

"FA2"

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

Case No: CCT _____

SCA Case No: 1028/2018

High Court Case No: 10354/17

In the matter between:

TELKOM SA SOC LIMITED

Applicant

(Appellant in the court a quo)

and

CITY OF CAPE TOWN

First Respondent

(First Respondent in the court a quo)

HILDA ISABEL KALU NO in her capacity as

THE EXECUTRIX OF THE ESTATE

LATE BIRCH KALU

Second Respondent

(Second Respondent in the court a quo)

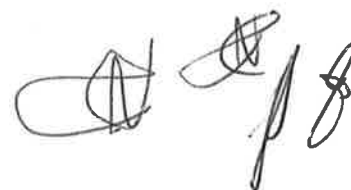
CONFIRMATORY AFFIDAVIT

I, the undersigned,

JOSEF JOHANNES SMIT

do hereby make the following statements under oath:

1. I am the Executive: Spectrum and International Regulations at Telkom SA SOC Limited, the applicant in this application for leave to appeal.
2. The facts contained herein are within my personal knowledge and are, to the best of my belief, both true and correct.



3. I am responsible for spectrum management related functions within Telkom including national and international spectrum regulations, radio frequency spectrum strategy, frequency interference management and spectrum management.
4. I therefore have extensive knowledge in relation to base stations and connectivity in respect of 2G, 3G, 4G and 5G networks. In this regard, a copy of my Curriculum Vitae is annexed hereto marked "JS1".
5. I have read the founding affidavit of George Candiotes and I confirm the correctness of the facts contained in paragraphs 15 to 23 thereof.



JOSEF JOHANNES SMIT

I hereby certify that the deponent knows and understands the contents of this affidavit and that it is to the best of the deponent's knowledge both true and correct. This affidavit was signed and sworn to before me at Centurion on this the 16th day of October 2019, and that the Regulations contained in Government Notice R.1258 of 21 July 1972, as amended by R1648 of 19 August 1977, and as further amended by R1428 of 11 July 1989, having been complied with.



COMMISSIONER OF OATHS

Full names:	AYAKHA NYANGENI
Address:	ADAMS & ADAMS
Capacity:	Lynnwood Bridge 4 Daventry Street Lynnwood Manor Pretoria 0081
	COMMISSIONER OF OATHS Practising Attorney R.S.A.

