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05 April 2023

Enquires: **MR.SP MATHEBULA**

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Enquires: **MR R. J SEBELEMETSA**

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**ATT: MR C N VENTER AND MR J D CLASSEN
SERFONTEION, VILJOEN & SWART ATTORNEYS
HARTFIELD
PRETORIA
REF: MR CLAASSEN/ MR VENTER/NS0045**

And to : BY EMAIL: andri@jinc.co.za

ATT: MS A JENNINGS
JENNINGS INCORPORATED
PRETORIA
REF: A JEMMINGS/ OUT022

Dear Sir/ Madam

RE: ORGANISATION UNDOING TAX ABUSE NPC // THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA & OTHERS CASE NO: 2023-01486 AND SOLIDARITY / THE HEAD OD THE NATIONAL STATE DISASTER MANAGEMENT CASE NUMBER: B 464/23.

1. We write to you in respect of the applications instituted by Organisation for Undoing Tax Abuse under case number 023-014861 **(the OUTA application)** and the application instituted by Solidarity under case number B 464/2023 **(the Solidarity application).**
2. We are instructed that the Minister of Co-operative Governance and Traditional Affairs, in consultation with the relevant Cabinet members, has decided to terminate the state of disaster¹ in accordance with section 27(5)(b) of the Disaster Management Act, 57 of 2002 and to repeal the State of Disaster Regulations promulgated in Government Gazette No. 48145, GNR 3089 on 27 February 2023.

¹ Declared in Notice No. 3020 in the Government Gazette No. 48009, Vol 692 of 9 February 2023.

3. We are further instructed that the Head of the National Disaster Management Centre has decided to revoke the classification of the impact of the severe electricity supply constraint as a national disaster.²
4. The Minister of CoGTA and the Head of the National Disaster Management Centre will implement these decisions today through the publication of the relevant notices in the Government Gazette.
5. In the circumstances, the relief sought by OUTA in prayers 3 and 4 of Part B of the notice of motion, and the relief sought by Solidarity in prayers 2 to 5 of its amended notice of motion is moot. There is no live controversy for determination.
6. We invite the applicants to withdraw their applications. The first to fifth respondents tender the costs of the two applications and will consent to an order on these terms.
7. The state respondents do not intend filing an answering affidavit addressing the merits of either application.
8. We propose that the parties address a joint letter to the Deputy Judge President to inform him of these developments and, if necessary, to cancel the meeting scheduled for 12 April 2023.

² Published in Notice No. 3019 in the Government Gazette No 48009, Vol 692 of 9 February 2023.

9. We would be grateful for your prompt response.

Yours Faithfully.

A handwritten signature in black ink, appearing to read 'Mathebula', with a small flourish at the end.

S MATHEBULA
FOR STATE ATTORNEY PRETORIA

