

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA

HELD AT BRAAMFONTEIN

CASE NO: _____

In the matter between

Hola Bon Renaissance Foundation

Applicant

And

President of the Republic of South Africa

1st Responded

Deputy President of the Republic of South Africa

2nd Responded

Presidency of the Republic of South Africa

3rd Responded


NOTICE OF MOTION

BE PLEASED TO TAKE NOTICE that **HOLA BON RENAISSANCE FOUNDATION** (hereinafter called the applicant), intends to makes application to this Honorable Court for an order:

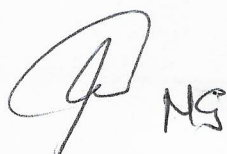
1. Granting the me leave to approach this court by way of direct access in terms of constitutional court rule 18, section 167(6)(a) of the constitution on the following grounds:
 - a. Gross violation of the Constitution of the Republic of South Africa, 1996, Chapter 1, Preamble

 N9

- b. Gross violation of the Constitution Chapter 1, Section 1, 2 and 3 of the Founding Provision,
- c. To protect and bring to court attention the President intentional or unintentional pre violation oath or affirmative of office as per Section 95 of the Constitution when he was sworn in I solemnly and sincerely promise that I will always—
 - i. promote all that will advance the Republic, and oppose all that may harm it;
 - ii. protect and promote the rights of all South Africans
- d. In the Public Interest
- e. The President implementing a lock down is in violation the constitution, and therefore the court to remind that Chapter 5 Section 101, Executive Decision be applicable
- f. The Abuse of power by the President , deviating from the constitution, Chapter 5, section 84 Powers and function of the President
- g. Infringement of Bill of Rights Chapter 2 , Section 7, Rights
- h. Violation of Bill of Rights Chapter 2, Sections 10, Human Dignity
- i. Violation of Bill of Rights Chapter 2, Sections 21, Freedom of Movement and Resistance
- j. Infringement of Bill of Rights Chapter 2, Sections 22, Freedom of Trade, Occupation and Profession
- k. Violation Bill of Rights Chapter 2, Sections 27 Health Care, Food Water and Social Security, by the State (see annexure 6), nothing that not every South African has access to the Internet

 N9

- l. Violation Bill of Rights Chapter 2, Sections 28 Children, that includes child head household, to basic nutrition, shelter, basic health care services and social services;
 - m. Infringement to Bill Of Rights Chapter 2, Section State of emergency
 - n. We here by refer to a matter (see Musa Joe Moloi & others V Minister of Justice and constitutional development & others CCT 78/09 [2010] ZACC 2)
 - o. To Prohibit the President from making unconstitutional decisions and
 - p. Prohibit the President from mistakenly implementing actions of which lives of South Africans and other nationals in the country may be ruin or/and harmed
 - q. As an Nonprofit Organization that has in the interest of our communities, of the nation and have cascaded the Showdown matter will violate every South Africans Right,
 - r. We appeal to this court to grant us direct access.
2. On Matter of Urgency (Urgent applications)
- a. HBR Foundation hereby apply to the Chief Justice in terms of subrule (3) (c), and that he or she shall give directions as to how the application shall be dealt with and, in particular, as to whether it shall be set down for hearing or whether it shall be dealt with on the basis of written argument or summarily on the basis of the information contained in the affidavits
 - b. This application is a matter of urgency and apply Constitution chapter 2, Access to court , Section 34
 - c. Our basis are furthermore request the court as part of our application to consider Chapter 2, section 9, of the Constitution. (1) Everyone is equal before the law and has the right to equal protection and benefit of the law. (2) Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or



advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken

- d. The Court should note the President of Republic of South Africa has announcement on the 23 March 2020 (Annexure 3) as I quote : As a consequence, the National Coronavirus Command Council has decided to enforce a nation-wide lockdown for 21 days with effect from midnight on Thursday 26 March unquote.
 - e. We request the Court to hear this application for its implication of the lockdown has a serious implication to ordinary South Africans, business, religious, economy, the State, Judiciary System and the Africans Continents
 - f. The decision of the lockdown has no local standi or strong evident to support it
 - g. The decision of implementing disaster management has no grounds and/or basis
3. The ancillary **relief** sought in the **notice of motion** and all the applicants ask this Honorable court to grant leave:
- a. The court to Interdict the President and the State from implementing Lockdown
 - b. The Court to order in terms of Chapter 2, Section 8 Applications (1)(2)
 - c. The Court to declare that the life of the Nation is under no threat by war, invasion, general insurrection, disorder, natural disaster or other public emergency and therefore to withdraws and/revoke the Disaster Management Act as it was issued by the Minister Dr Nkosazana Zuma on the 17 March 2020 (See attached Annexure 2)
 - d. The Court to declare that the life of the Nation is under no threat by war, invasion, general insurrection, disorder, natural disaster or other public emergency and therefore to withdraws and/revoke of the State of Emergency as instructed by the President of the Republic of South Africa
 - e. The Court to declare that the disease referred to as Covic 19 known as Corana Virus possess no serious threat to the country and its people

5

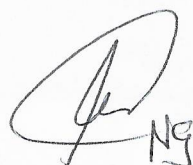
- f. That Covid 19 "Corona has not proven to be deadly more than known Viruses /disease such as Malaria, Tuberculosis (TB) , HIV/AIDs and any other conic diseases
 - g. To caution the President on proceeding with the lockdown will constitute the removal of the President as per constitution chapter 1,89 (a)(b)(c) as would have abuse his Executive powers and violated
 - h. That the government and order of the day be resorted to normality
 - i. The constitution and application be resorted
 - j. The court to Subpoenaing parliament to report of the findings and updates of the Covic-19 in the country and advice back to the court on 6months basis
 - k. The court to order the removal of any funds dedicated to Covid19 as apriority and priorities of essential service delivery issues
 - l. The Economy be re stimulated and to continue with compensating all South Africans
3. All responded who oppose the relief herein, jointly and severally the one paying the other to be absolved, are to pay the costs
4. Any and all costs incurred by the any responded in the course of these proceedings, but which were in fact paid by another responded or any public entity on behalf of the responded or either and/or any of the responded, will be repaid to that responded or entity by the responded in their personal capacity
5. Wherefore I humbly pray for an order as set out in our Notice of Motion and that the accompany affidavit of **Hola Bon Renaissance Foundation** will be used in support

P NG

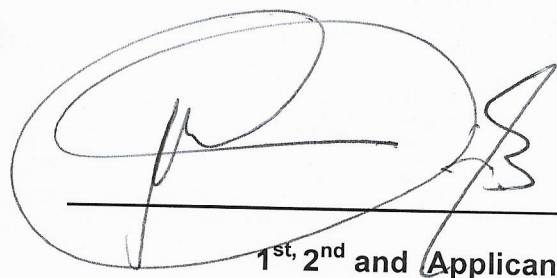
6

6. **TAKE NOTICE FURTHER THAT** the applicant has appointed **BOUTSHITSWE PREDDY MOTHOPENG MSIELENG ID NO:770323546088**, 88 Marshall Street, 2nd floor, Marshalltown, Johannesburg, 2107, Fax no: 068 Tel No: 0681596956, Email: hbrfoundation@gmail.com or/and Email :info@hbrfoundation.org.za, Fax No: as the address at which he will accept notice and service of all the process in these proceedings.
7. **BE PLEASED TO TAKE NOTICE FURTHER** that the accompanying affidavit of Hola Bon Renaissance Foundation, with annexures there to will be used in support of this application.
8. **TAKE FURTHER NOTICE** that if you intend opposing this application you are required to notify applicants in writing on or before March 2020
9. **TAKE FURTHER NOTICE** that your respond thereto must be in writing from the date upon which the applicant is launched, indicating whether or not you oppose the application, and if so, to file your answering affidavit
10. **TAKE FURTHER NOTICE** that you are required to appoint in such notification an address at which you will accept notice and service of all documents in these proceedings.
11. **TAKE FURTHER NOTICE** that if not such response is given, the applicant will request the registrar to place the matter before the Chief Justice in order to be dealt with in terms of Rule 11(4).

DATED AT JOHANNESBURG ON THIS THE 25 DAY OF MARCH 2020.

 NG

7



1st, 2nd and Applicant

Representative of HBR Foundation

88 Marshall Street

2nd floor, Marshalltown

Johannesburg

TEL:0681596956

Email:info@hbrfoundation.org.za

Email: hbrfoundation@gmail.com

1st- 3rd Responded

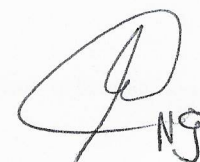
Presidency of the Republic of South Africa

Union Building

Government avenue

Pretoria, 0001

Tel: 0123235200



NG

8

IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA
HELD AT BRAAMFONTEIN

CASE NO: _____

In the matter between

Hola Bon Renaissance Foundation

Applicant

And

President of the Republic of South Africa

1st Responded

Deputy President of the Republic of South Africa

2nd Responded

Presidency of the Republic of South Africa

3rd Responded

FOUNDING AFFIDAVIT

I I, the undersigned,

HOLA BON RENAISSANCE FOUNDATION

do hereby make oath and state –

1. I am a chairperson of HBR Foundation. I am duly authorized by the board to Institute this application and to depose to this affidavit on behalf.
2. The facts set out in this affidavit are within my personal knowledge and are to the best of my knowledge, true and correct, unless appears otherwise from the context.

PNG

3. The detailed objectives of the applicant are set out in the constitution which is Attached to my affidavit in the application as (Annexure 1).....
4. Since its inception HBR Foundation "The African Empowerment" has been a Non Profit Organization and also non Political aligned/affiliated organization, which aims to address and encourage the communities' transformation by creating a community that is skilled, self sustained with a central economic opportunity.
5. HBR Foundation is a voluntary association which is essentially defined by its constitution. Voluntary associations derive their character from their constitutions. (wilken v Brebner & others 1935 AD 175 at 90). The constitution of the voluntary association will as a rule be construed benevolently and not narrow or restrictively . the object is to empower and not to dis-empower the voluntary association from functioning efficiency and effectively (Deutsche Evangelishsche Kirsche zu Pretoria v Hoepner 1911 TDP 218 at 232)

5.THE PARTIES

The role and duties of the president are enshrined in the Constitution of the Republic of South Africa, 1996 - Chapter 5: The President and National Executive

5.1 The President

- a. is the Head of State and head of the national executive;



- b. must uphold, defend and respect the Constitution as the supreme law of the Republic; and
- c. promotes the unity of the nation and that which will advance the Republic.

6. INTRODUCTION

- 6.1 Late last year the world started to hear of a new form of disease called Covid19 known as Covid19 which reported by various countries like the the USA, China, UK , France and Italy
- 6.2 The Disease found to be deadly with symptoms of flu and or TB, infecting thousands of people in a country and resulting to death
- 6.3 The origins of the Covid-19 is still unknown and its cause are unknown
- 6.4 The cure of this Covid-19 is also unknown throughout the world
- 6.5 How ever in The Country those that were firstly found with it were reported to be Recovered, meaning South Africa has been able to manage it
- 6.7 As the World reports deaths, South Africa has not reported any death and indication that there is no disaster in the Country
- 6.8 All know diseases in the country has supersede the Covid19 far with more death and critical patients across the country
- 6.9 The Minister of Cooperative Governance on the 17 March 2020, declared the State of Disaster (see Annexure 2)
- 6.10 On the 19 March 2020, there was a statement of the IMC on the Gazetted Regulations on the state of disaster Hon. Dr Nkosazana Dlamini Zuma Minister of Cooperative Governance and Traditional Affairs (See Annexure 3)



- 6.11 On the 23 March 2020, The President Cyril Ramaphosa: Escalation of measures to combat Coronavirus COVID-19 pandemic and called for a lock down(See annexure 4)
- 6.12 Presently we Home Affairs implemented a war on queues, which is an infringement to the rights of all those South Africans who are still in the second economy and are faced with digital divide (See Annexure 5)
- 6.13 The Department of Home Affairs (DHA) has identified a glitch in the technology it uses to process applications for smart ID cards and passports. This glitch has led to our offices experiencing service interruptions over the past two weeks in the delivery of the two services. This is also an indication that The State is not ready for Lockdown (see Annexure 6)
- 6.14 on the 25 March 2020, Minister of Health, Zweli Mkhize confirms total of 554 cases of Coronavirus COVID-19 and his report there were still on death due to this disease and therefore that did not warrant any serious harm to the South Africans by Covid-19 (See Annexure 7)
- 6.15 while noting that on the 11 March 2020, Cabinet met and deliberated on
- a. Issues in the environment,(See Annexure 8)
 - b. The economy of the country is on Technical Recession, with this lock down the country will be on permanent recession from 21 days resulting to increased poverty and health issues in the country
 - c. Vodacom Data Prices- note that not all South Africans can afford data
 - d. PEPSICO acquisition of Pioneer Foods – The security of food is a serious issues that does not only affect South Africa and the world due to the impact of Covid-19 and climate change
6. 16 on the 24 March 2020, All cabinet Members started to contribute to the lock down sending notices e.g. Tourism on Coronavirus COVID-19 national lockdown for the restaurant industry (See Attached 9)

- 6.17 HBR Foundation is of the view that the President and Cabinet is being misled on the impact of Covid-19 In South Africa, and that the measures that are taken are harmful and violates the Constitution.
- 6.18. on the 17 March 2020 the Internet's largest social networks issue joint statement on COVID19 misinformation (see attached 10)
- 6.19. HBR Foundation believed that Covid -19 it cannot harmful to Africans due to various factors which includes the environment the following are media coverage that support our argument:
- a. On the 17 February 2020, covered by BBC on Coronavirus: A Cameroon student on how he recovered, (see the annexure 11)
 - b. On the 24 March 2020, covered by Afriupdate , Chinese Doctors Reveals Why African Skin Resists Coronavirus (see annexure 12)
 - c. On the 8th March 2020, covered by News24, Coronavirus: All the fuss is irritating, says doctor who diagnosed first SA case Dr Robyn Reed (See annexure 13)
 - d. Today on the Government website www.gov.za, the latest information from the National Institute for Communicable Diseases (NICD, indicates zero death, 554 positive cases, and 14957 negative cases, out of a total conducted, this is an indication that Covid 19 is not harm to South Africans and it has created panic and unfair treatments against patients suffering from other diseases.
 - e. In the newscientist.com an international news site state that "We don't know why so few covid-19 cases have been reported in Africa" irrespective that The World Health Organisation says "most" of the 37 countries in Africa with testing capacity have between 100 and 200 testing kits (see annexure 16)

- f. on the 24 March 2020, Minister of Higher Education, Science and Innovation update statement following President Cyril Ramaphosa addressing the nation on the government response to Covid 19, Minister Blade Nzimnade stated Qoute: "Seventy Six (76) students are at the Ranch, having been evacuated from Wuhan. They've all been tested and found to be negative. They are doing their final tests this weekend, where after they will be reunited with their families" unquote. (See annexure 10)
 - g. South Africans were in the heart of China where the Covid-19 strike and where the country implemented a lock down, yet non of South African we infected .
- 6.20 HBR Foundation of the believe that South African has long prepared itself for such illnesses a that it does not need to panic. With the experience in HIV/Aids, TB, Malarai, Ibola to list a few...

7. THE NATURE OF THE APPLICATION:

7.1 Granting the me leave to approach this court by way of direct access in terms of constitutional court rule 18, section 167(6)(a) of the constitution on the following grounds:

- a. Gross violation of the Constitution of the Republic of South Africa, 1996, Chapter 1, Preamble
- b. Gross violation of the Constitution Chapter 1, Section1, 2 and 3 of the Founding Provision,
- c. To protect and bring to court attention the President intentional or unintentional pre violation oath or affirmative of office as per Section 95 of the Constitution when he was sworn in I solemnly and sincerely promise that I will always—



- i. promote all that will advance the Republic, and oppose all that may harm it;
 - ii. protect and promote the rights of all South Africans
- d. In the Public Interest
- e. Infringement of Bill of Rights Chapter 2 , Section 7, Rights
- f. Violation of Bill of Rights Chapter 2, Sections 10, Human Dignity
- g. Violation of Bill of Rights Chapter 2, Sections 21, Freedom of Movement and Resistance
- h. Infringement of Bill of Rights Chapter 2, Sections 22, Freedom of Trade, Occupation and Profession
- i. Violation Bill of Rights Chapter 2, Sections 27 Health Care, Food Water and Social Security, by the State (see annexure 6), nothing that not every South African has access to the Internet
- j. Violation Bill of Rights Chapter 2, Sections 28 Children, that includes child head household, to basic nutrition, shelter, basic health care services and social services;
- k. Infringement to Bill Of Rights Chapter 2, Section State of emergency
- l. We here by refer to a matter (see Musa Joe Moloi & others V Minister of Justice and constitutional development & others CCT 78/09 [2010] ZACC 2)
- m. To Prohibit the President from making unconstitutional decisions and
- n. Prohibit the President from mistakenly implementing actions of which lives of South Africans and other nationals in the country may be ruin or/and harmed



- o. As an Nonprofit Organization that has in the interest of our communities, of the nation and have cascaded the Showdown matter will violate every South Africans Right,
- p. We appeal to this court to grant us direct access.

7.2 On Matter of Urgency (Urgent Application):

- a. HBR Foundation hereby apply to the Chief Justice in terms of subrule (3) (c), and that he or she shall give directions as to how the application shall be dealt with and, in particular, as to whether it shall be set down for hearing or whether it shall be dealt with on the basis of written argument or summarily on the basis of the information contained in the affidavits
- b. This application is a matter of urgency and apply Constitution chapter 2, Access to court , Section 34
- c. Our basis are furthermore request the court as part of our application to consider Chapter 2, section 9, of the Constitution. (1) Everyone is equal before the law and has the right to equal protection and benefit of the law. (2) Equality includes the full and equal enjoyment of all rights and freedoms. To promote the achievement of equality, legislative and other measures designed to protect or advance persons, or categories of persons, disadvantaged by unfair discrimination may be taken
- d. The Court should note the President of Republic of South Africa has announcement on the 23 March 2020 (Annexure 3) as I quote : As a consequence, the National Coronavirus Command Council has decided to enforce a nation-wide lockdown for 21 days with effect from midnight on Thursday 26 March unquote.
- e. We request the Court to hear this application for its implication of the lockdown has a serious implication to ordinary South Africans, business, religious, economy, the State , Judiciary System and the Africans Continents

- f. The decision of the lockdown has no local standi or strong evident to support it
- g. The decision of implementing disaster management has no grounds and/or basis


8. RELEVANT FACTUAL BACKGROUND:

- 8.1 This application is based on the fundamental of the executive powers of the President,
- 8.2 That the President and cabinet have not proved or given the nation a factual proof that the Covid-19 carries harm to the nation, which institute for a lock down
- 8.3. The Minister of Cooperative governance has not provided factual evidence nation a factual proof that the Covid-19 carry harm to the nation, which institute for a lock down

9. THE CONSTITUTIONAL MATTER RAISED IN THE DECISION

9.1 Granting the me leave to approach this court by way of direct access in terms of constitutional court rule 18, section 167(6)(a) of the constitution on the following grounds:

- a. Gross violation of the Constitution of the Republic of South Africa, 1996, Chapter 1, Preamble
- b. Gross violation of the Constitution Chapter 1, Section 1, 2 and 3 of the Founding Provision,
- c. To protect and bring to court attention the President intentional or unintentional pre violation oath or affirmative of office as per Section 95 of the Constitution when he was sworn in I solemnly and sincerely promise that I will always—


NG

- i. promote all that will advance the Republic, and oppose all that may harm it;
 - ii. protect and promote the rights of all South Africans
- d. In the Public Interest
- e. The President implementing a lock down is in violation the constitution, and therefore the court to remind that Chapter 5 Section 101, Executive Decision be applicable
- f. The Abuse of power by the President , deviating from the constitution, Chapter 5, section 84 Powers and function of the President
- g. Infringement of Bill of Rights Chapter 2 , Section 7, Rights
- h. Violation of Bill of Rights Chapter 2, Sections 10, Human Dignity
- i. Violation of Bill of Rights Chapter 2, Sections 21, Freedom of Movement and Resistance
- j. Infringement of Bill of Rights Chapter 2, Sections 22, Freedom of Trade, Occupation and Profession
- k. Violation Bill of Rights Chapter 2, Sections 27 Health Care, Food Water and Social Security, by the State (see annexure 6), nothing that not every South African has access to the Internet
- l. Violation Bill of Rights Chapter 2, Sections 28 Children, that includes child head household, to basic nutrition, shelter, basic health care services and social services;

m. Infringement to Bill Of Rights Chapter 2, Section State of emergency

n. We here by refer to a matter (see Musa Joe Moloi & others V Minister of Justice and constitutional development & others CCT 78/09 [2010] ZACC 2)

o. To Prohibit the President from making unconstitutional decisions and

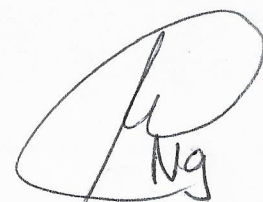
p. Prohibit the President from mistakenly implementing actions of which lives of South Africans and other nationals in the country may be ruin or/and harmed

q. As an Nonprofit Organization that has in the interest of our communities, of the nation and have cascaded the Showdown matter will violate every South Africans Right,

10. INTERESTS OF JUSTICE TO GRANT OUR APPLICATION DIRECT ACCESS IN TERMS OF RULE 18

10.1 Insofar as it may be held that these submissions above, that these constitutional issues are incorrect, it is submitted that in terms of the provisions of Section 167(6)(a), in term of rule 18 of the Constitutional court, and/or Section 195(1)(2) and/or Section 197(1) and/or Section 217(1) and/or Section 7(1), and/or Section 8, and/or Section 10, and/or Section 29(1)b of the constitution the matter should nevertheless be considered. There are several arguable points of law which are to be considered – each of significant public interest.

10.2 Hence this direct access to the Constitutional court, the proper interpretation of these provisions having regard to the important constitutional rights of access to justice in case of a default judgment and/or invalid court application and/or

P. Ng

erroneously application and/or no loca standi, sought orders is a matter of considerable public importance, particularly to all South Africans, those that seek serious medical attention , and public generally

11.CONCLUSION

11.1 In the view of the foregoing, I respectfully submit that it is in the interest of justice for this Honorable Court to grant me direct access to the court.

11.2 Furthermore to grant me the relief I seek as that will :

- a. Our application raises important constitutional issues dealing with the lawfulness and infringement on our Constitutions
- b. There is a reasonable prospect that this honorable Court may come to a conclusion that will be of the interest of people.
- c. This honorable court may deliver a strong statement for those who abuse State resources and/or who captured the state and/or who are corrupt and/or who embark to use the State for self-enrichment.
- d. This Honorable Court may reemphasis the mandate of President and the Cabinet
- e. There has been arrogance and abuse of State power, which undermines the very South Africans and it is for this honourable Court to institutionalize and embrace and uphold the Constitution and the spirit Batho Pele Principle
- f. It is in the interest of this court that our youth, Childs, Women, Workers, Unemployed , the Sick and elders be given the priority of Service Delivery
- g. Furthermore it is in the interest of this court that Businesses, Small Medium Micro Enterprise, entrepreneurs all whom are/or not recognized by the system should be encourage to feed their families and the nation



- h. Honorable court it is unfair that those who want basic services can be denied basic service due to Covid-19, a self healing disease for Africans
- i. Any intentionally misrepresentation to President and /or to any of State Institutions and/or to the public for more must never be taken lightly, as a serious offence and this court decision must be of same accord
- j. The court may consider that funds for Covid-19 programmes that are committed be prioritized to more important , and immediate challenges facing the country, challenges of high level unemployment, poverty, unskilled youth, crime and lack of education.
- k. May the court take into that there is no official report that put the lives of South Africans into any serious harm
- l. In giving out a verdict this honorable court should consider more than fifty six (56) million lives are depended
- m. The very youth are the highest unemployed in the country and we should together ensure that the court help the needy and the very money that government has put in place to try combat and alleviate poverty has been intentionally withhold and rerouted to be Covid-19 rather than to be enjoyed by all who live and work in our country,
- n. It is in the interest of this court that SMME particularly black owned are to rely on the decision of this court in term of the Procurement, and how it must be governed and spending of such, the SMME are dying and closing because of nonpayment and /or delayed payment which in return, it increases the level of

A handwritten signature in black ink, consisting of a large, stylized capital letter 'P' followed by a smaller, less distinct mark that appears to be 'Ng'.

unemployment in the country due to business closure and retrenchments and the decision to put the country in the disaster management.

- o. It is for this honorable court to act in the interest of those who cannot afford legal representation in their day to day business and is such this matter where an example of the benefits of democracy and constitution
 - p. There existing norm that exist in the country where State and/or its institution may pronounce actions that harms any person and/or entity, this court may call resolve such act to be that of treason to the State, parliament or/and may declare it an act of sabotage to people, democracy and the constitution.
 - q. The court may exploit the issue of whether the executive from an informed and well researched position or not
- 11.3 May the Honorable court take into account all the hardship and frustration and/or including irrecoverable damages incurred by the South Africans in the form of:
- a. Damaged reputation in society
 - b. Damaged reputation and credibility with youth about our entities
 - c. Irrecoverable damage from Companies and municipalities we were dealing with in implementing the projects
 - d. Loss of financial Income from person to entities
 - e. Loss Interests that could have been generated and earned
 - f. Emotional Stress enjoyed during this process and period
 - g. and physical stress underwent during the period
 - h. Family frustration and stress absorb resulting to separations and disorder
 - i. and personal frustrations and stress incurred
 - j. Employee, Scholars and Students frustration and stress
 - k. Decline in South Africans Moral
 - l. Retrenchment Staff due to no business and no payment
 - m. High experience of court cases from CCMA and court cases

- c. The Court to declare that the life of the Nation is under no threat by war, invasion, general insurrection, disorder, natural disaster or other public emergency and therefore to withdraws and/revoke the Disaster Management Act as it was issued by the Minister Dr Nkosazana Zuma on the 17 March 2020 (See attached Annexure 2)
- d. The Court to declare that the life of the Nation is under no threat by war, invasion, general insurrection, disorder, natural disaster or other public emergency and therefore to withdraws and/revoke of the State of Emergency as instructed by the President of the Republic of South Africa
- e. The Court to declare that the disease referred to as Covid 19 known as Corona Virus possess no serious threat to the country and its people
- f. That Covid 19 "Corona has not proven to be deadly more than known Viruses /disease such as Malaria, Tuberculosis (TB) , HIV/AIDs and any other conic diseases
- g. To caution the President on proceeding with the lockdown will constitute the removal of the President as per constitution chapter 1,89 (a)(b)(c) as would have abuse his Executive powers and violated
- h. That the government and order of the day be resorted to normality
- i. The constitution and application be resorted
- j. The court to Subpoenaing parliament to report of the findings and updates of the Covid-19 in the country and advice back to the court on 6months basis
- k. The court to order the removal of any funds dedicated to Covid19 as apriority and priorities of essential service delivery issues



Ng

- n. Unintentionally and unplanned Disaster management and
- o. Unintentionally and unplanned lockdown
- p. Irrecoverable damage of the lives of ordinary people
- q. Irrecoverable damage to those who depends on the State
- r. Irrecoverable damage to international community that has relations with this Country
- s. Irrecoverable damage of international community that has Bi-Literal with the Country
- t. Damaged to our South African brand
- u. Finally the fruitless expenditure exercise taken during this period

12.RELIEF SOUGHT


12.1 In the premise, it may please the Honorable Court to.

- a. Granting the me leave to approach this court by way of direct access in terms of constitutional court rule 18, section 167(6)(a) of the constitution
- b. Grant the matter as urgent

12.2 The ancillary **relief** sought in the **notice of motion** and all the applicants ask this Honorable court to grant leave:

12.3 The ancillary **relief** sought in the **notice of motion** and all the applicants ask this Honorable court to grant leave:

- a. The court to Interdict the President and the State from implementing Lockdown
- b. The Court to order in terms of Chapter 2, Section 8 Applications (1)(2)



- I. The Economy be re stimulated and to continue with compensating all South Africans

12.4 All responded who oppose the relief herein, jointly and severally the one paying the other to be absolved, are to pay the costs

12.5 Any and all costs incurred by the any responded in the course of these proceedings, but which were in fact paid by another responded or any public entity on behalf of the responded or either and/or any of the responded, will be repaid to that responded or entity by the responded in their personal capacity

12.6 Wherefore I humbly pray for an order as set out in our Notice of Motion and that the accompany affidavit of **Hola Bon Renaissance Foundation** will be used in support

12.7 All responded who oppose the relief herein, jointly and severally the one paying the other to be absolved, are to pay the costs of suit on an attorney and own client scale, including the costs of six counsels

12.8 Any and all costs incurred by the any responded in the course of these proceedings, but which were in fact paid by another responded or any public entity on behalf of the responded or either and/or any of the responded, will be repaid to that responded or entity by the responded in their personal capacity

Further and/or alternative relief

REPRESENTATIVE



25

I CERTIFY that this Affidavit was SIGNED and SWORN to before me at
Johannesburg on this the 25 of March 2020, after the Representative
declared that he is familiar with the contents of this affidavit, and regards the prescribed
oath as binding on his/her conscience and has no objection against taking the said
prescribed oath. There has been compliance with the requirements of the Regulations
contained in Government Gazette R1258 dated 21 July 1972 (as amended)



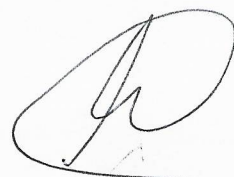
COMMISSIONER OF OATHS

FULL NAMES:

BUSINESS ADDRESS:

CAPACITY:

NOTHEMBA GEORGE
COMMISSIONER OF OATHS
EX OFFICIO PRACTISING ATTORNEY RSA
1ST FLOOR, SUITE 106, HOWARD HOUSE
23 LOVEDAY STREET CNR MAIN
PO. BOX 62341 MARSHALLTOWN 2107
TEL: 011 492 2127 FAX: 011 492 2125
CELL: 072 153 0976



Ng.