

Office of the National Director of Public Prosecutions



The National Prosecuting Authority of South Africa
Igunya Jikelele Labetshutshisi boMzantsi Afrika
Die Nasionale Vervolgingsgesag van Suid-Afrika

TO: ALL MEDIA

DATE: 17 SEPTEMBER 2008

RE: NPA APPEALS NICHOLSON JUDGMENT ON ZUMA

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The National Prosecuting Authority (NPA) has carefully studied Nicholson J's judgment in the Zuma matter. We have also taken Senior Counsel's advice. Consequently we have decided to apply for leave to appeal against the judgment.

The grounds of appeal will include the following:

- The court's interpretation of the Constitution and the NPA Act regarding the obligation to solicit representations before recharging was incorrect;
- The judgment which we consider that should be corrected, has made serious legal findings impacting on the operational processes in the NPA, hence the appeal.

The NPA has yet to make a decision on whether to recharge Mr Zuma. This decision will be made after the finalization of the appeal. The NPA will take the necessary steps to expedite the appeal process.

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