

**IN THE SUPREME COURT OF APPEAL, BLOEMFONTEIN  
(REPUBLIC OF SOUTH AFRICA)**

CASE NO 998/2013

In the matter between:

**THE PRESIDENT OF THE REPUBLIC OF SOUTH AFRICA** First appellant

**THE DEPUTY INFORMATION OFFICER** Second appellant

**THE MINISTER IN THE PRESIDENCY** Third appellant

and

**M & G MEDIA LIMITED** Respondent

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**RESPONDENT'S AMPLIFIED CHRONOLOGY**  
**(6 years 2 months 18 days from date of request under PAIA to current hearing)**

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<b>No.</b>	<b>Step</b>	<b>Date</b>	<b>Days since prior step</b>	<b>Days since inception</b>	<b>Reference vol/page</b>
1.	M&G lodges a request for information with Presidency in terms of section 18(1)	17 Jun 08			1/44 (FA10, FH2)
2.	Presidency (Fowler) states that the request is under consideration	7 Jul 08	20	20	1/53 (FA11, FH3)
3.	Presidency (Fowler) extends the deadline for decision by 30 days	15 Jul 08	8	28	1/54 (FA11, FH4)
4.	Presidency (Fowler) refuses the request	22 Jul 08	7	35	1/55 (FA12, FH5)
5.	M&G lodges an internal appeal with Presidency (Tshabalala-Msimang) in terms of section 75	22 Sep 08	62	97	1/56-7 (FA13, FH6)
6.	Presidency misses the deadline for decision in terms of section 75	27 Oct 08	35	132	-
7.	M&G demands a decision within 7 days	29 Oct 08	2	134	1/58-9 (FA13, FH7)
8.	Presidency misses M&G's further deadline for decision	5 Nov 08	7	141	-
9.	Presidency (Tshabalala-Msimang) dismisses the internal appeal	13 Nov 08	8	149	1/60-1 (FA13, FH8)
10.	M&G applies to the NGHC in terms of section 78	13 Jan 09	61	210	1/1-4
11.	Presidency misses deadline for filing answering affidavits	24 Feb 09	42	252	-

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12.	Presidency files answering affidavits (Fowler; Tshabalala-Msimang; Chikane; Motlanthe)	19 Mar 09	23	275	1/110-176
13.	M&G files replying affidavit (Dawes)	29 Mar 09	10	285s	1/177-214
14.	NGHC (Sapire AJ) hears argument	24 May 10	421 (1y 1m 25d)	706	-
15.	NGHC (Sapire AJ) orders, in terms of section 82, that the report be released within 7 court days	4 Jun 10	11	717	1/227
16.	Presidency applies for leave to appeal to a full bench of the High Court, alternatively to the SCA	14 Jun 10	10	727 (1y 11m 18d)	-
17.	SCA hears argument	22 Nov 10	161	888	-
18.	SCA (per Nugent, Van Heerden, Maya and Cachalia JJA and Bertelsmann AJA) dismisses the appeal, requires report to be released within 7 days	14 Dec 10	22	910	-
19.	Presidency applies for leave to appeal to the CC	6 Jan 11	23	933	2/229
20.	CC grants leave to appeal	1 Feb 11	26	959	2/306-7
21.	CC hears argument	17 May 11	105	1064	2/310
22.	Chief Justice issues further directions that parties lodge written argument addressing sections 80 and 81(3)	4 Aug 11	79	1143	2/308-9
23.	Parties lodge further argument	12 Aug 11	8	1151	-

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24.	CC orders remittal of the matter to the High Court for examination of the report in terms of section 80	29 Nov 11	109	1260	2/346
25.	High Court (Raulinga J) holds hearing on remittal; Presidency serves the previous evening application for admission of new affidavit (ex-President Mbeki) into evidence; matter stands down for the day	13 Jun 12	197	1457 (3y 11m 27d)	3/375
26.	M&G files opposition to admission of new affidavit; Presidency argues that there is no need for examination of report; Raulinga J orders Presidency to produce the report; Raulinga J examines the report	14 Jun 12	1	1458	3/387
27.	M&G files ex parte representations in terms of section 80(3)(a)	16 Jul 12	32	1490	3/389-401
28.	Presidency confidentially files same affidavit of Mbeki plus now further one by President Zuma at Raulinga J's chambers as ex parte representations in terms of section 80(3)(a) (subsequently disclosed)	3 Aug 12	18	1508	3/402-436
29.	Raulinga J holds second hearing	6 Aug 12	3	1511	-
30.	Raulinga J requests supplementary written submissions	17 Aug 12	11	1522	-
31.	Presidency and M&G each lodge supplementary submissions	3 Sep 2012	17	1539	3/437-498
32.	Raulinga J delivers written judgment, refusing to accept in evidence the Mbeki and Zuma affidavits and ordering that the report be released within 10 days	14 Feb 13	164	1703	4/513,524-5

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33.	Presidency applies for leave to appeal to a full bench of the High Court, alternatively to the SCA	5 Mar 13	19	1722	4/527
34.	M&G applies to the CC for direct hearing of Presidency's appeal	3 Apr 13	29	1751	-
35.	Presidency files notice of opposition	16 Apr 13	13	1764	-
36.	CC summarily dismisses M&G's application for direct appeal	6 May 13	20	1784	-
37.	Presidency's application for leave to appeal is due to be heard but is postponed as Presidency's lead counsel is unavailable	20 Jun 13	45	1829 (5y 3d)	-
38.	Raulinga J hears Presidency's application for leave to appeal	24 Jul 13	34	1863	4/535
39.	M&G enquires from Raulinga J when judgment may be expected	6 Sep 13	44	1907	-
40.	M&G enquires again from Raulinga J when judgment may be expected	28 Oct 13	52	1959	-
41.	Raulinga J grants leave to appeal to the SCA	31 Oct 13	3	1962	4/539
42.	M&G requests Presidency to agree on an expedited timetable and to file the report with the SCA	13 Nov 13	13	1975	-
43.	Presidency lodges notice of appeal with the SCA, seeks to include the new affidavits (Mbeki and Zuma) and exclude the report from the record	22 Nov 13	9	1984	-

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44.	Presidency rejects M&G's request for an expedited timetable	26 Nov 13	4	1988	-
45.	M&G requests Presidency to lodge the record by 2 December 2013	27 Nov 13	1	1989	-
46.	Presidency rejects M&G's request to lodge the record by 2 December 2013	28 Nov 13	1	1990	-
47.	Presidency denies that the matter deserves expedited treatment, says it is not a matter of national importance	29 Nov 13	1	1991	-
48.	M&G requests SCA to set an expedited timetable, seeks a hearing in the second term	10 Dec 13	11	2002	-
49.	M&G requests SCA again to set an expedited timetable, seeks a hearing in the second term	17 Dec 13	7	2009	-
50.	Presidency informs M&G that the report cannot be filed until it is retrieved from Raulinga J, who was out of the country	20 Dec 13	3	2012	-
51.	M&G requests clarity from Presidency, by 10 January 2014, on the arrangements for filing the report with the SCA (to which there is no response)	2 Jan 14	13	2025	-
52.	SCA sets expedited timetable, requiring the appeal record to be lodged by 10 February 2014, Presidency's heads by 3 March 2014 and M&G's heads by 24 March 2014	16 Jan 14	14	2039	-

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53.	M&G requests the Presidency to lodge the report with the SCA, together with the appeal record, by 10 February 2014	20 Jan 14	4	2043	-
54.	Presidency informs M&G that Raulinga J has called the parties to a meeting in chambers on 7 February 2014	5 Feb 14	16	2059	-
55.	Raulinga J informs parties that the report is missing; Presidency states there is no other copy in its possession; Presidency informs SCA that the report is missing	7 Feb 14	2	2061	-
56.	M&G asks the SCA to direct persons who may have a copy of the report to produce it for the appeal	10 Feb 14	3	2064	-
57.	Presidency submits that the SCA cannot issue the directions asked for by M&G; SCA responds that M&G should directly approach any persons suspected of having a copy of the report	18 Feb 14	8	2072	-
58.	Presidency files heads of argument in the SCA, noting that the matter is academic as the only copy of the report is missing	3 Mar 14	13	2085	-
59.	M&G asks Presidency to take urgent steps to locate a copy of the report; M&G asks Moseneke ACJ and Khampepe J whether they have a copy of the report	7 Mar 14	4	2089	-
60.	Khampepe J confirms that they have an original copy of the report and would provide it if directed to do so by the President of the SCA	10 Mar 14	3	2092	-

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61.	M&G asks the President of the SCA to direct Mosekene ACJ and Khampepe J to provide the report	12 Mar 14	2	2094	-
62.	Presidency submits that the SCA cannot make such a direction and that Mosekene ACJ and Khampepe J must return the report to the President; M&G responds that the report must not be intercepted from Mosekene ACJ and Khampepe J	18 Mar 14	6	2100	-
63.	M&G urges SCA to take custody of the report from Mosekene ACJ and Khampepe J; President of the SCA directs Mosekene ACJ and Khampepe J to transmit a copy of the report to him	19 Mar 14	1	2101	-
64.	M&G files heads of argument	24 Mar 14	5	2106	-
65.	SCA notifies M&G that the appeal cannot be heard in the second term	23 Apr 14	30	2136	-
66.	Raulinga J's registrar informs M&G that the report has resurfaced	19 May 14	29	2162	-
67.	M&G requests Raulinga J to transmit the report under seal to the SCA	22 May 14	3	2165	-
68.	SCA notifies the parties that the appeal will be heard on 4 September 2014	3 Jun 14	12	2177	-
69.	Raulinga J informs parties that he is sealing the report with a view to sending it to the SCA	13 Jun 14	10	2187 (5y 11m 27d)	-
70.	SCA hears argument	4 Sep 14	83	<b>2270</b> <b>(6y 2m 18d)</b>	-