



CONSTITUTIONAL COURT OF SOUTH AFRICA

Case CCT 203/19

In the matter between:

ATHA-AFRICA VENTURES (PTY) LIMITED

Applicant

and

**MINING AND ENVIRONMENTAL JUSTICE
COMMUNITY NETWORK OF SOUTH AFRICA**

First Respondent

GROUNDWORK

Second Respondent

EARTHLIFE AFRICA, JOHANNESBURG

Third Respondent

BIRDLIFE SOUTH AFRICA

Fourth Respondent

ENDANGERED WILDLIFE TRUST

Fifth Respondent

**FEDERATION FOR A SUSTAINABLE
DEVELOPMENT**

Sixth Respondent

**ASSOCIATION FOR WATER AND THE RURAL
DEVELOPMENT**

Seventh Respondent

BENCH MARKS FOUNDATION

Eighth Respondent

MINISTER OF ENVIRONMENTAL AFFAIRS

Ninth Respondent

MINISTER OF MINERAL RESOURCES

Tenth Respondent

**THE MABOLA PROTECTED ENVIRONMENT
LANDOWNERS' ASSOCIATION**

Eleventh Respondent

**MEC FOR AGRICULTURE, RURAL DEVELOPMENT,
LAND AND ENVIRONMENTAL AFFAIRS,
MPUMALANGA**


Twelfth Respondent

ORDER DATED 6 NOVEMBER 2019

CORAM: Khampepe ADCJ, Froneman J, Jafta J, Madlanga J, Majiedt J, Mathopo AJ, Mhlantla J, Theron J, Tshiqi J and Victor AJ.

The Constitutional Court has considered this application for leave to appeal. It has concluded that the application should be dismissed as it does not engage this Court's jurisdiction and, in any event, bears no reasonable prospects of success.

Order: The application for leave to appeal is dismissed with costs.


MR KGWADI MAKGAKGA
REGISTRAR
CONSTITUTIONAL COURT

TO: FASKEN ATTORNEYS

Attorneys for the Applicant
Building 2, Inanda Greens
54 Wierda Road West
SANDTON

Tel: 011 586 6089

Fax: 011 586 6189

Email: fjoubert@fasken.com

Ref: Francois Joubert

AND TO: CENTRE FOR ENVIRONMENTAL RIGHTS

Attorneys for the First to Eighth Respondents
Second Floor, Springtime Studios

1 Scott Road

Observatory

CAPE TOWN

Tel: 021 447 1647

Fax: 086 730 9098

Email: chorsfield@cer.org.za / spowell@cer.org.za



Ref: Catherine Horsfield / Suzanne Powell
c/o GILDENHUYS MALATJI INC
Catherine and West Building
114 West Street
Sandton
JOHANNESBURG
Tel: 011 068 5900 / 012 428 8608
Fax: 011 068 5901
Ref: J Smalberger / S Masumpa

AND TO: OFFICE OF THE STATE ATTORNEY
Attorneys for the Ninth, Tenth and Twelfth Respondents
SALU Building
316 Thabo Sehume Street
PRETORIA
Email: simathebula@justice.gov.za; gramutshila@environment.gov.za;
Pieter.alberts@dmr.gov.za; nndlanya@mpg.gov.za
Ref: 7515/2015/Z42/DM

**AND TO: THE MABOLA PROTECTED ENVIRONMENT LAND OWNERS'
ASSOCIATION**
Eleventh Respondent
Farm Schoongezicht
VOLKRUST
Email: malansp@vodamail.co.za