

COURT ONLINE COVER PAGE

IN THE HIGH COURT OF SOUTH AFRICA
Gauteng Division, Pretoria

CASE NO: **2023-079658**

In the matter between:

**VAAL ENVIRONMENTAL JUSTICE
ALLIANCE, THE TRUSTEES FOR THE
TIME BEING OF THE GROUNDWORK
TRUST**

Plaintiff / Applicant / Appellant

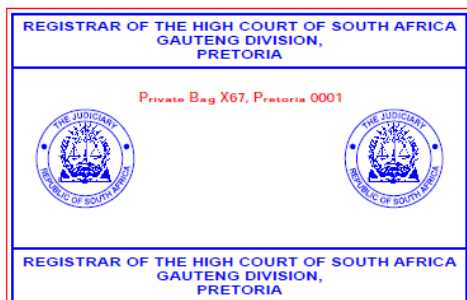
and

**THE MINISTER OF FORESTRY,
FISHERIES AND THE
ENVIRONMENT, NATIONAL AIR
QUALITY OFFICER, ARCELOR MITTAL
SOUTH AFRICA (PTY LTD)**

Defendant / Respondent

Notice in terms of Rule 16A

NOTE: This document was filed electronically by the Registrar on 11/8/2023 at 12:34:29 PM South African Standard Time (SAST). The time and date the document was filed by the party is presented on the header of each page of this document.



ELECTRONICALLY SIGNED BY:

**Registrar of High Court of South
Africa , Gauteng Division,Pretoria**

**IN THE HIGH COURT OF SOUTH AFRICA
GAUTENG DIVISION, PRETORIA**

Case Number: 2023-079658

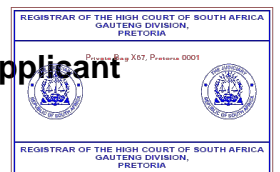
In the matter between:

VAAL ENVIRONMENTAL JUSTICE ALLIANCE

First Applicant

**THE TRUSTEES FOR THE TIME BEING OF THE
GROUNDWORK TRUST**

Second Applicant



And

**THE MINISTER OF FORESTRY, FISHERIES AND THE
ENVIRONMENT**

First Respondent

NATIONAL AIR QUALITY OFFICER

Second Respondent

ARCELOR MITTAL SOUTH AFRICA (PTY LTD)

Third Respondent

RULE 16A NOTICE

TAKE NOTICE THAT In this application, the applicants have raised a constitutional issue, namely that the decision of the National Air Quality Officer (NAQO) to grant ArcelorMittal South Africa (AMSA) a postponement to comply with timeframes for the

Minimum Emission Standards (*MES*) and alternative limits for various pollutants at its Vanderbijlpark Steelworks Facility; and the decision of the Minister of Fisheries, Forestry and the Environment dismissing the applicants' internal appeal against the NAQO's decision, impacted residents in the Vaal Triangle Airshed Priority Area's section 24 constitutional rights to an environment that is not harmful to their health or wellbeing, and to have an environment protected for the benefit of present and future generations, and other interrelated rights.

TAKE FURTHER NOTICE THAT any interested party may, with the written consent of all the parties to the proceedings, given not later than 20 days after this notice has been filed, be admitted therein as *amicus curiae* upon such terms and conditions as may be agreed upon in writing by the parties.



TAKE FURTHER NOTICE THAT the written consent referred to above shall, within five days of its having been obtained, be lodged with the Registrar and the *amicus curiae* shall, in addition to any other provision of the Rules, comply with the times agreed upon for the lodging of the written argument.

TAKE FURTHER NOTICE THAT if the interested party is unable to obtain written consent as contemplated herein, he or she may, within five days of the expiry of the 20-day period prescribed above, apply to the Court to be admitted as an *amicus curiae* in the proceedings. Such application shall—

- (a) Briefly describe the interest of the prospective *amicus curiae* in the proceedings;
- (b) Clearly and succinctly set out the submissions which will be advanced by the prospective *amicus curiae*, the relevance thereof to the proceedings and his or

her reasons for believing that the submissions will assist the court and are different from those of the other parties; and

(c) Be served upon all parties to the proceedings.

TAKE FURTHER NOTICE THAT any party to the proceedings who wishes to oppose an application to be admitted as *amicus curiae* shall file an answering affidavit within five days of the service of such application upon such party. The answering affidavit shall clearly and succinctly set out the grounds of such opposition.



SIGNED and **DATED** at **PRETORIA** on this the **11th** day of **AUGUST 2023**.

CENTRE FOR ENVIRONMENTAL RIGHTS

ATTORNEYS FOR THE APPLICANTS

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TO: THE REGISTRAR OF THE ABOVE
HONOURABLE COURT
PRETORIA

AND TO: **THE MINISTER OF THE DEPARTMENT OF FORESTRY,
FISHERIES AND THE ENVIRONMENT**
FIRST RESPONDENT
ENVIRONMENT HOUSE
473 STEVE BIKO ROAD
ARCADIA
PRETORIA



AND TO: **NATIONAL AIR QUALITY OFFICER: DEPARTMENT OF FORESTRY,
FISHERIES AND THE ENVIRONMENT**
SECOND RESPONDENT
ENVIRONMENT HOUSE
473 STEVE BIKO ROAD
ARCADIA, PRETORIA

AND TO: **ARCELORMITTAL SOUTH AFRICA LTD**
THIRD RESPONDENT
DELFOUS BOULDVARD,
VANDERBIJLPARK,
EMFULENI LOCAL MUNICIPALITY,
GAUTENG PROVINCE