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IN THE HIGH COURT OF SOUTH AFRICA  
GAUTENG DIVISION, PRETORIA

Case No: 12708/22

Before the Honourable Tolmay on 2 March 2022

In the *ex parte* application between:

**ROAD TRAFFIC MANAGEMENT CORPORATION** First Applicant

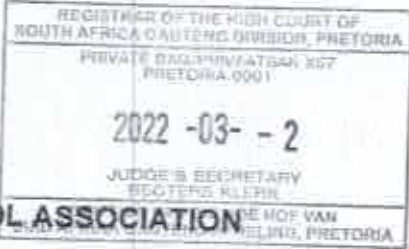
**MEC: DEPARTMENT OF ROADS AND TRANSPORT  
GAUTENG** Second Applicant

and

**NATIONAL DRIVING SCHOOL ASSOCIATION  
OF SOUTH AFRICA** First Respondent

**ALL PARTICIPANTS IN PROTEST ACTION  
AT DRIVING LICENCE TEST CENTRES IN GAUTENG** Second Respondent

**SOUTH AFRICAN POLICE SERVICE** Third Respondent



**DRAFT ORDER**

**AFTER** having read the papers filed of record and after having heard counsel on the matter, the following order is made:

- 1. The non-compliance with the practice directives of this Court pertaining to the set down, time and date of hearing of urgent applications is hereby condoned.

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2. The Application is enrolled as urgent and the requirements pertaining to forms, service and time periods prescribed in terms of the Uniform Rules of Court are dispensed with.
3. The requirements pertaining to the citation of parties as per Uniform Rule 6(2) is dispensed with insofar as the Second Respondent is concerned.
4. The Respondents are directed to show cause, if any, on **11 MAY 2022** at 10h00 or so soon thereafter as counsel may be heard as to why an order in the terms below should not be made final.
5. The First and Second Respondents are restrained from participating in protest action within 150 meters from the entrance of the Applicants' premises and all Driving Licence Testing Centres ("DLTCs") within the Gauteng Province.
6. The First and Second Respondents are interdicted and restrained from:
  - 6.1. taking part in or instigating disruptive or riotous behaviour that may result in damage to any property of the Applicants, the public and any DLTCs;
  - 6.2. Blocking entrances to the Applicants' premises and any DLTCs;
  - 6.3. Obstructing or preventing entrance or exit of persons to the Applicants premises and the DLTCs and from interfering with the access control to these properties;
  - 6.4. Infringing the traffic rules on roads adjacent to the Applicants premises and the premises of the DLTCs;
  - 6.5. Disrupting or otherwise interfering in any way with the normal activities of the Applicants and the DLTCs;

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- 6.6. Calling for, supporting, encouraging or inciting unlawful behaviour, violence, the causing of damage to property and from intimidating, threatening, harassing or harming any employees, service providers or clients of the Applicants and the DLTCs;
- 6.7. Interfering in any way with any person's freedom of movement while on the premises of the Applicants and the DLTCs;
- 6.8. Vandalising any property of the Applicants, the public and the DLTCs;
7. The Third Respondent is authorised and requested to take all reasonable steps in terms of section 9 of the Regulation of Gatherings Act 205 of 1993 to ensure:
- 7.1. That access to the premises of the Applicants and the DLTCs is not impeded by protestors;
- 7.2. That the vehicular traffic or pedestrian traffic is least impeded;
- 7.3. The prevention of injury to persons or damage to property;
- 7.4. Adherence by participants in protest action to the prohibition of protest within 150 meters of an entrance to the premises of the Applicants and the DLTCs;
8. The Third Respondent is authorised to enter upon the premises of the Applicants and the DLTCs to ensure compliance with this order.
9. The restraining orders in paragraphs 5, 6 and 7 above will have immediate effect, pending finalisation of proceedings on the above return date.
10. Service of this order on the First Respondent shall be effected by email to the email addresses reflected on its notices of protest action and by way of email to the First Respondent's attorney of record.



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11. Service of this order on the Second Respondent shall be effected in the following manner:
- 11.1. Service by Sheriff on the participants in protest action at the Applicants' premises and the premises of the DLTCs, by reading out the order by loud hailer at the entrance of the aforementioned premises which are affected by protest action;
  - 11.2. By posting the order on the Applicants' official website;
  - 11.3. By posting a copy of the order at all entrances to the DLTCs and the Applicants' premises;
  - 11.4. By electronic mail to the Office of the National Police Commissioner;
12. Any party aggrieved by the order may anticipate the return date by means of 72 hours written notice to the parties.
13. The costs of the application are reserved for determination on the return date.

  
 BY ORDER: REGISTRAR

REGISTRAR OF THE JOUDICATURE OF SOUTH AFRICA (PUBLIC DIVISION), PRETORIA PRIVATE BAG/PRIVAATSAK 907 PRETORIA 0001
2022 -03- - 2
JUDGE'S SECRETARY RESTERDE KLERK GRIFFIER VAN DIE HOË HOF VAN SUID AFRIKA GAUTENG AFDELING, PRETORIA

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