 - 41.2(d)
- 55 BVerfGE 159 (1980)
 - 40.1(a)(i)
- 55 BVerfGE 349, 90 ILR 386 (1980)
 - 60.3
- 69 BVerfGE 315 (1985) (Brokdorf)
 - 43.1, 43.2(b)(ii)
- 72 BVerfGE 155 (1986)
 - 40.1(a)(i)
- 73 BVerfGE 206 (1986) (Mutlangen)
 - 43.3(a)(i)
- 86 BVerfGE 288
 - 49.2(d)(iv)
- 87 BVerfGE 287 (1992)
 - 54.2(b)(i)
- 88 BVerfGE 203 (1993)
 - 31.3(a)(iii)
- 89 BVerfGE 155 (1993) (Maastricht)
 - 32.5(b)

Hong Kong

- Rediffusion (Hong Kong) Ltd v Attorney-General of Hong Kong and Another [1970] AC 1136 (Privy Council)
 - 17.4(a)
- Ng Sui Tung v Director of Immigration [2002] 1 HKLRD 561
 - 63.10

India

- Delhi Water Supply & Sewage Disposal Undertaking & Another v State of Haryana & Others AIR 1996 SC 2992, (1996) 2 SCC 572, [1996] 3 SCR 13
 - 56B.2(d)(i)

FK Hussain v Union of India OP 2741/1988 (1990/02/26)
— 56B.2(d)

Akhtari B v State of Madhya Pradesh AIR 2001 SC 1528
— 39.8

Bandhua Mukti Morcha v Union of India AIR 1984 SC 802
— 39.8

Communist Party of India (Marxist) v Bharat Khumar 1998 AIR 184 (SC)
— 44.1(d)

Consumer Education and Research Centre v Union of India AIR 1995 SC 636
— 39.8

Francis Coralie Mullin v The Administrator, Union Territory of Delhi (1981) 2 SCR 516
— 56C.2

Indira Gandhi v Raj Narain AIR 1975 SC 2299
— 13.4, 17.3(g)

Indra Sawhney v Union of India (1993) AIR SC 477
— 35.4(d)(i)

Indra Sawhney v Union of India (2000) AIR SC 498
— 35.4(d)(i)

Kapila Hingorani v State of Bihar AIR 2005 SC 980
— 39.8

Kerala Vyapari Vavasayi Ekopana Samithi v State of Kerala 2000 AIR 389 (SC)
— 44.1(d)

Kesavananda v State of Kerala AIR 1973 SC 1461
— 17.3(g)

Kharak Singh v State of Uttar Pradesh [1964] 1 SCR 332
— 66.1(b)(i)

Kranti v Union of India & Others Civil Appeal No. 2681 of 2007, arising out of S.L.P (c)
No.4716/2006, decided on 16 May 2007
— 56D.2(b)(iii)

MC Metha v Union of India AIR 1987 SC 965
— 39.8

MC Metha v Union of India AIR 2004 SCW 4033 (B)
— 39.8

Maneka Gandhi v Union of India AIR 1978 SC 597
— 51.1(a)(ii)

Minerva Mills v Union of India AIR 1980 SC 1789
— 17.3(g)

Murli S Deora v Union of India AIR 2002 SC 40
— 39.8

Olga Tellis v Bombay Municipal Corporation AIR 1986 SC 180
— 39.8

P Rathinam v Union of India AIR 1994 SC 1844
— 39.8

Parmanand Katara v Union of India AIR 1989 SC 2039
— 39.8

Paschim Banga Khet Mazdoor Samity and Others v State of and Another (1996) AIR
SC 2426
— 33.4(d), 33.5(c), 39.8, 56A.2(e)(ii)

- People's Union for Civil Liberties v Union of India Writ Petition [Civil] 196 (Supreme Court of India 2002)
— 56C.2, 56C.3(b)(iii)
- People's Union for Democratic Rights and Others v Union of India and Others, [1983] 1 SCR 456
— 64.4(c)
- Ram Arya and Another AIR 2002 SC 2225
— 39.8
- SP Gupta v President of India AIR 1982 SC 149
— 17.3(g)
- Samatha v State of Andhra Pradesh AIR 1997 SC 3297
— 39.8
- Secretary, Minor Irrigation and Rural Engineering Services UP v Sahngoo Ram Arya and Another AIR 2002 SC 2225
— 39.8
- State of Himachal Pradesh v Raja Mahendra Pal AIR 1999 SC 1786
— 39.8
- State of Punjab V Mohinder Singh Chawla AIR 1997 SC 1225
— 39.8
- Subhash Kumar v State of Bihar & Others (1991) AIR 420
— 56B.2(d)
- UP Avas Evam Vikas Parishad v Friends Co-op Housing Society AIR 1996 SC 114
— 39.8

Indonesia

- Judicial Review of the Law No 7 of 2004 on Water Resources, Constitutional Court of the Republic of Indonesia, 058-059-060-063/PUU/2004 (19 July 2005)
— 56D.2(d)(iii), 56D.3(b)(iii)(cc)

International

- Aapo Järvinen v Finland Communication No 295 (1988)
— 64.6(h)
- Abbasi v Foreign Secretary 42 ILM 359 (2003)
— 30.4(d)
- Amnesty International and Others v Sudan (2000) African Human Rights Law Reports 72 (ACHPR 1995)
— 58.3(b)(iii)
- Amnesty International, Comité Loosli Bachelard, Lawyers Committee for Human Right, Association of Members of the Episcopal Conference of East Africa v Sudan Communications 48/90, 50/91, 52/91 and 89/93, 13th Activity Report 1999±2000, Annex V
— 59.2(c)
- Arrêt no 36/98 Wemmel Community, Moniteur Belge, 24/4/98 (1 April 1998)
— 56B.2(d)
- Barrios Altos 41 ILM (2002) 93
— 30.4(c)
- Belgium v Spain (1970) ICJ Reports 3 (Barcelona Traction Company)
— 30.1(b)(iv), 30.4(d)
- Bosnia and Herzegovina v Yugoslavia (1996) ICJ Reports 615
— 30.1(b)(iv)

- Broeks v the Netherlands Comm 172/1984
— 33.4(c)
- Cariboni v Uruguay Communication No 159/1983 HRC 1988 Report (1988) Annex VII.A
— 40.6(a)
- Civil Liberties Organisation v Nigeria Communication 129/94, 9th Activity Report 1995-1996, Annex VIII
— 59.2(c)
- Columbia v Peru (1950) ICJ Reports 266
— 30.1(b)(ii)
- Constitutional Rights Project, Civil Liberties Organisation and Media Rights Agenda v Nigeria Communications 140/94, 141/94 and 145/95, 13th Activity Report 1999-2000, Annex V
— 59.2(c)
- Dr. Mohiuddin Farooque & Others v Bangladesh & Others Supreme Court, High Court Division, Special Original Jurisdiction, Writ Petition No 891 of 1994 (15 July 2001)
— 56B.2(d)(ii)
- E Quinteros v Uruguay, UN Doc A/38/40 (1981)
— 40.6(a)
- Federal Republic of Germany v Denmark and Federal Republic of Germany v Netherlands ICJ Reports (1969) 3
— 30.2(a)
- Free Legal Assistance Group, Lawyers' Committee for Human Rights, Union Interafricaine des Droits de l'Homme, Les Temoins de Jehovah v Zaire, Communications 25/98, 47/90, 56/91 and 100/93
— 50.2(c), 56B.2(a), 56B.2(b)
- Gabcikovo Nagymaros Project (Hungary v Slovakia) ICJ (1997) (UNEP Compendium of Judicial Decisions on Matters Related to Environment: International Decisions (Vol 1 1998) 255)
— 50.3(b)(i)(dd)(x)(1), 50.3(b)(ii)(aa)(v), 50.4(f)
- International Pen, Constitutional Rights Project, Interights on behalf of Ken Saro-Wiwa Jr and Civil Liberties Organisation v Nigeria Communications 137/94, 139/94, 154/96 and 161/97, 12th Activity Report 1998-1999, Annex V
— 59.2(c)
- Katangese Peoples Congress v Zaire (2000) African Human Rights Law Reports 72 (ACHPR 1995)
— 58.3(b)(iii)
- Kitok v Sweden Communication No 197/1985 (1985) 96 ILR 637
— 58.4(a)(i)
- Kuwait Airways Corporation v Iraqi Airways Co (Nos 4 and 5) [2002] 2 WLR 1353
— 30.4(e)
- LTK v Finland Communication No 185 (1984)
— 64.6(h)
- Legality of the Threat or use of Nuclear Weapons (1996) ICJ Reports 226
— 30.1(b)(ii)
- Lovelace v Canada Communication No R.6/24, U.N. Doc. Supp. No. 40 (A/36/40) (1981)
— 58.4(a)(i), 58.4(a)(ii), 58.5(a)
- MAB, WAT and J-AYT v Canada (Communication No 570/1993, Inadmissibility decision of April, 1994) 1994 HRC Rep, Vol II
— 41.3(a)

- Minors Oposa v Secretary of Department of Environmental and Natural Resources,
International Legal Materials (1994) 173
— 50.3(c)(i)
- Nottebohm (Liechtenstein v Guatemala) 2nd Phase 22 ILR 349 (1955)
— 47.2(b)
- Prosecutor v Dragon Nikolic, a.k.a. 'Jenki' Nikolic, Case No. IT-94-2
— 56B.2(a)
- Prosecutor v Dusko Tadic Case No. IT-94-1-AR72 ICTY Appeal Chamber
— 56B.2(a)
- Prosecutor v Furundzija (2002) 121 International Law Reports 213
— 30.1(b)(iv)
- Prosecutor v Kunarac Application Nos IT-96-23-T and IT-96-23/1-TICTY Appeal Chamber
12 June 2002
— 64.4(a)
- Prosecutor v. Zejnil Djalic, Zdravko Mucic a.k.a. 'Pavo', Hazim Delic, Esad Landzo
a.k.a. 'Zenga', Case No. IT-96-21-T ICTY Trial Chamber
— 56B.2(a)
- R v Esposito (1985) 49 CR (3d) 193 (Ont CA)
— 52.4(b)(i)
- R v Esposito (1985) 53 OR (2d) 356
— 52.2(b)
- Ryan v AG [1965] IR 294, 315
— 56B.2(d)
- Social and Economic Rights Action Centre and the Centre for Economic and Social
Rights v Nigeria, Communication 155/96 2001
— 50.2(c), 50.4(e), 56B.2(b), 56C.3(b)(i)
- SOS Esclaves v Mauritania 198/97 (1997) (African Commission on Human and Peoples
Rights)
— 64.5(c)
- Spain v Canada ICJ Reports (1974) 3
— 30.1(a)
- Supreme Court of Israel: Judgment Concerning the Legality of the General Security
Services Interrogation Method (1999) 38 ILM 1471
— 40.6(a)
- Surendra Bhandari & Others v Shree Distillery Private Ltd & Others Writ No 3259 of
the Nepali year 2053, reprinted in Supreme Court Judgments on Constitutional
Issues (2001) 206
— 56B.2(d)(ii)
- Surya Shama Dhungel v Godavari Marbles Industries, N.K.P. Golden Jubilee Special
Issue 2052 at 169
— 56B.2(d)(ii)
- The Social and Economic Rights Action Centre and the Centre for Economic and Social
Rights v Nigeria Comm 155/96 October 2001, African Commission on Human and
Peoples' Rights ('SERAC v Nigeria')
— 33.2(c)(ii), 33.4(c)
- Velásques v Honduras 28 ILM (1989) 294
— 30.4(c)
- Zwaan-de Vries v the Netherlands Comm 182/1984
— 33.4(c)

Ireland

Airey v Ireland (1979) 2 EHRR 305
— 59.4(b)(i)

Attorney General v X and Others (1992) 15 BMLR 104
— 37.2

CM v TM [1988] ILRM 456
— 31.2(e)

City View Press v An Chomhairle Oiliuna [1980] IR 381
— 17.5(e)(i)

In re Northern Ireland Human Rights Commission [2002] UKHL
— 25.8.1(b)

Knowles v The Anglican Church Property Trust, Diocese of Bathurst (1999) 89 IR 47
— 41.4(c)

Japan

Ienaga v Japan No 1428 of 1986 (16 March 1993)
— 57.2(a)(ii)(aa)(y)(ccc)

Ienaga v Japan No 1119 of 1994 (29 August 1997)
— 57.2(a)(ii)(aa)(y)(ccc)

Koizumi v Japan 17 Keishu 12 (1963) 2434, translated and reprinted in Hiroshi Itoh & Lawrence W Beer The Constitutional Case Law of Japan. Selected Supreme Court Decisions, 1961-1970 (1963) 80-1
— 54.2(b)(ii)

Kenya

Republic v Kadhi, Kisumu Ex Parte Nasreen [1973] EALR 153 (High Court of Kenya)
— 64.4(b)(ii)

Malaya

Rajah Ramachandran v Perbadanan Bekalan Air Pulau Pinang Sdn Bhd Civil Suit No 22-716-2003 (2 March 2004)
— 56D.2(d)(iv)

Mauritius

Government of Mauritius v Union Flacq Sugar Estates Co Ltd; Government of Mauritius v Medine Shares Holding Co Ltd [1992] WLR 903 (PC)
— 46.3(c)

Societe United Docks v Government of Mauritius; Marine Workers Union v Mauritius Marine Authority [1985] LRC (Const) 801 (PC)
— 46.3(c)

New Zealand

In Re A Case Stated by the Abortion Supervisory Committee [2003] 3 NZLR 87
— 37.2

Jennings v Buchanan [2002] 3 NZLR 145
— 17.7(c)

Mabon v Conference of the Methodist Church of New Zealand [1998] 3 NZLR 513
— 41.4(c)

Ministry of Transport and Noort Police v Curren [1992] 3 NZLR 260
— 34.7(a)

Prebble v Television New Zealand Ltd [1994] 3 NZLR 1 (PC)
— 17.7(c)

R v Goodwin [1993] 2 NZLR 153
— 52.2(b)

Nepal

- Bhojraj Aire v Ministry of Population and Environment, Writ No 4193 of the Nepali year 2056, decision dated 058/10/26
— 56D.2(b)(ii)
- Prakash Mai Sharma v Nepal Khanepani Sansthan (Nepal Water Supply Corporation) & Others, Writ No 2237 of the year 2047, decision dated 2057/3/26
— 56D.2(b)(ii)

Nigeria

- Abaribe v The Speaker of the Abia [2000] FWLR (Pt 9) 1558
— 18.2(e)
- Archbishop Anthony Okogie and Others v Attorney-General of Lagos State (1981) 2 NCLR 337
— 32.3(c)
- Asogwa v Chukwu [2004] FWLR (Pt 189) 1204
— 18.2(e)
- Attorney-General of Bendel State v Attorney-General of the Federation and Others (1982) 3 NCLR 1
— 32.3(c)
- Inakoju v Adeleke [2007] All FWLR (Pt 353)
— 18.2(e)

United States of America

- Abbott Laboratories v Gardner 387 US 136 (1967)
— 7.3(a)
- Abbott v Burke 575 A2d 359, 397 (1990)
— 57.2(a)(ii)(aa)(x), 57.2(a)(ii)(aa)(y)(aaa)
- Abel v United States 362 US 217, 241, 80 SCt 683 (1960)
— 38.3(a)(ii)
- Abington School District v Schempp 374 US 203 (1963)
— 41.5
- Aboud v Detroit Board of Education 431 US 209, 97 SCt 1782 (1977)
— 44.1(d), 44.2(b), 53.3(b)
- Abrams v United States 250 US 616, 628, 40 SCt 17 (1919)
— 42.4, 42.5(a)
- Adamson v California 332 US 46 (1947)
— 51.1(a)(ii)
- Adderly v Florida 385 US 39 (1966)
— 43.3(b)(iv)
- Advocates for the Arts v Thomson 532 F2d 792, (CA1) (cert denied, 429 US 894, 97 SCt 254, 50 LEd 2d 177 (1976)
— 42.4(e)
- Afroyim v Rusk 387 US 253 (1967)
— 60.5(a)
- Alabama v Texas 347 US 272 (1954)
— 42.7(g)
- Amalgamated Food Employers v Logan Valley 391 US 308 (1968)
— 43.3(b)(i)
- American Academy of Paediatrics v Lungren 940 P2d 797 (Cal Sup Ct 1997)
— 37.6

American Communications Assn v Douds 339 US 382, 402 (1950)
— 42.7(e), 42.7(g)

American Life League v Reno 855 FSupp 137 (ED Va 1994)
— 41.3(b)

Ames v Kansas ex rel/ Johnson 111 US 449, 464 (1884)
— 4.3(b)

Arden v Maine 527 US 706 (1999)
— 21.2(a)

Armstrong v United States 364 US 40 (1960)
— 46.4, 46.5(b), 46.7

Arnett v Kennedy 416 US 134 (1974)
— 34.7(c)(ii)

Ashcroft v Free Speech Coalition 535 US 234 (2002)
— 42.9(e)

Ashe v Swenson 397 US 436 (1970)
— 51.5(n)(iii)

Assemany v Archdiocese of Detroit 434 NW 2d 233 (Mich App 1988)
— 41.4(c)

Austin v United States 509 US 602 (1993)
— 51.5(n)(ii)

Bailey v Alabama (1911) 219 US 243
— 64.4(b)

Baker v Carr 39 US 186 (1962)
— 12.3(d)(ii)(aa)

Baltimore Department of Social Service v Bouknight 493 US 549 (1989)
— 51.4(b)(iii)

Bantam Books Inc v Sullivan 72 US 58, 70 (1963)
— 42.9(h)

Barbier v Connolly 113 US 27, 5 SCt 357 (1884)
— 49.2(b)

Barker v Wingo 407 US 514 (1972)
— 51.5(f)

Barnes v Glen Theatre, Inc 501 US 50 (1991)
— 42.9(e)

Barney v Eugene 20 Fed Appx 683, 2001 WL 1153441 (9th Cir 2001)
— 43.2(b)(ii)

Bay Area Peace Navy v United States 914 F 2d 1224 (9th Cir 1990)
— 43.2(b)(ii), 43.3(b)(ii)

Beauharnais v Illinois 343 US 250 (1952)
— 42.8(c)

Bella Lewitzky Dance Foundation v Frohnmayer 754 F Supp (CD Cal, 1991)
— 42.4(e)

Belle Terre v Boraas 416 US 1, 94 SCt 1536 (1974)
— 38.3(a)(i)

Bellis v United States 417 US 85 (1974)
— 51.4(b)(iii)

Benton v Maryland 395 US 784 (1969)
— 51.5(e)(i)

Bethel School District No. 403 v Fraser, (1986) 478 US 675
— 43.3(b)(iii), 43.3(b)(iv), 64.6(g)

Bivens v Six Unknown Named Agents of Federal Bureau of Narcotics 403 US 388 (1971)
— 38.3(a)(iv)

Board of Directors of Rotary International v Rotary Club of Duarte 481 US 537, 107 S Ct 1940 (1987)
— 44.1(c)(vi), 44.2(b)

Board of Education v Dowell 498 (US) 237 (1991)
— 9.2(c)(iii)(bb)

Board of Trustees of the State University of New York et al v Todd Fox 492 US 469, 109 S Ct 3028 (1989)
— 42.9(f)

Bob Jones University v United States 461 US 574 (1983)
— 34.8(e)(i)

Boos v Barry 485 US 312 (1988)
— 43.3(b)(iv)

Boumediene v Bush 553 US (2008)
— 42.9(g)

Bowen v Roy 476 US 693, 106 S Ct 2147 (1986)
— 41.2(c), 41.3(a)

Bowers v Hardwick 478 US 186, 106 S Ct 2841
— 44.3(c)(ii)

Boyd v United States 116 US 616 (1886)
— 51.4(b)(iii)

Boy Scouts of America v Dale 530 US 640, 120 S Ct 2446 (2000)
— 44.1(c)(vi)

Brandenburg v Ohio 395 US 444, 89 S Ct 1827 (1969)
— 42.8(b), 42.8(c), 44.2(a)

Branzburg v Hayes 408 US 665, 92 S Ct 2646, 33 L Ed 2d 626 (1972)
— 42.7(d)

Braswell v United States 487 US 99 (1988)
— 51.4(b)(iii)

Braunfeld v Brown 366 US 599, 81 S Ct 1144 (1961)
— 41.2(c), 41.2(d)

Breard v City of Alexandria 341 US 622 (1951)
— 43.3(b)(i)

Bridges v California 314 US 252 (1941)
— 42.9(c)

Brotherhood of Railroad Trainmen v Virginia 377 US 1, 84 S Ct 1113 (1963)
— 44.1(d)

Brownfield v Daniel Freeman Marina Hospital 208 Cal App 3d 405 (1989)
— 37.10

Brown v Allen 344 US 443
— 52.4(c)(ii)

Brown v Amenti 247 F 3d 69 (3d Cir, 2001)
— 42.7(f)

Brown v Board of Education of Topeka 347 US 483, 493 (1954)
— 2.3(g), 9.2(c)(iii)(bb), 57.2(a)(i)(aa), 57.2(a)(ii)(aa)(x)

Brown v Board of Education of Topeka 349 US 294 (1955)
— 9.2(c)(iii)(bb)

Brown v Louisiana 383 US 131 (1966)
— 43.3(b)(iv)

Brown v Ohio 432 US 161 (1977)
— 51.5(n)(iii)

Brown v United States 12 US (8 Cranch) 110 (1814)
— 23C.3(b)

Buckley v Valeo 424 US 1 (1976)
— 42.7(g)

Burton v Wilmington Parking Authority 365 US 715 (1961)
— 31.2(d)(ii)

Butler v Perry (1916) 240 US 328
— 64.6(g)

Calder v Bull 3 US 386 (1799)
— 40.1(a)(i), 51.5(m)

California v Green 399 US 149 (1970)
— 51.5(k)

Cammarano v United States 358 US 498 (1959)
— 42.7(e)

Campaign for Fiscal Equity Inc v The State of New York 100 NY 2d 893, 86 NY 2d 316
— 57.2(a)(ii)(aa)(x)

Campbell v Acuff-Rose Music Inc 510 US 569, 114 S Ct 1164, 127 L Ed 2d 500 (1994)
— 42.7(c), 42.9(d)

Cantwell v Connecticut 310 US 296, 60 SCt 900 (1940)
— 41.2(c)

Carey v Population Services International 431 US 678 (1977)
— 31.3(c), 40.1(b)(i), 40.9(c), 42.9(f)

Carhart v Smith 178 F Supp 2d 1068 (D Neb 2001)
— 37.3

Carhart v Stenberg 972 F Supp 507 (D Neb 1997)
— 37.3

Carter v Carter Coal Company 298 US 238 (1936)
— 21.2(a)

Catholic Charities of Sacramento, Inc v The Superior Court of Sacramento County 85 P 3d 67 (Cal 2004)
— 37.7

Catholic Charities of the Diocese of Albany v Serio RJI No. 01-03-072905 (NY Sup Ct 2003)
— 37.7

Central Hudson Gas & Electric v Public Services Commission 447 US 557 (1980)
— 42.9(f)

Central Intelligence Agency v Sims 471 US 159 (1984)
— 40.10(b)

Chambers v Mississippi 410 US 284 (1973)
— 51.5(k), 52.6(a)(iii)

Chandler v South Bend Community Corp (1974) 312 NE 2d 915
— 57.2(a)(ii)(aa)(y)(bbb)(yy)

Chaplinsky v New Hampshire 315 US 568 (1942)
— 42.4

Chicago Police Department v Mosely 408 US 92 (1972)
— 43.3(b)(iv)

Chicago Teachers Union v Hudson 475 US 292, 106 SCt 1066 (1986)
— 44.1(d)

Church of Lukumi Babalu Aye, Inc v City of Hialeah 508 US 520, 113 SCt 2217 (1993)
— 41.2(c)

Cincinnati Soap Co v United States 301 US 308, 317 (1937)
— 42.7(g)

City of Boerne v Flores, Archbishop of St. Antonio 521 US 507, 117 SCt 2157, 138 LEd
2d 624 (1997)
— 41.3(b)

City of Chicago v Mosley 408 US 92 (1972)
— 43.2(b)(ii), 43.3(b)(ii)

City of Chicago v Tribune Co 307 Ill 595 (1923) (US)
— 42.9(a)

City of Clinton v Cedar Rapids and Missouri River FF Co 24 Iowa (1868)
— 22.1(a)

City of Erie et al v Pap's AM 529 US 277 (2000)
— 42.9(e)

City of Los Angeles and Department of Water and Power v Preferred Communications
Inc 476 US 488 (1986)
— 42.7(g)

City of Los Angeles v Lyons 461 US 95 (1983)
— 7.4(c), 7.5

Civil Rights Cases 109 US 3 (1883)
— 31.2(d)(ii), 64.4(b)

Clark v Community for Creative Non-Violence 468 US 288 (1984)
— 43.3(b)(iii), 43.3(b)(iv)

Clinton v Jones 529 US 681 (1997)
— 18.2(f)

Clyatt v United States (1905) 197 US 207
— 64.4(b)

Coastal States Gas Corp v Department of Energy 617 F2d 854 (DC Cir 1980)
— 62.8(c)

Coates v Cincinnati 402 US 611 (1961)
— 43.1

Coe v County of Cook 162 F 3d 491 (7th Cir 1998)
— 37.4

Cohen v California 403 US 15, 25 (1971)
— 42.7(e)

Coker v Georgia 433 US 584, 97 SCt 2861 (1977)
— 49.2(c)(iv)

Collin v Smith 578 F 2d 1197, 1206 (7th Cir 1978)
— 42.8(c), 43.3(b)(iv)

Commissioner v Sullivan 356 US 27, 28 (1958)
— 42.7(g)

Communications Workers of America v Beck 487 US 735, 108 S Ct 364 (1986)
— 44.1(d)

Compagnie Générale des Etablissements Michelin & Cie v National Automobile, Aerospace, Transportation and General Workers Union of Canada (CAW-Canada) (TD); Mutual of Omaha Insurance v Novak 836 F 2d 397 (1987)
— 42.7(g)

Concrete Pipe and Products of California Inc v Construction Laborers Pension Trust for Southern California 124 L Ed 2d 539 (1994)
— 46.4

Connally v General Construction Co 269 US 385 (1926)
— 34.7(c)(ii)

Connecticut Board of Pardons v Dumschat 452 US 458, 101 S Ct 2460 (1981)
— 49.3(a)

Courtemanche v General Services Administration 172 F Supp 2d 251 (DMass 2001)
— 43.3(b)(iv)

Cousins v Wigoda 419 US 477, 95 S Ct 541 (1975)
— 44.2(c)

Cox v Louisiana 379 US 536 (1965)
— 43.3(b)(iv)

Coy v Iowa 487 US 1012 (1988)
— 51.5(g)

Curtis Publishing Co v Butts; Associated Press v Walker 388 US 130 (1967)
— 42.9(a)

Dallas Cowboys Cheerleaders Inc v Pussycat Cinema Ltd 604 F2d 200 (1987)
— 42.7(g)

Dean Milk Co v City of Madison, Wis 340 US 349 (1951)
— 16.9

Deboer v Village of Oak Park 267 F 3d 558 (7th Cir 2001)
— 43.3(b)(iii)

DeFunis v Odegaard 416 US 312 (1974)
— 7.4(a)

De Jonge v Oregon 299 US 353 (1937)
— 43.3(a)(ii)

Democratic Party of the United States v Wisconsin 450 US 107, 101 S Ct 1010 (1981)
— 44.2(c)

Dennis v United States 341 US 494 (1951)
— 34.8(d)(i)

Department of Airforce v Rose 425 US 352 (1977)
— 62.8(a)

Department of Revenue of Montana v Kurth Ranch 511 US 767 (1994)
— 51.5(n)(ii)

De Shaney v Winnebago Country Department of Social Services 489 US 189 (1988)
— 40.5(b)(i)

Dickerson v United States 530 US 428 (2000)
— 31 Appendix (4)(c)

Dillon v Municipal Court for Monterey-Carmel 49 P 2d 945 (1971)
— 43.2(b)(ii)

Douglas v California 372 US 353 (1963)
— 51.3(f), 51.5(b)

Dowell v City of Tulsa 348 US 912 (1955)
— 40.10(a)

Dr Suess Enterprises v Penguin Books USA Inc 109 F 3d 1394, 1400 (9th Cir)
— 42.7(c)

Dun & Bradstreet Inc v Greenmoss Builders Inc 472 US 749 (1985)
— 42.9(a)

Dunn v Blumstein (1972) 405 US 330
— 10.4(a)

Dutton v Evans 400 US 74 (1970)
— 51.5(k)

EEOC and McDonough v Catholic University of America (CA DC, No 94-5263, 14/5/96)
— 41.4(c)

EEOC v Pacific Press Publishing Association 676 F2d 1272 (CA 9th Cir 1982)
— 41.4(c)

EEOC v Southwestern Baptist Theological Seminary 651 F2d 277 (5th Cir. 1981)
— 41.4(c)

EEOC v Tree of Life Christian School 751 FSupp 700 (SD Ohio 1990)
— 41.4(c)

EU v San Francisco County Democratic Central Committee 489 US 214, 109 Sct 1013 (1989)
— 44.2(c)

Edgewood Independent School District v Kirby SW2d 391 (Tex 1991)
— 57.2(a)(ii)(aa)(y)(aaa)

Edwards v Aguillard 482 US 578 (1987)
— 57.2(a)(ii)(aa)(y)(ccc)

Edwards v Cal Univ of Pa 156 F 3d 488, 491 (3d Cir, 1998)
— 42.7(f)

Edwards v City of Coeur d'Alene (9th Cir 2001) 262 F 3d 856
— 43.3(b)(iv)

Edwards v South Carolina 372 US 229 (1963)
— 43.3(b)(iv)

Eisenstadt v Baird 405 US 438, 453 (1972)
— 37.3, 40.1(b)(i), 40.9(c)

Ellis v Brotherhood of Railway, Airline and Steamship Clerks 466 US 435, 104 Sct 1883 (1984)
— 44.1(d)

Employment Division Oregon Department of Human Resources v Smith 494 US 872, 110 Sct 1595 (1990)
— 41.2(c), 41.3(b), 41.4(b)

Engel v Vitale 370 US 421, 82 Sct 1261 (1962)
— 41.2(b)(iv), 41.2(d), 41.5

Epperson v Arkansas 397 US 97 (1968)
— 57.2(a)(ii)(aa)(y)(ccc)

Escobedo v Illinois 378 US 478 (1964)
— 52.4(c)(i)

Eubanks v Schmidt 126 F Supp 2d 451 (WD Ky 2000)
— 37.3

Everson v Board of Education 330 US 1, 67 Sct 504 (1947)
— 41.2(b)(iv)

Ewing v California 123 Sct 1179 (2003)
— 49.2(c)

Ex parte Milligan 71 US 2, 78-82 (1866)
— 23C.3(c)

FCC v Pacifica Foundation 438 US 726, 98 Sct 3026, 57 Led 2d 1073 (1978)
— 42.7(e)

Flagg Bros v Brooks 436 US 149, 98 Sct 1729 (1978)
— 31.2(d)(iv)

Fowler v Rhode Island 345 US 67, 73 Sct 526 (1953)
— 41.2(c)

Freedman v Maryland 380 US 51 (1965)
— 42.9(h)

Freeman v Pitts 503 US 467 (1992)
— 9.2(c)(iii)(bb)

Frisby v Schultz 487 US 474 (1988)
— 43.3(b)(iv)

Furman v Georgia 408 US 238, 92 Sct 2726 (1972)
— 40.7(a)(ii), 49.2(b)

Gallagher v Crown Kasher Super Markets of Massachusetts, Inc. 366 US 617, 81 Sct 1122 (1961)
— 36.4(c)(iii), 41.2(c), 41.2(d)

Garcia v San Antonio Metropolitan Transit Authority 469 US 528, 105 Sct 1005 (1985)
— 14.2, 21.2(a)

Gault, In re 387 US 1 (1967)
— 31.3(c)

Geduldig v Aiello 417 US 484 (1974)
— 35.1(c), 37.4

General Electric Co v Gilbert 429 US 125 (1976)
— 35.1(c)

Gentile v State Bar of Nevada 501 US 1030 (1991)
— 42.9(c)

Geraci v Eckankar 526 NW 2d 39 (Minn Ct App 1995)
— 41.4(c)

Gertz v Robert Welch Inc 418 US 323 (1974)
— 42.9(a)

Gitlow v New York 268 US 652 (1925)
— 42.5(a)

Globe Newspaper Co v Superior Court 457 US 596 (1982)
— 42.9(c)

Goldberg v Kelly 397 US 254 (1970)
— 56B.4(c)(ii)

Goldblatt v Town of Hempstead 369 US 590 (1962)
— 46.7

Goldman v Weinberger 475 US 503, 106 SCt 1310 (1986)
— 41.4(a)

Grady v Corbin 495 US 508 (1990)
— 51.5(n)(iii)

Grayned v City of Rockford 408 US 104, 92 SCt 2294 (1972)
— 17.3(f)

Greenholtz v Inmates of Nebraska Penal and Correctional Complex 442 US 1, 11, 99 SCt 2100 (1979)
— 49.3(b)(ii)

Greer v Spock 424 US 828 (1976)
— 43.3(b)(iv)

Gregory v Chicago 394 US 111 (1969)
— 43.3(b)(iv)

Grider v Abramson 180 F 3d 739 (6th Cir 1999)
— 43.2(b)(ii)

Griffin v California 380 US 609 (1965)
— 51.5(j)(ii)

Griffin v Illinois 351 US 12 (1956)
— 51.5(b)

Griswold v Connecticut 381 US 479, 85 SCt 1678 (1965)
— 38.3, 40.1(a)(i), 40.1(b)(i), 40.9(c), 44.2(b), 44.3(c)(ii)

Gutierrez v Municipal Court 838 F2d 1031 (9th Cir 1988)
— 58.4(a)(vi)

Hague v CIO 307 US 496 (1939)
— 43.3(b)(iv)

Hamdi Hamdan v Rumsfeld 542 US 507 (2004)
— 30.4(a)

Hamdi Hamdan v Rumsfeld 548 US 557 (2006)
— 42.9(g)

Harmelin v Michigan 111 SCt 2680 (1991)
— 49.2(c)

Harper & Row v The Nation 471 US 539 (1985)
— 42.9(d)

Harris v McRae 448 US 297 (1980)
— 37.3, 42.7(g)

Harris v New York 401 US 222 (1970)
— 9.2(c)(iii)(dd), 52.4(c)(i)

Hartzell v Connell 679 P2d 35 (Cal 1984)
— 57.2(a)(ii)(aa)(y)(bbb)(yy)

Heffron v International Society for Krishna Consciousness (ISKCON) 452 US 640 (1981)
— 41.3(b), 43.3(b)(i)

Hill v Colorado 530 US 703 (2000)
— 43.2(b)(ii), 43.3(b)(ii)

Hines v Davidowitz 312 US 52 (1941)
— 16.3(c)

Hobbie v Unemployment Appeals Commission of Florida 480 US 136, 107 Sct 1046 (1987)
— 41.2(c)

Hodgkins v Goldsmith 2000 WL 892964 (SD Indiana 2000)
— 43.2(b)(ii), 43.3(b)(ii)

Hodgson v Minnesota 497 US 417 (1990)
— 37.3

Hoffman Estates v Flipside, Hoffman Estates Inc 455 US 489, 102 Sct 1186 (1982)
— 17.3(f)

Hoffman v Capital Cities / ABC Inc 255 F 3d 1180 (9th Cir, 2001)
— 42.9(d)

Holt v United States 218 US 245 (1910)
— 51.5(j)(ii)

Holtzman v Schlesinger 484 F2d 1307 (2d Cir, 1973)
— 23C.5

Hudgens v NLRB 424 US 507 (1976)
— 31.2(d)(ii), 43.3(b)(i)

Hurley v Irish-American Gay, Lesbian and Bisexual Group of Boston ['GLIB'] (1995)
515 US 557, 115 Sct 2338 (1995)
— 36.4(a), 42.7(e), 44.2(a)

Hutto v Finney 437 US 678 (1978)
— 9.2(c)(iii)(cc)

Idaho v Wright 497 US 805 (1990)
— 51.5(k)

Illinois v Allen 397 US 337 (1970)
— 51.5(g)

Illinois v Vitale 447 US 410 (1980)
— 51.5(n)(iii)

Ingraham v Wright 430 US 651 (1977)
— 47.5(a)

In re Application NBC 635 F2d 945 (2d Cir 1980)
— 62.2(a)

In re Custody of Smith, 969 P2d 21 (Wash 1998)
— 44.3(c)(ii)

In re: Grand Jury Subpoena, Judith Miller 297 F 3d 964 (2005)
— 42.7(d)

In re Primus 436 US 412 (1978)
— 42.9(f)

In re Washington Post 807 F 2d 383 (1986) (CA Fourth Cir)
— 42.9(c)

International Associational Machinists v Street (1961) 367 US 740, 81 Sct 1784
— 44.1(d)

Jacobsen v Commonwealth of Massachusetts 197 US 11 (1905)
— 40.10(a)

Jaffee v United States 663 F 2d 1226 (3rd Cir 1981)
— 40.10(b), 42.7(e)

Jimmy Swaggart Ministries v Board of Equalization of California 493 US 378, 110 SCt 688 (1990)
— 41.2(c)

Johnson v Cincinnati 310 F 3d 484 (6th Cir 2002)
— 43.1

Johnson v Eissentrager 339 US 763 (1950)
— 31.6(a)

Jones v Wolf 443 US 595 (1979)
— 41.3(c)

Joseph Burstyn Inc v Wilson 343 US 495, 510, 72 SCt 777 96 Led 1098 (1952)
— 42.7(e)

Kaplan v California 413 US 115, 119-120, 93 SCt 2680, 37 LEd 2d 492 (1973)
— 42.7(e)

Karlin v Foust 188 F 3d 446 (7th Cir 1999)
— 37.3

Kastigar et al v United States 406 US 441 (1972)
— 51.4(b)(iii)

Katz v United States 389 US 347, 88 SCt 507 (1967)
— 38.3(a)(ii), 38.3(a)(iii)

Kedroff v St Nicholas Cathedral 344 US 94 (1952)
— 41.3(c)

Keystone Bituminous Coal Association v De Benedictis 480 US 470 (1987)
— 46.7

Khademi v South Orange County Community College District 194 F Supp 2d 1011 (CD California 1999)
— 43.3(b)(iv)

Laird v Tatum 408 US 1 (1972)
— 7.3(a)

Lakewood v Plain Dealer Publishing Co 486 US 750 (1988)
— 43.3(b)(iv)

Larson v Valente 456 US 228, 102 SCt 1673 (1982)
— 41.2(d)

Lawrence v Texas (02-102) 539 US 558/2003, 123 SCt 2472, 156 LEd 2d 508 (2003)
— 44.1(a), 44.1(c)(vi), 44.3(c)(ii)

Lebron v National Railroad Passenger Corporation 513 US 374 (1995)
— 31.4(f)(i)

Lee v Weisman 505 US 577, 112 SCt 2649 (1992)
— 41.2(d), 41.5

Lehnert v Ferris Faculty Association 500 US 507, 111 SCt 1950 (1991)
— 44.1(d)

Lemon v Kurtzman 403 US 602, 91 SCt 2105 (1984)
— 41.2(b)(iv), 41.3(c)

Lewis v Casey 518 US 343 (1996)
— 34.8(e)(i)

Lichter v United States 334 US 742, 68 SCt 1294 (1948)
— 17.5(e)(i)

Lindsey v Natural Carbonic Gas Company 220 US 61 (1911)
— 31.3(d)

Linkletter v Walker 381 US 618 (1965)
— 9.4(e)(ii)(cc)

Liquormart v Rhode Island 517 US 484 (1996)
— 42.9(f)

Little v Barreme 6 US (2Cranch) 170 (1804)
— 23C.3(b)

Lloyd v Tanner 407 US 551 (1972)
— 43.3(b)(i)

Lochner v New York 198 US 45 (1905)
— 33.1, 40.1(b)(i), 64.4(b)

Lockett v Ohio 438 US 586, 98 SCt 2954 (1978)
— 49.2(b)

Lockyer v Andrade 123 SCt 1166 (2003)
— 49.2(c)

Loretto v Teleprompter Manhattan CATV Corp 458 US 419 (1982)
— 46.7

Lorillard Tobacco Co v Reilly, Attorney-General of Massachusetts 533 US 525 (2001)
— 42.9(f)

Lovelace v SE Mass Univ 793 F 2d 419, 425 (1st Cir, 1986)
— 42.7(f)

Lovell v Griffin 303 US 444 (1938), 58 SCt 666 (1938)
— 9.2(c)(iii)(cc), 42.9(h)

Lujan v Gengler 510 F2d 62 (2d Cir 1975)
— 31.6(a)

Lukaszewski v Nazareth Hospital 764 FSupp 57 (ED Pa 1991)
— 41.4(c)

Lyng v Northwest Indian Cemetery 485 US 439, 108 SCt 1319 (1988)
— 41.3(b)

Mackey v US 401 US 667 (1971)
— 9.2(e)(iv)(cc)

Maher v Roe 432 US 464 (1977)
— 42.7(g)

Malnak v Yogi 592 F2d 197 (3d Cir 1979)
— 41.3(a)

Mapp v Ohio 367 US 643 (1961)
— 9.4(e)(ii)(cc), 51.3(f)

Marbury v Madison 5 US 137 (1803)
— 2.2(e), 2.2(h), 9.2(b)(i), 12.3(c), 42.9(g)

Marchioro v Chaney 442 US 191, 99 SCt 2243 (1979)
— 44.2(c)

Margaret S v Edwards 488 F Supp 181 (EDLa 1980)
— 37.10

Marsh v Alabama 326 US 501 (1946)
— 31.2(d)(ii), 43.3(b)(i), 43.3(b)(iv)

Marshall Field & Co v Clark 143 US 649, 12 S.Ct. 495 (1892)
— 17.7(a)

Martinez v Santa Clara Pueblo 540 F2d 1039, 1042 (10th Cir 1976)
— 58.1(b), 58.5(a)

Maryland v Craig 497 US 836 (1990)
— 51.5(g), 51.5(k)

Mathews v Eldridge 424 US 319 (1976)
— 56B.4(c)(ii)

Mattel Inc v MCA Records 2996 F 3d 894 (9th Cir, 2002)
— 42.9(d)

Mattel Inc v Walking Mountain Productions 353 F 3d 792 (9th Cir 2003), 2004 US Dist
LEXIS 12469
— 42.7(c), 42.9(d)

McCleskey v Kemp 481 US 279, 107 Sct 1756 (1987)
— 49.2(b)

McClure v Salvation Army 460 F2d 553 (5th Cir 1972)
— 41.4(c)

McCollum v Board of Education 333 US 203 (1948)
— 41.2(d)

McCook v Springer School District 44 Fed Appx 896, 168 Ed Law Rep 710, 2002 WL
1788529 (10th Cir 2002)
— 43.3(b)(iii)

McDaniel v Paty 435 US 618, 98 Sct 1322 (1978)
— 41.2(c)

McGowan v Maryland 366 US 420, 81 Sct 1101 (1961)
— 41.2(c), 41.2(d)

McKevitt v Pallasch 339 F 3d 530 (7th Cir, 2003)
— 42.7(d)

McKoy v North Carolina 494 US 433, 462, 108 Led 2d 369 (1990)
— 42.7(d)

McMillan v City of Jackson 701 So 2d 1105 (Miss 1997)
— 37.3

Meachum v Fano 427 US 215, 96 Sct 2532 (1976)
— 49.3(a)

Medtronic, Inc v Lohr 518 US 470 (1996)
— 43.2(b)(ii)

Memorial Medical Center v Tatsch Constr Inc 2000 NMSC 30, 129 N.M. 677, 12 P.3d
431
— 56B.3(c)

Metromedia, Inc v San Diego 453 US 490 (1981)
— 43.3(b)(iv), 42.9(f)

Meyer v Nebraska 262 US 390 (1923)
— 58.4(a)(vi)

Michael H v Gerald D 491 US 110, 09 Sct 2333 (1989)
— 11.3(c)(i)

Michigan v Long 463 US 1032 (1983)
— 21.2(a)

Michigan v Tucker 417 US 433, 439 (1974)
— 9.2(c)(iii)(dd)

Miller v California 413 US 15, 24, 93 Sct 2607, 37 Led 419 (1973)
— 42.7(e), 42.9(e)

Miller v United States 125 S Ct 2977, 162 LEd 2d 906 (2005)
— 42.7(d)

Milliken v Bradley 418 US 717 (1974)
— 9.2(c)(iii)(bb)

Milliken v Bradley II (1977) 433 US 267
— 33.12

Miranda v Arizona 384 US 436 (1966)
— 9.2(c)(iii)(aa), 9.2(c)(iii)(dd), 9.4(e)(ii)(cc), 31 Appendix(4)(c), 31.4(e)(vii),
34.8(e)(i), 51.3(f), 51.4(b)(iii), 52.4(c)(i)

Mississippi v Johnson 71 US (4 Wall) 475 (1866)
— 18.2(f)

Missouri v Jenkins 515 US 70 (1995)
— 9.2(c)(iii)(bb)

Mistretta v US 488 US 361, 109 SCt 647 (1989)
— 12.3(d)(i)(aa), 49.2(a)(ii)

Monroe v Pape 365 US 167 (1961)
— 38.3(a)(iv)

Moore v City of East Cleveland 431 US 494 [, 97] SCt 1932 (1977)
— 36.4(b), 38.3(a)(i), 44.3(c)(ii)

Moose Lodge No 107 v Irvis 407 US 163 (1972)
— 31.2(d)(ii)

Morrissey v Brewer 408 US 471, 92 SCt 2593 (1972)
— 49.3(b)(ii)

Morrow v State Bar of California (1999) 188 F3d 1174
— 44.1(d)

Mozert v Hawkins County Public Schools 827 F2d 1058 (6th Cir 1987)
— 41.2(d)

Mugler v Kansas 123 US 623 (1887)
— 46.7

Murdoch v Memphis 87 US 590 (1874)
— 21.2(a)

Murdock v Commonwealth of Pennsylvania 319 US 105, 63 SCt 870 (1943)
— 41.2(c)

Murphy v Waterfront Commission 378 US 52 (1964)
— 51.4(b)(iii)

NAACP v Alabama 357 US 449, 78 SCt 1163 (1958)
— 44.2(b)

NAACP v Claiborne Hardware Co 458 US 886 (1982)
— 43.2(b)(ii)

National Endowment for the Arts v Finley 534 US 569, 602, 118 SCt 21668, 141 Led
2d 500 (1998)
— 42.7(e)

National League of Cities v Usery 426 US 833 (1976)
— 21.2(a)

National People's Action v Village of Wilmette 914 F 2d 1008, 1012 (7th Cir 1990)
— 43.3(b)(i), 43.3(b)(iv)

Naunchek v Naunchek 463 A 2d 603 (1983)
— 51.5(e)(i)

Near v Minnesota 283 US 697 (1931)
— 42.9(h)

Nebraska Press Association v Stuart 427 US 539, 96 SCt 2791 (1976)
— 42.9(c)(iv)(bb), 42.9(h), 51.5(e)(ii)

Nevada v Hall 440 US 410 (1979)
— 21.2(a)

New Jersey v TLO (1985) 469 US 325, 369
— 34.8(d)(i)

New York City Commission on Human Rights v United African Movement, No. MPA95-0851/PA95-0031 (NYCCHR June 30, 1997)
— 44.3(c)(v)

New York State Club Association v City of New York 487 US 1, 108 SCt 2225 (1988)
— 44.1(c)(vi), 44.2(b)

New York Times v Gonzales 459 F 3d 160 (2nd Cir, 2006)
— 42.7(d)

New York Times v Sullivan 376 US 254, 265 (1964)
— 31.2(e), 42.5(a), 42.5(b), 42.8(c), 42.9(a), 42.9(c)

New York Times v United States 403 US 713 (1971), 91 W Ct 2140, 29 LEd 2d 822
— 42.9(g), 42.9(h), 62.8(b)

New York v Ferber 458 US 747 (1982)
— 42.9(e)

New York v Quarles 467 US 649 (1984)
— 52.4(c)(i)

New York v United States 505 US 144 (1992)
— 21.2(a)

Nike Inc v Kasky 123 SCt 2554 (2003)
— 42.9(f)

Nishimura Ekiu v US 142 US 651 (1892)
— 31.3(a)(i)

Nixon v Warner Communications Inc 435 US 589 (1978)
— 42.9(c)

Nollan v California Coastal Commission 483 US 825 (1987)
— 46.7

Norwood v Harrison 413 US 455, 93 SCt 2804 (1973)
— 44.2(b)

Ohio Citizen Action v City of Seven Hills 35 F Supp 2d 575 (ND Ohio 1999)
— 43.3(b)(i)

Ohio v Akron Center for Reproductive Health 497 US 502 (1990)
— 37.3

Ohio v Roberts 448 US 56 (1980)
— 51.5(k)

Ohralik v State Bar Association 436 US 447 (1978)
— 42.9(f)

Olando v Laird 443 F2d 1039, 1043 (2d Cir, 1970)
— 23C.4

Olmstead v United States 277 US 438, 48 SCt 564 (1928)
— 38.1

O'Lone v Estate of Shabazz 482 US 342 (1987)
— 41.4(a)

O'Neil v Vermont 144 US 323, 12 SCt 693 (1892)
— 49.2(c)

Oregon v Elstad 470 US 298 (1985)
— 9.2(c)(iii)(dd)

Oregon v Hass 429 US 714 (1975)
— 9.2(c)(iii)(dd)

Organization for a Better Austin v Keefe 402 US 415 (1971)
— 42.9(h)

Osborne v Ohio 495 US 103 (1990), 110 SCt 1691 (1990)
— 38.3(a)(i), 42.9(e)

Pacific Gas and Electric Co v State Energy Resources Conservation and Development Commission 461 US 190 (1983)
— 7.3(b)

Palko v State of Connecticut 302 US 319, 327 (1937)
— 42.5

Panama Refining Co v Ryan 293 US 388, 55 SCt 241 (1935)
— 17.5(e)(i), 34.7(c)(ii)

Parate v Isibor 868 F 2d 821, (6th Cir, 1989)
— 42.7(f)

Parents Involved in Community Schools v Seattle School District No 1 551 US_(2007)
— 9.2(c)(iii)(bb)

Pasadena City Board of Education v Spangler 427 US 424 (1976)
— 9.2(c)(iii)(bb)

Pauley v Kelly 255 SE2d 859, 877 (1979)
— 57.2(a)(ii)(aa)(x)

Penn Central Transportation Co v City of New York 438 US 104 (1978)
— 46.7

Pennekamp v Florida 328 US 331 (1946)
— 42.9(c)

Pennsylvania Coal Co v Mahon 260 US 393 (1922)
— 46.7

People v 1988 Mercury Cougar 607 NE 2d 217 (1992)
— 51.5(n)(ii)

People v Woody 61 Cal 2d 716, 394 P2d 813 (1964)
— 41.2(c)

Perez v Brownell 356 US 44 (1958)
— 40.7(c)(i)

Philadelphia Newspapers Inc v Hepps 475 US 767 (1986)
— 42.9(a)

Pierce v Society of Sisters 268 US 510, 45 SCt 571 (1925)
— 44.3(c)(iii)

Pittsburgh Press v Human Relations Commission 413 US 376 (1973)
— 42.9(f)

Planned Parenthood of Cent Missouri v Danforth 428 US 52 (1976)
— 31.3(c)

Planned Parenthood of Rocky Mountains Services, Corp. v Owens 2002 WL 571784
(10th Cir 2002)
— 37.3

Planned Parenthood of Southeastern Pennsylvania v Casey 505 US 833 (1992)
— 37.3

Plessy v Ferguson, 1896) 163 US 537
— 64.4(b)

Plyler v Doe 475 US 202 (1982)
— 31.3(a)(i)

Police Dept of Chicago v Mosley 408 US 92, 95, 92 SCt 2286, 33 Led 2d 212 (1972)
— 42.7(e)

Pope v Illinois 481 US 497, 107 SCt 1918, 95 Led 2d 439 (1987)
— 42.7(e)

Posadas de Puerto Rico Associates v Tourism Co of Puerto Rico 478 US 328 (1986)
— 42.9(f)

Powell v Alabama 287 US 45 (1932)
— 51.3(f)

Presbyterian Church in the United States v Mary Elizabeth Blue Hull Memorial
Presbyterian Church 393 US 440 (1969)
— 41.3(c), 47.5(b)

Press-Enterprise Co v Superior Court 478 US 1 (1986)
— 42.9(c)

Press-Enterprise Co v Superior Court of California 464 US 501 (1984)
— 42.9(c)

Project 80's Inc v City of Pocatello 942 F 2d 635 (9th Cir 1991)
— 43.2(b)(ii), 43.3(b)(ii)

Pruneyard Shopping Centre v Robins 447 US 74 (1980)
— 21.2(a), 43.3(b)(i)

Pumpelly v Green Bay and Mississippi Canal Co 80 US (13 Wall) 166 (1871)
— 46.7

Rakas v Illinois 439 US 128, 99 SCt 421 (1978)
— 38.3(a)(ii)

Rasul v Bush 542 US, 124 SCt 2686 (2004)
— 31.6(a)

RAV v City of St Paul, Minnesota 505 US 377 (1992)
— 42.8(c)

Raymond Motor Transportation, Inc v Rice 434 US 429 (1978)
— 16.4(b)(ii), 16.9

Red Lion Broadcasting Company v Federal Communications Commission et al (No 2)
395 US 367 (1969)
— 42.7(e), 42.7(g)

Regan v Taxation with Representation 461 US 540 (1983)
— 42.7(e), 42.7(g)

Regents of the University of California v Bakke 438 US 265 (1978)
— 57.2(b)(ii)(bb)

Reid v Covert 354 US 1 (1957)
— 31.6(a)

Reno v American Civil Liberties Union 521 US 844 (1997)
— 42.7(g)

Reno v Flores 507 US 292 (1993)
— 47.10(c)

Reynolds v United States 98 US 145, 25 LEd 244 (1878)
— 41.2(b)(iii)

Rhode Island Medical Soc v Whitehouse 66 F Supp 2d 288 (Dis RI 1999)
— 37.3

Rhode Island v Innis 446 US 291 (1980)
— 52.4(c)(i)

Richmond Newspaper Inc v Virginia 448 US 555 (1980)
— 42.9(c), 51.5(e)(ii)

Riley v City of Chester 162 F 2d 708 (3d Cir, 1979)
— 42.7(d)

Roberts v United States Jaycees 468 US 609, 104 SCt 3244 (1984)
— 44.1(a), 44.1(c)(vi), 44.2(b), 44.3(c)(ii), 44.3(c)(iii)

Rochin v California 342 US 165 (1952)
— 31.6(a)

Roe v Wade 410 US 113, 93 SCt 705 (1973)
— 7.4(a), 31.3(a)(iii), 37.2, 37.3, 38.3, 38.3(a)(i), 40.1(a)(i), 40.1(b)(i), 40.9(a)

Rose v Council for a Better Education 790 SW2d 186 (Ky 1989)
— 57.2(a)(ii)(aa)(y)(aaa)

Ross v McIntyre 140 US 453 (1891)
— 1.6(a)

Roth v United States; Alberts v California 354 US 476 (1957)
— 42.9(e)

Rubin v Coors Brewing Co 514 US 476 (1995)
— 42.9(f)

San Antonio Independent School District v Rodriguez 411 US 1, 112 (1973)
— 57.2(a)(ii)(aa)(x)

Santa Clara Pueblo v Martinez 436 US 49, 98 SCt 1670 (1978)
— 44.3(c)(iii), 58.1(b), 58.5(a)

Schad v Mount Ephraim 452 US 61, 65 101 SCt 2176, 68 Led 671 (1981)
— 42.7(e)

Schechter Poultry Corp v United States 295 US 495, 55 SCt 837 (1935)
— 17.5(e)(i)

Schenk v United States 249 US 47, 52, 39 SCt 247 (1919)
— 42.4

Schmerber v State of California 384 US 757 (1966)
— 51.4(b)(iii), 52.4(c)(ii)

School District of Abington Township, Pennsylvania v Schempp 374 US 203 (1963)
— 41.2(d)

Secretary of State of Maryland v J H Munson Co 467 US 947 (1984)
— 34.1(b), 34.7(c)(ii)

Serbian Orthodox Diocese v Milivojevich 426 US 696 (1976)
— 41.3(c)

Serrano v Priest 487 P2d 1241, 1258 (1971)
— 57.2(a)(ii)(aa)(x)

Shahar v Bowers (1997) 114 F3rd 1097 (11th Cir 1997)
— 44.3(c)(ii)

Shapiro v Thompson 394 US 618 (1969)
— 43.1

Shelley v Kraemer 334 US 1 (1948)
— 31 Appendix (1), 31 Appendix (4)(b), 4.3(d)(iii), 42.6(b)

Sherbert v Verner 374 US 398, 83 SCt 1790 (1963)
— 41.2(c), 41.3(b)

Shuttlesworth v Birmingham 394 US 147 (1969)
— 43.3(b)(iv)

Slaughter-House Cases (1873) 83 US 36
— 64.4(b)

Smith v Allwright 321 US 649, 64 SCt 757 (1944)
— 44.3(c)(i)

Smith v Maryland 442 US 735, 99 SCt 2577 (1979)
— 38.3(a)(i), 38.3(a)(iii)

Solem v Helm (1983) 463 US 277
— 49.2(c)

South-Central Timber Dev, Inc v Wunnicke 467 US 82 (1984)
— 16.9

Southern Pacific Co v State of Arizona ex rel Sullivan 325 US 761 (1945)
— 16.4(b)(ii), 16.9

Speiser v Randall 357 US 513, 78 SCt 1332 (1958)
— 17.3(b), 42.7(g)

Spence v Washington (1974) 418 US 405
— 64.6(g)

Stack v Boyle 342 US 1 (1951)
— 51.4(d)

Stanley v Georgia 394 US 557 (1969)
— 42.9(d)

Stone v Graham 449 US 39 (1980)
— 41.5

Strauder v West Virginia 100 US 303 (1880)
— 31.3(d)

Street v New York 394 US 576 (1969)
— 43.3(b)(iv)

Stronach v Virginia State University Civil Action 3:07-CV-646-HEH (ED Va, January 15 2008)
— 42.7(f)

Swann v Charlotte-Mecklenburg Board of Education 402 US 1, 26 (1971)
— 9.2(c)(iii)(bb)

Sweezy v New Hampshire 354 US 234 (1957)
— 42.7(f)

Tashjian v Republican Party of Connecticut 479 US 208, 107 SCt 544 (1986)
— 44.2(c)

Taylor v Kurapati 600 NW2d 670 (Mich App 1999)
— 37.3

Tennessee v Garner 471 US 1 (1985)
— 40.5(c)

Terminiello v Chicago 337 US 1 (1949)
— 43.3(b)(iv)

Terry v Adams 345 US 461, 73 SCt 809 (1953)
— 44.3(c)(i)

Texas v Johnson (1989) 491 US 397
— 42.7(e), 64.6(g)

The Prize Cases 67 US (2 Black) 635 (1863)
— 23C.3(b)

The Schooner Exchange v McFaddon (1812) 7 Cranch 116
— 30.4(c)

Thomas v Collins 323 US 516 (1945)
— 43.3(a)(ii)

Thomas v Review Board of the Indiana Employment Security Division 450 US 707, 101 SCt 1425 (1981)
— 41.2(c), 41.3(a), 41.3(b), 47.5(b)

Timmons v Twin Cities Area New Party (1997) 520 US 351, 117 SCt 1364
— 44.3(c)(i)

Tinker v Des Moines Independent Community School District 393 US 503 (1969)
— 31.3(c)

Torcaso v Watkins 367 US 488 (1961)
— 41.2(c)

Trammel v United States 442 US 939, 99 S Ct 2879, 61 LEd 2d 309
— 42.7(d)

Troxel v Granville 530 US 57, 120 SCt 2054 (2000)
— 44.3(c)(ii)

Truax v Corrigan 257 US 312, 42 SCt 124 (1921)
— 49.2(b)

Turner Broadcasting System, Inc v FCC 512 US 622, 641, 114 SCt 2445 129 LEd 2d 497 (1994)
— 42.7(e)

Two Guys from Harrison-Allentown, Inc. v McGinley 366 US 582, 81 SCt 1135 (1961)
— 41.2(c), 41.2(d)

US Department of Justice v Reporters Committee for Freedom of Expression et al 489 US 749 (1989)
— 62.8(a)

US v Brown 381 US 437 (1965)
— 34.7(a)

US v Dickerson 530 US 428 (2000)
— 31.4(e)(vii), 34.8(e)(i)

US v Kozminski (1988) 487 US 931
— 64.4(b)

US v Lee 106 US 196 (1882)
— 18.2(f)

US v Lovett 328 US 303 (1946)
— 34.7(a)

US v Masel 54 F Supp 2d 903 (WD Wisconsin 1999)
— 43.2(b)(ii)

US v Mathews 209 F 3d 338 (4th Cir, 2000)
— 42.9(e)

US v Reynolds (1914) 235 US 133
— 64.4(b)

US v Seeger 380 US 163, 85 SCt 850 (1965)
— 41.2(b)(i)

US v The Progressive Inc 467 F Supp 990 (1979)
— 42.9(h)

US v Toscanino 500 F2d 267 (2d Cir 1974)
— 31.6(a)

US v Verdugo-Urquidez 494 US 259 (1990)
— 31.6(a)

US v Wade 288 US 218
— 52.4(c)(ii)

US v Warren 578 F2d 1058 (5th Cir 1978)
— 31.6(a)

United Mine Workers v Illinois Bar Association 389 US 217, 88 SCt 353 (1967)
— 44.1(d)

United Public Workers v Mitchell 330 US 75 (1947)
— 7.3(a)

United States ex rel Knauf v Shaughnessey 338 US 537 (1950)
— 31.3(a)(i)

United States in Associated Press v United States 326 US 1 (1945)
— 42.7(g)

United States Trust Company of New York, Trustee v New Jersey 431 US 1 (1977)
— 31.3(d)

United States v Ahmed 980 F 2d 161 (1992)
— 51.5(n)(iii)

United States v Ballard 322 US 78 (1944)
— 41.3(a), 41.3(c)

United States v Ballin 144 US 1, 5, 12 SCt. 507
— 17.7(a), 17.7(b)(i)5

United States v Cotroni [1989] 1 SCR 1469, 48 CCC (3d) 193
— 34.2(c)

United States v Di Francesco 449 US 117 (1980)
— 51.5(n)(ii)

United States v Doe 465 US 605 (1984)
— 51.4(b)(iii)

United States v Fisher 425 US 391 (1976)
— 51.4(b)(iii)

United States v Grace 461 US 171 (1983)
— 43.3(b)(iv)

United States v Halper 490 US 435 (1989)
— 51.5(n)(ii)

United States v Inadi 475 US 387 (1986)
— 51.5(k)

United States v Ingalls, 73 F Supp 76 (SD Cal 1947)
— 64.6(d)

United States v Jacobsen 466 US 109, 104 SCt 1652 (1984)
— 38.3(a)(ii)

United States v Lee 455 US 252 (1982)
— 41.2(c)

United States v Lovasco 431 US 783 (1977)
— 51.4(c), 51.5(f)

United States v Marion 404 US 307 (1971)
— 51.5(f)

United States v Matlock 415 US 164, 177, 94 SCt 988 (1974)
— 38.3(a)(ii)

United States v Meyers 95 F3d 1475, 1479 (10th Cir. 1996)
— 41.3(a)

United States v Miller 425 US 435, 96 SCt 1619 (1976)
— 38.3(a)(i)

United States v Munoz-Flores 495 US 385 (1990)
— 17.7(a)

United States v Nixon 418 US 683 (1974)
— 18.2(f)

United States v Russell 411 US 423 (1973)
— 51.1(b)(iii)

United States v Salerno 481 US 739 (1987)
— 51.4(d)

United States v Stanley 107 SCt 3054 (1987)
— 40.10(b)

United States v Wade 388 US 218 (1967)
— 51.3(f)

United Transportation Union v State Bar of Michigan 401 US 576, 91 SCt 1076 (1971)
— 44.1(d)

Upjohn Co v United States 449 US 383 (1981)
— 42.7(d)

Urbina-Mauricio v INS 989 F 2d 1085 (1993)
— 51.5(n)(ii)

Urofsky v Gilmore 216 F 3d 410 (4th Cir, 2000)
— 42.7(f)

Valentin v Christensen 316 US 52 (1942)
— 42.9(f)

Victoria W v Larpenter 205 F Supp 2d 508 (EDLa. May 21, 2002)
— 37.3

Village of Belle Terre v Boraas 416 US 1(1973)
— 36.4(b), 44.3(c)(ii)

Virginia Citizens Consumer Council v Virginia Board of Pharmacy 425 US 748 (1976)
— 42.5

Virginia State Board of Pharmacy v Virginia Citizens Consumer Council 425 US 748 (1976)
— 42.9(f)

Virginia v Black 538 US 343 (2003)
— 42.8(c)

Walker v First Presbyterian Church 22 Fair Empl Prac Cases (BNA) 762 (Cal Superior Ct 1980)
— 41.4(c)

Wallace v Jaffree 472 US 38 (1985)
— 41.5

Ward v Rock Against Racism 491 US 781 (1989)
— 42.7(e), 43.3(b)(iii), 43.3(b)(iv)

Washington v Glucksberg 521 US 702 (1997)
— 9.2(c)(iv)

Watchtower Bible and Tract Society of New York, Inc v Village of Stratton 536 US 150 (2002)
— 43.3(b)(i)

Webster v Reproductive Health Services 492 US 490 (1989)
— 37.3

Weems v United States 217 US 349, 30 SCt 544 (1910)
— 49.2(c)

Welsh v United States 398 US 333, 90 SCt 1792 (1970)
— 41.2(b)(i)

West Virginia State Board of Education v Barnette 319 US 624, 87 Led 1628, 63 SCt 1178 (1943)
— 41.2(c), 41.3(b), 44.3(c)(vi)

Whalen v Roe 429 US 589, 97 SCt 869 (1977)
— 38.3(a)(i)

Whitney v California 274 US 357 (1927)
— 42.4, 42.5(a), 42.5(d), 42.8(b), 42.10

Whitney v Greater NY Corp of Seventh-Day Adventists 401 FSupp 1363 SDNY (1975)
— 41.4(c)

Widmar v Vincent 454 US 263 (1981)
— 43.3(b)(iv)

Wieman v Updegraff 344 USA 183 (1952)
— 42.7(g)

Winston v Lee 470 US 753 (1985)
— 40.10(a), 51.5(j)(ii)

Wisconsin Action Coalition v City of Kenosha 767 F 2d 1248 (7th Cir 1985)
— 43.3(b)(i)

Wisconsin v Yoder 406 US 205, 92 SCt 1526 (1972)
— 41.2(c), 41.3(b), 41.4(b), 44.3(c)(iii)

Witte v United States 515 US 389 (1995)
— 51.5(n)(ii)

Women's Emergency Network v Bush 323 F 3d 937 (11th Cir 2003)
— 37.3

Women's Medical Professional Corp v George Volnovich 130 F 3d 187 (6th Cir 1997)
— 37.3

Wooley v Maynard 430 US 705 (1977)
— 41.3(b)

Wozniak v Conry 236 F 3d 888 (7th Cir, 2001)
— 42.7(*f*)

Yee v City of Escondido 118L Ed 2d 153 (1992)
— 46.4

Youngstown Sheet & Tube Co v Sawyer 343 US 579 (1952)
— 23C.5

Zauderer v Office of Disciplinary Counsel of Ohio 471 US 626 (1985)
— 42.9(*f*)

Zerilli v Smith 656 F 2d 705 (DC Cir, 1979)
— 42.7(*d*)

Zorach v Clauson 343 US 306 (1952)
— 41.2(*d*)
