# IN DIE HOOGGEREGSHOF VAN SUID AFRIKA
## (Noord Gauteng)

**Saak Nr.** 12130/13

**In die saak tussen:**

CORNELUS JOHANNES ALEXANDER LOURENS

**Applikant**

**en**

MINISTER VAN KUNS EN KULTUUR

**2de Respondent**

## RELAAS: BETEKENING VAN KENNISGEWING VAN MOSIE

**HIERMEE WORD GESERTIFISEER:**

Dat op die 26STE DAG VAN FEBRUARIE 2013 om 15h15 te STAATSPROKUREUR, GRONDVLOER, SALU GEBOU, H/V FRANCIS BAARD & THABO SEHUME STRATE, PRETORIA, 0002, synde die kantoor en plek van besigheid van die Staatsprokureur is `n afskrif van die KENNISGEWING VAN MOSIE, BEVESTIGDE VERKLARING - CJA LOURENS EN AANHANGSELS "A" - "D" op MEV SPARROW (ONTVANGSDAME) beteken nadat die oorspronklike dokument getoon was en die aard en inhoud daarvan aan gemelde persoon verduidelik is. Gemelde persoon is 'n verantwoordelike werknemer van die Staatsprokureur en oënskynlik nie jonger as sestien jaar is nie wie betekening aanvaar het namens MINISTER VAN KUNS EN KULTUUR .Reel 4[9].

**BALJU KOSTES/UITGAWES:** (U kan vereis dat hierdie rekening voor vereffening getakseer en gestaaf word)

| Beskrywing | Tarief | Hoev | Bedrag | Beskrywing | Tarief | Hoev | Bedrag |
|---|---|---|---|---|---|---|---|
| Sellulêre oproep | 9.00 | 1 | 9.00 | | | | |
| Sellulêre koste | 3.00 | 3 | 9.00 | | | | |
| Betekening | 44.00 | 1 | 44.00 | | | | |
| Registrasie & Relaas | 30.00 | 1 | 30.00 | | | | |
| Reiskoste | 3.00 | 2 | 6.00 | | | | |
| Dringende Betekening | 300.00 | 1 | 300.00 | | | | |

**AAN:** DIE GRIFFIER VAN DIE HOOGGEREGSHOF, Pretoria

| | |
|---|---|
| Nul koers items | 0.00 |
| Sub-totaal | 398.00 |
| BTW | 55.72 |
| Totaal | **453.72** |

**Account No.:** LOURENS150
**AAN:** LOURENS ATTORNEYS
P O BOX 1541
BRITS

0250

**U Verwysing:** CJA LOURENS/MK

**Goldreich VT Seboka - Adjunk Balju**
(Behoorlik aangestel ingevolge Art 6(1) van Wet op Balju's No. 90/1986)
**Geteken te Pretoria op 27/02/13**
My Verwysing: 2013/02/08570.00 / JJV

**Balju Pretoria Sentraal - T. F. Seboka**
**Posbus 478, Pretoria, 0001**
**Tel: +27-12-320-3969**
**Fax: +27-12-320-1962**
**VAT No./BTW Nr.: 4090202740**

REGISTRAR OF THE NORTH GAUTENG
HIGH COURT, PRETORIA
PRIVATE BAG/PRIVAATSAK X67
2013 -02- 25
B LANKOWITZ
PRETORIA 0001
GRIFFIER VAN DIE NOORD GAUTENG
HOË HOF, PRETORIA

12130/13

**IN DIE NOORD GAUTENG HOË HOF, PRETORIA**
**(REPUBLIEK VAN SUID-AFRIKA)**

**SAAKNOMMER:**

In die aansoek van:

**CORNELUS JOHANNES ALEXANDER LOURENS** **APPLIKANT**

en

**PRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA** **EERSTE RESPONDENT**

**MINISTER VAN KUNS EN KULTUUR** **TWEEDE RESPONDENT**

---

**KENNISGEWING VAN MOSIE**

---

**GELIEWE KENNIS TE NEEM DAT** die Applikant op **2 APRIL 2013** om **10:00** of so spoedig daarna as wat die aangeleentheid aangehoor kan word, aansoek sal doen vir 'n bevel met die volgende bepalings:

1. Dat die Eerste Respondent verplig word om die datum van die inwerkingtreding van die Gebruik op Amptelike Tale Wet, wet 12 van 2012, te proklameer;

2. Koste van die geding;

3. Verdere en/of alternatiewe regshulp

**NEEM VERDER KENNIS DAT** die bevestigde verklaring van CORNELUS JOHANNES ALEXANDER LOURENS gebruik sal word ter ondersteuning van hierdie aansoek.

Geliewe die saak dienooreenkomstig ter rolle te plaas.

**NEEM VERDER KENNIS DAT** die Applikant die onderstaande adres van Mnre. Potgieter Penzhorn & Taute Prokureurs aanwys vir die betekening van prosesstukke, kennisgewings of dokumente in hierdie aangeleentheid.

**NEEM VERDER KENNIS DAT** indien u voornemens is om hierdie aansoek te bestry u:

a) Die Applikant se prokureur binne 15 (vyftien) dae skriftelik daarvan in kennis moet stel; en

b) Binne 15 (vyftien) dae nadat u aldus kennis gegee het van die voorneme om die aansoek te bestry, u antwoordende bevestigde/beëdigde verklaring/s, as u het, moet indien; en

c) Verder dat u in die kennisgewing 'n adres soos in Reël 6(5)(b) bedoel moet aangee waar u kennisgewings en die betekening van alle dokumente in hierdie verrigtinge sal aanvaar.

Indien geen kennis van voorneme om te bestry gegee word nie, sal die aansoek op **2 APRIL 2013** om **10:00** gedoen word.

ALDUS GEDOEN en GETEKEN te PRETORIA op hierdie 25ste dag van FEBRUARIE 2013

**C.R. TAUTE**
**EN AS PROKUREUR MET VERSKYNINGSBEVOEGDHEID**
**IN TERME VAN ARTIKEL 4 (2) VAN DIE WET OP**

DIE REG OP VERSKYNINGS IN DIE HOWE NR. 61 VAN 1995
MNRE POTGIETER, PENZHORN & TAUTE PROKUREURS
PROKUREUR VIR APPLIKANT
KAMER 6C, EERSTE VLOER
WOLTEMADE GEBOU
PAUL KRUGERSTRAAT 118
PRETORIA
Tel no. 012 – 324 0110
Faks no. 012 – 324 0111
Verw. CR TAUTE/Zavanah

AAN : DIE GRIFFIER VAN DIE HOË HOF
PRETORIA

EN AAN: DIE STAATSPROKUREUR
PROKUREURS VIR DIE EERSTE RESPONDENT
8STE VLOER
SALU-GEBOU
THABO SEHUMESTRAAT 167
PRETORIA

EN AAN: MNRE CHEADLE THOMPSON & HAYSOM INGELYF
PROKUREURS VIR DIE TWEEDE RESPONDENT
7DE VLOER, BRAAMFONTEIN SENTRUM
JORISSENSTRAAT 23, BRAAMFONTEIN
TEL: 011 403 2765
FAKS: 011 403 1764
VERW: D Tshepe/A Singh/DEP18011
P/A HACK STUPEL & ROSS PROKUREURS
2DE VLOER, STANDERD BANK KAMERS
KERKPLEIN
PRETORIA
VERW: MS J Pretorius
TEL: 012 325 4185/9
FAKS: 012 324 3735/323 3780

Erken ontvangs hiervan op hierdie 25ste dag van FEBRUARIE 2013

_____ Tyd. _____

**IN DIE NOORD GAUTENG HOË HOF, PRETORIA**
**(REPUBLIEK VAN SUID-AFRIKA)**

**SAAKNOMMER:**

In die aansoek van:

**CORNELUS JOHANNES ALEXANDER LOURENS** **APPLIKANT**

en

**PRESIDENT VAN DIE REPUBLIEK VAN SUID-AFRIKA** **EERSTE RESPONDENT**

**MINISTER VAN KUNS EN KULTUUR** **TWEEDE RESPONDENT**

---

**BEVESTIGDE VERKLARING**

---

Ek, die ondergetekende,

**CORNELUS JOHANNES ALEXANDER LOURENS,**

verklaar en bevestig hiermee opreg soos volg, naamlik:

1.

Ek is die Applikant in hierdie saak synde 'n praktiserende prokureur onder die naam en styl van Lourens Prokureurs, Ludorfstraat 30, Brits, Noordwes Provinsie. Die feite, wat hierin vervat word, val binne my persoonlike kennis en wete, tensy anders aangedui, en dit is waar en korrek en ek is bevoeg om hierdie verklaring af te lê.

2.

Eerste Respondent is die President van die Republiek van Suid-Afrika, synde 'n man met volle regsbevoegdheid in sy sodanige hoedanigheid, van per adres die Staatsprokureur, 8ste Vloer, SALU-Gebou, Thabo Sehumestraat 167, Pretoria, wie se volle en/of verdere besonderhede aan die Applikant onbekend is.

3.

Tweede Respondent is die Minister van Kuns en Kultuur in sy hoedanigheid as verantwoordelike Minister vir die implementering van taalaangeleenthede kragtens die Grondwet, 1996, per adres Mnre. Cheadle Thompson & Haysom Ingelyf, per adres Hack, Stupel & Ross Prokureurs, 2de Vloer, Standerd Bank Kamers, Kerkplein, Pretoria, wie se volle en/of verdere besonderhede aan die Applikant onbekend is. Tweede Respondent word slegs hier gevoeg te midde van die feit dat hy 'n belang by hierdie aangeleentheid mag hê te midde van die hofaansoek onder saaknommer 49807/2009 wat op 30 Januarie 2013 met 'n verdere aansoek op Tweede Respondent voortgesit is, en te midde van die feit dat hy die minister is wat die bevoegdhede aangaande taalaangeleenthede hanteer. Daar word nie regshulp in hierdie aansoek teen die Tweede Respondent versoek nie.

4.

Die Wet op die Gebruik van Amptelike Tale, wet 12 van 2012, (hierna verwys as die "GATW") is deur die Eerste Respondent op 1 Oktober 2012 onderteken en die gemelde wet is in die Staatskoerant nommer 35742 van 2 Oktober 2012 gepubliseer. Ek heg 'n afskrif daarvan hierby aan, gemerk Aanhangsel "A".

5.

Kragtens artikel 14 van die GATW sal gemelde GATW in werking tree op 'n datum soos deur die Eerste Respondent in 'n proklamasie in die Staatskoerant bepaal.

6.

Eerste Respondent is die hoof van die Uitvoerende Gesag kragtens artikel 85 van die Grondwet, 1996 en dit is deel van sy uitsluitlike bevoegdheid om wetgewing, soos die GATW, se inwerkingtreding vas te stel wanneer die wet so 'n verpligting op Eerste Respondent lê. Hierdie verpligting word in artikel 81 van die Grondwet, 1996, saamgelees met artikel 13 van die Interpretasiewet, wet 33 van 1957 hanteer, maar artikel 81 geniet uiteraard voorkeur, en die Agbare Hof word met respek daarna verwys.

7.

Ek doen aan die hand dat Eerste Respondent egter nie 'n willekeurige, onbeperkte en arbitrêre bevoegdheid het om die proklamasie van die inwerkingtredingsdatum willekeurig uit te stel nie.

8.

Die GATW is 'n sogenaamde bondgenootwet tot die Grondwet, 1996 en vorm deel van wetgewende maatreëls, wat die Nasionale Regering, waarvan die Eerste Respondent die hoof is, kragtens subartikel 6(4) van die Grondwet, 1996 daar moet stel wat die gebruik van amptelike tale deur die Nasionale Regering moet reël en monitor.

9.

Gemelde wetgewende maatreëls moes binne 'n redelike tyd, ooreenkomstig subartikel 21(3) van die 6de Skedule tot die Grondwet, 1996, sedert die inwerkingtreding van die Grondwet, 1996, op 4 Februarie 1997, gefinaliseer gewees het.

10.

Ek het in 'n aansoek onder saaknommer 49807/2009 in hierdie Agbare Hof Eerste Respondent as party gevoeg, maar sy edele Regter Ben du Plessis het bevind dat Tweede Respondent kragtens artikel 92 van die Grondwet, 1996 die verantwoordelike minister namens die Uitvoerende Gesag is om die Grondwetlike verpligting kragtens subartikel 6(4) van die Grondwet namens die Nasionale Regering na te kom.

11.

Te midde van die feit dat dit op die oog af blyk dat die Tweede Respondent, te midde ook van die Tweede Respondent se standpunt dat daar voldoen is aan sy edele Regter Ben du Plessis se bevel van 16 Maart 2010, soos blyk uit die skrywe van Tweede Respondent se hoof regsadviseur gedateer 26 November 2012 (gemerk as Aanhangsel "B" hiertoe) nie enige bevoegdhede oor die Eerste Respondent het nie, is dit die Eerste Respondent se uitsluitlike plig en taak gewees om gemelde wet se inwerkingtredingsdatum in die Staatskoerant te proklameer.

12.

Tweede Respondent is myns insiens sedert 16 September 2012 in minagting van die Agbare Hof se bevel van 16 Maart 2010, nieteenstaande die hofbevel vir uitstel van die gemelde twee jaar tydperk wat op 14 Maart 2012 by ooreenkoms 'n bevel van hierdie Agbare Hof gemaak is, te midde van die feit dat die GATW nog nie inwerking gestel is nie. Dit is ook weens die redes soos aangevoer in 'n aparte hofaansoek, wat ek teen Tweede Respondent op 30 Januarie 2013 ingestel het. Daarin voer ek aan waarom ek van mening is dat Tweede Respondent nie die grondwetlike verpligtinge kragtens artikel 6(4) volledig deur middel van die GATW nagekom het nie. Ek meld dit hier net ter agtergrondsdoeleindes, hoewel relevant.

13.

13.1 Dit is vir my heeltemal onduidelik, onredelik en ondermynend van die legaliteitsbeginsel waarom die Eerste Respondent die GATW nog nie in werking laat tree het nie deur die inwerkingtredingsdatum vas te stel nie.

13.2 'n Rede mag wees dat Eerste Respondent deur Tweede Respondent ingelig mag wees dat Tweede Respondent oorweeg om kragtens artikel 13(1) van die GATW regulasies wens voor te berei, maar nog nie regulasies voorberei het nie. Sou dit wel die geval wees, voer ek aan dat sodanige regulasies ook onder "wetgewende maatreëls" ressorteer wat Tweede Respondent voor 15 September 2012 moes finaliseer het.

13.3 Ek voer aan dat die Eerste Respondent minstens die artikels, wat gereed was vir implementering, se inwerkingtreding op 2 Oktober 2012 kon proklameer en die totale wet se implementering is myns insiens onredelik vertraag. Dit was op 4 Februarie 2013 reeds 16 jaar sedert die Grondwet, 1996 in werking getree het en behoort hierdie 'n prioriteit vir Eerste Respondent te gewees het.

13.4 Andersins moes Eerste Respondent as hoof van die Uitvoerende Gesag in sy hoedanigheid as Voorsitter van die Kabinet, opgetree het ten einde die Tweede Respondent te dwing om sy werk te doen ter handhawing van die oppergesag van die Grondwet en uit respek vir die hofbevel.

14.

Ten einde nie hierdie aansoek enigsins té omvangryk te maak nie en te midde van die feit dat die feitelike agtergrond behoorlik in die hofaansoek onder saaknommer 49807/2009 uiteengesit is, inkorporeer ek deur bloot die verwysing daarna die hofstukke in daardie saak waaroor ek die Agbare Hof ook tydens die aanhoor van die aansoek sal toespreek / laat toespreek. (Dit verwys dus na die oorspronklike aansoek, die uitstelaansoek van Tweede Respondent van 9 Maart 2012 asook na my verklaring van 30 Januarie 2013).

15.

Die Eerste Respondent is ook in 'n aanmaning gedateer 28 Januarie 2013 en met 'n opvolgskrywe gedateer 12 Februarie 2013 aangemaan om hierdie inwerkingtredingsdatum van die GATW te proklameer, maar tot op datum van ondertekening hiervan kon ek geen proklamasie opspoor nie. Ek heg gemelde skrywes onderskeidelik hierby aan as Aanhangsels "C" en "D".

16.

16.1 Die onnodige vertraging van die taalwetgewing is myns insiens ook in stryd met die fundamentele beginsels in artikel 1(c) van die Grondwet, 1996, wat die oppergesag van die Grondwet en die heerskappy van die reg as waardes, waarop die Republiek gegrond is, meld. Gemelde beginsel, so doen ek aan die hand, word as interpretasie riglyn deur die Agbare Hof by die interpretasie van enige handeling en/of versuim kragtens en voortspruitend uit die Grondwet, 1996, geneem.

16.2 Voorts is die optrede van die Eerste Respondent ook nie in ooreenstemming met artikel 195(1) van die Grondwet, 1996, nie.

16.3 Geen openbare verduideliking vir sy versuim kon deur my gespoor word nie en ek het nog nie tot op datum hiervan die beleefdheid van 'n antwoord op my gemelde skrywes ontvang nie.

17.

Dit is voorts die Konstitusionele Hof se bevinding in die eerste sertifiseringsuitspraak van die Grondwet, 1996, "Ex parte Chairperson of the Constitutional Assembly: In re Certification of the Constitution of the Republic of South Africa, 1996 (4) SA 744 (CC) (sien paragrawe 209 tot 214)", dat taaldiversiteit bevorder moet word en die huidige ongereguleerde taalbestel ondermyn hierdie beginsel. Die feit dat die talebedeling, soos vereis in subartikel 6(4) van die Grondwet, 1996, met spesifieke verwysing hier na dié van die Nasionale Regering, nog nie deur middel van wetgewende maatreëls gereël en gemonitor word nie, ondermyn myns insiens gemelde grondwetlike vereiste.

18.

Dit is my respekvolle standpunt dat nieteenstaande die hoogste politieke amp, wat Eerste Respondent beklee, die Eerste Respondent nie bo die reg en die Grondwet is

nie en versoek ek dat die Agbare Hof 'n bevel verleen soos uiteengesit in die Kennisgewing van Mosie.

DERHALWE versoek ek die Agbare Hof om aan my die regshulp te verleen soos uiteengesit in die Kennisgewing van Mosie.

ALDUS GEDOEN en GETEKEN te BRITS op hierdie 25ste dag van FEBRUARIE 2013

**CJA LOURENS**

Ek sertifiseer dat die Verklaarder aan my erken het dat hy ten volle vertroud is met die inhoud van hierdie verklaring en dit begryp, dat hy dit deurgelees het, dat hy beswaar het teen die aflê van die voorgeskrewe eed, maar dat hy opreg verklaar en bevestig dat die inhoud van die verklaring na die beste van sy wete waar en korrek is.

ALDUS GEDOEN en BEVESTIG te BRITS op hierdie 25ste dag van FEBRUARIE 2013

**KOMMISSARIS VAN EDE**

***ISABELLA CORNELIA PETRONELLA***
***JANSE VAN RENSBURG***
Kommissaris van Ede
Commissioner of Oaths
Praktiserende Prokureur/practising Attorney
Adres: 42 Ludorf Straat, Brits,
Noord-Wes, RSA

"A"

Please note that most Acts are published in English and another South African official language. Currently we only have capacity to publish the English versions. This means that this document will only contain even numbered pages as the other language is printed on uneven numbered pages.

# Government Gazette

REPUBLIC OF SOUTH AFRICA

Vol. 568 Cape Town 2 October 2012 No. 35742

## THE PRESIDENCY

2 October 2012

No. 801

It is hereby notified that the President has assented to the following Act, which is hereby published for general information:–

**Act No. 12 of 2012: Use of Official Languages Act, 2012**

AIDS HELPLINE: 0800-123-22 Prevention is the cure

*(English text signed by the President)*
*(Assented to 1 October 2012)*

# ACT

**To provide for the regulation and monitoring of the use of official languages by national government for government purposes; to require the adoption of a language policy by a national department, national public entity and national public enterprise; to provide for the establishment and functions of a National Language Unit; to provide for the establishment and functions of language units by a national department, national public entity and national public enterprise; to provide for monitoring of and reporting on use of official languages by national government; to facilitate intergovernmental coordination of language units; and to provide for matters connected therewith.**

## PREAMBLE

**WHEREAS** the use of the Republic's official languages must be promoted and pursued in accordance with the Constitution of the Republic of South Africa, 1996;

**AND WHEREAS** section 6 of the Constitution of the Republic of South Africa, 1996, provides for 11 official languages of South Africa; recognises the diminished use and status of indigenous languages and requires the State to take practical and positive measures to elevate the status and advance the use of indigenous languages;

**AND WHEREAS** the Constitution of the Republic of South Africa, 1996, requires all official languages to enjoy parity of esteem and be treated equitably;

**AND WHEREAS** section 6(4) of the Constitution of the Republic of South Africa, 1996, provides that national government must regulate and monitor its use of official languages by legislative and other measures,

**BE IT THEREFORE ENACTED** by the Parliament of the Republic of South Africa, as follows:—

## ARRANGEMENT OF SECTIONS

*Sections*

1. Definitions
2. Objects of Act
3. Application of Act
4. Language policy
5. Establishment of National Language Unit
6. Functions of National Language Unit
7. Establishment of language units in national departments, national public entities and national public enterprises

8. Functions of language units in national departments, national public entities and national public enterprises
9. Monitoring of and reporting on use of official languages
10. Annual report to National Assembly
11. Intergovernmental forums on use of official languages
12. Exemption from application of section 7
13. Regulations
14. Short title and commencement

**Definitions**

**1.** In this Act, unless the context indicates otherwise—
**"Constitution"** means the Constitution of the Republic of South Africa, 1996;
**"Department"** means the national Department of Arts and Culture;
**"language unit"** means a language unit established in terms of section 7;
**"Minister"** means the Minister responsible for language matters;
**"national department"** means a department listed in Schedule 1 to the Public Service Act, 1994 (Proclamation No. 103 of 1994), but excluding the Offices of Premier;
**"national government"** means national departments, national public entities and national public enterprises;
**"National Language Unit"** means the National Language Unit established in terms of section 5;
**"national public enterprise"** means a national government business enterprise defined in section 1 and listed in Schedule 3 Part B to the Public Finance Management Act, 1999 (Act No. 1 of 1999);
**"national public entity"** means a national public entity defined in section 1 and listed in Schedules 2 and 3 to the Public Finance Management Act, 1999 (Act No. 1 of 1999);
**"official language"** means an official language contemplated in section 6(1) of the Constitution;
**"Pan South African Language Board"** means the Board established in terms of section 2 of the Pan South African Language Board Act, 1995 (Act No. 59 of 1995);
**"prescribe"** means prescribe by regulations; and
**"this Act"** includes any regulations made in terms of this Act.

**Objects of Act**

**2.** The objects of this Act are—
*(a)* to regulate and monitor the use of official languages for government purposes by national government;
*(b)* to promote parity of esteem and equitable treatment of official languages of the Republic;
*(c)* to facilitate equitable access to services and information of national government; and
*(d)* to promote good language management by national government for efficient public service administration and to meet the needs of the public.

**Application of Act**

**3.** (1) This Act applies to—
*(a)* national departments;
*(b)* national public entities; and
*(c)* national public enterprises.
(2) This Act takes precedence over any inconsistent provision of any other law on the use of official languages by national government.

**Language policy**

**4.** (1) Every national department, national public entity and national public enterprise must adopt a language policy regarding its use of official languages for government purposes within 18 months of the commencement of this Act or such further period as the Minister may prescribe, provided that such prescribed period may not exceed six months.

(2) A language policy adopted in terms of subsection (1) must—

*(a)* comply with the provisions of section 6(3)(a) of the Constitution;

*(b)* identify at least three official languages that the national department, national public entity or national public enterprise will use for government purposes;

*(c)* stipulate how official languages will be used, amongst other things, in effectively communicating with the public, official notices, government publications and inter- and intra-government communications;

*(d)* describe how the national department, national public entity or national public enterprise will effectively communicate with members of the public whose language of choice is—

(i) not an official language contemplated in paragraph *(b)*; or

(ii) South African sign language.

*(e)* describe how members of the public can access the language policy;

*(f)* provide a complaints mechanism to enable members of the public to lodge complaints regarding the use of official languages by a national department, national public entity or national public enterprise;

*(g)* provide for any other matter that the Minister may prescribe; and

*(h)* be published in the *Gazette* as soon as reasonably practicable, but within 90 days of its adoption.

(3) In identifying at least three official languages as contemplated in subsection (2)*(b)*, every national department, national public entity and national public enterprise must take into account its obligation to take practical and positive measures to elevate the status and advance the use of indigenous languages of historically diminished use and status in accordance with section 6(2) of the Constitution.

(4) Every national department, national public entity and national public enterprise must—

*(a)* ensure that a copy of its language policy is available on request to members of the public at all its offices; and

*(b)* display at all its offices a summary of its language policy in such manner and place that it can be read by the public.

**Establishment of National Language Unit**

**5.** The Minister must—

*(a)* establish a National Language Unit in the Department; and

*(b)* ensure that the National Language Unit is provided with human resources, administrative resources and other resources necessary for its effective functioning.

**Functions of National Language Unit**

**6.** (1) The National Language Unit must—

*(a)* advise the Minister on policy and strategy—

(i) to regulate and monitor the use of official languages by national government for government purposes;

(ii) to promote parity of esteem and equitable treatment of the official languages of the Republic and facilitate equitable access to the services

and information of national departments, national public entities and national public enterprises;

(iii) to promote good language management within national departments, national public entities and national public enterprises; and

(iv) on the functions of language units contemplated in section 8;

*(b)* liaise with and promote the general co-ordination of language units contemplated in section 7;

*(c)* perform the functions provided for in section 8 for the Department; and

*(d)* perform any other function that the Minister may prescribe.

**Establishment of language units in national departments, national public entities and national public enterprises**

**7.** Every national department, national public entity and national public enterprise must—

*(a)* establish a language unit; and

*(b)* ensure that the language unit is provided with human resources, administrative resources and other resources necessary for its effective functioning.

**Functions of language units in national departments, national public entities and national public enterprises**

**8.** Every language unit must—

*(a)* advise the responsible accounting officer or accounting authority on the development, adoption and implementation of the language policy for the national department, national public entity or national public enterprise concerned;

*(b)* monitor and assess the use of official languages by the national department, national public entity or national public enterprise concerned;

*(c)* monitor and assess compliance with the language policy of the national department, national public entity or national public enterprise concerned;

*(d)* compile and submit a report to the Minister and to the Pan South African Language Board in terms of section 9;

*(e)* promote parity of esteem and equitable treatment of official languages of the Republic and facilitate equitable access to services and information of the national department, national public entity or national public enterprise concerned;

*(f)* promote good language management by the national department, national public entity or national public enterprise concerned; and

*(g)* perform any other functions that the Minister may prescribe.

**Monitoring of and reporting on use of official languages**

**9.** (1) The Minister is responsible for monitoring the use of official languages by the national government for government purposes.

(2) Every national department, national public entity and national public enterprise must submit a report to the Minister and to the Pan South African Language Board annually on—

*(a)* the activities of its language unit;

*(b)* the implementation of its language policy;

*(c)* any complaints received regarding its use of official languages and the manner in which these complaints were dealt with; and

*(d)* any other matter that the Minister may prescribe.

(3) The Minister may prescribe the form and content of the reports to be submitted and the timeframes for submitting such reports.

(4) Notwithstanding the provisions of subsections (2) and (3), the Minister may at any time require any national department, national public entity or national public enterprise to submit a report to the Minister on its use of official languages, within a time period determined by the Minister.

(5) The Minister may instruct a national department, national public entity or national public enterprise that has failed to comply with any provision of this Act to comply with the Act within a time period determined by the Minister.

**Annual report to National Assembly**

**10.** The Minister must, on an annual basis, table a report in the National Assembly on the status and use of official languages by national government for government purposes and on any exemption granted to a national public entity and a national public enterprise in terms of section 12.

**Intergovernmental forums on use of official languages**

**11.** The Minister may—

*(a)* establish one or more intergovernmental forums—

(i) to promote general coordination, cooperation and consultation between national departments, national public entities and national public enterprises on the use of official languages for government purposes;

(ii) to coordinate, align and monitor the implementation of language policies; and

(iii) to perform any other function that the Minister may prescribe.

*(b)* in respect of such forums—

(i) determine their composition;

(ii) determine their terms of reference;

(iii) convene their meetings; and

(iv) determine any other matter necessary for their effective functioning.

**Exemptions from application of section 7**

**12.** (1) The Minister may, on application by a national public entity or national public enterprise listed in Schedule 3 Parts A or B to the Public Finance Management Act, 1999 (Act No. 1 of 1999), exempt, wholly or in part, such national public entity or national public enterprise from the application of section 7.

(2) The Minister may, on his or her own accord and on such terms and conditions as the Minister may determine, by notice in the *Gazette*, exempt a national public entity or national public enterprise listed in Schedule 3 Parts A or B to the Public Finance Management Act, 1999 (Act No. 1 of 1999), from the application of section 7.

(3) The application for an exemption must be in the form and manner prescribed by the Minister.

(4) If the Minister exempts a national public entity or national public enterprise from the application of section 7 the national public entity or national public enterprise must assign a senior employee to perform the functions of a language unit.

**Regulations**

**13.** (1) The Minister may, after consultation with the Pan South African Language Board, make regulations, not inconsistent with the provisions of this Act, regarding—

*(a)* the form and content of a language policy;

*(b)* timeframes for establishing a language unit;

*(c)* the form and content of a report contemplated in section 9;

(*d*) the manner, form and timeframes for submitting an application for exemption in terms of section 12;
(*e*) any matter which in terms of this Act is required, or permitted, to be prescribed; and
(*f*) any matter which the Minister deems it necessary or expedient to make regulations in order to achieve the objects of this Act.

(2) Before making regulations in terms of this Act, the Minister must—
(*a*) publish the proposed regulations in the *Gazette* for public comment;
(*b*) grant a period of at least 30 days for written representations to the Minister on the proposed regulations; and
(*c*) consider any such written representations received.

**Short title and commencement**

**14.** This Act is called the Use of Official Languages Act, 2012, and comes into operation on a date fixed by the President by proclamation in the *Gazette*.

"B"

**Lourens Prokureurs**

**From:** Maseapo Kganedi <maseapok@dac.gov.za>
**Sent:** 26 November 2012 11:03 AM
**To:** Lourens Prokureurs
**Subject:** Re: USE OF OFFICIAL LANGUAGES ACT, 2012: ACT 12 OF 2012: NONCOMPLIANCE WITH THE COURT ORDER: CJA LOURENS / PRESIDENT OF THE RSA AND ANOTHER - CASE NUMBER: 49807/09

**Attachments:** Letter of Response to Lourens (231112).pdf

Dear Ms Lourens

Herewith, the correct attachment.

Regards


Maseapo Kganedi

Chief Director:

Legal Advisor to the Minister

Tel: 0124413443

Fax: 0124413614

Fax to e-mail: 0867549579

Tel: 0214655620 (Cape town office)

Email: Maseapo.kganedi@.dac.gov.za

Website: www.dac.gov.za


arts and culture

---

**From:** Lourens Prokureurs <lourensprokureurs@worldonline.co.za>
**Date:** Friday 23 November 2012 1:52 PM
**To:** Maseapo Kganedi <maseapok@dac.gov.za>
**Subject:** RE: USE OF OFFICIAL LANGUAGES ACT, 2012: ACT 12 OF 2012: NONCOMPLIANCE WITH THE COURT ORDER: CJA LOURENS / PRESIDENT OF THE RSA AND ANOTHER - CASE NUMBER: 49807/09

Your letter dated 23 November 2012 has reference. We assume that you have attached the wrong letter as the President had signed the Bill according to our information on the 1st of October 2012 and the attached letter thus is outdated. Please send the correct attachment.

Yours faithfully

CJA LOURENS

LOURENS ATTORNEYS

---

**From:** Maseapo Kganedi [mailto:maseapok@dac.gov.za]
**Sent:** 23 November 2012 11:40 AM
**To:** Lourens Prokureurs
**Subject:** Re: USE OF OFFICIAL LANGUAGES ACT, 2012: ACT 12 OF 2012: NONCOMPLIANCE WITH THE COURT ORDER: CJA LOURENS / PRESIDENT OF THE RSA AND ANOTHER - CASE NUMBER: 49807/09

Dear Ms. Lourens

Kindly note the attached letter from the Minister.

Regards

Maseapo Kganedi

Chief Director:

Legal Advisor to the Minister

Tel: 0124413443

Fax: 0124413614

Fax to e-mail: 0867549579

Tel: 0214655620 (Cape town office)

Email: Maseapo.kganedi@.dac.gov.za

Website: www.dac.gov.za

arts and culture

**From:** Lourens Prokureurs <lourensprokureurs@worldonline.co.za>
**Date:** Tuesday 06 November 2012 12:59 PM
**To:** Maseapo Kganedi <maseapok@dac.gov.za>
**Cc:** "ilana@lourensprokureurs.com" <ilana@lourensprokureurs.com>
**Subject:** RE: USE OF OFFICIAL LANGUAGES ACT, 2012: ACT 12 OF 2012: NONCOMPLIANCE WITH THE COURT ORDER: CJA LOURENS / PRESIDENT OF THE RSA AND ANOTHER - CASE NUMBER: 49807/09

Good day,

**RE: USE OF OFFICIAL LANGUAGES ACT, 2012: ACT 12 OF 2012: NON-COMPLIANCE WITH THE COURT ORDER: CJA LOURENS / PRESIDENT OF THE RSA AND ANOTHER - CASE NUMBER: 49807/09**

My letter dated the 25th of October 2012 has reference.

I trust that I shall receive a timeous positive answer.

Yours faithfully

**CJA Lourens**

Per:

---

**From:** Lourens Prokureurs [mailto:lourensprokureurs@worldonline.co.za]
**Sent:** 25 October 2012 03:23 PM
**To:** Maseapo Kganedi (maseapok@dac.gov.za)
**Subject:** USE OF OFFICIAL LANGUAGES ACT, 2012: ACT 12 OF 2012: NONCOMPLIANCE WITH THE COURT ORDER: CJA LOURENS / PRESIDENT OF THE RSA AND ANOTHER - CASE NUMBER: 49807/09


**LUDORFSTRAAT 30 POSBUS 1541 DOCEX 12**
**BRITS BRITS BRITS**
**0250**
**Tel 012-2520693**
**Faks 012-2521806**
**E-posadres: lourensprokureurs@worldonline.co.za**
**www.lourensprokureurs.com**

# LOURENS PROKUREURS

**PROKUREURS, NOTARIS, BOEDELBEREDDERAARS & AKTEVERVAARDIGERS**


**BY EMAIL: maseapok@dac.gov.za**

**OUR REF: CJA LOURENS/ar/ILANA/MK/MIN6/0001**

**25 OCTOBER 2012**

**THE MINISTER OF ARTS & CULTURE**

**DEPARMENT OF ARTS & CULTURE**
**PRIVATE BAG X897**
**PRETORIA**
**0001**

Sir/Madam

**RE: USE OF OFFICIAL LANGUAGES ACT, 2012: ACT 12 OF 2012: NON-COMPLIANCE WITH THE COURT ORDER: CJA LOURENS / PRESIDENT OF THE RSA AND ANOTHER - CASE NUMBER: 49807/09**

With reference to the promulgation of the Use of Official Languages Act, 2012, on the 1st of October 2012 I have decided to send you, the honourable Minister, the hereunder mentioned ultimatum. You are also referred to my letters dated 8 March 2012, 12 May 2012 and the 12th of June 2012 which must be deemed to be incorporated herein. I attach copies of the said letters without the attachments thereto as they are already in your possession.

After a consultation process with the relevant stakeholders and individuals, and after the reading of legal opinions and research, I am, as stated *inter alia* in my opinion sent to your legal advisor, mr/ms Maseapo Kganedi, on the 8th of March 2012, of which paragraphs 4 and 5 thereof are attached, for your convenience, and in the light of what I have also said at the portfolio committee's hearing on the 18th of January 2012, that the then bill and now act, OULA, Act 12 of 2012, does not comply with the court order granted by the North Gauteng Provincial Division of the High Court on the 16th of March 2010 in favour of me for your convenience, the order is quoted:

"1. *It is stated that the national government is failing to regulate and to monitor through legislative and other measures the National Government's use of official languages in terms of section 6(4) of the Constitution of the Republic of South Africa, 1996. 2. The national Minister of Arts and Culture, Science and Technology in her capacity as the responsible member of the executive authority is ordered to comply with the said obligation within two years from the date of this order or to ensure that it is complied with*" This period was extended to the 15th of September 2012.

I do not wish to elaborate further on the detail of the unconstitutionality of the act, and in this regard I reserve my right to elaborate, but you are also referred to my confirmatory statement in opposing the application for the extension of time, which you brought on an urgent basis on the 9th of March 2012, dated the 12th of March 2012, which was subsequently settled by the aforesaid extension of time. From the aforesaid order of court, you will note that the order does not require from you to see that a "language act" be passed but that you should comply with the provisions and so to speak, the prescriptive provisions, of subsection 6(4) of the Constitution, 1996.

You will furthermore note from the order, as was clearly dealt with in my aforesaid confirmatory statement dated the 12th of March 2012 and in specific letters to your departmental staff, that the order not only requires compliance with the "legislative measures" before or on the 15th of September 2012, but also with the "other measures". This includes the policies for which you have now eighteen months plus an additional six months to finalize, which is in contravention with the aforesaid order.

The essence of the unconstitutionality is that, honourable Minister, that this OULA, 2012, does not regulate the use of official languages by the National Government, national entities and national enterprises, but defers, so to speak, transfers the powers to you as Minister, thus to the executive branch of the Government, to *regulate* the use of the official languages. Initially I thought that you may rectify this mistake through regulations in terms of section 13 of the OULA, 2012, but on a careful reading of the said section, and in the light of legal authorities, due to *inter alia* the vagueness in which section 13 is formulated, you will not be able to rectify this through regulations. According to international legal examples, you should have at least regulated, (and I do not limit myself to the said criteria), but due to space, I shall limit it to the following aspects which were communicated to your legal representative already on 12 June 2012:

1. Making available official documents and forms;
2. The acceptance by authorities of oral or written applications in the official languages;
3. The acceptance by authorities of oral or written applications in the citizens official languages;
4. Having sufficient number of officers, who are in contact with the public in place to respond to the use in their language;
5. Being able to use their language as an internal and daily language of work within public authorities;
6. Translation or interpretation as may be required;
7. Recruitment, and where necessary, training of the officials and other public service employees required; and
8. Compliance as far as possible with requests from public service employees having a knowledge of a regional to be appointed in the territory in which that language is used.

It is my opinion that the OULA, 2012, created the expectation, and may I add, a legitimate expectation, that the government would at hear to the constitutional prescriptive requirement in section 21 of schedule 6 to pass such legislative measures within a reasonable time after the

Constitution, 1996, came into effect on the 4th of February 1997. As you are well aware, the Constitutional court has interpreted "reasonable time" a few times but the average is between eighteen and twenty four months.

Ultimatum: in order to avoid further litigation, you are herewith given an ultimatum to give a firm written undertaking before or on 12:00 on the 11th of November 2012 to me to rectify the OULA, 1996, through an amendment bill to be enacted by Parliament which complies with the regulative function in accordance with the Constitutional language provisions with specific reference to subsection 6(4) of the Constitution, 1996.

If you fail to furnish the writer with a firm undertaking in writing in regard to the aforesaid, with a commitment of a time frame, you shall leave me no alternative as to approach the North Gauteng High Court for an appropriate order which may include a contempt of a court order, with a request that the OULA be referred back to Parliament for rectification to bring it in accordance with the Constitution and all further legal aid as may be required. The appropriate cost order will be sought and in this regard you are warned that a punitive cost order in the light of the history of the matter, will be sought, to be paid personally by you and not by the tax payers of South Africa, who are, in my opinion, left in the lurch by this failure to comply with a constitutional prescriptive provision.

I wish to reiterate that I offer my assistance, which I record was until now rejected or ignored, to assist the Department in the formulation of a proper amendment to comply with section 6(4) of the Constitution, 1996. The time period for consideration may be extended in the light of the fact that I am aware that the *Afrikaanse Taalraad* has or will approach you to reconsider the OULA in the light of an international expert's opinion which was already made available to you apparently.

It is also opportune to emphasize here honourable Minister, that my idea with the original application, as is clear from the supporting confirmatory statements of the original application, which was issued in the North Gauteng Provincial Division on the 14th of August 2009, which lead to the order, as well as the confirmatory statement of the 12th of March 2012, that my idea and intent are to promote multilingualism within the boundaries of the Constitution, 1996: thus in support of the principal of diversity and inclusiveness.

If no response is received before the aforesaid time period, it will be deemed that you are not interested in resolving this matter without litigation.

Yours faithfully

**MINISTRY: ARTS AND CULTURE**
**REPUBLIC OF SOUTH AFRICA**
Private Bag X898, Pretoria, 0001, South Africa. tel: (+27 12) 441 3014. Fax: (+27 12) 441 3614.
Private Bag X9137, Cape town, 8000, South Africa. tel: (+27 21) 465 5620. Fax: (+27 12) 465 5624
www.dac.gov.za

Our Ref: Ms. M. Kganedi
Tel No: 012 441-3443

Mr C J A Lourens
30 Ludorf Street
Brits

Dear Mr Lourens

**Use of South African Official Languages Act, 2012**

1 We refer to your email of 25 October 2012.

2 We do not intend to deal with each and every allegation contained in your letter. We reserve our right to do so should the need arise at a later stage.

3 Firstly, we do not agree with your interpretation of the order of Du Plessis J dated 16 March 2010.

4 The order states that the Minister must comply with the obligations in section 6(4) of the Constitution of the Republic of South Africa, Act No. 108 of 1996 ("the Constitution"). As stated in our previous correspondence to you, section 6(4) amongst other things, requires the Minister to regulate and monitor by legislative measures government's use of official languages.

5 We are of the view that the Use of Official Languages Act, 2012 complies with the above obligations.

6 With regard to "other measures" meaning we advise that the Department, on behalf of government, takes practical and positive measures to elevate the status

and advance the use of indigenous languages of historically diminished use and status in accordance with section 6(2) of the Constitution when it:

6.1 produces and coordinates terminologies in various technical domains;

6.2 develops and promotes human language technologies (HLT) to facilitate and support multilingalism through technology;

6.3 drives capacity building for language facilitation in government departments focusing strategically on skills development in language practise through language bursaries; and

6.4 when budget is available, the Department conducts advocacy campaigns.

7 The list above is not exhaustive but is meant to indicate that there are practical and positive measures that are taken by the Department to comply with the Constitution.

8 I trust that you will find the above to be in order. Should you require any further clarity, please do not hesitate to contact my office.

Yours faithfully

**S P Mashatile, MP**
**Minsiter of Arts and Culture**
**Date: 20 November 2012**

"C"

LUDORFSTRAAT 30 BRITS | POSBUS 1541 BRITS 0250 | DOCEX 12 BRITS

Tel 012-2520693
Faks 012-2521806
E-posadres: lourensprokureurs@worldonline.co.za
www.lourensprokureurs.com

# LOURENS PROKUREURS

PROKUREURS, NOTARIS, BOEDELBEREDDERAARS & AKTEVERVAARDIGERS

BY E-MAIL: zanele@po.gov.za

BY FAX: 012 323 8246

OUR REF: CJA LOURENS/MK

28 JANUARY 2013

THE PRESIDENT OF THE RSA
UNION BUILDINGS
GOVERNMENT AVENUE
PRETORIA

Sir

**RE: OUTSTANDING PROCLAMATION IN TERMS OF SECTION 14 OF THE USE OF OFFICIAL LANGUAGES ACT, ACT 12 OF 2012**

The writer has successfully brought an application against the Minister of Arts and Culture in the North Gauteng Provincial Division of the High Court to compel the Minister to comply with subsection 6(4) of the Constitution, 1996. Subsequent to this order of the 16th of March 2010, the Use of Official Languages Act was prepared and you have signed it on the 1st of October 2012. It was published in the Government Gazette on the 2nd of October 2012.

In terms of section 14 thereof, you had to issue a proclamation to fix a date of commencement thereof. According to the information to my disposal, this was not as yet done. The court ordered the finalization of all legislative measures before the 15th of March 2012 which date was extended on application by the Minister and it was agreed that it would have been finalized at the latest on the 15th of September 2012.

In terms of section 85 of the Constitution, the executive authority is vested in you, Honourable President.

I need to emphasize that the obligation in terms of subsection 6(4) of the Constitution, 1996 should have been complied with within a reasonable time after the 4th of February 1997 when the Constitution came into effect. As you know, Item 21(1) of Schedule 6 of the Constitution, 1996 stipulated that it should be done within a reasonable time and reasonable time was interpreted by the Constitutional Court generally between 18 and 24 months for the finalization of legislation.

You are herewith requested to indicate why the date for commencement was not fixed as yet and in respecting the rule of law, you are requested to issue the proclamation without any further delay. In my view, it should be done retroactively with effect from the 2nd of October 2012.

If the date is not fixed before the 1st of February 2012, I shall have no other alternative as to approach the court to compel you, Honourable President, to issue the proclamation.

Please acknowledge receipt.

Yours faithfully

**CJA LOURENS**
**LOURENS ATTORNEYS**

**Lourens Prokureurs**

**From:** Lourens Prokureurs <lourensprokureurs@worldonline.co.za>
**Sent:** 28 January 2013 09:45 AM
**o:** 'zanele@po.gov.za'
**Subject:** OUTSTANDING PROCLAMATION IN TERMS OF SECTION 14 OF THE USE OF OFFICIAL LANGUAGES ACT, ACT 12 OF 2012
**Attachments:** 20130128084150153.pdf


**LUDORFSTRAAT 30 BRITS** **POSBUS 1541 BRITS 0250** **DOCEX 12 BRITS**

**Tel 012-2520693**
**Faks 012-2521806**
**E-posadres: lourensprokureurs@worldonline.co.za**
**www.lourensprokureurs.com**

# LOURENS PROKUREURS

**PROKUREURS, NOTARIS, BOEDELBEREDDERAARS & AKTEVERVAARDIGERS**


**BY E-MAIL: zanele@po.gov.za**

**BY FAX: 012 323 8246**

**OUR REF: CJA LOURENS/MK**

**28 JANUARY 2013**

**THE PRESIDENT OF THE RSA**
**UNION BUILDINGS**
**GOVERNMENT AVENUE**
**PRETORIA**

Sir

**RE: OUTSTANDING PROCLAMATION IN TERMS OF SECTION 14 OF THE USE OF OFFICIAL LANGUAGES ACT, ACT 12 OF 2012**

Find attached hereto, a letter for your urgent attention.

Please acknowledge receipt.

Yours faithfully

**CJA LOURENS**
**LOURENS ATTORNEYS**

"D"

LUDORFSTRAAT 30
BRITS

POSBUS 1541
BRITS
0250

DOCEX 12
BRITS

Tel 012-2520693
Faks 012-2521806
E-posadres: lourensprokureurs@worldonline.co.za
www.lourensprokureurs.com

# LOURENS PROKUREURS

**PROKUREURS, NOTARIS, BOEDELBEREDDERAARS & AKTEVERVAARDIGERS**

**BY EMAIL: zanele@po.gov.za**
**BY FAX: 012 323 8246**

OUR REF: CJA LOURENS/SS

12 FEBRUARY 2013

**THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA**
UNION BUILDING
GOVERNMENT AVENUE
PRETORIA

Dear Sir

**RE: OUTSTANDING PROCLAMATION IN TERMS OF SECTION 14 OF THE USE OF OFFICIAL LANGUAGES ACT, ACT 12 OF 2012**

We refer to our letter dated 28 January 2013, of which a copy is attached for your convenience, to which we did not have the courtesy of an answer as yet. Unless we receive confirmation of the intention by you, mister President, to proclaim the commencement of the Use of Official Language Act, Act 12 of 2012, without any further delay, we shall have no option as to approach the High Court to compel you, honourable President.

Please acknowledge urgent receipt and failing of which it will be deemed that you, mister President, do not intend to proclaim the commencement date.

Yours faithfully

**CJA LOURENS**
**LOURENS ATTORNEYS**

C J A LOURENS
B.Iuris LLB. LLM
Gevorderde Dipl. Arbeidsreg
Lid van die VRA

Bygestaan deur: G J LAUBSCHER
B.Iuris LLB
G M C MOHUBE
LLB

**Lourens Prokureurs**

| | |
|---|---|
| **From:** | Lourens Prokureurs <lourensprokureurs@worldonline.co.za> |
| **Sent:** | 12 February 2013 01:22 PM |
| **To:** | zanele@po.gov.za |
| **Cc:** | 'presidentrsa@po.gov.za'; 'charmaine@po.gov.za'; 'lakela@po.gov.za'; 'matho@po.gov.za' |
| **Subject:** | OUTSTANDING PROCLAMATION IN TERMS OF SECTION 14 OF THE USE OF OFFICIAL LANGUAGES ACT, ACT 12 OF 2012 |
| **Attachments:** | 20130212121359389.pdf |


**LUDORFSTRAAT 30 POSBUS 1541 DOCEX 12**
**BRITS BRITS BRITS**
**0250**
**Tel 012-2520693**
**Faks 012-2521806**
**E-posadres: lourensprokureurs@worldonline.co.za**
**www.lourensprokureurs.com**
**LOURENS PROKUREURS**
**PROKUREURS, NOTARIS, BOEDELBEREDDERAARS & AKTEVERVAARDIGERS**


**BY EMAIL: zanele@po.gov.za**
**BY FAX: 012 323 8246**

OUR REF: CJA LOURENS/SS

12 FEBRUARY 2013

**THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA**
UNION BUILDING
GOVERNMENT AVENUE
PRETORIA

Dear Sir

**RE: OUTSTANDING PROCLAMATION IN TERMS OF SECTION 14 OF THE USE OF OFFICIAL LANGUAGES ACT, ACT 12 OF 2012**

Find attached hereto a letter for your urgent attention.

Please acknowledge receipt.

Yours faithfully

**CJA LOURENS**
**LOURENS ATTORNEYS**

* * * Communication Result Report ( 12. Feb. 2013 13:12 ) * * *
1)
2)

Date/Time: 12. Feb. 2013 13:11

| File No. | Mode | Destination | Pg(s) | Result | Page Not Sent |
|---|---|---|---|---|---|
| 3345 | Memory TX | 00123238246 | P. 3 | OK | |

Reason for error
E. 1) Hang up or line fail
E. 2) Busy
E. 3) No answer
E. 4) No facsimile connection
E. 5) Exceeded max. E-mail size

LUDORFSTRAAT 36 BRITS
POSBUS 1541 BRITS 0250
DOCEX 12 BRITS
Tel 012-2520693
Faks 012-2521806
E-posadres: lourensprokureurs@worldonline.co.za
www.lourensprokureurs.com

**LOURENS PROKUREURS**
PROKUREURS, NOTARIS, BOEDELBEREDDERAARS & AKTEVERVAARDIGERS

BY EMAIL: zangle@oo.gov.za
BY FAX: 012 323 8246

OUR REF: CJA LOURENS/SS

12 FEBRUARY 2013

THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA
UNION BUILDING
GOVERNMENT AVENUE
PRETORIA

Dear Sir

RE: OUTSTANDING PROCLAMATION IN TERMS OF SECTION 14 OF THE USE OF OFFICIAL LANGUAGES ACT, ACT 12 OF 2012

We refer to our letter dated 28 January 2013, of which a copy is attached for your convenience, to which we did not have the courtesy of an answer as yet. Unless we receive confirmation of the intention by you, mister President, to proclaim the commencement of the Use of Official Language Act, Act 12 of 2012, without any further delay, we shall have no option as to approach the High Court to compel you, honourable President.

Please acknowledge urgent receipt and failing of which it will be deemed that you, mister President, do not intend to proclaim the commencement date.

Yours faithfully

CJA LOURENS
LOURENS ATTORNEYS

C J A LOURENS
B.Iuris LL.B. U.J.A
Gevorderde Dipl. Arbeidsreg
Lid van die VRA

Bygestaan deur: G J LAUBSCHER
B.Iuris LLB
G M O MOHUBE
LLB