



## ***THE SUPREME COURT OF APPEAL OF SOUTH AFRICA***

Case number : 198/2002  
REPORTABLE

In the matter between :

PEPCOR RETIREMENT FUND  
PEPKOR LIMITED

FIRST APPELLANT  
SECOND APPELLANT

and

THE FINANCIAL SERVICES BOARD  
THE REGISTRAR OF PENSION FUNDS

FIRST RESPONDENT  
SECOND RESPONDENT

CORAM : VIVIER ADP; MARAIS, NAVSA , CLOETE and  
LEWIS JJA

HEARD : 9 MAY 2003

DELIVERED : 30 MAY 2003

**Summary:** *Locus standi* of a functionary, empowered by legislation to make a decision in the public interest, to have that decision reviewed in a court of law and set aside; whether of a material mistake of fact should be a ground of review of such a decision.

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### ***JUDGMENT***

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**CLOETE JA**































































