

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

CASE NO: 71147/17

Application for intervention as parties:

MINING AFFECTED COMMUNITIES

UNITED IN ACTION

First Applicant

WOMEN FROM MINING AFFECTED

COMMUNITIES UNITED IN ACTION

Second Applicant

MINING AND ENVIRONMENTAL JUSTICE

COMMUNITY NETWORK OF SOUTH AFRICA

Third Applicant

In the matter between:

CHAMBER OF MINES

First applicant

and

MINISTER OF MINERAL RESOURCES

First Respondent

NOTICE OF MOTION

KINDLY TAKE NOTICE that the applicants intend to make application to the above Honourable Court on 14 November 2017 or soon thereafter as counsel for the applicants may be heard for an order in the following terms:

PART A

1. That the time periods, forms and manner of service provided for in the rules are dispensed with and the matter is heard as one of urgency in terms of Rule 6(12);

Directing that the applicants, **Mining Affected Communities United in Action Mining (MACUA)**, **WOMEN FROM MINING AFFECTED COMMUNITIES UNITED IN ACTION (WAMUA)** And **MINING Environmental Justice Community Network of South Africa (MEJCON)** are granted leave for intervention in the above matter;

2. Directing that the affidavit of **MESHACK MANDLENKOSI MBANGULA** and its annexure be admitted as founding papers filed on behalf of the Applicants in the Review Application.

TAKE NOTICE FURTHER that the accompanying affidavit of **MESHACK MANDLENKOSI MBANGULA**, together with the annexures thereto, will be used in support hereof.

AND TAKE NOTICE that if the Respondents intend opposing this application they are required to:

- a) Notify the Applicants' attorneys of record by no later than 26 October 2017 of receipt of this application that they intend opposing.
- b) Within 5 days , on 02 November 2017 of notifying the applicants of their intention to oppose the application, deliver an answering affidavit, if any, together with any relevant documents;
- c) Comply with the aforesaid time period so as to give the applicants an opportunity to file a replying affidavit, if any, by no later than 09 November 2017.

KINDLY PLACE THE MATTER ON THE ROLL FOR HEARING ACCORDINGLY

PART B

KINDLY TAKE NOTICE that the applicants intend to make application to the above Honourable Court 13 and 14 December 2017 or soon thereafter as counsel for the applicants may be heard for an order in the following terms:

3. Reviewing and setting aside the 2017 Mining Charter for lack of meaningful engagement in the drafting of the Charter with mining affected communities as key stakeholders;
4. Declaring that the mining affected communities are a key stakeholder in all negotiations and engagements on any further Mining Charter.
5. Ordering that the First Respondent pay the costs of the application and/or any party opposing such relief;
6. Further and/or alternative relief.

TAKE NOTICE FURTHER that the accompanying affidavit of **MESHACK MANDLENKOSI MBANGULA**, together with the annexures thereto, will be used in support hereof.

KINDLY PLACE THE MATTER ON THE ROLL FOR HEARING ACCORDINGLY

DATED at **JOHANNESBURG** on this the day of **OCTOBER 2017**.

**CENTRE FOR APPLIED LEGAL STUDIES
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C/O SAVAGE JOOSTE

TO: THE REGISTRAR OF THE ABOVE HONOURABLE COURT

AND TO: NORTON ROSE FULBRIGHT

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AND TO: GOITSEONA PILANE ATTORNEYS INC.

**Attorneys for the Respondent (Minister of Mineral
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AND TO: FINGER PHUKUBJE ATTORNEYS

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