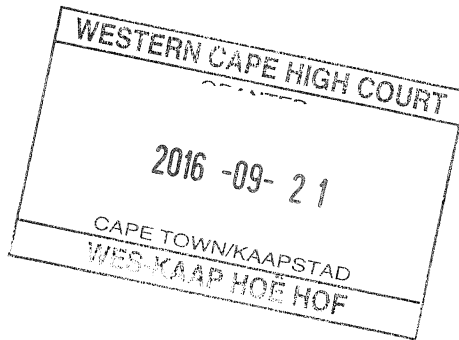


**IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)**

Case No. 17067/16

In the matter between:

| | |
|---------------------------------|------------------|
| SOCIAL JUSTICE COALITION | First Applicant |
| THOBEKA EUNICE BOBOTYANA | Second Applicant |
| LINDELA BEBI | Third Applicant |
| NOSIPHELELE MSESIWE | Fourth Applicant |
| NOBATHEMBU SEPLANI | Fifth Applicant |
| NOLIZWE MANELI | Sixth Applicant |
| and | |
| CITY OF CAPE TOWN | Respondent |



NOTICE IN TERMS OF RULE 16A

BE PLEASE TO TAKE NOTICE THAT the Applicants in the above application raise a constitutional issue.

The Applicants contend that the City of Cape Town is in breach of its constitutional and statutory obligations in terms of sections 10, 12, 14, 24, and 27(1)(b) of the Constitution, sections 73(1) and 73(2) of the Local Government: Municipal System Act 32 of 2000 and the Water Services Act, 108 of 1997. In summary, the constitutional issues raised are:

1. Whether the City is in breach of its constitutional and statutory duties through not having taken reasonable steps to plan and implement the provision of permanent sanitation facilities to the residents of Enkanini and CT Section in Khayelitsha where this is reasonably practicable; and
2. Whether the City is in breach of its constitutional and statutory duties through not having taken reasonable steps to identify the areas of informal settlements in Khayelitsha where it is reasonably practicable to provide permanent sanitation facilities, and to plan and implement the provision of such services.

TAKE NOTICE FURTHER that any party interested in the aforementioned constitutional issues may, with the written consent of all parties to the proceedings, given by no later than 20 (twenty) days after the posting of this notice, be admitted as *amicus curiae*, upon such terms and conditions as may be agreed upon in writing by the parties.

TO THE REGISTRAR: KINDLY place this notice on a board designated for the purpose recorded in Rule16A(1)(c), and place your date stamp upon the notice to indicate the date upon which it is placed on the notice board in accordance with Rule16(1)(d).

DATED AT CAPE TOWN ON THIS THE 20th DAY OF SEPTEMBER 2016.

**NDIFUNA UKWAZI LAW CENTRE
PER:**



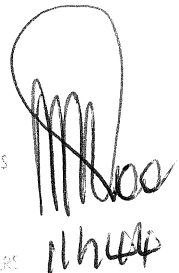
MANDISA SHANDU
Applicants' Attorneys
Office 302
47 On Strand
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CAPE TOWN

TO: THE REGISTRAR
Western Cape Division, Cape Town
Keerom Street
CAPE TOWN

COPY TO: RILEY INCOPORATED
Respondent's Attorney
212 Rosemead Avenue
WYNBERG
(Ref: JFR/MAT12480/wd)

Care of: **ROBERT CHARLES**
33 Wale Street Chambers
3rd Floor
Church Street
CAPE TOWN

ROBERT CHARLES
ATTORNEYS AND CONVEYANCERS
2016 -09- 21
3RD FLOOR, WALE STREET CHAMBERS
33 CHURCH STREET, CAPE TOWN, 8001



11/24/16