

Agtergetuig: Hierdie afskrif van die oorspronklike dokument getuig dat dit 'n ware kopie van die oorspronklike dokument is. Daar is geen aanduiding dat die oorspronklike dokument gewysig is of dat die oorspronklike dokument gewysig is nie.



LANDDROS/MAGISTRATE, PRETORIA
VAN DIE HOF/CLERK OF THE COURT, PRETORIA

REPUBLIC OF SOUTH AFRICA

FORM 4

[Regulation 5]

NOTICE TO RESPONDENT TO SHOW CAUSE

SECTION 3(4) OF THE PROTECTION FROM HARASSMENT ACT, 2011 (ACT NO. 17 OF 2011)

IN THE MAGISTRATE'S COURT FOR THE DISTRICT OF Tshwane Central
HELD AT Pretoria APPLICATION NO. HIA 1715 /19
In the matter between: [Redacted] (Complainant)
AND Anthony K Beamish (Respondent)

(*Delete whichever is not applicable)

1. PARTICULARS OF RESPONDENT

Address: 369 Oak Avenue
Randburg
Johannesburg (Carte Blanche)

Contact number (telephone number/cellular phone number/facsimile number/e-mail address (whichever is available)):

2. PARTICULARS OF APPLICATION

On 17/12/19 (date), [Redacted] (name of person who applied for protection order) applied for a protection order against the respondent. The court considered the application but has not issued an interim protection order. A copy of the application and supporting affidavits are attached for the information of the respondent

3. NOTICE TO RESPONDENT

3.1 The respondent is called upon to show cause on 29/01/2020 (the return date) at 08H30 (time) at the abovementioned court, why the court should not issue a final protection order against him or her.

3.2 The return date specified in paragraph 3.1, above, may be anticipated by the respondent on not less than 24 hours' written notice to the complainant and the court.

3.3 If the respondent does not appear on the return date and if the court is satisfied that:
(a) proper service has been effected on the respondent; and



(b) the application contains *prima facie* evidence that the respondent has engaged or is engaging in harassment,
the court must issue a final protection order.

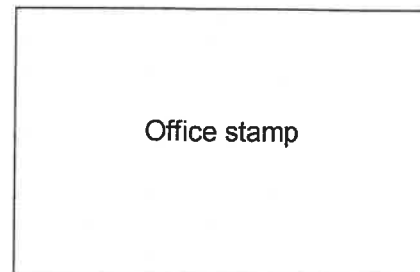
3.4 In terms of section 16 of the Protection from Harassment Act, 2011, the court may make an order as to costs against a party if it is satisfied that the party in question has acted frivolously, vexatiously or unreasonably.

In terms of sections 3(4) and 15(a) of the Protection from Harassment Act, 2011,
..... (name and surname), who is a *clerk of the court/*sheriff/ *peace officer is hereby directed to serve this notice, a certified copy of the application and supporting affidavits on the respondent in accordance with regulation 28 of the Protection from Harassment Regulations, 2013.




.....
MAGISTRATE

.....
DATE



5. PARTICULARS OF RESPONDENT (PERSON RESPONSIBLE FOR HARASSMENT OF THE COMPLAINANT OR RELATED PERSON):

***5.1 To be completed where the respondent is known to the complainant:**

Surname:	Beamish
Full names:	Anthony Kilray
Home address:	Unknown
Address where respondent can likely be found:	
Telephone number:	
Facsimile number:	
E-mail address:	tony.beamish@me.com / tony@beamish.co.za
Cellular phone number:	063 257 8718
Work address:	369 Oak Avenue, Randburg Johannesburg (Carte Blanche)
Work telephone number:	
Occupation:	Journalist

***5.2 To be completed where respondent is unknown to the complainant and uses electronic communications to harass complainant:**

The name of the service provider which provides a service to the complainant or related person over which the harassing communication was received (for example XYZ Internet service provider which provides an internet service to the complainant/related person who is the owner/user of the computer which received a harassing e-mail):	
The electronic communications identity number associated with the aforementioned service to which the harassing communication was sent (for example the Internet Protocol (IP) address assigned to the computer of the complainant/related person or cellular phone number or telephone number which received the harassing communication):	

(d) (i) Did the complainant or related person make a statement under oath or affirmation at a police station that he or she intends to apply for a protection order against harassment against a person whose name and address are unknown to the complainant: Yes ☐ No ☐

(ii) If the answer under paragraph (d)(i) is yes, please state the following particulars:

At which police station was the statement made:	
Date and time of making the statement:	
Reference number:	

6. INFORMATION REGARDING URGENCY OF APPLICATION

Submit the reasons why the court has to consider the application as a matter of urgency:

See attached sworn statement
(Specifically paras 21 - 28 under Grounds
of Urgency)

7. TERMS OF PROTECTION ORDER

The court is requested to —

7.1 prohibit the respondent from —

*7.1.1 engaging in or attempting to engage in harassment of the complainant;

*7.1.2 engaging in or attempting to engage in harassment of the related persons whose particulars are provided in paragraph 3, above;

*7.1.2 enlisting the help of another person to engage in harassment of the
*complainant/*related person;

*7.1.3 committing any of the following act/s:

(a) ^{not} ~~not~~ to enter my complex [REDACTED]

(b) ^{not} ~~not~~ to enter my residence at [REDACTED]

(c) ^{not} ~~not~~ to communicate directly or indirectly with me or my employer or my University

*7.2 impose the following additional conditions that are necessary to protect and to provide for the safety and well-being of the *complainant/* related person:

(a) from threatening to or distributing any information relating to me to any third party

(b)

(c)

*7.3 order (mark appropriate space and complete where necessary):

* (a)	That a member of the South African Police Service is to seize the following weapon(s)	
* (b)	That a member of the South African Police Service is to accompany the complainant or related person to the following residence:, to supervise the collection of the complainant's or related person's personal property set out in paragraph 8, below.	
* (c)	That the station commander of the Wierdabrug police station must investigate the matter with the view to instituting a criminal prosecution against the respondent.	✓

*8. PERSONAL PROPERTY

Property description:	Grounds on which property is considered to be personal property:	Address where property is kept:

9. POLICE STATION WHERE BREACH OF PROTECTION ORDER WILL LIKELY BE REPORTED

I am likely to report a breach of the protection order at the Wierdabrug
Police Station.

10. INDEX OF ANNEXURES TO THIS FORM

Mark each Annexure alphabetically, starting with "Annexure A", and attach it to this form.	Give short description of Annexure, for example "statement of witness X", "CD with photographs".
A	Sworn Statement
B	Handwritten letter
C	Letter from LDP Attorneys

WARNING:

It is a criminal offence to make a false statement in an affidavit for the application for a protection order.

The court may make an order as to costs against a party if it is satisfied that the party in question has acted frivolously, vexatiously or unreasonably.

17 / 12 / 2019
Date

.....
*Signature/thumb print / *mark of *complainant/*person
who applies for a protection order on behalf of
the complainant