

Case No: 4128/04

IN THE HIGH COURT OF SOUTH AFRICA
CAPE OF GOOD HOPE PROVINCIAL DIVISION

CAPE TOWN: Tuesday 1 June 2004

Before the Honourable Mr Judge President Hlophe and
Before the Honourable Ms Deputy Judge President Traverso and
Before the Honourable Mr Justice Yekiso

In the matter between:

NEW CLICKS SOUTH AFRICA (PTY) LIMITED
and
DR. M TSHABALALA MSIMANG N.O.
(In her capacity as the Minister of Health)

Applicant

First Respondent

PROFESSOR D McINTYRE N.O.
(In her capacity as the Chairperson of the Pricing
Committee appointed in terms of Section 22Q of the
Medicines and Related Substances Act, 10 of 1965)

Second Respondent

Having heard Counsel for the Applicant
and having read the documents filed of record;

IT IS ORDERED:

1. That the applications for final relief are postponed for hearing on 17 and 18 JUNE 2004.
2. That the Respondents shall file the record of the proceedings before the Pricing Committee by close of business on 8 JUNE 2004, and such further answering affidavits as they require by close of business on 9 JUNE 2004.
3. That the Applicants shall file their replying affidavits by close of business on 14 JUNE 2004.
4. That the parties shall exchange their heads of argument by 15 JUNE 2004.
5. That pending determination of the applications by this court, wholesalers, distributors and retailers shall not be obliged to sell medicines and scheduled substances or charge dispensing fees in accordance with the regulations published in Government Notice R593 of the Government Gazette of 30 APRIL 2004.
6. That all issues of costs are reserved.

BY ORDER OF THE COURT


COURT REGISTRAR
123 Sommersburg, Hoffmann Galombik, CAPE TOWN

REGISTRAR: HIGH COURT
2004-06-01
CAPE TOWN/KAAPSTAD
GRIFFIER: HOOGGERICHSHOF