



## **MEDIA STATEMENT**

### **NORTH GAUTENG HIGH COURT DISMISSES URGENT APPLICATION AGAINST NATIONAL TREASURY**

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The North Gauteng High Court on Thursday dismissed an urgent application by Good Hope Textile Corporation (trading as Da Gama) to suspend further implementation of a tender awarded by the National Treasury to Eye Way Trading for the supply and delivery of fabric to the state.

After the publication of the award in March, Da Gama alleged that the winning bidder did not comply with the requirement that the yarn used in the production of the fabric be sourced locally as stipulated in clause 20 of the Special Conditions of Contract.

Da Gama thereafter approached the National Treasury to confirm this allegation. In addition, Da Gama demanded that the National Treasury suspend the implementation of this contract pending investigation. On enquiry, the winning bidder confirmed to the National Treasury that it was compliant because it was sourcing the products from a textile manufacturer based in the Western Cape.

The National Treasury, therefore, advised Da Gama that there was no basis in law or otherwise for the suspension of the contract. Da Gama thereafter turned to the High Court for the review and setting aside of the award. The National Treasury defended this matter in Court.

The North Gauteng High Court found that the winning bidder had complied with the special conditions of contract in respect of local production and content, reinforcing the National Treasury's position. The court dismissed Da Gama's urgent application with costs.

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