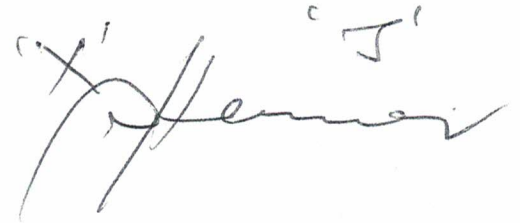


**IN THE HIGH COURT OF SOUTH AFRICA  
(WESTERN CAPE DIVISION, CAPE TOWN)**

**Before the Honourable Justice Henney**

Cape Town, Friday 22 May 2020



Case No: 5812/2020

In the matter between:

**DEMOCRATIC ALLIANCE**

First Applicant

**1000 WOMEN TRUST NPO**

Second Applicant

and

**MINISTER OF SOCIAL DEVELOPMENT**

First Respondent

**MINISTER OF COOPERATIVE GOVERNANCE  
AND TRADITIONAL AFFAIRS**



Second Respondent

**MINISTER OF POLICE**

Third Respondent

**NATIONAL COMMISSIONER OF POLICE**

Fourth Respondent

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA WESTERN CAPE DIVISION, CAPE TOWN	
Private Bag X9020, Cape Town 8000	
	
2320 -05- 22	
<b>DRAFT ORDER</b>	
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA WESTERN CAPE DIVISION, CAPE TOWN	

**HAVING HEARD COUNSEL** for the Applicants and the First and Second Respondents, the following order is made:

1. The matter is postponed to the Court's urgent roll on 19 June 2020.

2. The parties shall file further papers in the matter in accordance with the following timetable:
  - 2.1. The first and second respondents must file their answering affidavits on or before 5 June 2020;
  - 2.2. The applicants must file their replying affidavit on or before 12 June 2020;
  - 2.3. The parties will exchange heads of argument on or before 17 June 2020.
3. It is declared that members of the South African Police Service (**SAPS**), officials in the Department of Social Development and any other public officials are not entitled to enforce the Draft Directions attached as annexure **FA1** to the applicants' founding affidavit (dated 17 May 2020) or the Draft Directions attached as **EJ1** to the applicants' supplementary affidavit (dated 19 May 2020) or directions in a similar form, unless such directions are issued and published by the Minister of Social Development.
4. It is declared that members of the SAPS, officials in the Department of Social Development and any other public officials are not entitled to prevent people from exercising their existing rights to distribute and receive food.
5. The Minister of Social Development is directed to bring the order to the attention of all officials in her Department and to the MECs responsible for Social Development in every Province.
6. The National Commissioner of Police is directed:

WESTERN CAPE DIVISION,  
CAPE TOWN

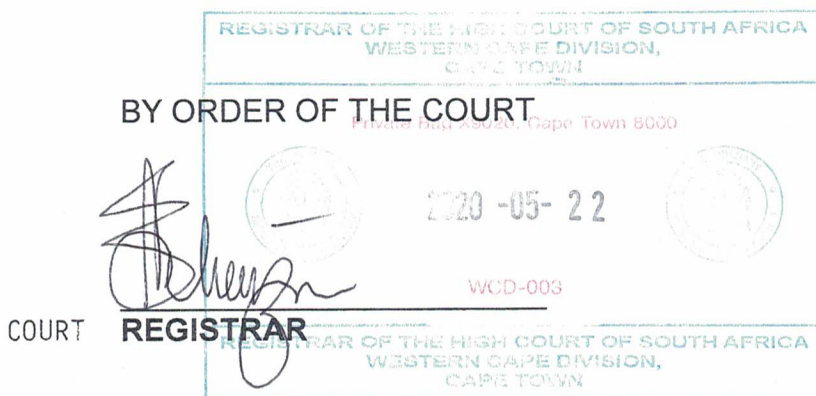
Private Bag X8020, Cape Town 8000

20-05-22

WCD-003

REGISTRAR OF THE HIGH COURT OF

- 6.1. to bring the order to the attention to all members of SAPS under his authority and to all Provincial Commissioners of Police; and
- 6.2. to instruct the Provincial Commissioners of Police to bring the order to the attention of all members of SAPS under their authority.
7. The First Respondent is directed to give the Applicants 48 hours' notice of her intention to issue the Draft Directions attached as annexure **FA1** to the applicants' founding affidavit (dated 17 May 2020) or the Draft Directions attached as **EJ1** to the applicants' supplementary affidavit (dated 19 May 2020) or directions that limit existing rights to distribute or receive food, and to furnish the Applicants with a copy of such directions.
8. Costs shall stand over.



93 Minde Schapiro & Smith  
BELLVILLE

/avz