IN THE HIGH COURT OF SOUTH AFRICA

(GAUTENG DIVISION, PRETORIA)

Case Nos.:25226/22

24917/22

25363/22

27477/22

In the application of:

AFRIFORUM NPC	First Applicant
DEAR SA NPC	Second Applicant
And	
THE MINISTER OF HEALTH	First Respondent
THE DIRECTOR – GENERAL: NATIONAL DEPARTMENT OF HEALTH	Second Respondent

And in the application of:

LIBERTY FIGHTERS NETWORK	First Applicant
REYNO DAWID DE BEER	Second Applicant
And	
MINISTER OF HEALTH	Respondent

And in the application of:

SOLIDARITY TRADE UNION	Applicant
And	
MINISTER OF HEALTH	First Respondent
NATIONAL HEALTH COUNCIL	Second Respondent

DIRECTOR-GENERAL, DEPARTMENT OF HEALTH Third Respondent

NATIONAL DEPARTMENT OF HEALTH Fourth Respondent

And in the application of:

SAKELIGA NPC Applicant

And

MINISTER OF HEALTH First Respondent

DIRECTOR GENERAL: DEPARTMENT OF HEALTH Second Respondent

MINISTER OF COOPERATIVE GOVERNANCE AND TRADITIONAL AFFAIRS Third Respondent

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA Fourth Respondent

---

INDEX TO RULE 53 RECORD

Item	Date	Description
BUNDLE A: MAC ADVISORIES		
1.	15 October 2021	MAC Advisory Screening at Borders and Ports of Entry
2.	24 November 2021	MAC Advisory Background document on COVID-19 and Mandatory Vaccinations

Item	Date	Description
3.	3 December 2021	MAC Advisory Response to New Variant
4.	8 February 2022	MAC Advisory Mitigating Covid-19 Going Forward Position Paper
5.	15 February 2022	MAC Advisory Revised Screening at Borders and Ports of Entry
6.	16 February 2022	MAC Advisory Restrictions on Gatherings
7.	25 April 2022	MAC Advisory Interwave Period
BUNDLE B: NICD DAILY UPDATES		
1.	1-31 December 2021	NICD Daily updates – December 2021
2.	1 – 31 January 2022	NICD Daily updates – January 2022
3.	1-28 February 2022	NICD Daily updates – February 2022
4.	1-31 March 2022	NICD Daily updates – March 2022
5.	1-30 April 2022	NICD Daily updates – April 2022
6.	1-3 May 2022	NICD Daily Updates – May 2022

Item	Date	Description
BUNDLE C: CAPRISA PRESENTATIONS		
1.	6 April 2022	Update on COVID-19 in South Africa
2.	13 April 2022	Update on COVID-19 in South Africa
3.	24 April 2022	Update on COVID-19 in South Africa
4.	1 May 2022	Update on COVID-19 in South Africa
BUNDLE D: NHC MEETINGS		
1.	**21 February 2022**	**NHC Consultative Meeting**
1.1.	21 February 2022	Minutes of NHC Meeting
1.2.	21 February 2022	Presentation re proposed amendments
2.	**3 May 2022**	**Special NHC Consultative Meeting**
2.1.	3 May 2022	Draft regulations tabled at 3 May 2022 NHC meeting
2.2.	3 May 2022	Minutes of NHC Meeting
BUNDLE E: REPORTS AND PRESENTATIONS MADE TO THE MINISTER		
1.	1 – 31 March 2022	Daily Minister's Reports
2.	1 – 31 March 2022	Minister's Report Presentations
3.	1 – 30 April 2022	Daily Minister's Reports

4.	1 – 30 April 2022	Minister's Report Presentations
5.	1 – 4 May 2022	Daily Minister's Reports
6.	1 – 4 May 2022	Minister's Report Presentations
BUNDLE F: PORTS OF ENTRY		
1.		**Notice with rationale for implementation**
1.1.	2020	Amendment to South African Directions re ports of entry
1.2.	2009	Amendments to South African Health Professions Act Regulations re professions
1.3.	2005	WHO Advisory on International Health Regulations – Third Edition
1.4.	2009	WHO introduction on implementation of International Health Regulations
1.5.	2003	Supplementary Regulations to International Health Regulations Act re ports of entry
1.6.	2015	Indian Aircraft – Draft Rules
1.7.	2020	South African Development Community (SADC) Guidelines on Cross-Border Transport during Covid-19

1.8.	6 February 2020	EU Interim Advice re Points of Entry
1.9.	20 February 2020	EU Interim Advice re Points of Entry
1.10.	14 March 2020	Border Security Control Measures
1.11.	Undated	Harmonized Sub-Regional Essential IPC services at Points of Entry
1.12.	23 June 2020	SADC Guidelines on Harmonisation and Facilitation of Cross Border Transport
1.13.	16 November 2020	Draft: Tripartite Guidelines for Safe Cross Border Movement of Persons and Personal Goods during the COVID-19 Pandemic
1.14.	10 May 2020	WHO: Surveillance strategies for COVID-19 human infection
1.15.	16 December 2020	WHO: COVID-19 diagnostic testing in the context of international travel
BUNDLE G: COMMENTS		
1.	**March-April 2022**	**Comment spreadsheets**
1.1.		Afriforum email comments spreadsheets
1.2.		Dear SA email comments spreadsheets
1.3.		The Redlist email comments spreadsheets

1.4.		Miscellaneous email comments spreadsheets
1.5.		Microsoft Online Form input spreadsheet
1.6.		WhatsApp comments spreadsheet
2.	**12 April 2022 - 4 May 2022**	**Daily reports re NDOH comment processing**
3.		**ICT Technical report re allegedly deleted emails**
3.1.	22 April 2022	Technical Report re allegedly deleted emails
3.2.	3 May 2022	Technical Report re allegedly deleted emails
3.3.	15 March 2022	Annexure A - Amended Government Gazette no.46045 on the Draft Health Regulations
3.4.	15 March 2022	Annexure A - Amended Government Gazette no.46048 on the Draft Health Regulations
3.5.	21 April 2022	Annexure B - Recovering Deleted Emails Process Map
3.6.	Undated	Annexure C - Graph showing all emails received from published email accounts
3.7.	1 Mar 2022 - 21 April 2022	Internal email pairing log

3.8.	March 2022 – 20 April 2022	Annexure E – Audit log - Ms Funeka Bongweni’s email account
3.9.	19 April 2022 – 21 April 2022	Annexure E - Audit log - Mr Daniel Nkuna's email account
3.10.	1 March 2022 – 21 April 2022	Annexure E - Audit log - Mr. Murdock Ramathuba's email account
3.11.	18 March 2022 – 20 April 2022	Annexure E - Audit log - Ms Tsakani Furumele's email account
4.		**Summary of Comments**
4.1.		Responses prepared to the comments received
4.2.		Substantive comments processing for regulations
RECORD OF COMMENTS		
1.	Email comments - **Removed**	
2.	Microsoft Online Platform Comments - **Removed, duplication from Bundle G: Comments, 1.5**	
3.	Whatsapp comments – **Removed, duplication from Bundle G: Comments 1.6**	
4.	Hand-delivered comments	

Dated at Cape Town on this 31st day of May 2022.

ATTORNEY FOR RESPONDENT

STATE ATTORNEY PRETORIA

Salu Building

316 Thabo Sehume Street

Cnr Thabo Sehume (Andries) and

Francis Baard (Schoeman) Streets

Private bag x91

PRETORIA,

0001

Ref:0491/2022/z22

Tel:(012) 309 1578

Fax:(012) 309 1649/50

086 507 7007

E-mail: nqongqo@justice.gov.za

Enq: Ms N Qongqo

TO: **THE REGISTRAR**

High Court

PRETORIA

AND TO: **HURTER SPIES INCORPORATED**

Attorneys for the Applicant (Case no.25226/22)

Second Floor, Block A

Loftus Park

416 Kirkness Street

Arcadia

PRETORIA

Tel: 012 941 9239

Fax: 012 644 1997
Email: eloff@hurterspies.co.za;
johann@hurterspies.co.za;
ck@hurterspies.co.za;
REF: DJ ELOFF/MAT4730

AND TO: **REYNO DAWID DE BEER**
First & Second Applicants (Case no. 24917/22)
PRETORIA
Tel: 012 023 1976
Email: reyno@libertyfighters.co.za
debeerreyno@gmail.co.za;

AND TO: **KRIEK WASSENAAR & VENTER INC**
Attorneys for the Applicant (27477/22)
Third Floor, HB Forum Building
13 Stamvrug Street
Val-De-Grace
PRETORIA
Postnet Suite 11
Private Bag X025
Lynwood Ridge
Tel: 012 756 7566
Fax: 086 596 8799
Email: peter@kriekprok.co.za
REF: P.J. WASSENAAR/QB09052

AND TO: **SERFONTEIN VILJOEN & SWART**
Attorneys for the Applicant (Case no.25363/22)
165 Alexander Street
Brooklyn
PRETORIA
Tel: (012) 362 2556
Fax: 086 6872271 / 086 471 8090

Email: jd@svslaw.co.za / niekie@svslaw.co.za /
franlie@svslaw.co.za
Ref: MR SWART/MR CLAASSEN/fb/CWS0611