



**CONSTITUTIONAL COURT OF SOUTH AFRICA**

**CASE NO: CCT 54/06**

**FANUEL SITAKENI MASIYA**

Applicant

**and**

**THE DIRECTOR OF PUBLIC PROSECUTIONS,  
PRETORIA (THE STATE)**

First Respondent

**THE MINISTER OF JUSTICE AND  
CONSTITUTIONAL DEVELOPMENT**

Second Respondent

---

**DIRECTIONS DATED 25 AUGUST 2006**

---

The Chief Justice has given the following directions concerning the above matter:

1. The application by Fanuel Sitakeni Masiya for leave to appeal against the whole of the judgment and order handed down by the Pretoria High Court on 25 July 2006 under Case No. CC628/2005 is set down for hearing on Thursday 9 November 2006 at 10h00.
2. On the same date, this Court will consider the matter of the confirmation of the order of constitutional invalidity of the provisions of the Criminal Law Amendment Act 105 of 1997 and its Schedules and section 261(1)(e) and (f) and (2)(c) of the Criminal Procedure Act 51 of 1997 and the Schedules to the latter Act relating to bail provisions, as contained in paragraph 3 of the order handed down by the Pretoria High Court on 25 July 2006.
3. The record shall consist of the full record in the proceedings before the Regional Magistrate of Lydenburg under Case No. SHG94/2004 and before the Pretoria High Court, and all documents lodged in the present application. The applicant

must lodge the record, properly paginated and indexed, with the Registrar of this Court by Thursday 21 September 2006.

4. Written argument, which shall include argument on the merits of the appeal, shall be lodged as follows:
  - (a) by the applicant not later than Tuesday 3 October 2006, and
  - (b) by the State not later than Thursday 19 October 2006.
5. Any person or institution wishing to be admitted as an amicus curiae in the proceedings before this Court must make an application in terms of rule 10 of the rules of this Court.”

**MS STANDER  
SNR REGISTRAR: CONSTITUTIONAL COURT**

**AND TO: SENIOR ATTORNEY: IMPACT LITIGATION**

Legal Aid Board, 29 De Beer Street,  
Legal Aid House, Braamfontein

**JOHANNESBURG**

2000

Ref: S. Mahomed/ F Laher/ PHundermark

Tel: (011) 877 2000

Fax: (011) 877 2222

**TO: THE DIRECTOR OF PUBLIC PROSECUTIONS**

Transvaal Provincial Division (Pretoria)

Ground Floor, Church Square

C/o HM Meintjies SC

Ref no: 05224805/ART52/em

Tel: (012) 351 6700

Fax: (012) 321 8176

**AND TO: STATE ATTORNEYS JOHANNESBURG**

95 C/r Market and Kruis Street

North State Building, 11<sup>th</sup> Floor

**JOHANNESBURG**

2000

Tel: (011) 330 7600

Fax: (011) 337 6200/2180/7182

Fax: (011) 333 0348

