

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA**

Case No.

In the matter between:

**NATIONAL TREASURY**

First Applicant

**THE SOUTH AFRICAN NATIONAL  
ROADS AGENCY LTD**

Second Applicant

**THE MINISTER, DEPARTMENT OF  
TRANSPORT REPUBLIC OF SOUTH AFRICA**

Third Applicant

**THE MEC, DEPARTMENT OF ROADS  
AND TRANSPORT, GAUTENG**

Fourth Applicant

**THE MINISTER, DEPARTMENT OF WATER  
AND ENVIRONMENTAL AFFAIRS**

Fifth Applicant

**THE DIRECTOR-GENERAL, DEPARTMENT OF  
WATER AND ENVIRONMENTAL AFFAIRS**

Sixth Applicant

and

**OPPOSITION TO URBAN TOLLING ALLIANCE**

First Respondent

**SOUTH AFRICAN VEHICLE RENTING  
AND LEASING ASSOCIATION**

Second Respondent

**QUADPARA ASSOCIATION  
OF SOUTH AFRICA**

Third Respondent

**SOUTH AFRICAN NATIONAL  
CONSUMER UNION**

Fourth Respondent

**NATIONAL CONSUMER COMMISSION**

Fifth Respondent

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**NOTICE OF APPLICATION**

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TAKE NOTICE that the applicants hereby apply for an order in the following terms:

1. That the applicants be granted leave to appeal directly to this Court against the judgment and orders by Prinsloo J, sitting in the High Court of North Gauteng, such orders being delivered on Saturday 28 April 2012 and such written judgment on 16 May 2012 in case number NGHC 17141/12.
2. In the event that the Court decides to set either the application for leave to appeal or the appeal itself down for hearing, that the Court convenes the hearing on an urgent basis and issues directions regarding the filing of heads of argument on an expedited basis.
3. That the costs of this application be costs in the appeal.
4. That further or alternative relief be granted.

TAKE FURTHER NOTICE that the affidavits of PRAVIN JAMNADAS GORDHAN and NAZIR ALLI together with its annexures will be used in support of this application.

TAKE NOTICE FURTHER that the applicants have appointed the State Attorney, Johannesburg, 10<sup>th</sup> floor North State Building, 95 Market Street, cnr Kruis St, Johannesburg to accept notice and service of all process in these proceedings.

TAKE NOTICE FURTHER that if you intend to oppose this application you are required within ten days hereof to notify the applicants' attorneys accordingly in writing and file an answering affidavit, if any; and further that you are required to appoint in such notification an address at which you will accept notice and service of all documents in these proceedings. If no such notice of intention to oppose is given, the applicants will request the Registrar to place the matter before the Chief Justice to be dealt with in terms of Rule 11(4).

DATED at Pretoria on this 21<sup>st</sup> day of May 2012

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**State Attorney, Pretoria**  
Attorneys for the First, Third,  
Fourth, Fifth and Sixth applicants  
22 Long Street  
CAPE TOWN

**C/O: State Attorney,  
Johannesburg**  
10<sup>th</sup> floor North State Building  
95 Market Street, cnr Kruis St  
JOHANNESBURG

**And to: WERKSMANS ATTORNEYS**  
Attorneys for the Second applicant  
**C/O: EDELSTEIN-BOSMAN INC**  
220/2 Lange Street  
New Muckleneuk, Pretoria  
Tel: (012) 452 8900  
Fax: (012) 452 8901/2  
Ref: Mr W Scrooby/RF/IW002081

**To: THE REGISTRAR**  
Constitutional Court

**And to: CLIFFE DEKKER HOFMEYR INC**  
Attorneys for First to Fourth respondents  
1 Protea Place, Sandown  
Sandton, 2196  
Tel: (011) 562 1071  
Fax: (011) 562 1671  
**Ref: PJ Conradie/01933299**  
**C/O: JASPER VAN DER WESTHUIZEN &  
BODENSTEIN INC**  
887 Church Street  
Arcadia, 0083  
Pretoria

Tel: (012) 342 4890

Fax: (012) 432 4896

**Ref: Y Coetzee**

**And to:**

**NATIONAL CONSUMER COMMISSION**

Fifth Respondent

The DTI Campus

Mulayo (block E)

77 Meintjies Street

Sunnyside

PRETORIA