

South African high court rejects Maersk's legal challenge to ICTSI's Durban Container Terminal Pier 2 tender award

By [Fred Meintjes](#) | 10 October 2025

The KwaZulu-Natal Division of the High Court has rejected Maersk's bid to halt the awarding of a Transnet tender to ICTSI for Durban Container Terminal Pier 2, ending a legal dispute that has delayed implementation of the partnership deal since July 2023

A judgment handed down by the KwaZulu-Natal Division of the High Court today (10 October) has dismissed Maersk's bid to halt the awarding of a Transnet tender to International Container Terminal Services (ICTSI).



ICTSI said it welcomes the affirmation of the "fair and transparent" tender process which was concluded some years ago, the implementation of which has been delayed by Maersk's action.

The legal dispute arose when ICTSI was awarded the tender for a majority deal of a new partnership deal in the Durban Container Terminal Pier 2.

“This clarifies that the awarding of the tender to ITCSI to run the Durban Container Terminal Pier 2 was fair and transparent,” said Hans-Ole Madsen, regional head at ICTSI.

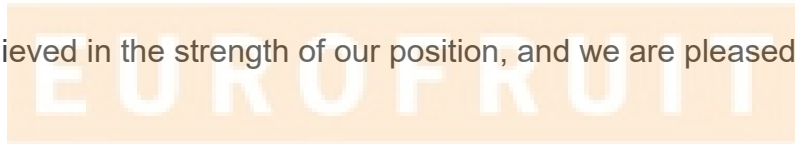
The ruling, delivered by judge Mahendra Chetty, brings an end to a dispute that has been frustrating South African authorities and users of the Terminal, including the country’s citrus industry.

According to the statement, the court criticised Maersk’s decision to wait until March 2024 to bring the challenge, even though the concession was awarded to ICTSI in July 2023.

The court noted this was an “undue delay” and that Maersk’s application failed on this basis.

“This ruling reaffirms our confidence in the legality of the bidding process and validates our commitment to operating with integrity and in full compliance with the law,” said Madsen.

“We have always believed in the strength of our position, and we are pleased that the court has agreed.”



With this judgment, the long-awaited public-private partnership at the Durban Container Terminal can finally be implemented.



The terminal handles the bulk of South Africa’s containerised shipping freight and has been beset by delays and bottlenecks in the past.

The agreement between Transnet and ICTSI will allow significant investment into the skills and infrastructure at the port, to the benefit of South Africa’s economy.

“We now stand ready and look forward to working with Transnet at the Durban Container Terminal and the importers and exporters who rely on South Africa’s busiest container terminal to make a range of operational improvements for the betterment of all stakeholders and the South African economy,” added Madsen.