



MINDE SCHAPIRO & SMITH

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Our Ref: DEM16/0759/ELZANNE JONKER/ks | Your Ref: | Date: 16 December 2020

PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA

Per email: mike@presidency.gov.za

MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS

Per email: MathoM@cogta.gov.za ; CarolineM@cogta.gov.za; MandisaMB@cogta.gov.za

Dear President Ramaphosa and Minister Dlamini-Zuma,

RE: CLOSURE OF BEACHES IN GARDEN ROUTE DISTRICT

1. We refer to an email received from Mr Louw in the President's office requesting an extension to Friday 18 December 2020 to respond to my letter.
2. Our letter dated 14 December 2020 requested reasons for the decision to impose, inter alia, a blanket closure of beaches in the Garden Route and the information on which the decision was based.
3. We have taken instructions – to agree to an extension of time for the President to 10:00am on Thursday, 17 December 2020 – that should be more than sufficient time bearing in mind that:
 - 3.1 The information upon which the decision was based should be readily available and we see no reason why an extensive consultation process needs to be undertaken before the reasons can be furnished;
 - 3.2 If time is required to provide the reasons, that obviously means the reasons are not currently available. The inescapable inference is that any reasons now provided would appear to be ex post facto manufactured.
4. Our instructions are to launch an urgent application tomorrow morning depending on

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Directors: Heinrich Crous BA LLB | Elzanne Jonker BA LLB | *Jonathan Rubin B Comm LLB LLM | Venesen Reddy LLB

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any information and reasons that are provided. We intend to launch the Application in the Western Cape High Court for hearing at 14:30 on Monday, 22 December 2020.

5. We hope and trust that the National Minister and particularly the COGTA Minister, will be reasonable and provide an undertaking that the measures constituting a blanket ban on beaches in the Garden Route and the irrational limitation of time for open beaches will be amended forthwith; This would alleviate unnecessary litigation and at the same time not in any way curtail Government's efforts to deal with the devastation of Covid-19.

Yours faithfully

MINDE SCHAPIRO & SMITH INC.

per:

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