



PRETORIA ATTORNEYS ASSOCIATION
PRETORIASE PROKUREURSVERENIGING
MOKGATLHO WA BAEMEDI BA PRETORIA

SUMMARY – JUDGE PRESIDENT’S NEW DIRECTIVE RE SETTLEMENT AGREEMENTS

- The settlement roll is abolished.
- All settlement matters going forward will be placed on the general civil trial roll.
- Courts have discretion as whether or not to grant a settlement order, keeping with section 173 of the Constitution of the Republic of South Africa.
- Any settlement made where a contingency fees agreement has been entered into, shall be made an order of court, if the matter was before court.
- Matters which are settled and, as stipulated by section 4(1) and (5) of the Contingency Fees Act 66 of 1977 that are not before the court, should not be enrolled, but instead be referred to the Legal Practice Council (LPC) in terms of rule 5 of the Rules made by the LPC in GG42739 of 4 October 2019.
- Court orders are no longer required for taxations.
- In Default Judgment matters pertaining to damages, it is still necessary to present evidence via affidavit or viva voce, as per paras 82 and 86 of Directive 2 of 2022.

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