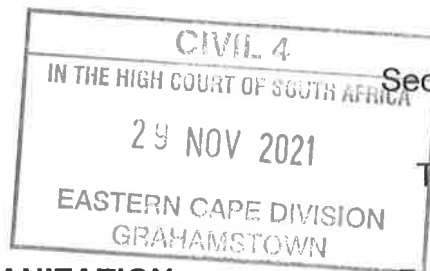


**IN THE HIGH COURT OF SOUTH AFRICA
(EASTERN CAPE DIVISION, GRAHAMSTOWN)**

CASE NO: 3865/2021

In the matter between

BORDER DEEP SEA ANGLING ASSOCIATION	First Applicant
KEI MOUTH SKI BOAT CLUB	Second Applicant
NATURAL JUSTICE	Third Applicant
GREENPEACE ENVIRONMENTAL ORGANIZATION	Fourth Applicant



and

MINISTER OF MINERAL RESOURCES AND ENERGY	First Respondent
MINISTER OF FORESTRY, FISHERIES AND ENVIRONMENT	Second Respondent
BG INTERNATIONAL LIMITED	Third Respondent
SHELL EXPLORATION AND PRODUCTION SOUTH AFRICA BV	Fourth Respondent
IMPACT AFRICA LIMITED	Fifth Respondent

NOTICE OF MOTION

BE PLEASED TO TAKE NOTICE that on 1 December 2021 at 14h00 or as soon thereafter as Counsel may be heard, application will be made on behalf of the aforementioned applicants for an order the following terms:

1. That this application be treated as a matter of urgency in terms of Rule 6 (12);
2. That a rule *nisi* be issued calling upon the respondents to show cause, if any, on a date to be determined by this Honourable Court, why an order in the following terms should not be made:
 - 2.1. that pending the final determination of an application for the review and setting aside of the decisions of the First Respondent set out in annexure A hereto, the Third, Fourth and Fifth Respondents be interdicted and restrained from undertaking seismic survey operations under Exploration Right 12/3/252, or causing that to be done;
 - 2.2. that such further and/or alternative relief be afforded the applicants as this Honourable Court may deem fit;
3. that pending the return day, the Third, Fourth and Fifth Respondents be interdicted and restrained from undertaking seismic survey operations under Exploration Right 12/3/252, or causing that to be done;
4. that unless the application for review and setting aside of the decisions in annexure A has been instituted by **10 January 2022**, any order made in terms of paragraphs 2 and/or 3 above shall lapse;
5. that such further and/or alternative relief be afforded the applicants as this Honourable Court may deem fit;

6. that costs stand over for later determination.

BE PLEASED TO TAKE NOTICE FURTHER that if you intend to oppose the application for the relief in paragraph 3 above you are required –

- (a) to give written notice thereof to the Applicants' attorneys at the physical or email address stated below by no later than **10h00 on Tuesday, 30 November 2021**, and to furnish in such a notice a physical and/or email address where you will accept notice and delivery of any further documents or process in this matter; and
- (b) to deliver any answering affidavit by no later than **16h00 on 30 November 2021** to the Registrar of the above Honourable Court and the Applicants attorneys at the physical or email address stated below.

BE PLEASED TO TAKE FURTHER NOTICE that the affidavit of Tyrone Gower will be used in support of this application.

DATED at Grahamstown on this 29th day of NOVEMBER 2021.



**HUXTABLE ATTORNEYS
APPLICANT'S ATTORNEYS**
26 New Street
Grahamstown/Makhanda
Tel: 046 622 2692
Fax: 086 743 1966
Email: owen@huxattorneys.co.za
(Ref: JM de Klerk)

As correspondent for:
Cormac Cullinan & Ricky Stone
Cullinan & Associates Inc.

Applicants' attorney
18A Ascot Road
Kenilworth, Cape Town
7708
ricky@greencounsel.co.za

TO: THE REGISTRAR OF THE HIGH COURT

AND TO: MINISTER OF MINERAL RESOURCES AND ENERGY

First Respondent
c/o State Attorney
29 Western Road
Central
Gqeberha (Port Elizabeth)

AND TO: MINISTER OF FORESTRY, FISHERIES AND THE ENVIRONMENT

Second Respondent
c/o State Attorney
29 Western Road
Central
Gqeberha (Port Elizabeth)

AND TO: BG INTERNATIONAL LIMITED

Third Respondent
C/O Shepstone Wylie Inc.
24 Richefond Circle
Ridgeside Office Park
Umhlanga Rocks
per email: sampson@wylie.co.za

AND TO: SHELL EXPLORATION AND PRODUCTION SOUTH AFRICA BV

Fourth Respondent
C/O Shepstone Wylie Inc.
24 Richefond Circle
Ridgeside Office Park
Umhlanga Rocks
per email: sampson@wylie.co.za

AND TO: IMPACT AFRICA LIMITED

Fifth Respondent
6th Floor
119 Hertzog Boulevard
Foreshore
Cape Town

IN THE EASTERN CAPE HIGH COURT

CASE NO:

In the matter between

BORDER DEEP SEA ANGLING ASSOCIATION

First Applicant

KEI MOUTH SKI BOAT CLUB

Second Applicant

GREENPEACE AFRICA

Third Applicant

NATURAL JUSTICE

Fourth Applicant

and

MINISTER OF MINERAL RESOURCES AND ENERGY

First Respondent

**MINISTER OF ENVIRONMENT, FORESTRY AND
FISHERIES**

Second Respondent

**SHELL EXPLORATION AND PRODUCTION SOUTH
AFRICA LTD**

Third Respondent

IMPACT AFRICA LTD

Fourth Respondent

ANNEXURE "A" TO THE NOTICE OF MOTION

1. The grant of Exploration Right 12/3/252.

2. The renewal of Exploration Right 12/3/252 granted on or about 20 December 2017.
3. The renewal of Exploration Right 12/3/252 granted in or about May 2020.