

SOUTH AFRICA / JUDGMENT

**Barclays National Bank Ltd. v
Thompson (242/83) [1985] ZASCA 50;
[1985] 2 All SA 355 (A) (29 May 1985)**
[1985] ZASCA 50

COURT
Supreme Court of Appeal

BEFORE
Corbett, Kotzé, Cillié, Hoexter, Hefer

CASE / FILE NUMBER
242/83

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69/85

Case No 242/83

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IN THE SUPREME COURT OF SOUTH AFRICA (APPELLATE DIVISION)

In the matter between:BARCLAYS NATIONAL BANK LIMITED AppellantandROBERT THOMPSON
Respondent

CORAM: CORBETT, KOTZÉ, CILLIÉ, HOEXTER et HEFER, JJA

HEARD: 1 May 1985 DELIVERED: 29 May 1985

JUDGMENT

HOEXTER, JA ...

2.

HOEXTER, JA

In the Witwatersrand Local Division the appellant was the defendant in an action for damages instituted against it by the respondent. In what follows I shall refer to the respondent as the plaintiff and to the appellant as the defendant. Before the matter came to trial the plaintiff sought an amendment of his particulars of claim. The application for an amendment, which was resisted by the defendant, was heard by ACKERMANN, J. The learned Judge granted the amendment. With leave of the Court a quo the defendant appeals against the order allowing the amendment.

Sec 9 of the Currency and Exchanges Act, 9 of 1933, ("the Act") empowers the State President to make regulations in regard to any matter directly or indirectly affecting banking, currency or exchanges; and in such regulations to apply any sanctions, civil or criminal, which he thinks fit to impose. In terms of sec 9 of the Act

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