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9 November 2022

THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

On this 9th day of November 2022 before the Honourable Justice Lukhaimane AJ.

Case number: 39370/2021

In the matter between:

SAKELIGA NPC Applicant

and

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA
Private Bag X67, Pretoria 0001
2022 -11- 09
GD-PRET-005
REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA

THE MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS First Respondent

THE NATIONAL DEPARTMENT: COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS Second Respondent

THE DIRECTOR GENERAL IN THE DEPARTMENT OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS Third Respondent

THE INFORMATION OFFICER: THE NATIONAL DEPARTMENT COOPERATIVE GOVERNANCE Fourth Respondent

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA Fifth Respondent

This Order is made an Order of Court by the Judge whose name is reflected herein, duly stamped by the Registrar of the Court and is submitted electronically to the Parties/their legal representatives by email. This Order is further uploaded to the electronic file of this matter on Case Lines by the Judge or his/her Secretary. The date of this Order is deemed to be **9 November 2022.**

DRAFT ORDER

HAVING heard counsel and having considered the matter, it is ordered that:

1 The First Respondent's decision of 26 June 2021 to refuse the Applicant's internal appeal against the Third Respondent's decision not to grant the Applicant's request for information of 15 December 2020 in terms of the Promotion of Access to Information Act 2 of 2000 ["PAIA request for information"] is reviewed and set aside;

2 The Third Respondent's decision of 25 February 2021 to not to grant the Applicant's PAIA request for information, dated 15 December 2020, is reviewed and set aside;

3 The First, Second, Third and Fourth Respondents are ordered to comply with the Applicant's PAIA request for information within 30 days of the date of this order and to provide the Applicant with all of the documents and/or information requested therein as is in their possession and/or under their control; and

4 The costs of the application be paid by the First Respondent.

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION,
PRETORIA
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GAUTENG DIVISION,
PRETORIA

BY ORDER

Matter number: 90

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