

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA**

CASE NO: CCT50/08

**ALISON RACHELLE TILLEY**

**HAPPY MASONDO**

**MARY SUSAN CAESAR**

**LEBOGANG TEMPERANCE MALEPE**

**SHEREEN MILLS**

**SHAAMELA CASSIEM**

acting in their capacity as

**TRUSTEES OF THE**

**WOMEN'S LEGAL CENTRE TRUST**

Applicant for admission as *amicus curiae*

In the matter between:

**ELIZABETH GUMEDE (born SHANGE)**

Applicant

and

**PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA**

First Respondent

**MINISTER OF JUSTICE AND CONSTITUTIONAL  
DEVELOPMENT**

Second Respondent

**PREMIER OF KWAZULU NATAL**

Third Respondent

**KWAZULU NATAL MEC FOR TRADITIONAL AND  
LOCAL GOVERNMENT**

Fourth Respondent

**AMOS GUMEDE**

Fifth Respondent

**MINISTER OF HOME AFFAIRS**

Sixth Respondent

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**NOTICE OF MOTION**

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**KINDLY TAKE NOTICE** that the **WOMEN'S LEGAL CENTRE TRUST** (*"the Applicant"*) hereby applies to the Chief Justice and, where necessary, the Constitutional Court for an order in the following terms:

1. Insofar as the Applicant has not complied with the rules of this Court and rule 10 in particular including in respect of service on Fifth Respondent, its failure to comply is condoned.
2. Admitting the Applicant into the proceedings as *amicus curiae* on such terms and conditions and with such rights and privileges as the Chief Justice may determine.
3. Granting the Applicant leave:
  - 3.1 to lodge written submissions in this matter;
  - 3.2 to present oral argument at the hearing of this matter.
4. Directing that the Applicant lodge its written submissions on or before Wednesday 3 September 2008, or such other date as the Chief Justice may determine.

5. Further and / or alternative relief.
  
6. Costs of this application against such party that opposes this application.

**KINDLY TAKE NOTICE FURTHER** that the founding affidavit of **NOLUTHANDO NTLOKWANA** will be used in support of this application.

**TAKE NOTICE FURTHER** that the Applicant has appointed the address of its attorneys of record referred to below as the address at which it will accept notice and service of all process in these proceedings.

**KINDLY PLACE THE APPLICATION BEFORE THE CHIEF JUSTICE.**

**DATED** at **CAPE TOWN** on this                      day of **AUGUST 2008**.

**WOMEN'S LEGAL CENTRE TRUST**

Per: **NOLUTHANDO NTLOKWANA**  
Applicant's Attorney  
4<sup>th</sup> Floor, Pearl House  
19/25 Adderley Street  
Heerengracht  
CAPE TOWN  
TEL: (021) 421-1380  
FAX: (021) 421-1386  
E-MAIL: [noluthando@wlc.co.za](mailto:noluthando@wlc.co.za)

c/o Sheldon Delaney  
Applicant's correspondent attorneys  
Cheadle Thompson and Haysom  
7<sup>th</sup> Floor, Braamfontein Centre  
23 Jorrisen Street  
Braamfontein  
Tel: (011) 403 2765  
Fax: (011) 403 1764

**TO: THE REGISTRAR  
CONSTITUTIONAL COURT**

**AND TO: THE PRESIDENT OF THE  
REPUBLIC OF SOUTH AFRICA**  
First Respondent  
C/o **THE STATE ATTORNEY**  
6<sup>th</sup> Floor  
Metropolitan Life Building  
391 Smith Street  
DURBAN  
TEL: (031) 365-2500  
FAX: (031) 306-2448

**AND TO: THE MINISTER OF JUSTICE AND  
CONSTITUTIONAL DEVELOPMENT**  
Second Respondent  
C/o **THE STATE ATTORNEY**  
6<sup>th</sup> Floor  
Metropolitan Life Building  
391 Smith Street  
DURBAN  
TEL: (031) 365-2500  
FAX: (031) 306-2448

**AND TO: THE PREMIER OF KWAZULU NATAL**  
Third Respondent  
C/o **THE STATE ATTORNEY**  
6<sup>th</sup> Floor  
Metropolitan Life Building  
391 Smith Street  
DURBAN  
TEL: (031) 365-2500  
FAX: (031) 306-2448

**AND TO: KWAZULU NATAL MEC FOR TRADITIONAL  
AND LOCAL GOVERNMENT**  
Fourth Respondent  
C/o **THE STATE ATTORNEY**

6<sup>th</sup> Floor  
Metropolitan Life Building  
391 Smith Street  
DURBAN  
TEL: (031) 365-2500  
FAX: (031) 306-2448

**AND TO: MR AMOS GUMEDE**  
Fifth Respondent  
KwaMakhuta Area  
(Next to KwaKhanyile Store)  
Adams Mission  
DURBAN  
**C/o MBELE DUBE & PARTNERS**  
Suit 107, 1<sup>st</sup> Floor  
Queen City  
54 Queen Street  
DURBAN  
TEL: (031) 356-2500  
FAX: (031) 306-2448

**AND TO: THE REGISTRAR**  
North Eastern Divorce Court  
Somtseu Road  
DURBAN  
CASE NO: 161/03  
TEL: (031) 332-7576  
FAX: (031) 6590