

SUPREME COURT OF APPEAL OF SOUTH AFRICA

MEDIA SUMMARY – JUDGMENT DELIVERED IN THE SUPREME COURT OF APPEAL

DAYANDREN REDDY and SIEMENS TELECOMMUNICATIONS
(PTY) LTD CASE NO 251/06

From : The Registrar, Supreme Court of Appeal
Date: 30 November 2006
Status: Immediate

Please note that the media summary is for the benefit of the media and does not form part of the judgment of the Supreme Court of Appeal

The SCA decided today to restrain a former employee of Siemens from taking up employment with a competitor, Ericsson, in breach of a restraint clause in his contract of employment. The court held that it was sufficient if it could be shown that there was a risk that the former employee could disclose secret information to which he had access, not that he would do so. This was the very risk that the employer sought to protect itself against by entering into the restraint agreement. The employee was therefore held to the restraint agreement he had entered into voluntarily.

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