

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

Case No: 19342/2022

In the matter between:

THE HEALTH JUSTICE INITIATIVE

Applicant

and

THE MINISTER OF HEALTH

First Respondent

**THE INFORMATION OFFICER,
NATIONAL DEPARTMENT OF HEALTH**

Second Respondent

THE MINISTER OF SPORT, ARTS AND CULTURE

Third Respondent

**THE INFORMATION OFFICER
MINISTRY OF SPORT, ARTS AND CULTURE**

Fourth Respondent

SOUTH AFRICAN MEDICAL RESEARCH COUNCIL

Fifth Respondent

**THE INFORMATION OFFICER,
SOUTH AFRICAN MEDICAL RESEARCH COUNCIL**

Sixth Respondent

NOTICE IN TERMS OF RULE 16A

KINDLY TAKE NOTICE THAT this application raises the following constitutional issue:

1. Whether the Applicant is entitled to the records it has requested, in terms of section 11 of the Promotion of Access to Information Act, 2000 (“**PAIA**”), concerning the vaccination of “*elite athletes*” and sports and government officials using vaccine supply from the Sisonke study (part 1), from:

- 1.1. the Department of Health;

- 1.2. the Department of Sports and Culture; and/or
 - 1.3. the South African Medical Research Council.
2. Whether the Respondents' failure or refusal to provide those requested records:
- 2.1. breaches the requirements of PAIA;
 - 2.2. undermines the public's right to information (entrenched in section 32 of the Constitution); and
 - 2.3. violates the principle (entrenched in section 195(1) of the Constitution) that the public administration must be accountable and must foster transparency by providing the public with timely, accessible, and accurate information.

TAKE NOTICE FURTHER that any interested party may, with the written consent of all the parties to the proceedings, given not later than twenty (20) days after this notice has been filed, be admitted therein as *amicus curiae* upon such terms and conditions as may be agreed upon in writing by the parties.

TAKE NOTICE FURTHER that the written consent referred to above shall, within five (5) days of its having been obtained, be lodged with the Registrar and the *amicus curiae* shall, in addition to any other provision of the Rules, comply with the times agreed upon for the lodging of the written argument.

TAKE NOTICE FURTHER that if the interested party is unable to obtain written consent they may, within five days of the expiry of the twenty (20) day period prescribed above, apply to the Court in the manner contemplated by Rule 16A(6) to be admitted as *amicus curiae* in the proceedings.

KINDLY PLACE this notice on the noticeboard designated for this purpose and ensure that the notice remains on that notice board for a period of twenty (20) days, whereafter

you, the Registrar, shall endorse the notice to state on which day the notice was placed on the notice board and, on the expiry of the twenty (20) day period, place such endorsed notice in the Court file.

SIGNED at JOHANNESBURG on 26 MAY 2022.



POWER SINGH INCORPORATED

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TO: THE REGISTRAR
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AND TO: STATE ATTORNEY, PRETORIA
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BY EMAIL