

MEDIA STATEMENT

COURT RESERVES JUDGEMENT ON THE MATTER OF THE PUBLICATION OF MATRIC RESULTS

28 OCTOBER 2025

The North Gauteng High Court in Pretoria has reserved judgment following a two-day hearing on the matter between the Information Regulator (Regulator) and the Department of Basic Education (DBE) regarding the publication of the matric results by the DBE. From 27 to 28 October 2025, the Regulator and the DBE returned to the High Court for their case that had been set down for argument in front of the full bench of the High Court. This follows the dismissal of an urgent application that had been brought to the High Court by the Regulator on 09 January 2025. The Regulator's urgent application was intended to force the DBE to comply with the enforcement notice that had been issued by the Regulator on 18 November 2024 following its findings that the manner in which the DBE published the matric results was inconsistent with the provisions of the Protection of Personal Information Act 4 of 2013 (POPIA). The matter was placed on the regular court roll after the Court's finding that there was no urgency to the Regulator's application.

The Regulator has been eagerly awaiting the opportunity to have the question of the lawfulness of the DBE's manner of publication of the matric results aired out in open court. Speaking at the end of the court hearing, the Chairperson of the Regulator, Adv. Pansy Tlakula, said, *"We first approached the court in January 2025 to assert our enforcement powers and force the DBE to bring their manner of publication of the matric results into compliance with POPIA. It's been a long nine-month wait, but we are glad that these matters are now being aired out in open court. Up until now, no court has rightfully examined whether the publication of matric results is consistent with the principles of protection of personal information as given effect to through POPIA. This question must be cleared up so that the rights of all learners are protected and the public is empowered to understand the lawful conditions for the process of personal information"*.

Following arguments by all the parties' legal representatives, the High Court reserved the judgement and thus has not delivered the final decision, however the Judges will take time to consider the submissions made before issuing a judgment.

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ISSUED ON BEHALF OF THE INFORMATION REGULATOR OF SOUTH AFRICA.