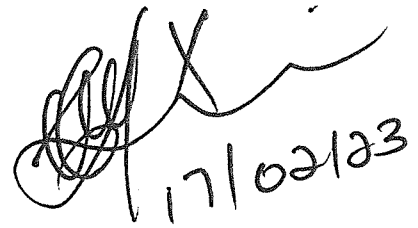


IN THE HIGH COURT OF SOUTH AFRICA
(WESTERN CAPE DIVISION, CAPE TOWN)


17/02/23

CASE NO.: 2899/2023

Before Honourable Justice Fortuin

Cape Town: Friday, 17 February 2023

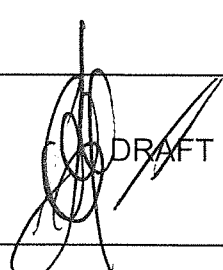
In the matter between:

UNIVERSITY OF CAPE TOWN Private Bag 29020, Cape Town 8000 Applicant

and

THE STUDENTS' REPRESENTATIVE COUNCIL First Respondent
OF THE UNIVERSITY OF CAPE TOWN

ALL THOSE PERSONS PARTICIPATING, OR Second Respondent
INTENDING TO PARTICIPATE, IN UNLAWFUL
CONDUCT AT ANY OF THE APPLICANT'S
PROPERTIES

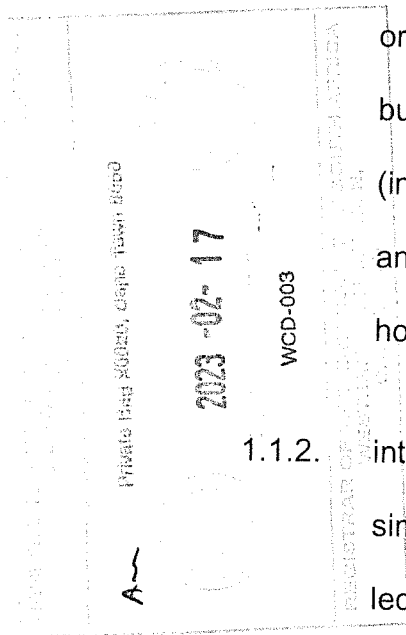

DRAFT ORDER

Having read the papers filed of record, and having heard counsel for the applicant, the following order is granted:

1. A rule nisi is issued calling on the respondent to show cause on 16 March 2023 why the following order should not be made final:

1.1. Interdicting and restraining the respondents from participating in, or inciting others to participate in any unlawful conduct and/or unlawful protest action at any of the applicant's properties, such action to include, but not to be limited, to the following actions:

1.1.1. entering or occupying any of the applicant's properties or buildings other than for the transaction of university business that requires their attendance in the buildings (including the attendance of lectures, tutorials, libraries and examination venues and for occupying student housing for which they are lawfully registered);



1.1.2. interrupting or disrupting any lectures, tutorials or similar activities, or preventing the continuation of lectures or any other learning or studying activities, including learning activities or studying in any of the applicant's libraries, residences or other facilities, in any manner whatsoever;

1.1.3. interfering with the operation of the University's shuttle services and buses;

1.1.4. preventing any student or member of the applicant's staff from accessing or remaining on any of the

applicant's properties or any building on the properties, or from accessing any form of transport arranged by the applicant;

1.1.5. destroying, damaging in any way or defacing any of the applicant's property;

1.1.6. erecting any form of barricade, preventing access to any roads, buildings or transport on the applicant's property;

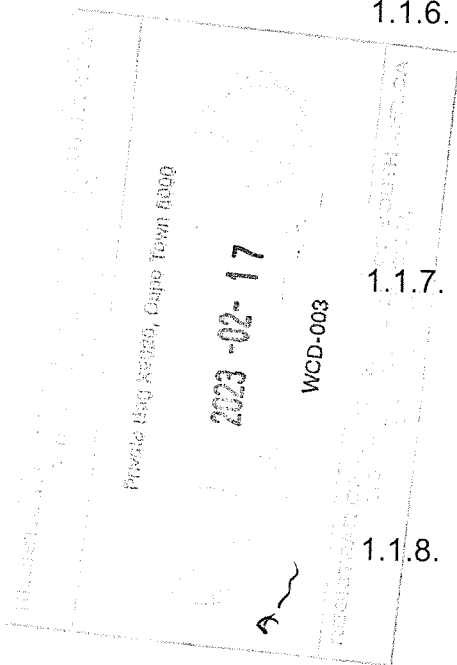
1.1.7. activating any of the fire alarms in any of the applicant's premises or student residences, save for legitimate reasons;

1.1.8. participating in, or inciting others to participate in, violent protest;

1.1.9. inciting violence;

1.1.1. intimidating any person on the applicant's properties or intimidating any person seeking to access the applicant's properties, including at any of the applicant's student residences;

1.1.10. seeking to persuade or coerce any person, using intimidation, duress or threats, from continuing with their work (in the case of any of the applicant's



employees or contractors) or, in the case of students, from studying, attending lectures, or pursuing any other learning or studying activity.

2. Paragraph 1.1 above shall operate as an interim order with immediate effect until the final resolution of the matter.

3. Service of this order shall be effected on the first respondent by the sheriff serving a copy of the interim order on the offices of the first respondent.

4. Service of this order shall be effected on the further respondents by posting copies thereof:

4.1. On the doors outside each of the applicant's libraries; and

4.2. On the applicant's website and social media platforms.

5. The members of the South African police services and local law enforcement are directed to forthwith assist the applicant with the enforcement of the interim order.

6. The applicant is granted leave to file supplementary and confirmatory affidavits, if necessary, on or before 2 March 2023.

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7. In the event of opposition to the application, any person so opposing must file their notice of opposition by 2 March 2023 and opposing affidavit by 9 March 2023.

8. The respondents may anticipate the return day hereof on 48 hours' written notice to the applicant's attorneys of record.

BY ORDER OF THE COURT

COURT REGISTRAR

2023-02-17

WCD-003

**FAIRBRIDGES WERTHEIM
BECKER ATTORNEYS**

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CAPE TOWN

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