



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

Case No 448/02  
REPORTABLE

<b>PRICE WATERHOUSE COOPERS INC</b>	<b>FIRST APPELLANT</b>
<b>HOEK WIEHAHN</b>	<b>SECOND APPELLANT</b>
<b>WIEHAHN MEYER NEL</b>	<b>THIRD APPELLANT</b>
<b>PRICE WATERHOUSE MEYER NEL</b>	<b>FOURTH APPELLANT</b>
<b>PRICE WATERHOUSE</b>	<b>FIFTH APPELLANT</b>
<b>and</b>	
<b>NATIONAL POTATO CO-OPERATIVE LTD</b>	<b>RESPONDENT</b>

Before: Harms, Cameron, Conradie, Lewis JJA and Southwood AJA

Heard: 11 May 2004

Delivered: 1 June 2004

Summary: Champerty – an agreement in terms of which a person provides a litigant with funds to litigate in return for a share of the proceeds of the litigation is not contrary to public policy or void – illegality of such agreement not a defence in the litigation – courts empowered to prevent abuse of process despite right of access in s 34 of Constitution – special order of costs against attorney ignoring agreements about record.

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**JUDGMENT**

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**SOUTHWOOD AJA**