



CONSTITUTIONAL COURT OF SOUTH AFRICA

Case CCT 245/21

In the applications to be admitted as amici curiae of:

**COUNCIL FOR THE ADVANCEMENT OF THE
SOUTH AFRICAN CONSTITUTION**

First Amicus Curiae

FREEDOM UNDER LAW (RF) NPC

Second Amicus Curiae

**SOUTH AFRICAN INSTITUTE OF RACE
RELATIONS**

Third Amicus Curiae

AFRIFORUM NPC

Fourth Amicus Curiae

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

ORDER DATED 16 AUGUST 2021

CORAM: Zondo ACJ, Madlanga J, Madondo AJ, Majiedt J, Mhlantla J, Rogers AJ, Theron J, Tlaletsi AJ and Tshiqi J

The Constitutional Court has considered the applications by the Council for the Advancement of the South African Constitution, Freedom Under Law (RF) NPC, the South African Institute of Race Relations and Afriforum NPC to be admitted as *amici curiae* and has made the following order:

1. The Council for the Advancement of the South African Constitution is admitted as the first *amicus curiae*.

2. The Freedom Under Law (RF) NPC is admitted as the second *amicus curiae*.
3. The South African Institute of Race Relations is admitted as the third *amicus curiae*.
4. The Afriforum NPC is admitted as the fourth *amicus curiae*.
5. The *amici* will be permitted to make brief oral submissions.


MS MMABATHO NGOBENI
ACTING REGISTRAR
CONSTITUTIONAL COURT

TO: LEGAL RECOURCES CENTRE
Attorneys for the First Applicant as Amicus Curiae
11th Floor, Aquasky Towers
275 Anton Lembede Street
DURBAN

Tel: 031 301 7572

Email: sharita@lrc.org.za

Ref: S Samuel

c/o LEGAL RESOURCES CENTRE
Second Floor, West Wing, Women's Jail
Constitutional Court
1 Kotze Street

JOHANNESBURG

Tel: 011 838 6601

Email: ektaa@lrc.org.za

Ref: E. Deochand

AND TO: NORTONS INCORPORATED

Attorneys for the Second Applicant as Amicus Curiae

Second Floor, Parkhurst Square

38 Fourth Avenue

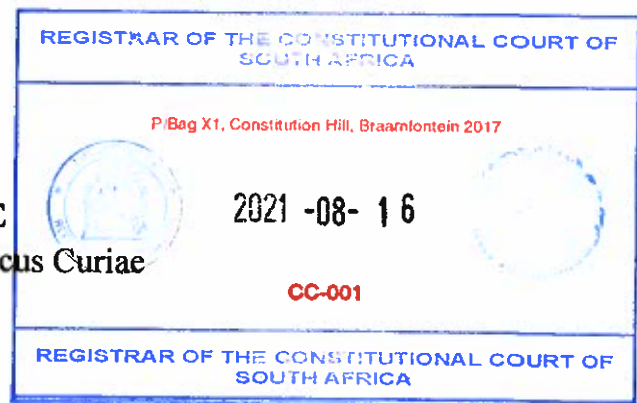
Parkhurst

JOHANNESBURG

Tel: 011 666 7560

Email: anton@nortonsinc.com / michelle@nortonsinc.com

Ref: Mr Anton Roets / Ms M Rawlinson



AND TO: CILLIERS & GILDENHUYS INCORPORATED

Attorneys for the Third Applicant as Amicus Curiae

65 George Storrar Drive

Groenkloof

PRETORIA

Tel: 012 786 0885

Email: gerbrand@c-law.co.za / pta@c-law.co.za

Ref: GILDENHUYS / GGI506

c/o PETERS ATTORNEYS PER TIM DU TOIT & CO ATTORNEYS

31 The Valley Road

Westcliff

JOHANNESBURG

Tel: 011 274 9800

Email: adele@timdutoit.co.za

AND TO: HURTER SPIES INCORPORATED

Attorneys for the Fourth Applicant as Amicus Curiae

Second Floor, Block A

Loftus Park

416 Kirkness Avenue

Arcadia

PRETORIA

Tel: 012 941 9239

Email: marjorie@hurterspies.co.za

Ref: mvanschalkwyk / MAT4034

c/o NELSON BORMAN & PARTNERS INCORPORATED

Third Floor, 288 On Kent

Cnr Kent Avenue and Harley Street

Ferndale

Randburg

JOHANNESBURG

Tel: 011 886 3675

Fax: 011 601 6048

Email: johann@nelsonborman.co.za

Ref: MULLER / lk / HH7354

AND TO: MOETI KANYANE INCORPORATED

Attorneys for the Applicant

First Floor, Block D

Corporate 66 Office Park

269 Von Willich Street

Centurion

PRETORIA

Tel: 012 003 6471

Fax: 086 416 2255

Email: moeti@kanyane.co.za / mashudu@kanyane.co.za

Ref: M Kanyane / BC / M00232

c/o RAMS INCORPORATED

Ninth Floor, Fredman Towers

13 Fredman Drive

Sandton

JOHANNESBURG

Tel: 011 883 2234 / 011 883 2236

Ref: Mr W Moeketsane

AND TO: STATE ATTORNEY, PRETORIA

Attorneys for the First Respondent

SAAU Building

316 Thabo Sehume Street

PRETORIA

Email: ichowe@justice.gov.za

Ref: 2239 / 21 / Z75

AND TO: MEC FOR LOCAL GOVERNMENT FOR THE EASTERN CAPE

Second Respondent

Tyamzashe Building

Phalo Avenue

BHISHO

Email: mzwake.clay@eccogta.gov.za / nnothoko@gmail.com /

noncedo.nothoko@eccogta.gov.za / sivuyiswe.mayoyo@eccogta.gov.za

AND TO: MEC FOR LOCAL GOVERNMENT FOR THE FREE STATE

Third Respondent

Seventh Floor, OR Tambo House

Cnr St Andrews and Markgraaf Streets

BLOEMFONTEIN

Email: hod@fscogta.gov.za / tembeni.lobe@fscogta.gov.za / lesleyk@fscogta.gov.za

AND TO: MEC FOR LOCAL GOVERNMENT FOR GAUTENG

Fourth Respondent

37 Pixley ka Isaka Seme Street

Marshalltown

JOHANNESBURG

Email: quinton.kuhn@gauteng.gov.za / fred.mokoko@gauteng.gov.za /
zukiswa.ncunyana@gauteng.gov.za / simon.masisi-letele@gauteng.gov.za /
anthony.moonsamy@gauteng.gov.za

AND TO: MEC FOR LOCAL GOVERNMENT FOR KWAZULU-NATAL

Fifth Respondent

330 Langalibalele Street

PIETERMARITZBURG

Email: lelani.vandenberg@kzncogta.gov.za / kerry.turner@kzncogta.gov.za /
nokwanda.mchunu@kzncogta.gov.za / sanele.zondi@kzncogta.gov.za

AND TO: MEC FOR LOCAL GOVERNMENT FOR LIMPOPO

Sixth Respondent

Hensa Tower Building

28 Market Street

POLOKWANE

Email: ngobenidd@coghsta.limpopo.gov.za / dumalisilen@coghsta.limpopo.gov.za /
mathyem@coghsta.limpopo.gov.za

AND TO: MEC FOR LOCAL GOVERNMENT FOR MPUMALANGA

Seventh Respondent

Samora Machel Building

Extension 2

7 Government Boulevard

Riverside Park

MBOMBELA

Email: lvdwalt@mpg.gov.za / mvdmerwe@mpg.gov.za / sam@mpg.gov.za /
skunene@mpg.gov.za / mkhawanazizf@mpg.gov.za

AND TO: MEC FOR LOCAL GOVERNMENT FOR THE NORTHERN CAPE

Eighth Respondent

JS du Plooy Building

9 Cecil Sussman Street

KIMBERLEY

Email: bvass@ncpg.gov.za / bslenkoe@ncpg.gov.za / mmdayo@ncpg.gov.za /
gbotha@ncpg.gov.za / mmanyeneng@ncpg.gov.za / pseane@ncpg.gov.za

AND TO: MEC FOR LOCAL GOVERNMENT FOR THE NORTH WEST

Ninth Respondent

Telkom Building
3366 Bessemmer Street
Industrial Site
MAFIKENG
Email: mmotlogelwa@nwpg.gov.za / tlerefolo@nwpg.gov.za

AND TO: STATE ATTORNEY, CAPE TOWN

Attorneys for the Tenth Respondent
Fifth Floor, 22 Long Street
CAPE TOWN
Tel: 021 441 9200
Email: lgolding@justice.gov.za / cmallum@justice.gov.za
Ref: 1942 / 21 / P10

c/o STATE ATTORNEY, JOHANNESBURG

10th Floor, North State Building
95 Albertina Sisulu Street
JOHANNESBURG
Ref: V Dhulam

AND TO: SOUTH AFRICAN LOCAL GOVERNMENT ASSOCIATION

Eleventh Respondent
Block B, Corporate Park
175 Corobray Avenue
Waterkloof Glen
PRETORIA
Email: ugopichund@salga.org.za