

**NORTH WEST
NOORDWES**

EXTRAORDINARY • BUITENGEWOON

**PROVINCIAL GAZETTE
PROVINSIALE KOERANT**

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PROVINCIAL NOTICES • PROVINSIALE KENNISGEWINGS

PROVINCIAL NOTICE 169 OF 2017**DEPARTMENT OF FINANCE ECONOMY AND ENTERPRISE DEVELOPMENT****PRACTICE DIRECTIVES NOTICE****THE PRACTICE DIRECTIVES ON FILING OF PLEADINGS, HEARING AND FILING OF HEADS OF ARGUMENT: BEFORE THE REVIEW TRIBUNAL CONVENED IN TERMS OF SECTION 90 OF THE NORTH WEST GAMBLING ACT 2 OF 2001**

I hereby publish the Practice Directives on filing of Pleadings, Hearing and filing of Heads of Argument. The Review Tribunal applies the Uniform Rules of the High Court.

Given under my Hand at Mahikeng, this 18th day of AUGUST. Two thousand and seventeen

**HON. WENDY JOY NELSON**

Member of the Executive Council of the North West Province
responsible for Finance Economy and Enterprise Development

PRACTICE DIRECTIVES A
IN THE REVIEW TRIBUNAL CONVENED IN TERMS OF SECTION 90 OF THE NORTH
WEST GAMBLING ACT 2 OF 2001

- The Practice Directive on filing of pleadings and Heads of Argument. The Review Tribunal applies the Uniform Rules of the High Court.

FILING OF PLEADINGS

PROCESS /PROCEDURE	TIMELINES
The Applicant to file an application with affidavit(s) and annexure(s).	A party to the review application may apply to the Head of Department of Economy and Enterprise Development to file its review application.
The Respondent(s) filing of answering affidavit(s).	The Respondent(s) to deliver its answering affidavit(s) together with any relevant document(s) within 15 (days) after delivery of notice of intention to oppose.
The Applicant(s) to file replying affidavit(s).	The Applicant(s) to file replying affidavit(s) within 10 days after delivery of the answering affidavit(s).
Request to join the review proceedings including intervention by interest parties.	This should be done in terms of the Uniform Rules of the High Court.
Filing of further affidavit(s).	A formal application to be made to the Review Tribunal in line with the Uniform Rules of the High Court; <ul style="list-style-type: none"> - Such an application is to be directed to the HEAD OF DEPARTMENT OF Economy and Enterprise Development; - Such an application is to be heard at the hearing of the Review Application in terms of section 90 of Act 2 of 2001.

FILING OF HEADS OF ARGUMENT

Applicant(s) to prepare an index first in order to serve and file Heads of Argument	Applicant(s) to serve and file Heads of Argument within 15 days from the date of completion of the index.
Respondent(s) to serve and file Heads of Argument	<ul style="list-style-type: none"> - Respondent(s) to serve and file Heads of Argument within 10 days from the date on which the Applicant(s) Heads of Argument were served. - Any other party joining in and/or intervening to ensure that its Heads of Argument are served and filed at least 5 days before the hearing.
All parties filing Heads of Argument	All parties filing Heads of Argument to ensure that the Heads of Argument are timeously filed with the Head of Department of Economy and Enterprise Development.

PRACTICE DIRECTIVES B**HEARING AND FILING OF HEADS OF ARGUMENT: BEFORE THE REVIEW TRIBUNAL CONVENED IN TERMS OF SECTION 90 OF THE NORTH WEST GAMBLING ACT 2 OF 2001**

A party to the Review Application may apply to the Head of Department for the hearing of that application in terms of Rule 6(5)(f) of the Uniform Rules of Court.

- 1.1 All review Applications will be enrolled and set down by the Head of Department.
- 1.2 The Head of Department will have all files handed to the Tribunal members at least 10 clear hearings days before the hearings.
- 1.3 The Review Application will be entertained and heard only, if, in addition:
 - 1.3.1 The papers have been indexed and paginated;
 - 1.3.2 The heads of argument have been served and filed including copies thereof being timeously delivered to the Tribunal members at least 7 days before the hearing.
- 1.4 The party responsible for the index must serve it immediately on all parties to the Review Application including the Head of Department of Economy and Enterprise Development.
- 1.5 If the Review Application for any reason, is not to proceed on the date allocated by the Head of Department of Economy and Enterprise Development, the parties must notify the latter immediately to advise the Tribunal members accordingly.
- 1.6 As soon as the Review Application becomes settled or the parties agree to postpone, the Head of Department of Economy and Enterprise Development must be informed of that fact immediately to advise the Tribunal members accordingly.
- 1.7 The Tribunal members and the Head of Department of Economy and Enterprise Development will as far as possible, accommodate the parties and the legal practitioners to hear matters on specific dates.