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IN THE HIGH COURT OF SOUTH AFRICA

GAUTENG DIVISION, PRETORIA

Before the Honourable Mr Maomela J

Case Number:

2932/16

In the application of:

THE UNIVERSITY OF PRETORIA

REGISTRAR OF THE HIGH COURT OF SOUTH AFRICA GAUTENG DIVISION, PRETORIA PRIVATE BAG/PRIVAATSAK X67 PRETORIA 0001
2016 -01- 15
JUDGE'S SECRETARY REGTERS KLERK GRIFFIER VAN DIE HOË HOF VAN SUID AFRIKA GAUTENG AFDDELING, PRETORIA

Applicant

and

THE EFF STUDENT COMMAND,
UP BRANCH

First Respondent

PARTICIPANTS IN PROTEST ACTION AT
THE UNIVERSITY OF PRETORIA

Second Respondent

AMOS MONAGENG

Third Respondent

SAM MPHUTI

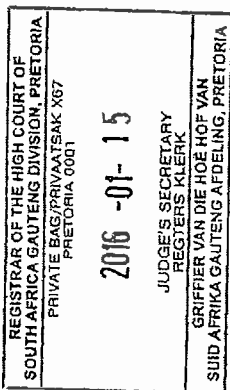
Fourth Respondent

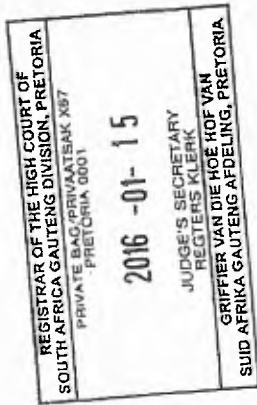
DRAFT ORDER

Having heard counsel and having read the papers it is ordered:

1. An Order dispensing with the forms, service and time periods prescribed in terms of the Uniform Rules of Court, and directing that the matter be heard as one of urgency in terms of Rule 6(12) of the Uniform Rules of Court;

2. An Order dispensing with the citation requirements in Rule 6(2) in respect of the second respondent;
3. The respondents are directed to show cause, if any, on 9 February 2016 at 10h00 or as soon thereafter as counsel may be heard, why an Order in the terms below should not be made final;
4. An Order directing the leadership structures of the EFF Student Command (University of Pretoria branch) in respect of any protest action organised by it in public areas outside the campus of the University of Pretoria, to take all reasonable steps to ensure that no entrance to the premises or property of the University of Pretoria is so barred by participants in protest action or barricaded that reasonable access is denied to students, staff and any person seeking access to such campus;
5. The EFF Student Command and all participants in protest action at the University of Pretoria are restrained from participating in protest action at the University of Pretoria within ~~150~~ 50 metres from any entrance to any campus;
6. The South African Police Services and the Public Order Policing Unit are directed to take all reasonable steps in terms of Sec 9 of the Regulation of Gatherings Act, 205 of 1993 to ensure:





6.1 That access to any campus of the University of Pretoria is not impeded by protesters;

6.2 That the vehicular traffic or pedestrian traffic is least impeded;

6.3 The prevention of injury to persons or damage to property;

6.4 Adherence by participants in protest action to the above prohibition of protest action within 150 metres of an entrance to the campus of the University of Pretoria;

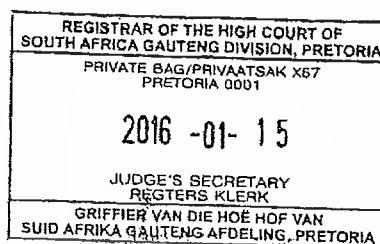
7. An Order interdicting the respondents from participating in unlawful protest action on the campus of the University of Pretoria;

8. The SAPS and/or Public Order Policing Unit are authorised to enter upon any premises of the University of Pretoria in order to ensure compliance with this Order;

9. An Order directing the leadership structures of the EFF Student Command (University of Pretoria branch) to take all reasonable and necessary steps to ensure compliance with this Court Order by its members and/or followers, by *inter alia*:

9.1 Communicating by social media the content of this Court Order; and

- 9.2 Requesting its members and followers to conduct themselves lawfully, and to refrain from participating in unlawful protest action in conflict with the Order as out above;
10. Should the leadership structures of the EFF Student Command fail to ensure compliance with this Order, they are called upon to advance reasons on the return date why they should not be held in contempt of Court;
11. The respondents may anticipate the return date on 72 hours written notice to the applicant's attorneys;
12. Service of this Order shall be effected in the following manner:
- 12.1 Service by the Sheriff on the respondents by reading out the Order by loud hailer at the entrance or entrances to campuses or premises affected by protest action;
- 12.2 By posting this Court Order on the official website of the University of Pretoria;
- 12.3 By posting a copy of this Court Order at all entrances to campuses of the University;



- 12.4 By electronic mail to the first respondent at effscup.hatfieldbranch@gmail.com;
- 12.5 By electronic mail to the fourth respondent at sammphuti15@gmail.com and u12071057@tuks.co.za;
- 12.6 By electronic mail to the third respondent at monagengamos@gmail.com and u11208628@tuks.co.za.
13. The costs of the application are reserved for determination on the return date.



BY ORDER
THE REGISTRAR