

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA**

**CASE NO:** \_\_\_\_\_

In the matter between:

**ELECTORAL COMMISSION OF SOUTH AFRICA**

Applicant

and

**MINISTER OF COOPERATIVE GOVERNANCE  
AND TRADITIONAL AFFAIRS**

First Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
THE EASTERN CAPE**

Second Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
THE FREE STATE**

Third Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
GAUTENG**

Fourth Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
KWAZULU-NATAL**

Fifth Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
LIMPOPO**

Sixth Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
MPUMALANGA**

Seventh Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
THE NORTHERN CAPE**

Eighth Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
THE NORTH WEST**

Ninth Respondent

**MEC RESPONSIBLE FOR LOCAL GOVERNMENT  
IN THE PROVINCIAL GOVERNMENT OF  
THE WESTERN CAPE**

Tenth Respondent

**SOUTH AFRICAN LOCAL GOVERNMENT  
ASSOCIATION**

Eleventh Respondent

---

**INDEX**

---

<b>No.</b>	<b>Description</b>	<b>Page No.</b>
1.	Notice of Motion	1 – 9
2.	Founding Affidavit of VG Mashinini	10 – 121
3.	Annexure <b>FA1</b> : Confirmatory Affidavit of the Honourable Justice Moseneke together with annexure “ <b>DM1</b> ” – Report to the Electoral Commission of South Africa in terms of Section 14(4) Read with Section 5(2)(a) of the Electoral Commission Act	122 – 243
4.	Annexure <b>FA2</b> : Confirmatory Affidavit of PS Mamabolo together with:	244 – 246
4.1.	Annexure <b>FA2.1</b> : covering letter to the Inquiry and the written submissions (without annexures)	247 – 279
4.2.	Annexure <b>FA2.2</b> : PowerPoint Presentation presented during oral submissions on 28 June 2021	280 – 314

5.	Annexure <b>FA3</b> : Confirmatory Affidavit of Dr S Buthelezi together with annexure " <u>SB1</u> " – PDF Presentation made during oral submissions on 1 July 2021	315 – 354
6.	Annexure <b>FA4</b> : Confirmatory Affidavit of Dr Fareed Abdullah together with the following annexures thereto:  " <u>MFA1</u> ": Curriculum Vitae of Dr Abdullah  " <u>MFA 2</u> ": Written Submissions submitted on 28 June 2021  " <u>MFA3</u> ": PowerPoint Presentation made during oral submissions on 29 June 2021	355 – 389
7.	Annexure <b>FA5</b> : Confirmatory Affidavit of Dr AKA Dasoo	390 – 400
8.	Annexure <b>FA6</b> : Confirmatory Affidavit of Prof Salim S Abdool Karim together with the following annexures thereto:  " <u>SAK1</u> ": Curriculum Vitae of Prof Salim S Karim  " <u>SAK2</u> ": Letter from the Justice Moseneke Inquiry to Prof Karim dated 1 June 2021  " <u>SAK3</u> ": PDF Presentation made during oral submissions on 1 July 2021	401 – 502
9.	Annexure <b>FA7</b> : Confirmatory Affidavit of Prof SA Madhi together with annexure " <u>SAM1</u> " thereto: Written Submissions submitted dated 7 June 2021	503 – 507
10.	Annexure <b>FA8</b> : Confirmatory Affidavit of Dr J Miot together with, annexure " <u>JM1</u> " – PowerPoint Presentation presented during oral submission on 2 July 2021	508 – 531

11.	Annexure <b>FA9</b> : Confirmatory Affidavit of Dr H Moultrie, with the following annexures thereto:  “ <u>HM1</u> ” - Curriculum Vitae of Dr Moultrie  “ <u>HM2</u> ” – Written Submission submitted on 7 June 2021  “ <u>HM3</u> ” – PowerPoint presentation made on 2 July 2021	532 – 558
12.	Annexure <b>FA10</b> : Confirmatory Affidavit of Prof S Silal with annexure “ <u>SPS1</u> ” - Curriculum Vitae of Prof Silal	559 – 571
13.	Annexure <b>FA11</b> : Letter from the Minister of Cooperative Governance and Traditional Affairs to the Electoral Commission dated 1 August 2021.	572 – 573
14.	Annexure <b>FA12</b> : Summary of Registration weekends since 2004	574
15.	Annexure <b>FA13</b> : Draft LGE 2021 Timetable	575 – 578
16.	Annexure <b>FA14.1</b> : Electoral Court Order – Case 001/2020 granted on 19 March 2020	579 – 587
17.	Annexure <b>FA14.2</b> : Electoral Court Order – Case 002/2020 granted on 4 May 2020	588 – 593
18.	Annexure <b>FA14.3</b> : Electoral Court Order – Case 003/2020 granted on 19 June 2020	594 – 598
19.	Annexure <b>FA14.4</b> : Electoral Court Order – Case 004/2020 granted on 17 July 2020	599 - 601

20.	Annexure <b>FA14.5</b> : Electoral Court Order – Case 005/2020 granted on 23 September 2020	602 – 607
21.	Annexure <b>FA14.6</b> : Electoral Court Order – Case 001/2021 granted on 21 January 2021	608 – 612
22.	Annexure <b>FA14.7</b> : Electoral Court Order – Case 002/2021 granted on 4 February 2021	613 - 617
23.	Annexure <b>FA14.8</b> : Electoral Court Order – Case 002/2021 granted on 30 June 2021	618 – 621