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IN THE HIGH COURT OF SOUTH AFRICA  
(NORTH GAUTENG HIGH COURT, PRETORIA)

BEFORE THE HONOURABLE JUDGE LUJW  
21 APRIL 2009

Case no: 23007/09

In the matter between:

LAWYERS FOR HUMAN RIGHTS

Applicant

and

MINISTER OF SAFETY AND SECURITY

First Respondent

NATIONAL COMMISSIONER OF POLICE

Second Respondent

PROVINCIAL COMMISSIONER OF POLICE,  
LIMPOPO PROVINCE

Third Respondent

STATION COMMISSIONER OF THE MUSINA POLICE STATION

Fourth Respondent

MINISTER OF HOME AFFAIRS

Fifth Respondent

DRAFT ORDER

1. The first to fourth respondents are directed to forthwith release from detention at the Soutpansberg Military Grounds (SMG) detention facility all Zimbabwean nationals and to allow them a reasonable opportunity to approach the Department of Home Affairs for any and all available exemptions and permits.
2. The order in paragraph 1 above shall apply equally to Zimbabwean nationals who were in detention at the SMG detention facility at the time that the application was launched, but are presently being detained elsewhere.
3. It is recorded that the first to fourth respondents undertake that they will refrain from detaining Zimbabwean nationals at the SMG detention facility, save in accordance with section 34(2) of the Immigration Act 13 of 2002, including but not limited to the fact that such detentions may not exceed 48 hours from the arrest of the detainees, provided that if such period expires on a non-court day it shall be extended to four p.m. on the next court day.
4. The applicant's costs are to be paid by the first to fourth respondents.

  
REGISTRAR

GRIFFIER VAN DIE HOOGGERECHSHOF VAN S.A.
TRANSVAALSE PROVINSIALE AFDELING
PRIVAATSAK/PRIVATE BAG X87
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PRETORIA 0001
TRANSVAAL PROVINCIAL DIVISION
REGISTRAR OF THE SUPREME COURT OF S.A.