



CONSTITUTIONAL COURT OF SOUTH AFRICA

Case CCT 106/15

In the matter between:

MERAFONG CITY LOCAL MUNICIPALITY

Applicant

and

ANGLOGOLD ASHANTI LIMITED

Respondent

DIRECTIONS DATED 15 SEPTEMBER 2015

The Chief Justice has issued the following directions:

1. The application is set down for hearing on Thursday, 18 February 2016 at 10h00.
2. The applicant must, on or before 30 October 2015, file a newly paginated record on which the Supreme Court of Appeal decided the matter, in accordance with rule 20(2) of this Court's Rules.
3. The parties must file written argument which must also cover the following issues:
 - a) whether the Supreme Court of Appeal has correctly applied *Oudekraal Estates (Pty) Ltd v City of Cape Town and Others* 2004 (6) SA 222 (SCA) and *MEC for Health, Eastern Cape and Another v Kirland Investments (Pty) Ltd* 2014 (3) SA 481 (CC);

- b) whether Part B of Schedule 4 of the Constitution confers the power to supply water to industrial entities on the local sphere of government;
 - c) if so, whether section 8(9) of the Water Services Act 108 of 1997 is invalid; and
 - d) whether it was competent for the High Court to order the applicant to comply with the Minister's appeal ruling of 18 July 2005.
4. The applicant must file its written argument on or before 13 November 2015.
 5. The respondent must file its written submissions on or before 27 November 2015.
 6. Further directions may be issued.

MR LOUW
ACTING SENIOR REGISTRAR
CONSTITUTIONAL COURT

TO: DE SWARDT VOGEL MYAMBO ATTORNEYS

Attorneys for the Applicant
941 Jan Shoba Street
Cnr Jan Shoba/Mackenzie Streets

PRETORIA

Tel: 012 346 0050
Fax: 012 346 0240
Email: anton@deswardt.co.za
nadia@deswardt.co.za
Ref: T Van Straaten/Cb/298206

AND TO: KNOWLES HUSAIN LINDSAY INC

Attorneys for the Respondent
4th Floor, The Forum
2 Maude Street
JOHANNESBURG

Tel: 011 669 6034

Fax: 011 669 6299

Ref: IV LINDSAY/ANGL5841.609