IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

Case number: CCT ……..

In the matter between:

GLENISTER, HUGH	Applicant
and	
THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA	First respondent
THE MINISTER OF SAFETY AND SECURITY	Second Respondent
THE MINISTER OF JUSTICE AND CONSTITUTIONAL DEVELOPMENT	Third respondent
THE NATIONAL DIRECTOR OF PUBLIC PROSECUTIONS	Fourth Respondent
THE HEAD OF THE DIRECTORATE OF SPECIAL OPERATIONS	Fifth Respondent
THE SPEAKER OF THE NATIONAL ASSEMBLY	Sixth Respondent
THE CHAIRPERSON OF THE NATIONAL COUNCIL OF PROVINCES	Seventh Respondent
THE AFRICAN CHRISTIAN DEMOCRATIC PARTY	Eighth Respondent
THE DEMOCRATIC ALLIANCE	Ninth Respondent
THE INDEPENDENT DEMOCRATS	Tenth Respondent
THE UNITED DEMOCRATIC MOVEMENT	Eleventh Respondent
THE INKATHA FREEDOM PARTY	Twelfth Respondent

NOTICE OF MOTION

TAKE NOTICE that HUGH GLENISTER (hereinafter called "the Applicant") intends to make application to this Court for an order in the following terms:

PART A

A1. Dispensing with the forms and service provided for in the Constitutional Court Rules and directing that the application be heard on an urgent basis in terms of Constitutional Court Rule 12;

A2. Granting the Applicant leave to appeal to this Court against that part of the judgment and order handed down by the High Court of South Africa (Transvaal Provincial Division) on 27 May 2005 under case number 14386/2008 in which the High Court ordered that the matter should be removed from the roll;

A3. Directing that the costs of this application are to be costs in the appeal;

A4. Granting further and/or alternative relief.

TAKE NOTICE FURTHER that the accompanying affidavit of HUGH GLENISTER will be used in support of the relief claimed in Part A.

TAKE NOTICE FURTHER that this application is made in terms of Rule 19 of the Rules of the Constitutional Court read with section 167(6)(b) of the Constitution.

TAKE NOTICE FURTHER that the applicant has appointed Wertheim Becker Inc, 1st Floor, Oxford Manor, 196 Oxford Road, cnr. Chaplin Road, Illovo, Johannesburg, as the address at which it will accept notice and service of all process in these proceedings.

TAKE NOTICE FURTHER that if you intend opposing this application in Part A you are required to file your response thereto within such time period as may be directed by the Chief Justice in terms of Constitutional Court Rule 12(1), and that your response must indicate the grounds for your opposition.

PART B

In the alternative to Part A, and in the event that leave to appeal is refused, the Applicant intends to make application to this Court for the following relief:

B1. Dispensing with the forms and service provided for in the Constitutional Court Rules and directing that the application be heard on an urgent basis in terms of Constitutional Court Rule 12;

B2. Declaring that the decision taken by the First Respondent and the other members of the Cabinet on or about 30 April 2008 to initiate legislation disestablishing the Directorate of Special Operations established in terms of section 7(1)(a) of the National Prosecuting Authority Act 32 of 1998, is unconstitutional and invalid;

B3. Directing the Second and Third Respondents forthwith to withdraw the South African Police Services Amendment Bill of 2008 and the National Prosecuting Authority Amendment Bill of 2008 from the National Assembly in terms of rule 299 of the Rules of the National Assembly;

B4. Ordering the First, Second and Third Respondents to pay the costs of this application on a joint and several basis;

B5. Granting further and/or alternative relief.

TAKE NOTICE FURTHER that the accompanying affidavit of HUGH GLENISTER will be used in support of the relief claimed in Part B.

TAKE NOTICE FURTHER that this application is made in terms of Rule 11 of the Rules of the Constitutional Court read with section 167(4) of the Constitution.

TAKE NOTICE FURTHER that the Applicant has appointed Wertheim Becker Inc, 1st Floor, Oxford Manor, 196 Oxford Road, cnr. Chaplin Road, Illovo, Johannesburg, as the address at which it will accept notice and service of all process in these proceedings.

TAKE NOTICE FURTHER that if you intend opposing this application in Part B you are required to give notice of intention to oppose within such time period as may be directed by the Chief Justice in terms of Constitutional Court Rule 12(1), and further 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.

Dated at …… on this the ….. day of June 2008.

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APPLICANT'S ATTORNEY

WERTHEIM BECKER INC.

1st Floor, Oxford Manor

196 Oxford Rd, Illovo

P O Box 2277 Houghton 2041

Docex 33, Johannesburg

Tel: (011) 268-1130

Fax: (011) 268-1140

REF: MR K LOUIS/pmv/33421

TO: THE REGISTRAR OF THE CONSTITUTIONAL COURT

Constitution Hill

Braamfontein

AND TO: THE STATE ATTORNEY
First, Second, Third, Sixth & Seventh Respondents' Attorneys
10th Floor, North State Building
95 Market Street, Johannesburg
REF: 1798/2008/Z1/LC
ENQ:- A M MOSIDI

RECEIVED COPY HEREOF
_____THIS DAY OF JUNE 2008

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For: 1st, 2nd,3rd, 6th & 7th Respondents'Attorneys

AND TO: THE STATE ATTORNEY
Fourth & Fifth Respondents' Attorneys
10th Floor, North State Building
95 Market Street, Johannesburg
REF:- 555/08/P33
Tel: (011) 330-7621
Fax:- (011) 336-6435
ENQ:- W DA SILVA (MRS)

RECEIVED COPY HEREOF
THIS_____DAY OF JUNE 2008

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For: 4th & 5th Respondents' Attorneys

AND TO: DE KLERK & VAN GEND INC
Eighth, Ninth, Tenth, Eleventh & Twelfth Respondents' Attorneys
3rd Floor, ABSA Bank Building
132 Adderley Street, Cape Town
(REF:- C ALBERTYN/70041523)
Via Docex 33
Cape Town

VIA D0CEX 33
CAPE TOWN