

**IN THE CONSTITUTIONAL COURT OF SOUTH AFRICA**

**CASE NO: CCT89/17**

In the matter between:

**UNITED DEMOCRATIC MOVEMENT**

Applicant

and

**SPEAKER OF THE NATIONAL ASSEMBLY**

First Respondent

**PRESIDENT JACOB ZUMA**

Second Respondent

**AFRICAN NATIONAL CONGRESS**

Third Respondent

**DEMOCRATIC ALLIANCE**

Fourth Respondent

**ECONOMIC FREEDOM FIGHTERS**

Fifth Respondent

**INKATHA FREEDOM PARTY**

Sixth Respondent

**NATIONAL FREEDOM PARTY**

Seventh Respondent

**CONGRESS OF THE PEOPLE**

Eighth Respondent

**FREEDOM FRONT**

Ninth Respondent

**AFRICAN CHRISTIAN DEMOCRATIC PARTY**

Tenth Respondent

**AFRICAN INDEPENDENT PARTY**

Eleventh Respondent

**AGANG SOUTH AFRICA**

Twelfth Respondent

**PAN AFRICANIST CONGRESS OF AZANIA**

Thirteenth Respondent

**AFRICAN PEOPLE'S CONVENTION**

Fourteenth Respondent

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**PRACTICE NOTE FOR THE UNITED DEMOCRATIC MOVEMENT**

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**DATE OF HEARING** : Not yet allocated

**NAME OF COUNSEL APPEARING :** **For Applicant**

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**NATURE OF APPLICATION:** This is an application for a declaration that the Constitution requires, alternatively, permits motions of no confidence in terms of section 102 of the Constitution to be by a secret ballot.

**SUMMARY OF ISSUES INVOLVED:**

1. Whether the Constitution requires motions of no confidence to be by way of a secret ballot.
2. If not, whether the Constitution and the Rules require the Speaker of the National Assembly to order that motions of no confidence be by a secret ballot.
3. Is the Speaker of the National Assembly's decision of 6 April 2017, in which she refused to allow a motion of no

confidence to be by a secret ballot  
reviewable by this Court.

4. Can this Court order a motion of no  
confidence to be by a secret ballot.

**ESTIMATED DURATION** : 1 Day

**PROSPECTS FOR SETTLEMENT** : NONE

**COURT TO READ PAPERS** : Yes