IN THE SUPREME COURT OF APPEAL OF SOUTH AFRICA

(HELD AT BLOEMFONTEIN)

CASE NUMBER: **SCA 800/19**

GAUTENG, DIVISION, PRETORIA CASE NUMBER: **34523/2017**

In the appeal of:

AFRIBUSINESS NPC Appellant/
(Applicant in the Court *a quo*)

and

THE MINISTER OF FINANCE Respondent/
(Respondent in the Court *a quo*)

NOTICE OF APPEAL

BE PLEASED TO TAKE NOTICE that Appellant, with leave to appeal to the Supreme Court of Appeal, granted by the Supreme Court of Appeal on 18 September 2019, as appears from a copy of the order granting leave to appeal, attached hereto, hereby appeals against the judgment and order made by the Honourable Judge Francis on 28 November 2018 in the Gauteng Division, Pretoria, of the High Court of South Africa, under case number: GP34523/2017, in terms of which Appellant's application for the review and setting aside of the Preferential Procurement Regulations 2017, adopted and promulgated by Respondent, and published in the Gazette on 20 January 2017,

and Appellant's application for the adoption of the said Regulation to be declared invalid, were dismissed with costs, and that Appellant will pray for the Appeal to be upheld with costs, and that the order of the Court *a quo* be set aside, and substituted with the following:

"*1. That the promulgation and adoption of the Preferential Procurement Regulations, 2017 by the Respondent is reviewed as set aside;*

2. That the adoption of the Preferential Procurement Regulations, 2017 be declared invalid;

3. That the Respondent be ordered to pay the costs of the application."

SIGNED at PRETORIA on this 1ST day of OCTOBER 2019.

Marjorie

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TO: **THE REGISTRAR OF THE SUPREME COURT OF APPEAL**
Bloemfontein

AND TO: **THE STATE ATTORNEY – PRETORIA**
Attorneys for the Respondent
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Received Copy Hereof:

Date: _____

Time: _____

Signature: _____