

IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG LOCAL DIVISION, JOHANNESBURG

CASE NO: 14466/14

In the matter between:

THE SOUTH AFRICAN HISTORY ARCHIVE TRUST

Applicant

and

THE SOUTH AFRICAN RESERVE BANK

First Respondent

THE GOVERNOR OF THE SOUTH AFRICAN
RESERVE BANK, L KGANYAGO

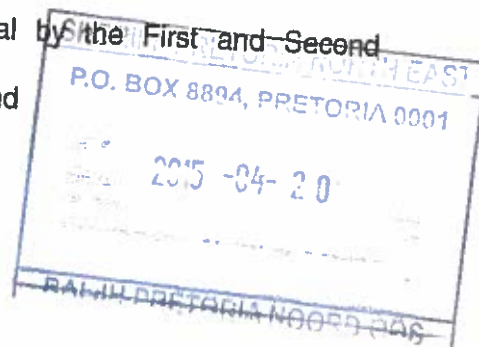
Second Respondent



NOTICE OF MOTION

TAKE NOTICE that the Applicant intends applying to this Court on a date and time to be determined with the Registrar, for an order in the following terms:

- 1 Declaring that the First and Second Respondents decision to refuse access to the information requested by the Applicant in its request for access to information in terms of the Promotion of Access to Information Act 2 of 2000 ("PAIA") dated 1 August 2014 and described in the Founding Affidavit ("the request") is unlawful and in conflict with the provisions of PAIA and the Constitution.
- 2 Reviewing and setting aside the refusal by the First and Second Respondents of the Applicant's request; and



- 3 Directing the Respondents to provide the requested records to the Applicant within 15 (fifteen) days of the granting of this order.
- 4 Directing the First and Second Respondents to pay the costs of this application.
- 5 Further and/or alternative relief.

TAKE NOTICE FURTHER that the accompanying Affidavit of **CATHERINE MOIRA KENNEDY** and the annexures thereto, will be used in support of this application.

BE PLEASED TO TAKE FURTHER NOTICE that the Applicant has appointed **LAWYERS FOR HUMAN RIGHTS JOHANNESBURG LAW CLINIC** of the address below as the address at which it will accept notice and service of all further process in these proceedings.

BE PLEASED TO TAKE FUTHER NOTICE that:

- (a) Notice of intention to oppose this application must be given within 10 (ten) days after receipt hereof and must contain an address within 8 (eight) kilometres of the Court to which this application is brought, where notice and service of documents will be accepted.
- (b) Answering affidavits, if any, must be filed within 15 (fifteen) days after service of the notice of intention to oppose this application.
- (c) In default of your complying with rule 3(5) of the Rules of Procedure for Application to Court in terms of PAIA, the Applicant may request the

clerk of the court or the registrar as the case may be, to place this application before the Court for an order in terms of section 82(b) of PAIA.

(d) In default of your delivering a notice of intention to oppose, the matter will, without further notice, be placed on the roll for hearing after the expiry of the period mentioned in paragraph (a) above, on a date fixed by the clerk of the court or the registrar as the case may be, in terms of rule 3(6) of the Rules of Procedure for Application to Court in terms of PAIA.

DATED at JOHANNESBURG on this the 15th day of APRIL 2015.



**LAWYERS FOR HUMAN
RIGHTS JOHANNESBURG
LAW CLINIC**

Applicant's Attorneys
4th Fl, Heerengracht Building
87 De Korte Street
Braamfontein, Johannesburg
2001

Telephone: 011 339 1960
Fax: 011 339 2665
Ref: SL14/01/PTA (D Cote)

**TO:
THE REGISTRAR OF THE HIGH COURT
GAUTENG LOCAL DIVISION, JOHANNESBURG**

BY HAND

**AND TO:
THE SOUTH AFRICAN RESERVE BANK**

First Respondent
c/o Mr. N Kirby
Werksmans Attorneys
155 5th Street
Sandton, Johannesburg
2196

Accepted
Without Prejudice
WERKSMANS

10:34
20/04/2015
Emlangeni

Tel: 011 535 8000
Fax: 011 535 8600
Email: nkirby@werksmans.com
Ref: Mr N Kirby / Mr C Moraitis/hk/SOUT3267.44/#3158089v1

AND TO:

**THE GOVERNOR OF THE SOUTH AFRICAN RESERVE BANK,
MR L KGANYAGO**

Second Respondent

370 Helen Joseph Street
Pretoria
0002

Tel: 012 313 3911
Fax: 012 313 3197

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