



MEDIA RELEASE

SCA Judgement Ruling

Embargo: Immediate Release

Pretoria, 2 August 2023 – On 26 July 2023, the Supreme Court of Appeal (SCA) dismissed an application for leave to appeal filed by Solidarity and Afriforum (the Applicants) on the grounds that there is no reasonable prospect of success.

The Pretoria High Court struck Solidarity and AfriForum's application from the court roll on the grounds of an alleged lack of urgency, and the court also ordered them to pay SAHPRA's legal costs which was filed in June 2021 by the Applicants, wherein they alleged that when SAHPRA approved and registered the J&J vaccine, SAHPRA imposed a condition that the sale of the J&J vaccine is restricted to the National Government. The applicants argued that SAHPRA was not mandated to stipulate the condition that only the government may purchase the J & J vaccine and questioned the legality of such a condition.

SAHPRA refuted this claim because this is not a condition that SAHPRA had imposed.

Subsequently, the applicants proceeded to lodge an application for leave to appeal with the SCA .

SAHPRA CEO, Dr Boitumelo Semete-Makokotlela said, "This court ruling indicates that SAHPRA is judicious in adhering to its mandate responsibly. We welcome the outcome of this judgement."

Issued by:

Dr Boitumelo Semete

CEO

Boitumelo.semete@sahpra.org.za

For further enquiries /information contact:

Media contact:

Mr Yuven Gounden

Cell: 066 1202 669

E-mail: yuveng@sahpra.org.za

About SAHPRA:

SAHPRA is tasked with regulating (monitoring, evaluating, investigating, inspecting and registering) all health products. This includes clinical trials, complementary medicines, medical devices and in-vitro diagnostics (IVDs). Furthermore, SAHPRA has the added responsibility of overseeing radiation control in South Africa. SAHPRA's mandate is outlined in the Medicines and Related Substances Act (Act No 101 of 1965 as amended) as well as the Hazardous Substances Act (Act No 15 of 1973).

SAHPRA has three pillars to ensure that medicines, medical devices and IVDs meet the requisite standards to protect the health and well-being of all who reside in South Africa:

- Safety
- Efficacy
- Quality

It is these three pillars that define the ethos of SAHPRA.