

SOUTH AFRICA / JUDGMENT

Golden Seabird Maritime Inc and Another v Alam Tenggiri SDN BHD and Another (159/2000) [2001] ZASCA 103; [2002] 2 All SA 205 (A); 2001 (4) SA 1329 (SCA) (25 September 2001) [2001] ZASCA 103

COURT

Supreme Court of Appeal

BEFORE

Hefer, Scott, Mpati, Mthiyane, Conradie

CASE / FILE NUMBER

159/2000

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REPORTABLE Case number: 159/2000 IN THE SUPREME COURT OF APPEAL OF SOUTH AFRICA In the matter between: GOLDEN SEABIRD MARITIME INC FIRST APPELLANT GOLDEN SEAGULL MARITIME INC SECOND APPELLANT and ALAM TENGGIRI SDN BHD FIRST RESPONDENT MOUSAKA INCORPORATED SECOND RESPONDENT

CORAM: HEFER ACJ, SCOTT, MPATI, MTHIYANE JJA and CONRADIE AJA

DATE OF HEARING: 3 SEPTEMBER 2001

DELIVERY DATE: 25 SEPTEMBER 2001 Summary: The provisions regarding a 'deemed arrest' in s 3(10)(1)(a) of the Admiralty Jurisdiction Regulation Act 105 of 1983 apply to a security arrest in terms of s 5(3)(a) of the Act. Such an arrest accordingly does not lapse upon the release of arrested property against the provision of an extra-curial guarantee. _____ JUDGMENT _____ CONRADIE AJA CONRADIE AJA:

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