

NOTICE OF MOTION
IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

Case Number

In the matter between:

PAUL F VAN VUREN

Applicant

And

MINISTER OF JUSTICE MINISTER OF
CORRECTIONAL SERVICES

1st Respondent 2nd
Respondent

KINDLY TAKE NOTICE THAT Paul F van Vuren (hereinafter called the “applicant”) intends to make application to this Court for an order declaring

(1) THAT direct access to this Honourable Court be granted in the interests of justice in terms of section 167(6)(a) of the Constitution of the Republic of South Africa, Act 108 of 1996 as amended (hereinafter called the “Constitution”) and/or rule 17 of the Constitutional Court Rules (hereinafter called the “Court Rules”), and

(2) THAT in terms of rule 31 of the Court Rules condonation be granted for noncompliance with rule 10(1)(b) of the Court Rules only in respect of the 25 kilometre requirement, and

(3) THAT subsection 136(3)(a) of the Correctional Services Act, Act 111 of 1998 as amended (hereinafter called “Act 111 of 1998”) is inconsistent with the Constitution and invalid to the extent of its inconsistency.

TAKE NOTICE FURTHER THAT the accompanying affidavit of Paul F van Vuren will be used in support thereof.

TAKE NOTICE FURTHER THAT the applicant has appointed the address listed hereunder as the address at which he will accept notice and service of all process in these proceedings.

TAKE NOTICE FURTHER THAT if you intend opposing this application you are required

- (a) To notify applicant in writing within 10 (ten) days after receiving this notice, and
- (b) Within 15 (fifteen) days after you have given notice of your intention

to oppose the application, to file your answering affidavit, if any; and further
(c) 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.

TAKE NOTICE FURTHER THAT if no such notice of intention to oppose is given, the applicant will request the Registrar to place the matter before the President to be dealt with in terms of rule 10(4) of the Constitutional Court Rules.

Signed at PRETORIA on this day of MARCH 2007.

Applicant Paul F van Vuren MediumC Pretoria Central Correctional Centre 1
Potgieter Street PRETORIA