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DEPARTMENT OF JUSTICE  
REPUBLIC OF SOUTH AFRICA

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Office of the Registrar of the Constitutional Court  
Private Bag X32  
BRAAMFONTEIN  
2017

21 November 1995

Reference

**YNUICO LIMITED v MINISTER OF TRADE  
AND INDUSTRY AND OTHERS**

CCT 47/95

Constitutional Court Case 47/95  
Transvaal Provincial Division Case 12348/95

To: The Registrar  
Transvaal Provincial Division of  
the Supreme Court  
Private Bag X67  
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or 834 - 8681

You are hereby notified that in the above matter the President of the  
Constitutional Court has issued the following directions under Rule 22(3)(b).

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- (1) The issue which has to be decided, and on which argument will therefore be heard, is "whether section 2(1)(b) of the Import and Export Control Act 45 of 1963 is constitutional and valid". Mr Justice van Dijkhorst, sitting in the Transvaal Provincial Division, referred that issue to the Constitutional Court in terms of section 102(1) of the Constitution in order to obtain its ruling on the contention advanced and disputed in the proceedings before him that the statutory provision in question was inconsistent with section 26 of the Constitution and not saved by section 33(1). Argument is also required on the form of order which the Constitutional Court should make if it upholds that contention.
- (2) The matter will be heard by the Constitutional Court on Tuesday, 12 March 1996, starting at 10h00.
- (3) The record in the matter is to consist of all the papers filed in the proceedings before Mr Justice van Dijkhorst, together with the judgment which he delivered in them on 29 September 1995.
- (4) The record is to be filed and served by no later than Friday, 15 December 1995.
- (5) The written argument prepared on behalf of the applicant is to be filed and served by no later than Wednesday, 17 January 1996.
- (6) The written arguments prepared on behalf of those respondents who wish to be heard are to be filed and served by no later than Wednesday, 14 February 1996.
- (7) In compliance with rule 1(3), twenty-five copies of the documents covered by paragraphs (3) to (6) above are to be filed.

- (8) The directions given in paragraphs (2) to (7) above will operate as provisional ones and may be amended, varied or augmented on written representations to the President of the Constitutional Court which are received by no later than Friday, 8 December 1995 from either the applicant or any respondent. They will stand as final directions if they are not so amended, varied or augmented.

  
M.S. NIENABER  
Registrar